

30/600

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

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Disposed date-05/12/96

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SECTION OFFICER (Judl.)

No. 179/96

S. S. Shad

Applicant(s)

VS

MOI & Co.

Respondent(s)

Mr. B. Banerjee

Advocates for the applicant(s)

Mr. S. Ali, Sr. Cse.

Advocates for the Respondent(s)

Office Notes

Date

Courts' Orders

27-8-96

Learned counsel Mr. B. Banerjee for the applicant. Mr. S. Ali Sr. C.G.S.C. for the respondents.

Issue notice on the respondents why the application should not be admitted and reliefs sought allowed. Returnable on 10-9-96. List on 10-9-96 for consideration of show cause and for Admission.

Steps within to-day.

Registry should issued the notice immediately.

Pendency of consideration of Admission shall not be a bar for the respondents to disposed of the representation dated 27-6-96 stated to have been sent by the applicant to the Director General of Assam Rifles, Shillong through proper channel. Further the respondents are directed not to implement the impugned transfer, order No.11012/A-21/96/317 dated 24-6-96 (Annexure 7) and the letter No.11012/A-121/96/1590 dated 13-8-96 (Annexure 10) pending disposal of show cause and consideration of Admission.

This application is in form and within time C. F. of Rs. 50/- deposited vide

IPO/BD No 346804

Dated 24.8.96

Dr. Registrar

Same 26/8/96

Immediate for notice

27/8

28.8.96

Notices issued to the concerned parties vide D. No. 2834 dt. 28.8.96

Ban

lm

27/8

Member

10-9-96

Learned counsel Mr.B.Banerjee for the applicant. None for the respondents. Show cause has not been submitted. Adjourned for show cause and consideration of Admission on 23-9-96.

Interim order dated 27-8-96 shall continue.

Member

Inform to the parties.

10/9

lm  
10/9

16.9.96

23.9.96

Learned counsel Mr B.Banerjee for the applicant.

At the request of learned Sr.C.G.S.C Mr S.Ali list on 27.9.96 for consideration of admission.

Interim order dated 27-8-96 shall continue.

Member

Bm

show cause has not been  
b.w

29/9

pg  
23/9

comply the  
order dated 23.9.96.

27.9.96

23/9/96

Mr B. Banerjee, learned counsel for the applicant is not present due to personal difficulty as mentioned by Mr K. Bhattacharjee. Show cause has not been submitted and Mr S. Ali, learned Sr. C.G.S.C. seeks one month time for filing the show cause.

List for show cause and consideration of admission on 12.11.96.

Interim order dated 27.8.96 shall continue till disposal of the show cause.

Member

4-11-96.

D/S filed by 1st

R. nos 1 — 4.

nkm  
30/9

2m

(3)

QA/TA/CP/PA/MP No. of 19 O.A.No.179/96

OFFICE NOTE

REE

ORDER

12.11.96

Learned counsel Mr B. Banerjee for the applicant. Learned Sr. C.G.S.C. Mr S. Ali for the respondents. Show cause/written statement have been submitted by respondent Nos.1, 2, 3 and 4 and served on Mr Banerjee today. Mr Banerjee submits that he needs time for instructions. He also submits that the applicant has since been transferred to CGHS, Patna vide order No.A-22012/33/96-CHS-II dated 20.9.1996, but he has not been released. Mr Ali seeks time for instructions on the latest development.

In the circumstances list for consideration of admission and disposal of show cause/written statement on 29.11.96.

Member

nkm

29-11-96

Mr.B.Banerjee counsel for the applicant. Leave note of Mr.S.Ali, Sr. C.G.S.C.

List for consideration of Admission on 5-12-96.

Member

lm

5.12.96

Learned counsel Mr B. Banerjee for the applicants. Learned Sr. C.G.S.C. Mr S. Ali for the respondents.

This application has been submitted by the applicant for quashing and setting aside his order of transfer from 30 AR to 18 AR, No.11012/A-21/96/317 dated 24.6.1996 (Annexure-7), to repatriate the applicant to his parent department, Central Health Service under the Ministry of Health and Family Welfare, Government of India, and to post him to a place of his choice in terms of O.M.No.20014/3/83.E.IV dated 14.12.1983 of

1) Notice duly served on  
Resp dt no. 2.

2) w/statement has been  
b/w.

22/11/96

1) Notice duly served on  
O.P. No. 2.

2) w/statement has been b/w.

4/12

lm  
29/11

OFFICE NOTE

DATE

ORDER

5.12.96

the Ministry of Finance, Government of India. The respondents have submitted their written statement. Now it transpires that the applicant has since been repatriated to his parent department and transfer<sup>red</sup> from Assam Rifles to CGHS, Patna vide order No.A.22012/33/96-CHS-II dated 20.9.1996 of the Ministry of Health and Family Welfare. Thus the reliefs sought by the applicant in this application have already materialised and, therefore, the application has become infructuous to the extent the applicant has been granted relief by the respondents. Mr Banerjee, however, submits that the applicant has not been released till date.

After hearing Mr Ali and Mr Banerjee the application is disposed of as the applicant had already obtained the relief from the respondents as indicated above with a direction to the respondents to release the applicant pursuant to the transfer order dated 20.9.1996 as early as it is administratively convenient. The respondent Nos.2, 3 and 4 are further directed to retain the applicant in the present place of posting at 30 AR till his release pursuant to the transfer order dated 20.9.1996 mentioned above. The respondent No.1 is directed to keep one post of Senior Medical Officer in the Central Health Services, Patna, vacant for the applicant pending his release by respondent Nos.2, 3 and 4 mentioned above.

The application is disposed of as above.

Copy of the order may be furnished to the counsel for the parties.

nkm

Member

pl. comply  
order on 5/12/96  
m  
6/12

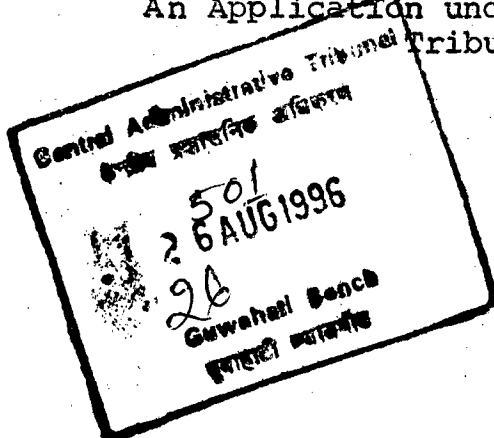
6/12

Copy of order  
issued to the parties  
~~with~~ along with  
the L/Advocates of  
the parties with a v.  
4094 to 4101 dtd 10.12.96

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Filed by the  
Applicant through  
B. Banerjee  
Advocate  
26.8.96

An Application under Section 19 of the Administrative  
Tribunals Act, 1985.



O.A. No. 177/96  
Dr. Shib Shankar Shah

-versus-

Union of India & Ors.

I N D E X

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Date :

Filed By :  
No. B. Banerjee  
Advocate

DR SHIB SHANKER SHAM

1. Particulars of the Applicant.

Dr. Shib Shankar Shah

Son of late Ram Ratan Shan

Sr. Medical Officer,

30 Assam Rifles,

C/o 99 APO

..... Applicant

2. Particulars of the Respondents

1. The Union of India

through the Secretary to the Govt. of India

Ministry of Health and Family Welfare,

New Delhi.

2. The Secretary to the Government of India,

Ministry of Home Affairs,

Government of India,

New Delhi.

3. The Director General of Assam Rifles

Ministry of Home Affairs

Assam Rifles,

Shillong

4. The Commandant,

30 Assam Rifles,

C/o 99 A.P.O.

5. Dr. N.I.Singh,

Sr. Medical Officer,

18 Assam Rifles,

C/o 99 APO

..... Respondents

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3. Particulars for which this application is made.

This application is made against the transfer and posting order issued under letter No. 11012/A-21/96/317 dated 24.6.96 whereby the applicant is sought to be transferred and posted from 30 Assam Rifles i.e. from Imphal to 18 Assam Rifles i.e. Lunglei, Mizoram and also against the order issued under letter No. 11012/A-121/96/1590 dated 13.8.96 and also praying for a direction upon the respondents to continue to allow the applicant at least for a period of one year in the present place of posting i.e. at Imphal, 30 Assam Rifles.

4. Limitation

That the applicant declares that this application is filed within the prescribed time limit in Section 21 of the Administrative Tribunals Act, 1985.

5. Jurisdiction

The applicant further declares that the subject matter of the case is within the jurisdiction of the Hon'ble Tribunal.

6. Facts of the case

6.1 That the applicant is a citizen of India as such he is entitled to all the rights and privileges guaranteed under the Constitution of India. The applicant is presently serving as Senior Medical Officer in 30 Assam Rifles, Imphal Manipur.

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6.2 That your applicant although initially appointed in the year 1985 on temporary basis as medical Officer under the Directorate General of Assam Rifles and posted at 16 Assam Rifles i.e. at Ghaspani, Nagaland, however the applicant subsequently qualified in the competitive examination conducted by the Union Public Service Commission on All India basis and on the recommendation of the UPSC the applicant was appointed as Medical Officer in the Central Health Services vide Office Memorandum No. A.12025/84/87-CHS-I dated 6.11.87 issued by the Government of India, Ministry of Health and Family Welfare. In the said Memorandum dated 6.11.1987 in paragraph 10 wherein it is stated that the applicant be liable to serve in Defence service or post connected with the defence of India for a period of not less than 4 years including the period spent on training if any, if so required and the applicant initially posted under the Directorate General of Assam Rifles after being regularly appointed in Central Health Services. The Director General of Assam Rifles is an organisation under the Ministry of Home Affairs but the organisation of the Directorate General is connected with the defence of India. The applicant initially posted at Ghaspani, 16 Assam Rifles, Nagaland and continued even after his regular appointment in the Central Health Services under the Ministry of Family and Health Welfare. The applicant served at Ghaspani upto December 1990. Be it stated that Ghaspani of Nagaland is a very interior place in the state of Nagaland and he had served there for a period of 5 years.

A copy of the Office Memorandum dated 6.11.87 is annexed hereto and the same is marked as Annexure-1.

DR SHIB SHANKER SHAH

6.3 That your applicant was transferred and posted to 25 Assam Rifles i.e. in Ukhrul District of Manipur in the month of December 1990 from 16 Assam Rifles. Ukhrul is also located near Burma Border and is a very hard station in the State of Manipur and the applicant was continued to serve there till September 1993 i.e. about 3 years. Thereafter the applicant was transferred and posted to 30 Assam Rifles i.e. at Imphal in the month of September 1993 and in the present place of posting i.e. at Imphal the applicant has completed only 2 years 11 months till filing of this application.

6.4 That the Directorate General of Assam Rifles vide their Circular as regard transfer and posting guidelines issued under letter No. A/1-A/92-82/39 dated 29.8.92 wherein the changes is brought as regard tenure of transfer and posting in Unit locations after considering the representations/suggestions receipt from Range Headquarter/Units in the subject matter. As per the guidelines of transfer and posting classification of Unit ~~have~~ for tenure is also made by the Directorate General of the Assam Rifles. In Appendix A to the Circular dated 29.8.92 the 30 Assam Rifles has been classified as 'C' category and the tenure of posting is 4-5 years. In the bottom of the circular dated 29.8.92 a clear note is given whereby it is stated that it will be ensured that after a tenure in a type A unit individual will will be posted to Type 'C' and then type 'B' before going back to type 'A'. It is further stated that it should be ensured

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that persons are not posted back to the same type 'A' <sup>on</sup> Unit/Areas where similar condition are prevailing, where they have served earlier. In this connection it may be stated that the applicant has already served at 25 Assam Rifles at Ukhrul District of Manipur near Burma Border which is declared as 'A' type category in terms of the Circular dated 29.8.92 issued by the Directorate General of Assam Rifles and the applicant had served there almost 3 years. Thereafter only he was transferred and posted at 30 Assam Rifles which is declared as Category 'C' and where the tenure of posting is declared for 4-5 years as per circular dated 29.8.92. The applicant on completion of 4-5 years of service is entitled to be posted at Type 'B' category Units/Station. <sup>B</sup>e it stated that the applicant till filing of this application has been completed only 2 years and 11 months at the present Unit i.e. 30 Assam Rifles, Category 'C' Unit. Therefore he is entitled to complete the tenure of 4-5 years at 30 Assam Rifles at Manipur.

A copy of the Circular issued by the Directorate General of Assam Rifles dated 29.8.92 is annexed hereto and the same is marked as Annexure-2.

6.5 That your applicant on 4th ~~Dec~~ May 1996 submitted an application requesting his transfer/repatriation indicating option for transfer and posting on preference basis for 5 stations of the Office of the Central Government Health Services i.e. namely;

- i. CGHS - Guwahati/Patna
- ii. CGHS - Allahabad
- iii. CGHS - Kanpur/Calcutta

DR SHIB SHANKER SINGH

In the said applicant the applicant has also mentioned that he had served more than 10 years in difficult areas of North Eastern Region i.e. Nagaland, Manipur in the capacity of Medical Officer/Senior Medical Officer under the Assam Rifles. In the col. No. 7 of the application for transfer it is also indicated that the reason for seeking transfer due to prolong stay in Assam Rifles and also on the ground that he has completed the service of more than fixed tenure in North Eastern Region. This application was forwarded to Manipur Range, which was duly ~~forwarded to~~ recommended by the Commandant, 30 Assam Rifles. Then the Deputy Director (Admn.) of Manipur Range forward the same to to the endorsement with the remarks of the DIG, Assam Rifles for necessary action addressed to Headquarter, IG, Assam Rifles (North) vide letter No. II.12020(B)/A/96/453 dated 15.5.96 thereafter I.G. Assam Rifles again forwarded the application of the present applicant for transfer from Assam Rifles to Directorate General of Assam Rifles , Shillong vide letter No. I.120/5334 dated 24.5.96. The application for his transfer/repatriation to Central Health Services is also forwarded by the Office of the Directorate General, Assam Rifles addressed to the Under Secretary, Government of India, Ministry of Health and Family Welfare vide letter No. I.14015/289-87/SS-AR/ME (A) dated 8.7.96 and the same is now pending for consideration with the Ministry of Health and Family Welfare.

A copy of the application dated. 4.5.96, forwarding letters dated 15.5.96, 24.5.96, 8.7.96 are annexed hereto and the same are marked as Annexures 3,4,5 and 6 respectively.

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6.6 Most surprisingly the Commandant 30 Assam Rifles in pursuance of the Directorate General of Assam Rifles Signal No. A-1589 dated 21.6.96 issued transfer and posting order under letter No. 11012/A-21/96/317 dated 24.6.96 whereby the applicant is now sought to be transferred from 30 Assam Rifles, Imphal to 18 Assam Rifles i.e. Lunglei, Mizoram in total violation of the Directorate General of Assam Rifles transfer and posting guidelines issued under Circular dated 29.8.92. In this connection it may be stated that the applicant has completed only 2 years 11 months in the present place of posting i.e. at 30 Assam Rifles, Imphal whereas as per the Circular dated 29.8.92 the tenure of posting at 30 Assam Rifles is 4-5 years but the applicant is now transferred and posted violating the transfer and posting guidelines of the Directorate General, Assam Rifles only to accommodate Dr. N.I. Singh, Senior Medical Officer posted at 18 Assam Rifles i.e. Lunglei, Mizoram. Be it stated that Dr. N. Inoba Singh who is also under order of transfer from 18 Assam Rifles to 30 Assam Rifles in place of the present applicant is ~~xxxxx~~ hailed from Imphal. Therefore to accommodate ~~xxxxx~~ Dr. N.I. Singh, Sr. Medical Officer, the Directorate General of Assam Rifles has violated the transfer and posting guidelines issued under letter/circular dated 29.8.92. Therefore the transfer order is mala fide and the same is issued only to show undue advantage to Dr. N.I. Singh, Sr. Medical Officer whereas as per transfer and posting guidelines the applicant is entitled to serve in the present place of posting 4-5 years whereas he has completed only 2 years and 11 months in

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the present place of posting. In this connection it may further be stated that there is no indication that the transfer and posting order issued due to administrative exigencies. The circular issued by the Directorate General of Assam Rifles issued on 29.8.92 as regards transfer and posting used to be followed very strictly whereas the Directorate General of Assam Rifles has made departure in the instant case violating his own transfer and posting guidelines only to show favouritism to Dr. N.I.Singh, Senior Medical Officer. Therefore the transfer order is absolutely mala fide and the same is liable to be set aside and quashed.

A copy of the transfer and posting order dated 24.6.96 is annexed herewith and the same is marked is Annexure-7.

6.7 That the applicant begs to state that he is a member of the medical officers belongs to Central Health Services therefore as per the original appointment letter clause 10 of the appointment it is clearly stated that the applicant is liable to serve in Defence Service or post connected with the Defence of India only for a period of 4 years whereas the applicant after his appointment served Assam Rifles nearly 11 years therefore his is entitled to be posted as per his option in any of the office of the Central Government Health Services and he is not liable to serve any more under the Directorate General of Assam Rifles. The repatriation sought by the applicant vide his application dated 4.5.96 where he had clearly indicated that since he has served the North Eastern Region for a prolong 11 years he is entitled to

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be posted/repatriated to any of the Office of the Central Health Services as per option indicated in the application dated 4.5.96. and the same was duly forwarded by the Directorate General of Assam Rifles, Shillong to the Ministry of Health and Family Welfare and the same is under consideration. In the circumstances when particularly there will be fixed tenure for 4-5 years in the present place of posting at 30 Assam Rifles therefore he is ~~entitled~~ not liable to be transferred and post to any other station till completion of his tenure and the transfer order dated 24.6.96 is illegal, arbitrary, whimsical, malafide and unfair.

6.8 That the Government of India, Ministry of Finance under Memorandum No. 20014/3/83-E.IV dated 14.12.83 issued certain improvement/facilities for the officers serving North Eastern Region having all India transfer liability whereby the officers who have completed 10 years of service are entitled to choice station of posting on completion of 2 years of service/tenure in the North Eastern Region and the officers who have completed less than 10 years of service are also entitled for choice station posting on completion of 3 years of tenure posting in the North Eastern Region. The relevant portion of the Office Memorandum No. 20014/3/83.E.IV dated 14.12.1983 is quoted below :

" (i) Tenure of posting/deputation:

There will be a fixed tenure of posting of 3 years at a time for officers with service of 10 years or less and of 2 years at a time

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for officers with more than 10 years of service. Periods of leave, training, etc. in excess of 15 days per year will be excluded in counting the tenure period of 2/3 years. Officers, on completion of the fixed tenure of service mentioned above, may be considered for posting to a station of their choice as far as possible. The period of deputation of the Central Government employees to the States/Union Territories of the North Eastern Region will generally be for 3 years which can be extended in exceptional cases in exigencies of public service as well as when the employees concerned is prepared to stay longer. The admissible deputation allowance will also continue to be paid during the period of deputation so extended."

From the above Office Memorandum it is quite clear that the applicant who is serving North Eastern Region since 1983 and is saddled with All India Transfer Liability is entitled to be posted at his choice station. Accordingly the applicant in terms of the above Office Memorandum are entitled to get priority for posting as per his option submitted before the authority on 4.5.96 and the applicant has acquired a valuable and legal right by serving 11 years under the Directorate General of Assam Rifles. Since the applicant has opted for posting at 5 places therefore in the light of the O.M. dated 14.12.83 the applicant is entitled to be posted in any of the choice station since he has completed 3 years of tenure in the North Eastern Region in terms of the O.M. dated 14.12.83.

Copy of an extract of the O.M. dated 14.12.88 issued by the Ministry of Finance is annexed hereto and the same is marked as Annexure-8.

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6.9 That your applicant begs to state that the wife of the applicant Smti. Leela Shah is a Heart Patient and is now suffering from Rheumatic Heart Disease with Mitral Regurgitation and she is now under medical treatment in the Regional Institute of Medical Sciences, Imphal. In this connection it may be stated that the proposed place of posting of the applicant at 18 Assam Rifles i.e. Lunglei, Mizoram is very far way from Imphal and there is no scope for her medical treatment. Therefore if the impugned order of transfer and posting of the applicant is allowed to be implemented in that event the wifer of the applicant shall suffer irreparable loss and injury and on that ground ~~alone~~ alone the impugned transfer order daged 24.6.96 is liable to be set aside and quashed. In this connection it may ~~be~~ stated that the certificate issued in respect of Smt. Leela Shah as regards her medical treatment by the Associate Professor, Department of Medicine, RIMS, Imphal (Regional Institute of Medical Sciences) wherein it is advised to attend M.O.P.D. at RIMS regularly. Therefore it would not be possible on the part of the applicant's wife to attend regularly the RIMS, Imphal for medical check up/treatment ~~for~~ from 18 Assam Rifles, Lunglei if the impugned order is implemented at this stage.

A copy of the certificated issued by the Associate Professor, Deptt. of Mecicine, RIMS, Imphal is annexed herewith and the same is marked as Annexure-9.

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6.10 That the applicant immediately on receipt of the impugned transfer order dated 24.6.96 submitted a detailed representation dated 27.6.96 addressed to the Directorate General of Assam Rifles, Shillong through proper channel wherein it was stated that as per the transfer guidelines the tenure of Sr. Medical Officer/ Medical Officer at 30 Assam Rifles is 4-5 years and the applicant has completed not even 3 years at 30 Assam Rifles and it is further stated that his wife Mrs. Leela Shah is an old patient of Rheumatic Heart Disease with Mitral Regurgitation and she is presently under the medical treatment of Regional Institute of Medical Sciences Imphal and under the facts and circumstances it was requested by the applicant to allow him to retain to the present place of posting at least for one year more. But surprisingly the applicant has received another letter bearing No.11012/A-121/96/1590 dated 13.8.96 whereby the applicant is requested to submit his clearance certificate on arrival Dr. Amit Sarkar, Medical Officer from leave to enable this unit to prepare the movement order to proceed to 18 Assam Rifles on transfer and posting as per fresh instruction received from Directorate General of Assam Rifles, Manipur Range. There is no indication that whether the representation submitted by the applicant is considered by the Directorate General of Assam Rifles, Shillong but it appears that the same has not been considered by the Directorate General of Assam Rifles, Shillong and hence the letter dated 13.8.96 issued by the Commandant 30 Assam Rifles. Since there is not indication of consideration

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of the representation of the applicant dated 27.6.96 where the applicant had projected the transfer and posting guidelines as well as the medical treatment of his wife at the Regional Institute of Medical Sciences, Imphal. Therefore it is necessary that the Hon'ble Tribunal be pleased to interfere with a direction upon the respondents to reconsider the transfer and posting order of the applicant considering the ~~tenure~~posting tenure for transfer and posting guidelines issued under Circular dated 29.8.92 and also to consider the grounds stated by the applicant as regard medical treatment of his wife since the applicant has carried out of all the transfers and posting orders in earlier cases and when the transfer and posting guidelines dated 29.8.92 permits the applicant to retain in the present place of posting for another one or 2 years there will be no difficulty on the part of the respondents to retain the applicant at 30 Assam Rifles, Imphal till completion of his tenure i.e. 4 to 5 years.

A copy of the order dt.13.8.96 is annexed herewith and the same is marked as Annexure-10.

6.11 That the applicant begs to state that there are more than 1000 of Drs are serving in the Central Government Health services under the Ministry of Health and Family Welfare. Therefore the applicant who has completed more than 10 years of service in Assam Rifles is liable for immediate repatriation in the Central Health Organisation and if necessary other Drs. serving in the Central Govt. Health Services may be deputed to Assam Rifles but the applicant is entitled to for immediate repatriation in

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in view of his prolonged service in the North Eastern Region under Assam Rifles and in view of the Office Memorandum dated 14.12.1983.

6.12 That the applicant has got no other alternative remedy except approaching before this Hon'ble Tribunal for a direction to protect his rights and ~~privileges~~ interests therefore the Hon'ble Tribunal be pleased to direct the respondents to allow to continue him in the present place of posting at least for a period of one year more or till repatriation to the Central Government Health Services under Ministry of Health and Family Welfare.

6.13 That this application is made bonafide and for the cause of justice.

7. Reliefs Sought for :

Under the facts and circumstances stated in this application the applicant prays for the following reliefs :

1. That the impugned order of transfer and posting issued under letter No. 11012/A-21/96/317 dated 24.6.96 (Annexure-7) and letter No. 11012/A-121/96/1590 dated 13.8.96 (Annexure-10) in terms of Circular dated 29.8.92 (Annexure-2) be set aside and quashed.
2. That the respondent No. 1 be further directed to consider the posting of the applicant with immediate effect to his choice station in terms of his representation dated 4.5.96 also in terms of O.M. dated 14.12.196.

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3. That the respondents be directed to allow the applicant to continue in the present place of posting at least for a period of one year in terms of Circular dated 29.8.92 or till repatriation to Central Health Services under the Ministry of Health and Family Welfare.
4. To pass any other order or orders as deemed fit and proper under the facts and circumstances stated above.

The above reliefs are prayed on the following amongst other-

-G R O U N D S-

1. For that the tenure posting of the applicant at 30 Assam Rifles at Imphal is 4-5 years in terms of the tenure and posting guidelines issued by the Directorate General Assam Rifles dated 29.8.92.
2. For that the applicant completed only 2 years 11 months till filing this application in the present place of posting in 30 Assam Rifles at Imphal.
3. For that the applicant has already completed more than 10 (ten) years of service under the Directorate General Assam Rifles post connected with Defence of India.
4. For that as per appointment letter clause No. x the applicant is liable to serve only for a period of 4 years to post connected with Defence of India.

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5. For that the applicant has completed long back 3 years of tenure service in terms of Govt. of India's O.M. dated 14.12.83 and now entitled to be posted to his choice station in terms of his option dated 4.5.1996.
6. For that the applicant submitted his option for choice station posting indicating 5 stations of the Central Government Health Services Offices.
7. For that the applicant is due for repatriation to Central Health Services Organisation under the Ministry of Health and Family Welfare, Govt. of India.
8. For that the applicant has completed long back 3 years tenure posting in terms of the O.M. dated 14.12.83 and also completed 4 years tenure posting in terms of the clause x of the appointment letter therefore he is entitled to be posted to his choice station posting.
9. For that the applicant is entitled to be posted to 'B' category Unit in terms of tenure and posting guidelines issued by the Directorate General Assam Rifles vide Circular dated 29.8.92.
10. For that the present proposed place of posting under impugned transfer order dated 24.6.96 in 'A' Category Unit at 18 Assam Rifles, Lunglei Mizoram.

DR SHIB SHANKER SHAH

11. For that the authorities discriminated the present applicant by violating the transfer and posting policy and particularly by transferring the applicant to 'A' category Unit.
12. For that the impugned Order is issued to show undue favour to Dr. N.I. Singh Senior Medical Officer by transferring him from 18 Assam Rifles to 30 Assam Rifles i.e. at his hometown.
13. For that the wife of the present applicant is a Heart Patient and requires constant medical check up/treatment in the Regional Institute of Medical Sciences, Imphal.
14. For that the authorities have acted malafide by issuing the impugned transfer order dated 24.6.96.
15. For that there are more than 1000 (one thousand) **Drs.** are serving in the Central Government Health Services under the Ministry of Health and Family Welfare are also liable to be posted in the difficult areas of North Eastern Region.
16. For that the applicant already served the Hard Station at Ghaspani, Ukhrul, i.e. in Nagaland and Manipur before his posting at 30 Assam Rifles in C category Unit. Therefore the applicant is entitled to be posted even if require in B category Unit.
17. For that the applicant's representation has not been considered by the authorities.
18. For that the posting order dated 13.8.96 issued to the applicant without application of mind.

DR SHIB SHANKER SHAM

8. Interim Reliefs prayed for :

Under the facts and circumstances the applicant prays for the following interim reliefs :

1. That the respondents be directed not to release the applicant in pursuance of the impugned transfer and posting order dated.24.6.96.
2. That the impugned order of Transfer and posting issued under letter No. ~~11012/A-121/96/1590~~ dated 11012/A-21/96/317 dated 24.6.96 and the Posting Order No. 11012/A-121/96/1590 dated 13.8.96 be stayed till final disposal of the application.
9. That the applicant declares that there is no remedy under any rule and the Hon'ble Tribunal is the only remedy.
10. That the applicant states that there is no any other forum save and except filing this application before this Hon'ble Tribunal.

10. Details of Indian Postal Order

No. of I.P.O.	: 346804
Date of Issue	: 26.05.96
Issued from	: G.P.O., Guwahati
Payable at	: G.P.O., Guwahati

11. Details of Index

An Index containing the details of documents is enclosed.

12. List of enclosures

As per Index.

DR SHIB SHANKER SHAN



V E R I F I C A T I O N

I, Dr. Shib Shankar, Shah, son of late Ram Ratan Shah, aged about 36 years, working as Sr. Medical Officer, 30 Assam Rifles, C/o 99 APO applicant in this application and after going through this application do hereby declare that the statement in this application are true to my knowledge and belief and I have not suppressed any material facts.

I sign this verification on this the 26<sup>th</sup> day of August, 1996 at Guwahati.

DR SHIB SHANKER SHAH  
Signature

REGISTERED

Annexure-1

No. A.12025/84 /87-CHS-I

Government of India  
Ministry of Health & Family Welfare  
(Department of Health)

New Delhi dated the 6 NOV 1987

MEMORANDUM

SUBJECT : Recruitment to the Medical Officers Grade of CHS.

On the recommendations of the U.P.S.C., the President is pleased to offer Dr. Shib Shankar Shah on appointment to the Medical Officers Grade of the Central Health Service and posts him/her as Medical Officer under the Assam Rifles, Shillong on the following terms and conditions :

I) The appointment is on an officiating basis only on probation for a period of two years from the date of appointment which may be extended at the discretion to the competent authority. He/She will be considered for confirmation in the Medical Officers Grade (Rs.2200-4000) in his/her turn after satisfactory completion of probation and on the availability of a permanent vacancy. The officer may be required to undergo such training as Govt. may prescribe. Failure to complete the period of probation to the satisfaction of the competent authority will render the candidate liable to be discharged from service at any time without any notice and assigning any reason or reversion to substantive post on which the candidate may be retaining a lien. After the satisfactory completion of the period of probation, the termination will be by giving one month's notice on either side. The appointing authority, however reserves the right of termination his/her service forthwith or before the expiration of the stipulated period of notice by making payment to him/her for the unexpired period.

THE CANDIDATES SHOULD HAVE COMPLETED SATISFACTORILY THE COMPULSORY ROTATING INTERNSHIP BEFORE JOINING SERVICE IN CASE WHERE THIS HAS NOT BEEN COMPLETED, FULL DETAILS SHOULD BE FURNISHED FOR CONSIDERATION OF THE GOVERNMENT.

ii) The scale of pay of the post is Rs. 2200-75-2800-EB-100-4000. The initial pay of such candidate as are in Govt. service will be fixed at the minimum of the pay scale.

*Attended by  
B. B. B. B.  
Advocate*

iii) The Medical Officers in the General Duty Cadre with 5 years regular service in the grade will become eligible for promotion to Senior Scale in the Scale of Rs. 3000-100-3500-125-4500 and to higher Grades thereafter in accordance with CHS Rules, 1982, as amended from time to time.

iv) Non-practising allowance is admissible at the following rates; -

Pay range in the revised scale of pay	Rate of N.P.A. per month
Below Rs. 3000/-	- Rs. 600/-
Rs. 3000/- and above but below Rs. 3700/-	- Rs. 800/-
Rs. 3700/- and above	- Rs. 900/-

v) Dearness and other allowances will be admissible according to orders of the Central Government.

vi) Private practice of any kind whatsoever including laboratory and consultant practice is prohibited.

vii) The Officer will be required to contribute compulsorily to the G.P. Fund in accordance with the rules in force from time to time.

viii) The appointment carries with it the liability to serve in any part of India or outside.

ix) The appointment is subject to his/her being declared medically fit by a duly constituted Medical Board. He/she been medically examined and found fit for Govt. service.

x) The officer, shall if so required, be liable to serve in Defence Services or post connected with the Defence of India for a period of not less than 4 years including the period spent on training, if any, provided (a) The officer shall not be required to serve as aforesaid after the expiry of the ten years from the date of appointment (b) The shall not ordinarily be required to serve as aforesaid after attaining the age of 45 years.

xi) A declaration in the enclosed form to the effect that the officer does not have more than one wife living or that having a spouse living, is not married in any case in which such marriage is void by reasons of its taking place during the life time of such spouse is not married to a person who is

*Attested by  
B. P. Singh  
Admin.*

## Annexure-1 (Contd.)

already having a wife living is or that she is not married in any case in which marriage is void by reasons of the husband having a wife living at the time of such marriage should be submitted. The declaration duly filled in may please be returned.

xii) On appointment, the officer will be required to take oath of alligiance to the Constitution of India or make a solemn affirmation to the effect in the prescribed proforma.

xiii) The officer is not entitled to any travelling allowances for joining the appointment.

xiv) The P.G. Allowance shall be paid at the rate of Rs. 100/- and Rs. 200/- per month for possessing P.G. Diploma and P.G. Degree qualifications respectively to the Medical Officers and Senior Medical Officers.

xiv) Other terms and conditions will be governed by the relevant rules and orders that may be in force from time to time.

xvi) NO REQUEST FOR CHANGE IN THE PLACE OF POSTING WILL BE ENTERTAINED IN ANY CIRCUMSTANCES.

xvii) NO REQUEST FOR EXTENSION OF JOINING TIME FOR DOING POST GRADUATION OR CONTINUANCES OF POSTGRADUATION WILL BE ENTERTAINED IN ANY CIRCUMSTANCES. THE CANDIDATES WILL HAVE TO CHOOSE BETWEEN POSTGRADUATION OR JOINING THE CENTRAL HEALTH SERVICE.

2. If any declaration given or any information furnished by the officer proves to be false or the officer is found to have wilfully suppressed any material information he/she will be liable for removal from service and such other action as Govt. may deem necessary.

3. The Ministry may please be informed within 15 days of the date of receipt of this Memorandum whether or not the offer of appointment on the above terms and conditions is acceptable to him/her and also return the declaration.

In case the offer is acceptable, he/she should report to the Director General, Assam Rifles, Shillong, for a posting/duty under intimation to this Ministry. If no reply is received and he/she does not report for duty within the stipulated period of 15 days, the offer of appointment will be treated as cancelled.

Attested by  
S. B. Borah  
Assistant

4. The following certificate(s) (in original) together with a copy(ies) thereof must be furnished alongwith the acceptance of the offer of appointment :-

1. Compulsory Rotating Internship 2 MBBS Degree
3. SC/ST Certificate in the prescribed form the competent authority.

The appointment is subject to the result of Civil Appeal No. 3519 of 1984 in the Supreme Court of India. IN ALL FURURE CORRESPONDENCE, the FILE NO. GIVEN AT THE TOP OF THIS MEMORANDUM MAY ALWAYS KIND BE QUOTED.

His original MBBS degree received with his letter dated 28.9.87 is also returned herewith after verification in this Ministry.

Sd/- RAVI DATT

UNDER SECRETARY TO THE GOVT. OF INDIA

To

Dr. Shib Shankar Shah,  
Medical Officer,  
16th Assam Rifles,  
C/o 99 APO

No. A.12025/84/87-CHS.I

Copy forwarded for information and necessary action to :

1. The Secretary, U.P.S.C., New Delhi w.r. to their letter No. F. 1/93/86-RI, dated 23rd April, 1987.
2. Director General, Assam Rifles, Shillong.
  - a) A report may kindly be sent to this Ministry within 15 days of the expiry of the last date whether or not the candidate has reported for duty. If the candidate has reported for duty, his/her charge assumption report (in triplicate) may please be sent to this Ministry.
  - b) Assessment reports in respect of the officer in the prescribed form (in duplicate) every year for a period of two years should please be sent to the Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.
3. Copy for pay and Accounts Officer.
- 4.

Sd/- LALSINGH  
Section Officer

*Attested by  
B. B. Singh  
Assistant*

C.T.C.

No. Tele PABX 27510/5551

Mahanideshalaya Assam Rifles  
Directorate General Assam Rifles  
~~Sist~~  
Shillong - 793001

A/1-A/92-82/39

Sist ABCDE&F

29 Aug 92

ANNUAL POSTING/TURNOVER: MINISTERIAL/MEDICAL/TEACHING  
STAFF OF FORMATIONS AND UNITS OF ASSAM RIFLES

- \*1. Further to this Directorate letter A/1-A/92-82/01 dated 10 March 92.
2. Recent changes in unit locations and representation/ suggestions received from Range HQ/units on the subject matter have necessitated changes to suit the requirement of various headquarters.
3. Keeping the above in view, the following modifications may please be incorporated to this directorate letter quoted *ibid.*
  - (a) Classification of units be modified as per Appx'A'
  - (b) Tenure of ministerial staff, medical staff (Civillian) and Teachers (Civillian) to be modified as per Appx'B'
4. Please ack.

Sd/-

(Devendra Singh)

Major

Offg Assistant Director(A)

*Attested by  
B. B. Singh  
Director*

C.T.C.

Annexure-2 (Contd.)

Appx-'A'

Ref to DGAR letter No. A/1-A/92-82/39  
dt. 29 Aug 92

CLASSIFICATION OF UNITS FOR TENURE

Type 'A' (3 Years Tenure)

2 Assam Rifles  
4 Assam Rifles  
14 Assam Rifles  
15 Assam Rifles  
17 Assam Rifles  
18 Assam Rifles  
19 Assam Rifles  
20 Assam Rifles  
23 Assam Rifles (Till reversion to Permanent location)  
25 Assam Rifles "  
27 Assam Rifles  
31 Assam Rifles  
HQ 'B' Range Assam Rifles

Type 'B' (31/2 yrs tenure)

01 Assam Rifles  
03 Assam Rifles  
06 Assam Rifles  
08 Assam Rifles  
09 Assam Rifles  
11 Assam Rifles  
21 Assam Rifles  
22 Assam Rifles

Type 'C' (4 to 5 yrs)

05 Assam Rifles  
08 Assam Rifles  
10 Assam Rifles  
12 Assam Rifles  
13 Assam Rifles  
16 Assam Rifles  
24 Assam Rifles  
26 Assam Rifles  
28 Assam Rifles  
29 Assam Rifles  
30 Assam Rifles ✓  
HQ IGAR (North)  
HQ DGAR

XXXXXXXXXX

Approved by  
B. P. Singh  
A. K. Singh

Annexure-2 (Contd.)

HQ Manipur Range Assam Rifles  
HQ MP Range Assam Rifles  
HQ A.C. Range Assam Rifles  
HQ NLR (N) Assam Rifles  
HQ NLR(S) Assam Rifles  
HQ 'A' Range Assam Rifles  
HQ ARTC  
All MGARs  
All Wksps  
ARSU  
AMTO  
No. 1 CC Assam Rifles  
ROAR  
LOAR All Dental Unit AR Hosp  
No 1 Mait t Det

✓ Note :- It will be ensured that after a tenure in a Type A unit indvl will be posted to type C units and then Type B before going back to type A. It will however be ensured that pers are not posted back to the same type A units on areas where similar conditions are prevailing where they have served earlier.

Attended by  
B. B. B. B.  
Adm. Secy.



PERFORMA FOR REQUEST FOR TRANSFER

1. Name : DR SHIB SHANKER SHAH
2. Employee code No. : 002385
3. Designation : Senior Medical Officer
4. Date of joining CHA : 03 Dec 1987 (Permanent)  
21 Sep 1985 (Adhoc)
5. Date of joining the Organisation from where transfer is sought : 21 Sept 1985
6. Detailed of period of service rendered in other organisation including difficult areas like ASSAM RIFLES, ARUNACHAL PRADESH, ANDAMAN & NICOBAR ISLAND/ DADAR NAGAR HAVELI, NORTH EASTERN REGION, LAKSHDWEEP ISLANDS etc. : Served more than 10 (ten) years in difficult areas of North Eastern Region, i.e. Nagaland, Manipur in the capacity of MO/SMO under THE ASSM RIFLES.
7. Reasons for seeking transfer (in brief) : (i) Prolonged stay in Assam Rifles.  
(ii) Completion of service of more than fixed tenure in North Eastern Region.
8. Stations/Organisation: where transfer is desired (in order of preference) : (i) CGHS, Guwahati/Patna  
(ii) CGHS, Allahabad  
(iii) CGHS, Kanpur/Calcutta

Dated 04.0596

Sd/- Illigible

(Signature of the applicant)

FOR USE IN THE OFFICE OF THE HEAD OF DEPARTMENT/  
OFFICE WHERE THE OFFICER IS POSTED.

1. The officer can be relieved : with/without a substitute in the event of his transfer
2. Certified that the information given in cols 1 to 4 had been verified from records.

Dated :

(Signature of Head of Office/Dept)

Attended by  
A. B. Singh  
Admission

/COPY/

Headquarters  
Manipur Range Assam Rifles  
C/o 99 APO

II.12020 (b)/A/96/453      15 May 96

Headquarters  
IG Assam Rifles (North)  
C/o 99 APO

APPLICATION FOR TRANSFER FROM ASSAM RIFLES

1. An application for transfer from Assam Rifles in respect of Dr. SS Shah, SMO (CHS) of 30 Assam Rifles is fwd herewith in triplicate duly endorsed with the remarks of the DIG Assam Rifles for your necessary action please.

Sd/- xx    xx    xx

(DS Manhas)  
Comdt (SG)  
DD (Adm)

for DIG Assam Rifles

*Attested by  
B. B. B. B.  
Admission*

Annexure-5

Headquarters  
Inspector General  
Assam Rifles (North)  
C/o 99 APO

I.120/5334

25 May '96

Mahanirdeshalaya Assam Rifles  
Directorate General Assam Rifles  
Shillong-793001

APPLICATION FOR TRANSFER FROM ASSAM RIFLES.

Application for transfer from Assam Rifles in respect of Dr. SS Shah SMO (CHS) of 30 Assam Rifles is submitted herewith in duplicate duly recommended by IG Assam Rifles for your further necessary action please.

Enclo 4 sheets

Sd/- Illegible

for IG Assam Rifles

Copy to :

Headquarters

Manipur Range Assam Rifles - for further necessary action.  
C/o 99 APO

*Attended by  
B. P. Singh  
Adm. Secy*

Annexure-6

REGISTERED

Tele No. PABX 230222  
Extn 5550

Mahanirdeshalaya Assam Rifles  
Directorate General Assam Rifles  
Shillong-793011

I. 14015/289-87/SS-16AR/ME (A)

08 July 96

The Under Secretary to the  
Govt. of India  
Ministry of Health & Family Welfare  
(CHS-I)  
New Delhi-11

REVERSION TO CHS DR SHAH, SMO (CHS).

Sir,

1. I am directed to forward herewith an application seeking reversion to CHS in respect of Dr. SS Shah, SMO for taking necessary action by the Ministry.
2. It is requested that a suitable relief of the officer may be posted to this Department in case the request of the officer is acceded as this organisation is in acute shortage of medical officer. In case the reliever is not posted, this organisation is not in a position to release the officer.

Sd/- Illegible

(G.P.S. Bedi)

Col

DD (Adm)

for DGAR

Enclo : 2 (Two)

Copy to :

1. MS Branch - for info
2. 30 Assam Rifles  
C/o 99 APO
3. HQ IGAR (North)  
Assam Rifles  
C/o 99 APO - for info with ref to their letter  
No. I.120/5334/A dt 24 May 96

*A. K. Bedi  
B. R. Bedi  
Adm. Secy*

Annexure-7

C.T.C.

11012/A-21/96/317

Dated 24 Jun 96

A BRANCH

INTER UNIT POSTING CIV MED OFFRS

1. Inter unit posting in r/o following medical offrs have been ordered vide DGAR sig No. A-1589 dated 21 Jun 96.

- a) Dr. N. Inoba Singh SMO - 18 AR to 30 AR
- b) Dr. S S Shah, SMO - 30 AR to 18 AR

2. Mov will be carried out without relief and completion report will be submitted to DGAR by this unit by 15 Jul 96.

3. Please instr Dr. S S Shah, SMO to submit his clearance cert to this branch by 10 Jul 96.

Sd/- xx xx xx

(S K Singh)

Capt

Adjt

for Commandant

Fwd to :

Medical Section

Copy to :

Fin Branch

*Approved  
by B. Singh  
Admstr*

C.T.C.

Annexure-8

AN EXTRACT OF THE O.M. DATED 14.12.1983 ISSUED BY THE  
MINISTRY OF FINANCE, NEW DELHI.

OFFICE MEMORANDUM

Subject : Allowances and facilities for civilian employees  
of the Central Government serving in the States  
and Union Territories of North Eastern Region-  
improvements thereof.

The need for attracting and retaining the services  
of competent officers for service in the North-Eastern  
Region comprising the States of Assam, Meghalaya, Manipur,  
Nagaland, Tripura and the Union Territories of Arunachal  
Pradesh and Mizoram has been engaging the attention of the  
Government for sometime. The Government had appointed a  
Committee under the Chairmanship of Secretary, Department  
of Personnel & Administrative Reforms, to review the existing  
allowances and facilities admissible to the various  
categories of civilian Central Government employees serving  
this Region and to suggest suitable improvements, the reco-  
mmendations of the Committee have been carefully considered  
by the Government and President is now pleased to decide as  
follows :

i. Tenure of posting/deputation:

There will be a fixed tenure of posting of 3 years  
at a time for officers with service of 10 years or  
less and of 2 years at a time for officers with more  
than 10 years of service. Periods of leave, training,  
etc. in excess of 15 days per year will be excluded  
in counting the tenure period of 2/3 years. Officers,  
on completion of the fixed tenure ~~from~~ of service  
mentioned above, may be considered for posting to a

Approved by  
A. B. B. B. B.  
Adviser

station of their choice as far as possible. The  
period of deputation of the Central Government  
employees to the State/Union Territories of the  
North Eastern Region will generally be for 3 years  
which can be extended in exceptional cases in  
exigencies of public service as well as when  
the employees concerned is prepared to stay longer.  
The admissible deputation allowance will also continue  
to be paid during the period of deputation so  
extended.

*Approved by  
to Director  
Adm. Secy*

DR SHIB SHANKER SHAH

Department of Medicine  
Regional Institute of Medical Sciences  
Imphal

Imphal, the 27th June, 1996

This is to certify that Mrs. Leela Shah aged 31 years W/o Dr. S.S. Shah resident of 30 Assam Rifles, Imphal is under my treatment in R.I.M.S. Hospital M.O.P.D. (Hospital No. 21049) since 2.5.95. She is suffering from Rheumatic Heart Disease with Mitral Regurgitation with Normal Sinus Rhythm and she is advised to attend M.O.P.D., R.I.M.S. regularly.

Sd/- Dr. Th. Premchand Singh  
Associate Professor,  
Department of Medicine, RIMS  
Imphal

Attested by  
B. P. Singh  
Dr. P. Singh



Annexure-10

30 Assam Rifles

C/o 99 APO

11012/A-121/96/1590

13 Aug 96

Dr S S Shah, SMO  
30 Assam Rifles

POSTING

You are requested to submit your Clearance Certificate imdtly on arr Dr. Amit Sarkar, MO From Leave to enable this unit to prepare your movement order to proceed to 18 AR on permanent posting as per fresh instr received from DGAR/MP Range.

Sd/- xx xx xx

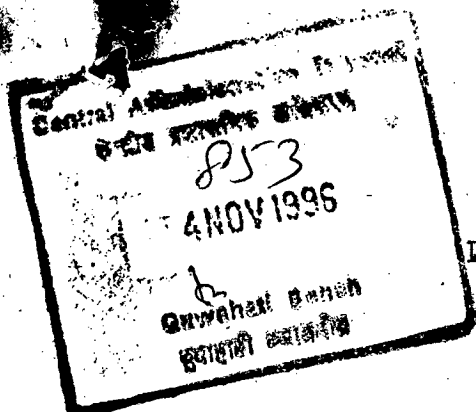
(S. K. SINGH)

Capt

Adjt

for Comdt

37



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:

GUWAHATI BENCH:GUWAHATI.

*Filed by*  
*Shankarale*  
*4/11/96*  
Central Govt. Standing Counsel  
Central Administrative Tribunal  
Guwahati Bench, Guwahati

O. A. NO. 179 of 1996.

Dr. S. S. Shah

- Versus -

Union of India & others.

-AND-

IN THE MATTER OF:

Written statements submitted by  
the Respondents No. 1, 2, 3 & 4 .

( WRITTEN STATEMENTS )

The humble Respondents beg to  
submit their Written Statements  
as follows :

- 1) That with regard to the statements made in paragraphs 1, 2, 3, 4 & 5 of the application the Respondents have no comments.
- 2) That with regards to the statements made in paragraph 6.1 of the application the Respondents beg to state that they have no comments.

(Contd.)

3) That with regards to the statements made in paragraph 6.2 of the application the Respondents beg to state that, the applicant was appointed on ad hoc appointment on 21 September, 1985 . As regards the statement of the applicant that he qualified in the competitive examination prior to his appointment, the applicant be put to strict proof thereof. As regards the statement of the applicant that Organisation of Directorate General Assam Rifles is connected with the Defence of India, this deponent states that even if statement is accepted as true , being a civilian Officer para 10 of the Memorandum dated 6-11-87 is not applicable to the applicant, in view of what have been stated in reply to para 5 and 6.7 of the application. It is denied that Ghaspani of Nagaland is a very interior place in the state of Nagaland, in view of the fact that many places are far more backward in Nagaland.

4) That with regard to the statements made in para 6.3 of the application the Respondents beg to state that , the applicant has suppressed the material facts before the Hon'ble Tribunal. It is pertinent to bring out here that vide Directorate General Assam Rifles signal No.A 3457 dated 08 June '90 the applicant was posted from 16 Assam Rifles to 17 Assam Rifles. The applicant vide his application dated 15 June '90 (Annexed as Annexure-'A' ) represented against the posting order on the ground of sickness of his wife. The representation was duly considered and accordingly the applicant was transferred instead to 25 Assam Rifles on his request.

(Contd.)

Again in 1993 , the applicant vide his application dated 10 June '93 (Annexed as Annexure-'B') requested for his choice posting on compassionate grounds to 30 Assam Rifles. The request was again acceded to and vide signal No.A 3442 dated 04 Aug '93, the applicant was posted to 30 Assam Rifles. It is thus apparent that Assam Rifles has been going out of the way in assisting the applicant in the matter of postings as per his request and choice .

5) That with regard to the statements made in paragraph 6.4 of the application the Respondents beg to state that the applicant with an ulterior motive has misrepresented the true facts and fraudulently referred to letter No. A/1-A/92-82/39 dated 29(26) Aug'92 (attached as Annexure-2 to the application), which is not applicable in the case of the applicant. It is submitted that the said circular governs the posting/tenure of various 'Staff' and not Officers. The applicant being a Medical Officer is governed by SOP on 'Medical Officer of Assam Rifles' forwarded vide Directorate General Assam Rifles Letter No.I. 14015/SOP-MO/89-NE(A) dated 12 Oct'89 (Annexed as Annexure-'C'), vide para 4 (ii) of subject SOP the tenure of posting of within Assam Rifles has been fixed for a period of 3 years. It is pertinent to mention here that having been posted to 30 Assam Rifles on compassionate grounds in accordance with the representation dated 10 June '93 submitted by applicant (Annexure-'B') , the applicant was liable to be posted out immediately on expiry of tenure of 2 years in accordance with para 4 (iii) of above referred SOP. Having

(Contd.)

availed 2 tenures of choice posting and having stayed for about 3 years instead of, for 2 years on compassionate posting with 30 Assam Rifles the applicant is taking the administration for a ride and chosen to rush to the Hon'ble Tribunal and abusing the process of law .

6) That with regard to the statements made in paragraph 6.5 of the application the respondents beg to state that, they have no comments the same being matters of record.

7) That with regard to the statements made in paragraph 6.6 of the application the Respondents deny that the Circular dated 29(26)-8-93 is applicable in the case of the applicant. The applicant has been posted in accordance with SOP forwarded vide letter No. I. 14015/SOP-MO/89-NE(A) dated 12 Oct'89 (Annexed as Annexure-'C') . It is denied that the applicant has been posted out in order to show undue advantage to Dr. N.I. Singh who hails from Imphal or the transfer order is malafide. It is submitted that Assam Rifles is fair and impartial to all Medical Officers. The applicant cannot claim choice posting on each occasion denying the similar opportunity to other Medical Officer. Dr. N.I Singh vide his application dated 14-3-96 requested posting to 24 Assam Rifles or 30 Assam Rifles on extreme compassionate Medical ground on account of his own and his mother's sickness. A copy of said application is (attached as Annexure-'B') . The statement of the applicant that circular dated 29(26)-8-92 used to be followed strictly where-as the Directorate General Assam Rifles has

(Contd.)

made departure in the instant case to favour Dr.

N.I. Singh and that the transfer order is absolutely malafide is false, concocted, ill conceived, motivated and without any basis as the posting of the applicant is governed by SDP forwarded vide letter dated 12-10-89 (attached as Annexure-'C' ) and not in terms of circular dated 29(26)-8-92, (Annexure- 2) .

8) That with regard to the statements made in paragraph 6.7 of the application the Respondents beg to state that , by serving with Assam Rifles which is a Central Police Organisation under Ministry of Home Affairs the applicant cannot claim applicability of clause -X of Government of India Memorandum dated 6-11-87 (Annexure- '1' of application) the said clause makes provision for service in Defence services that is, as a combatant. It is also apparent by the wordings/ contents of the said clause. It caters for service in Defence service for a minimum period, 4 years including the period spent on training. Obviously the word training denotes training as combatant (Soldier). The applicant is a civilian and has neither undergone any such training, nor is serving in Defence service for Defence of India. It is the obvious rigour of such training, that vide clause-X no such medical officer can be detailed to undergo such training and thereafter serve in Defence service after 10 years of service. In any case if the service with Assam Rifles was to be considered as Defence service the appointment letter of the applicant (Annexure-I) would have had a specific provision for such service. The words 'The Officer,' shall if so required, be liable to serve' contained in clause-X denote that

(Contd.)

the said clause is a general clause applicable to each and every Medical Officer joining Central Health Service and 'if so required' will be liable to serve in Defence services. Assuming that the said clause-X is applicable to the applicant, it is denied that he is liable to serve only for 4 years in view of the fact that the said clause gives out liability to serve in Defence Services for a period of not less than 4 years including the period spent on training denoting there by only the minimum period of such service. The applicant is aged about only 36 years and as per para (b) of clause-X is liable to serve till the age of 45 years. It is denied that tenure of the applicant at 30 Assam Rifles is for 4 to 5 years and he is not liable to <sup>be</sup> posted any other station till then and that the transfer order dated 24-6-96 is illegal arbitrary, whimsical, mala fide and unfair. In fact, in accordance with Annexure-'C' governing the transfer of the applicant, the applicant having been posted on compassionate posting could have been posted after only 2 years at 30 Assam Rifles. In any case, if the interpretation of clause-X of applicant is to be accepted, he ought to have sought reversion after expiry of 4 years. It is pertinent to mention here that the service conditions of the applicant are strictly governed by the conditions as contained in his appointment letter dated 06-11-87 (Annexure-I). Clause-1 (viii) of the subject letter reads 'The appointment carries with it the liability to serve with in any part of India or out side.

(Contd.)

Clause-1(xvi)' No request for change in the place of posting will be entertained in any circumstances'. The applicant having accepted the offer of appointment as Medical Officer in terms of para 3 of appointment letter (Annexure-1) has given his concurrence to all the conditions contained in the appointment letter and now cannot back out.

9) That with regard to the statements made in paragraph 6.8 of the application the Respondents beg to state that, as brought out above in reply to para 6.3 of the application the applicant has been twice earlier posted as per his choice. Even now his application for reversion from Assam Rifles dated 4.5.96 has so been despatched to Ministry of Health and Family Welfare, Govt of India. Whereas in accordance with instructions dated 12.10.89(Annexure-'C') governing the posting of the applicant, he was liable to be posted out from present place of posting after a period of 2 years, he has been allowed to stay for about 3 years. It will be highly unjustified to allow the applicant to continue to stay at 30 Assam Rifles against the rules and in any case which is unfair to his colleague Dr. N.I. Singh who has been posted on compassionate grounds in his place. As regards applicability of Govt of India, Ministry of Finance memorandum No. 200014/3/83-E, IV dated 14.12.83 and his reversion from Assam Rifles in accordance with his application dated 4.5.96(Annexure-3), the applicant will be released from Assam Rifles on relief as Assam Rifles is already short of Doctors.

(Contd.)



10) That with regard to the statements made in paragraph 6.9 of the application the Respondents beg to state that, on both the previous occasions the applicant applied for choice posting on the sickness of his wife. The applicant cannot claim choice posting every time as a matter of routine and as a right at the cost of others and in violation of laid down rules specially so, when one of his colleague Dr. N.I. Singh is also required to be posted on compassionate medical grounds on account of his own and his mother's sickness. The applicant has suppressed material facts from the Hon'ble Tribunal that on both previous occasions he had applied for compassionate posting on account of sickness of his wife which was duly granted.

11) That, with regard to the statements made in para 6.10 of the application the Respondents beg to reiterate, what have been stated above in reply to para 6.9 of the application. The statement of the applicant that it appears that the representation dated 27.6.96 has not been considered by Directorate General Assam Rifles is denied. It is so evident from the statement of the applicant dt 25 Sep, 96, wherein he has stated that he had been informed on 12 Aug, 96 about the fact that his representation dt 27.6.96 was considered by the DGAR and rejected (Annexed as Annexure E). The applicant falsely stated that he has carried out all the transfer and posting orders in earlier cases, in view of what have been stated in reply to para 6.3 of the application and his representations dated 15 June, 90 and 10 June, 93 (Annexure-'A' & 'B') respectively.

(contd).

12) That with regard to the statements made in paragraph 6.11 of the application the Respondents beg to state that, what have been made reply to para 6.7 and 6.8 of the application the Respondents have nothing to add .

13) That , with regard to the statements made in paragraphs 6.12 & 7 6.13 of the application the Respondents beg to state that, the applicant has suppressed the material fact of the case and has not approached the Hon'ble Tribunal with clean hands . It is denied that the application has been made bonafide and for the ends of justice. The applicant is not entitle any relief .

14) That with regard to the statements made in para 7 of the application regarding the relief sought for the Respondents beg to state that the applicant ~~is~~ not entitled to <sup>any</sup> ~~any~~ ~~one~~ of the reliefs sought for and as such, the application is liable to be dismissed. That the Respondants further beg to submit that the transfer order is made for administrative convenience and for public interest and as such, there is nothing to be interfered with by the Hon'ble Tribunal .

15) That with regard to the statements made in the grounds of the application the Respondants beg to state that , none of the grounds ~~is~~ are <sup>manifestly</sup> ~~inapplicable~~ <sup>inapplicable</sup> in law as well as in fact and as such, ~~the~~ <sup>the</sup> application ~~is~~ <sup>is</sup> are liable to be dismissed.

(Contd.)

16) That, with regard to the statements made in paragraph 8 regarding interim relief as ~~prayed~~ by the applicant, the Respondents beg to state that in view of the facts and circumstances narrated above the applicant is not entitled to interim relief and as such, the application is liable to be dismissed.

17) That with regard to the statements made in paragraphs 9, 10, 11 & 12 of the application the Respondents have no comments. The Respondents beg to submit that, the application is devoid of merit and as such, the application is liable to be dismissed .

V E R I F I C A T I O N

I, Sri Arun Kainthla Major ,JAD (Legal) in the Office of the Director General Assam Rifles , Shillong, do hereby solemnly declared that <sup>I am</sup> ~~(I am)~~ competent to verify the Written Statements and as such it is solemnly declared that the statements made / above in the Written statements are true to my knowledge, belief and information and I sign this verification today on 24 th day of October ~~September~~, 1996 at Shillong.

^ 167  
Declarant.

11  
ANNEXURE -(A)

24  
3

From

Mr S S Shah  
Medical Officer (CMS)  
16 Assam Rifles  
C/O 99 APO

To

Director General Assam Rifles  
Shillong - 793011

Subject :- POSTING TO 17 W.

(Through proper channel)

Sir,

1. Reference your sig No. 1457 dated 06 Jun 90.
2. In this regard, with due respect I want to lay down the following few points for your information and kind consideration. My wife is an old case of RHEUMATIC HEART DISEASE and now she is suffering from MITRAL REGURGITATION. Therefore, she will not be able to stay with me in high altitude area.
3. In view of the above you are requested to kindly post me to any other Assam Rifles Battalion which is not in high altitude area preferably in Manipur and Nagaland.

Thanking you,

Yours faithfully,

Station : Field  
Dated : 15 Jun 90

( Mr S S Shah )  
TO (CMS)

Recommendation of the Commandant

~~XXXXXXXXXX~~

Approved by Commandant

7/6/90

2A11



Dr S. S. Shah  
SMO(CHS)

25th BN THE ASSAM RIFLES  
C/o 99 A P O

Pers/SSS/93/001

10 Jun 93

POSTING ON COMPASSIONATE GROUND

My Dear Sir,

1. My all the best complement and good wishes to you. Hope this letter finds you in a state of good health.

2. I am writing this letter to you with one request. That Sir, I joined 16 Assam Rifles on 21 Sep'85 and presently I am serving in 25 Assam Rifles wef 14 Dec'90.

3. My wife Mrs Leela Shah is an old case of RHD with Medical Regurgitation and presently she is under Specialist's treatment.

4. In 25 Assam Rifles I have completed 2 years and six months and it is my humble request to you to post me in any one of the following places i.e 24 Assam Rifles, 30 Assam Rifles, ARTC, so that my wife can get proper medical care. Presently the weather of Shangshak is not suiting to my wife. For this kind of act I shall ever remain grateful to you sir, (Medical Certificate attached).

An early action is requested.  
With warm regards.

Yours sincerely,

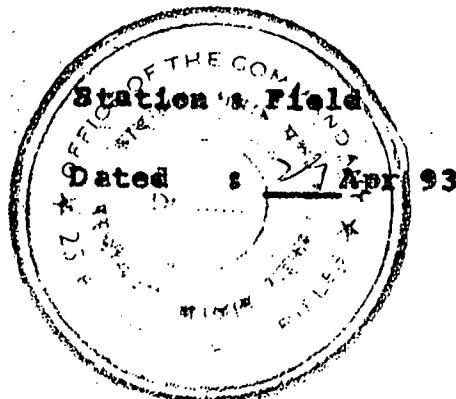
Major Prabhakar Kumar  
JAD (Medical)  
HQ DGAR  
Shillong-793011

44 13

W 2

MEDICAL CERTIFICATE

This is to Certify that Mrs Leela Shah, aged 28 years,  
Wife of Dr S S Shah, SMO (CHS) of 25 Assam Rifles is an  
"OLD CASE OF RHEUMATIC HEART DISEASE WITH MITRAL  
REGURGITATION and she is presently under Specialist's  
treatment.



(K K Raheja )  
Lt Col/AMC

Supplemental Medical Officer  
SO Asstt Dir

Tele No : PABX 23510/233

Mahanideshalaya Assam Rifles  
Directorate General Assam Rifles  
Shillong-793011

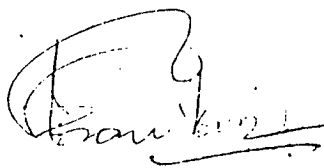
I.14015/SOP-MO/69/ME(A)

12 Oct '69

List 'A', 'B', 'E' & 'D'

SOP - MEDICAL OFFICERS

SOP on service matters in respect of medical officers  
(CHS/Adhoc) is forwarded herewith for your guidance.



(M Chaudhuri)  
CGO  
for AD (A)

Copy to :-

Internal

Mid branch

Estt branch

15 / 51 (A) (B) (54)

MEDICAL OFFICERS ASSAM RIFLES

SOP

1. Introduction

Cadre of Medical Officer in Assam Rifles belongs to the CHS cadre of service. The CHS under the Min of Health and Family Welfare controls the cadre and is liable to provide Medical Officer in the Force. Against the authorisation of 290 MOS under the CHS cadre only 60 Numbers of MOS are posted to this Force including 2 CMO and 15 SMO. In addition 23 doctors on adhoc basis and one CAS (I) are available. This evidently shows the magnitude of deficiency of MOS in the Force which is required to be shared by all concerned.

2. Aim

Aim of this SOP is to streamline various service conditions of the Drs of CHS so far as it concern Assam Rifles. This SOP to be taken as a guiding principle in respect of Drs in the Force.

3. Type of Doctors held in Assam Rifles as under

- (a) CHS
- (b) AMC
- (c) Adhoc
- (d) CAS (I)

4. Posting Policy

(i) Hard or soft area - There is no hard or soft area of posting in Assam Rifles. However, there may be some better areas than others. Therefore, it will be ensured as far as possible that doctors get even opportunity to serve in better areas also if they happen to serve for more than one tenure with the Force.

(ii) Tenure - Normal tenure of MO under regular CHS cadre is for a minimum period of 3 years in the Force. On expiry of above period of 3 years service one is eligible for posting out subject to para 8 of this SOP. Normal Tenure for internal posting within units will also be for a minimum period of 3 years.

(iii) Compassionate posting - CHS or Adhoc doctors posted to Assam Rifles belonging to North-Eastern region often ask for compassionate posting to Dimaapur, Naginimara, Jairampur, Jorhat, Lohra, Silchar, Agartala. But, firstly there are no authorised post of doctors in all these places, viz, Jorhat or Silchar. Secondly, most of the grounds projected for posting are of very common nature like, old and ill parents, no-body to look after parental property and so on and so forth. Due to limited areas of choice, it is not always possible to accommodate everybody's request. Further, to accommodate



one doctor on compassionate ground, a number of others in the chain are to be disturbed. However, as far as possible depending on the merit of the case, effort will be made to accommodate such cases.

The tenure on compassionate posting will be for 2 years only. No representation beyond this will be accepted.

5. Inter-se-seniority between CHS doctor and AMC doctors

There is a doubt with regard to the determination of Inter-se-seniority between AMC doctors and CHS doctors. It may be noted that each Assam Rifles Bn is authorised one AMC doctor in the rank of Major. Some units are, however, holding AMC Capt in place of AMC Major. Inter-se-seniority between AMC Capt and SMO in the CHS cadre was decided by the MHA which was circulated under our circular No. Med/II-M/9-78/ME(A) dated 02 Apr 83. It shows that SMOs are senior to AMC Capt. Whereas CMO shall be senior to AMC Major in all cases.

6. Channel of correspondence/Redress of Grievances

It has come to notice that CHS doctors are often resorted to direct correspondence with the Min. of Health and Family Welfare skipping over the authority of DGR. This is contrary to the procedure of official correspondence. The CHS doctors can submit representations/application addressed to the appropriate authority but such applications/representations have to be routed through proper channel which includes local authority, intermediary authority and the Head of Department. Any correspondence violating the above mentioned chain will be viewed seriously.

As regards any grievances other than posting out, service seniority, fixation of pay and alike, representation for redress should be addressed to DGR. Representations on service matters etc., as mentioned above may be addressed to the CHS but submitted through proper channel.

7. ACR in respect of CHS doctors

The reporting period of ACR will be financial year i.e., Apr to Mar and not calendar year i.e., Jan to Dec as per Min order circulated vide Dte letter No. A/1-A/239-83/225 dated 11 Mar 87. The reporting officer will be the EC Unit and reviewing officer being the DIG Range HQ concerned and DD HQ will endorse remarks as a first technical officer (FTO). In respect of the Units under direct control of DGR i.e., 17 Assam Rifles, 31 Assam Rifles etc., the reviewing officer shall be Dir (Adm).

-3-

8. Release from Assam Rifles

The transfer out of the doctor without relief under the circumstances make the situation worse. It has, therefore, been decided in the interest of public service that no CHS doctor under posting out will be released if necessary relief is not physically provided. This has been done for the broader interest of the serving personnel, their families etc. It is expected to be understood in its true perspective rather being critical against.

(J S Enillion)

Lt Col

Assistant Director (A)

rg/-

From: Dr. NINGTHOUJAM INAOBA SINGH, MO(CHS)  
Rear 18 Assam Rifles  
C/O. 99 A. P.O.

To

The Directorate General  
Assam Rifles,  
Shillong -11.

(~~Through proper channel.~~)

Subject: Transfer to a suitable Plain area or Home  
posting on extreme compassionate Medical  
Grounds.

Respected Sir,

1. I, the undersigned, have the honour to lay the following few words for your kind consideration and favourable actions that please :-

(a) I was appointed vide Ministry of Health and Family Welfare letter No.A.12025/86/92-CHS-I dated 22 Jan.93 and I reported to this loc on 08 Mar.93. Since then I have been serving in this unit including J&K and remote forward posts.

(b) Unfortunately, I have developed some respiratory difficulties and allergy for the last two years which is diagnosed as Allergic Rhinitis with Bronchial Asthma.

(c) The climatic conditions of this particular location is that most of the time it remains foggy and raining which were the likely cause of my ailment as the problem is always exaqqerated here.

(d) I have undergone certain investigations and taken treatment from Senior consultants which only gives temporary relief.

(e) Since it becomes a chronic ailment, certain complications, like emphysema and affect to the heart, are inevitable and now, I am virtually dependent on drugs for symptomatic relief.

(f) Unfortunately again my aged mother a chronic patient of diabetes mellitus, is to undergo a major gynaecological operation (Total abdominal Hysterectomy) after controlling her diabetes which requires constant medical supervision.

(g) As my two other brothers, settled & sepearate families are not possible to look after the deteriorating health of my mother, there is no one to take the burden except my sister who is a student of marriageable age. So my presence and care of my ailing mother is the need of the hour.

Contd..P/2.

-2-

(h) Moreover situations and medical facilities available here are not conducive for her to stay with me.

(i) I would like to go for proper investigations and treatment for myself as well as for my mother as soon as possible which is not possible at this present remote posting place.

(j) Because of the physical and psychological disability, nowadays, I am unable to contribute my full capability in the profession and often I go to severe depressions which is the most dangerous complication.

2. So, considering all these points, cited above, I humbly request you to transfer me, in a climatically suitable area where medical facilities for proper investigations are available, preferably to 24 AR and 30 AR in Imphal before it is too late to correct the impending complications.

3. I would be ever grateful to you sir, if you kindly consider my genuine case on extreme compassionate grounds and do the needful favourably.

4. Medical documents enclosed.

5. Thanking you Sir,

Yours faithfully,

N. Inabazh.

( Dr. N. I. Singh )  
MO (CHS)

14<sup>th</sup> March 1996

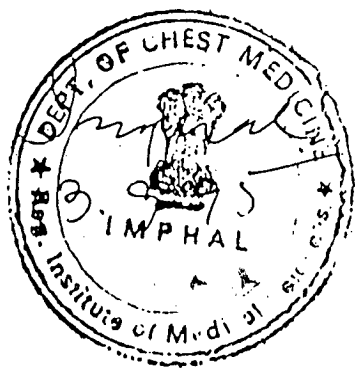
Dated : ~~Oct.~~ 1995.

To whom it may concern:

Hospital No. 55166.

This is to certify that  
Shri N. Inakher Singh 30 yrs of  
Lairikjengbam Leikai, Imphal, is a  
case of allergic rhinitis & asthma  
and has been taking treatment  
from Shri C.P.D., R.I.M.S. Imphal.

He is advised to avoid  
damp and foggy climate  
for his health.



*[Signature]*  
(Dr. V. T. M. Singh)  
Associate Professor  
Deptt. of Chest Medicine  
Regional Institute of Medical  
Sciences, Imphal, Manipur.

#### Division

**Hospital Number**

55166

25/11

मधुसूदन

196

1. Учредително Собрание на Гарант.

Dr. Dr. N. Tumbal Singh.

Wednesday, April 2, 1941

No.	Date	Diagnosis	Code No.	No.	Date	Diagnosis	Code No.
7/95		Cx SAP		8	Hungry		
		Wound			Rhinobis		
		Cough			Ears nose		
		O/E chest - P.T. Shown (+)					

## History, Examination, Treatment &amp; Progress Record

### Fees

## Investigation Order

### Service

**Date**

signature of  
Doctor

Record  
- P / K

1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348</
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(1) Cap Ventolin CR-Lungs (2)

① Secondo Inhaler  
2 puffi 4 volte al giorno

(3) Info Albany (20)

**MR-5**

Debt ... of the ...  
National ... of the ...  
... Internal ...

22

Med. (32)

R. I. M. S. HOSPITAL  
IMPHAL

Book No.

G. No.

Out Dept.

Coupon

Rs. 2/-



Hospital Number

54753

father's/Husband's Name Occupation

referred by ( Name of Doctor )

RIMS Staff Designation Department

RIMS Student Division

Dr. N. Mani Singh. 31/11/58

L.Y.L.

Dr.

RECORD OF DIAGNOSIS

No.	Date	Diagnosis	Code No.	No.	Date	Diagnosis	Code No.
						9. Sft. in respiration	
						2. Bronch	

History, Examination, Treatment & Progress Record

Fees

Investigation Order

Service	CE		
Date	21/11/58	D	
Signature of Doctor			
		1. To avoid low exposure	
		2. Asthalin Inhaler	
		1-2 puffs	Sft
			P
			12/9

23

86  
21

# GENERAL MEDICAL CLINIC

Phone : 330079

Irabot Road, Imphal - 795 001

Ref. No.

Date.....

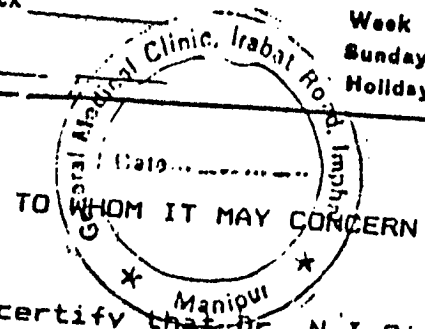
Name .....

Visiting Hrs.

Age ..... Sex .....

Week days : 8 a.m. to 5 p.m.  
Sunday : 8 a.m. to 12 noon  
Holiday : 8 a.m. to 12 noon

Address .....



This is to certify that Dr. N.I. Singh of Lairik Yenqbam Leikai, Imphal was examined by me and found to be suffering from chronic asthma with allergic rhinitis. He is taking medicines under my advice for the last two weeks. He is advised to avoid exposure to cold, damp and foggy climate.

He is not related to me.

Date 19-09-95

Dr. B. S. [Signature]  
Medical Officer  
General Medical Clinic  
Irabot Road, Imphal

Please do not forget to bring it in the next visit for easy reference.  
Report due on : Please do not substitute the Prescription.  
Time : Specialist available by appointment only.



24

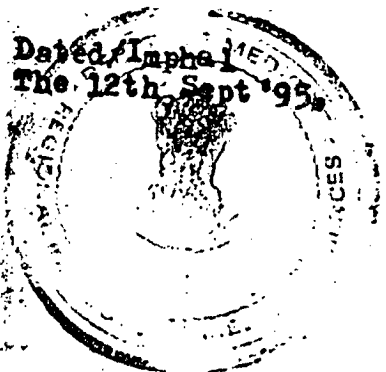
60 (93) 95

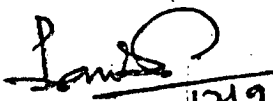
DEPARTMENT OF MEDICINE  
REGIONAL INSTITUTE OF MEDICAL SCIENCES  
LAMPHEL 795004

" TO WHOM IT MAY CONCERN "

This is to certify that Dr. N. Inaoba Singh aged 31 yrs resident of Lairak Yengbam Leikai, Imphal is under my treatment in RIMS Hospital MOPD (Hospital No. 54753) He is suffering from Bronchial Asthma specially on exposure to cold atmosphere. He is advised to avoid cold exposure as far as practicable.

Dated Imphal  
The 12th Sept '95



  
1219  
( Dr. Th. Premchand Singh )  
Associate Professor  
Deptt. of Medicine  
Regional Institute of Medical Sciences,  
Lamphel.

Associate Professor.  
Department of Medicine  
Regional Institute of Medical Sciences  
Imphal, Manipur

....

Date 3/10/94.

19 AR

111 R. Line +  
Branches Williams

(2) I'd Terfed any

1. B.P. x 1.5 days

(3) Tol Amin. 100.  
1 no x 7 days. R. J. 5/14/94

26 62 (18) (83)

Phone : 330079

# GENERAL MEDICAL CLINIC

Irabot Road, Imphal - 795 001

Ref. No.

Date.....

Name \_\_\_\_\_

Visiting Hrs.

Age \_\_\_\_\_ Sex \_\_\_\_\_

Week days : 8 a.m. to 5 p.m.

Sunday : 8 a.m. to 12 noon

Address \_\_\_\_\_

Holiday : 8 a.m. to 12 noon

TO WHOM IT MAY CONCERN

This is to certify that Shrimati Ningthoujam Ongbi Manitombi Devi aged 73 years M/O Shri N.I. Singh of Lairikyengbam Leikai, Imphal is a patient of this Clinic for the last 3 years. She has been examined by me and diagnosed as a case of UTERINE PROLAPSE with diabetes mellitus (NIDDM). She has been advised to undergo surgical treatment (Major Operation) after controlling her diabetes mellitus. At present she is under my treatment and requires regular medical check-up with routine monitoring of the Urine and Blood investigations.

She is not related with me.

Dated/Imphal,  
The 15th Sept. '95

( Dr. Pushpa )  
Consultant Gynaecologist.

Please do not forget to bring it in the next visit for easy reference.  
Report due on ; Please do not substitute the Prescription.  
Time ; Specialist available by appointment only.



# Medical Laboratory

R.M.C. Gale, LAMPHEL, IMPHAL - 795 004

Telephones : 224825 (Lab), 310029 (Res)

Reference : F/7-9-95.

Name : Mrs. N. Manitombi Devi

Sex/Age : F/72 Yrs

Address : Lairik Yengbam Leikai

Referred by :

## BIOCHEMICAL EXAMINATION REPORT

TEST (8) DONE Blood Sugar Fasting & Post Prandial

TEST	RESULT	UNIT	NORMAL RANGE
Bl. Sugar-Fasting	108.3	mg/dl	60-105
-2 hrs. P.P.	216.6	mg/dl	up to 140
-Random		mg/dl	45-130
Serum Urea		mg/dl	15-45
S. Creatinine		mg/dl	0.5-1.5
S. Uric Acid		mg/dl	5-40
S. GOT		U/L	5-35
S. GPT		U/L	3-13
S. Alk. Phosphatase		KAU	0.3-1.0
S. Bilirubin-Total		mg/dl	up to 0.3
-Conjugated		mg/dl	6-8
S. Protein-Total		G/dl	3.7-5.3
-Albumin		G/dl	2.3-3.8
-Globulin		G/dl	150-250
S. Cholesterol		mg/dl	40-140
S. Triglyceride		mg/dl	30-95
S. HDL-Cholesterol		mg/dl	9-11
S. Calcium		mEq/L	125-147
S. Sodium		mEq/L	3.8-5.0
S. Potassium		mg/dl	1-5
S. Phosphorus		mg/dl	60-160
S. Amylase		somogyi U/dl	1-5
S. Acid Phosphatase		KAU	up to 50
S. CPK		U/L	70-240
S. LDH		IU/L	
Others			

Hony. Pathologist

Note : Please refer strictly to the normal ranges given above, as the normal values may be slightly variable with different methods and kits used.

REGIONAL REHABILITATION CENTRE  
R. M. C. IMPHAL.

RRC. OPD No... 2711/2254/94-95

Date O.A. 22.8.94  
D.O.D. 31.8.94

DISCHARGE SUMMARY

Patient's Name Ningthouiam Manitombi Devi  
Guardian's Name Mother of Dr. Jhaoba Singh  
Age/Sex 73 years / Female Race   
Address Lairikyengbam Leikai  
Occupation Housewife Income [PA/PM]

Chief complaint:- Stiffness of left shoulder 10 months.

H.F.I:- Patients complaint of pain & stiffness of the left shoulder for the last 10 months which is gradually increasing. There is no history of injury and no history of ~~fall~~ Patient is diabetic & she is on antidiabetic therapy.

Past history:- Nothing significant.

Treatment history:- Nil

On Examination:- ROM left shoulder Abduction -  $45^{\circ}$ . Flexion  $90^{\circ}$  (-)  
Internal rotation - Nil. External rotation Nil

Diagnosis:- Adhesive capsulitis left shoulder.

Treatment:- Manipulation under sedation on 22.8.94

Advice:- 1) S.W.D. left shoulder  
2) ROM exercises left shoulder.  
3) Check up on 30.9.94

4. *Dr. D Ketanov 1 amp. l.m. tuesday x 5 days.*  
5. *Revital. Symp. 1 amp. tuesday x 10 days*  
*2 kg. tuesday.*

Prepared by:-

*[Signature]*  
(Dr. N. Bimol Singh)  
Medical Officer

27  
 42  
 9/08/11  
 29  
 65

**JAWAHARLAL NEHRU HOSPITAL**  
**IMPHAL**

O.P.D. TICKET

MEDICAL DEPT  
 MANIPUR

HOSPITAL/PHC

Book No.

Outdoor Patients

Coupon No.

Rs. 2/-

D. Regn. No. (Yearly) 22244  
 Name of Patient A/ Mani to mb  
 Sex 20  
 Religion  
 Age 27  
 Address

History/Physical Examination

Treatment

4/10 Pain & restricted mobility of shoulder

140/70  
 9/10 shoulder all movements  
 restricted

Wt. 45 kg

Ref. for R.C.  
 Ref. for Surgeon.

Adv. for Physiotherapy (2)  
 Adv. for immediate  
 after 10 days

① Shoulder mobilization

2-4-11

# BARBINA Clinical Laboratory

R.M.C. Road, Imphal (Branch : B.T. Road), Manipur-795 001  
Phones : 221609 (O), 224361 (R)

30

56

29

NATIONAL REFERENCE LABORATORY under IFIM Quality Control Programme

Dr. Th. Dhabali Singh  
MBBS, MD, FAIMS  
Former Associate Professor of Pathology  
R.M.C. Imphal, Manipur

Reference No. : 22B

Date : 08/12/91

Name : SMT N. MANITOMBI  
Age : 75 YEARS  
Address : L.Y. LEIKAI  
Referred by : DR. S. IBUNGOCHOUBA

Sex : F

TEST(S)

RESULT(S)

METHOD(S)  
NORMAL RANGE(S)

## CHEMICAL PATHOLOGY:

Blood Sugar, Fasting-

66 mgs%

Oxidase/Peroxidase  
60-100mgs%

Blood Sugar, Post-prandial-

251 mgs%

Oxidase/Peroxidase  
60-140mgs%

ANNEXURE - 'E'  
STATEMENT BY DR SS SHAH,  
SMO 30 ASSAM RIFLES

31

67

164

I have the honour to state that the Comdt 30 Assam Rifles Col M Kapur had conveyed to me in his office on 12 Aug 96 that the application submitted by me to DGAR as representation against my posting from 30 Assam Rifles to 18 Assam Rifles has been examined by the DGAR and not accepted and therefore I have to proceed on posting to 18 Assam Rifles on or before 05 Sep 96.

Dated: 25 Sep 96  
Station: C/O 99 APO

Dr. S S Shah  
( Dr. S S Shah )  
Senior Medical Officer  
30 Assam Rifles