

No. GBCPWDOSAAI/ 3

Dated 7-1-2019

**Ajay Kumar N.P.**  
President  
Mob. : 09891904580

**Ravi Kumar Bhatnagar**  
Gen. Secretary  
Mob. : 09313171008  
09999083637

**Dinesh Kumar**  
Vice President  
Mob.: 09313738645

**Yashveer Singh**  
Vice President  
Mob. : 09811724008

**Pankaj Sharma (WR)**  
Vice President  
Mob. : 09970727887

**Avdesh Kumar**  
Joint Secretary  
Mob. : 09868572286

**Devender Ahuja**  
Joint Secretary  
Mob.: 09891175364

**B. Nagaraja (SR)**  
Joint Secretary  
Mob.: 08977505313

**Deepak Jain**  
Treasurer  
Mob.: 9818561467

**Harjeet Vashisth**  
Ladies representative  
Mob. : 09911982511

**T. S. Banga**  
Auditor  
Mob. : 09968070488

**Co-opted Member :**  
**Bhaskar Saha (ER)**  
Mob.: 09089633723

**Rajeev Sharma**  
Mob.: 09868717143

To

**Shri Prabhakar Singh**  
Director General,  
Central Public Works Department,  
Nirman Bhawan, New Delhi – 110011.

**Sub: Issuance of transfer Orders in utter violation of transfer/posting guidelines in respect of Sh. Pranab Kumar Das. AAO, posted in the office of ADG(ER)-I, CPWD, Kolkata**

**Ref: 1. Directorate Office Order No. 8/4/2016-EC.IV (SC)/1553 dated 3-12-2018**  
**2. Directorate Order No. 8/2/2018-EC.IV (SC) dated 3-1-2019.**  
**3. Directorate Speaking order issued vide No. 8/4/2016-EC(SC)/09 dated 3/1/2019.**

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**Respected Sir,**

We would like to refer this association letter of even No. 1 dated 3-1-2019 vide which we submitted the facts before your good self that the transfer order issued in respect of Sh. Pranab Kumar Das. AAO from Kolkata to Guwahati is utter violations of the following provisions/violation of :-

1. the provision of regular Establishment and Office Procedure Para 12.5 (iii).
2. the provision of regular Establishment and Office Procedure Para 12.6(ii)
3. Violation of Hon'ble CAT, Calcutta Bench order No. OA/350/00334/2017 dated 23/03/2017 thereby inviting contempt of court order.
4. Violation of Directorate's Speaking order issued vide No. 3/2/2017/EC.IV(SC)/1082 dated 13.06.2017

In this connection Sh. Pranab Kumar Das, AAO submitted his representation dated 4.1.2019 against the speaking order issued vide Directorate letter No. 8/4/2016-EC(SC)/09 dated 3/1/2019 which is self explanatory and the copy of the same is enclosed for ready reference and taking necessary action at your ends please.

**Contd.**

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-2-

While going through the contents of the speaking order issued vide No. 8/4/2016-EC(SC)/09 dated 3/1/2019, it is clearly mentioned in the para 3 of the order that the incumbent has not completed his tenure of 10 year at the station and has been transferred due to the administrative exigencies only, hence the points of violations raised by this association in our above referred letter dated 3.1.19 are correct and still stands. Kindly refer para 6 of speaking order vide O. M No. 5/4/2017-S&D/536 dt. 11.12.2018 and DG/Misc/2018 dt, 24.12.2018 are not applicable in the present case because taking any individual case with pick & choose method instead of preparing of readiness list, displaying it in the public domain and without giving any chances for options for further posting and also not considering the previous posting details in hard areas are clear cut case of violation of Directorate's own guidelines.

Now, it is clearly observed that the ministerial Cadre employees are being targeted and victimized regularly by way of out station posting in utter violations of transfer/ posting guidelines. but it is also pertinent to mention here that there is no administrative exigencies shown by the department side in the matters of Ministerial cadre as detailed below:-

1. There are no administrative exigencies for issue of Promotion panel for ministerial cadre in time since last eight years.
2. **There are no administrative exigencies in issuance of Promotion orders for ministerial cadre, in spite of repeated requests made by this association and the matter was discussed with all level authorities and even with Hon'ble MoHUA on 19-03-2018 and the employees retiring without getting their legitimate right of promotions.**
3. There are no administrative exigencies for conducting mandatory training for promotion of ministerial cadre.
4. **There are no administrative exigencies for timely completion of APAR in respect of ministerial cadre for which this association demanding since long but no fruitful action has so far been initiated.**
5. There are no administrative exigencies for conducting the departmental Promotion Examination for ministerial cadre after 2012 and vacancies are still lying vacant and employees are retiring without getting promotions which is their legitimate right.

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-3-

6. **There are no administrative exigencies for taking action on the issues discussed in the meeting of Hon'ble MoHUA on 19-03-2018.**

7. There are no administrative exigencies while accepting the forgo of promotion of the person promoted and posted at Guwahati in the month of November, but suddenly administrative exigencies arises to transfer Sh. Pranab Kumar Das, AAO.

8. **There are no administrative exigencies to discuss the pending issues with the service associations as per the direction issues by the JS(W)MoUD on 5-5-2016.**

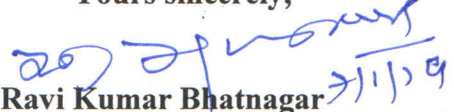
Therefore, in view of the above violations and working conditions, we object the unlawful orders of the Directorate which may result the aggrieved staff to knock the doors of CAT/Court for seeking relief or file another suit against the said speaking order,

**We once again request that the promotion process for filling of the vacant posts should be initiated without further delay and the vacant post of AAO in the office of SDG (NER) may be filled through promotion and Sh. Pranab Kumar Das, may be retained at Kolkata till the completion of his station tenure.**

**Thanking you and with regards,**

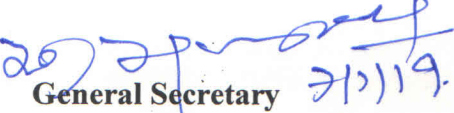
**Encl:** As above,

Yours sincerely,

  
**Ravi Kumar Bhatnagar**  
**General Secretary**

Copy for information and necessary action to:

1. Sh. Hardeep Singh Puri, Hon'ble MoHUA, Nirman Bhavan, New Delhi with enclosures.
2. Spl.DG(ER),CPWD, Nizam Palace, Kolkata.
3. Spl. DG(NER), CPWD, Guwahati.
4. Chairman, Joint Front, B Wing, I.P.Bhavan, New Delhi,
5. The Regional Secretary (ER) GBCPWDOSAAI, Kolkata,
6. Concerned employees

  
**General Secretary**