

2/100

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

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 357/2000

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SECTION OFFICER (Judl.)

2/12/17

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH: GUWAHATI.5

ORIGINAL APPLICATION NO. 357/2000

Sri. Supit Dns. 2015 . . . APPLICANTS  
versus.

Union of India &ors . . . . . Respondents.

FOR THE APPLICANT(S) Mr B.K. Sharma  
ADVOCATE Mr S. Samra & N.K. Nain

FOR THE RESPONDENT(S) Case .

Notes of the Registry | DATE | COURT'S ORDER

25.10.00 Present : The Hon'ble Mr Justice D.N.  
Chowdhury, Vice-Chairman.

Heard Mr B.K.Sharma, learned counsel  
for the applicants and Mr A.Deb Roy,  
learned Sr.C.G.S.C for the respondents.

Application is admitted. Issue usual  
notice. Call for the records.

List on 24.11.2000 for written state-  
ment and further orders.

Heard Mr Sharma on the interim reli-  
ef prayer. Also heard Mr Deb Roy.

Issue notice to show cause as to why  
the interim order as prayed for shall not  
be granted. Returnable by four weeks.

List on 24.11.2000 for order. In  
the meantime the applicants shall not be  
disengaged and the respondents are  
directed to allow them to continue in  
their respective service.

Vice-Chairman

24.11.2000 Three weeks time granted for  
filing of written statement. List it on  
18.12.00 for orders.

Vice-Chairman

Application is in  
but not in time  
Petition is  
d/ not filed C F  
Rs. 50/- p sited  
vide IPO/B No 29 SD3422  
Dated 15/10/2000

By Registrar

Please comply order  
dated 25-10-2000.

Notice prepared and  
sent to D/S for annex the  
respondent No 1 to 4 vide  
D/No 2477/2480 dtd  
6/11/2000

Service report are  
still awaited,

No. show cause has  
been filed.

nkm

On R-No 3 Others are  
Still advised

O.A. 357/2000

18.12.00

No representation. List on 4.1.2001  
for further orders.

① Notice served on  
R No. 273, respond.  
No. 1 was waited.

Member(A)

Vice-Chairman

② No. w/s has been  
filed.

trd

H-1. There was a reference. Wt of on  
23.1.2001.

By  
31.1.2001

No. w/s has been filed.

23.1.01

No written statement so far filed.  
List on 14.2.01 to enable the respo  
dents to file written statement.

By  
22.1.2001

Member

Vice-Chairman

pg

16.2.01

List on 26.2.01 to enable the  
respondents to file written statement.

Member

Vice-Chairman

lm

26.2.01

List on 12.3.2001 to enable Mr A. Deb  
Roy, learned Sr.C.G.S.C to file written  
statement.

Member

Vice-Chairman

pg

12.3.01

List on 14.5.01 alongwith C.P.NO.  
44 of 2000.

Member

Vice-Chairman

lm

14.5- Lett over.

Wt on 24.5 alongwith the Cp. 44/2000

As  
A/R 2  
14.5

Notes of the Registry	Date	Order of the Tribunal
<p><u>19.3.2001</u></p> <p>W/s has been submitted by the Respondents.</p> <p><i>[Signature]</i></p>	24.5.01	<p>On the prayer of learned counsel for the parties case is adjourned to 7.6.01. In the meantime the Mr. A. D. Sr. C.G.S.C. shall take necessary intimation on the matter.</p> <p><i>[Signature]</i> Member <i>[Signature]</i> Vice-Chairman</p>
<p><u>9.4.2001</u></p> <p>Rejoinder to W/s has been filed by the Respondents.</p> <p><i>[Signature]</i></p>	5.7.2001	<p>Heard the learned counsel for the parties. Hearing concluded. Judgment delivered in open court, kept in separate sheets. The application is allowed. No order as to costs.</p> <p><i>[Signature]</i> Member <i>[Signature]</i> Vice-Chairman</p>
<p>The case is ready for hearing as requested W/s and rejoinder.</p> <p><i>[Signature]</i></p> <p><u>30.7.2001</u></p> <p>Copy of the Judgment has been sent to the Office. For issuing the same to the Appellant as well as to the Sr. C.G.S.C. for the Respondents.</p> <p>H.S.</p>		

CENTRAL ADMINISTRATIVE TRIBUNAL ::  
GUWAHATI BENCH.

O.A./XXXX No. . 357 . . . . . of 2000

DATE OF DECISION 5.7.2001 .....

Sujit Das and 15 others

APPLICANT(S)

Mr B.K. Sharma, Mr S. Sarma and  
Mr U.K. Nair

ADVOCATE FOR THE APPLICANT(S)

- VERSUS -

The Union of India and others

RESPONDENT(S)

Mr A. Deb Roy, Sr. C.G.S.C.

ADVOCATE FOR THE  
RESPONDENTS.

THE HON'BLE MR JUSTICE D.N. CHOWDHURY, VICE-CHAIRMAN

THE HON'BLE MR K.K. SHARMA, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the judgment is to be circulated to the other Benches ?

5.

Judgment delivered by Hon'ble Vice-Chairman



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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No.357 of 2000

Date of decision: This the 5th day of July 2001

The Hon'ble Mr Justice D.N. Chowdhury, Vice-Chairman

The Hon'ble Mr K.K. Sharma, Administrative Member

1. Sujit Das
2. Kajal Nath
3. Kajal Das
4. Badal Banik
5. Naru Ch Das
6. Paritosh Ch Das
7. Shyamal Biswash
8. Satyandra Kumar Das
9. Ajay kr Das
10. Paresh Malakar
11. Paresh Das
12. Pratap Malakar
13. Parimal Malakar
14. Sambhu Das
15. Mainul Haque Laskar
16. Sankar Roy

.....Applicants

The applicants are working as casual labourers  
under the Sub Divisional Officer, Telecom,  
Haflong.

By Advocates Mr B.K. Sharma, Mr S. Sarma  
and Mr U.K. Nair.

- versus -

1. The Union of India, represented by the  
Secretary to to the Government of India,  
Ministry of Communication,  
New Delhi.
2. The Chief General Manager, Telecom,  
Assam Circle,  
Ulubari, Guwahati.
3. The General Manager, Telecom,  
Silchar SSA,  
Silchar.
5. The Sub Divisional Officer, Telecom  
Haflong.

.....Respondents

By Advocate Mr A. Deb Roy, Sr. C.G.S.C.

.....



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O R D E R (ORAL)

CHOWDHURY.J. (V.C.)

This is the third round of litigation pertaining to the granting of temporary status to the sixteen employees of Telecommunication Department. The applicants in this application claim that they were rendering their service under the respondents for years together from 1986 and 1987. They moved this Tribunal from time to time for granting them temporary status as per the Scheme known as "Casual labourers (Grant of Temporary Status and Regularisation) Scheme, 1989", which provided that casual employees who had completed more than 240 days of service were to be given temporary status. By Memorandum dated 12.2.1999 the benefit of the aforementioned Scheme was extended to those employees who completed the requisite period of service upto 31.3.1997. It was also pointed out that the provision for granting of temporary status to the casual labourers was extended to those employees who were eligible as on 1.8.1998 and regularisation of casual labourers with temporary status who were eligible as on 31.3.1997. The Tribunal by order dated 31.5.1999 in O.A. Nos.163, 167 and 168 of 1999 directed the respondents to dispose of the representations of the applicants. The Tribunal also directed the applicants to submit representation within a specified period and the respondents to consider the case of the applicants as per Scheme or the prevailing guidelines. The applicants in terms of the aforementioned order of the Tribunal submitted representations alongwith some documents. By order dated 13.8.1999 their representations were turned down. The applicants again moved the Tribunal by way of an

O.A. which was numbered and registered as O.A.No.5 of 2000. The Tribunal by order dated 11.1.2000 disposed of the said O.A. directing the applicants to file separate representations within a specified time and also to produce evidence about the period of their service. By order dated 14.3.2000 the respondents again turned down the claim of the applicants. Hence this application.

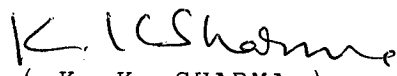
2. The respondents filed their written statement. According to the respondents the applicants did not complete 240 days work in the Department of Telecommunication in any calender year and were not in engagement as on 1.8.1998. In their written statement the respondent reiterated the facts, save and except the case of applicant No.1, Shri Sujit Das, who, the respondents admitted, was found to have worked for 240 days in one calendar year, but was not in engagement on 1.8.1998 and afterwards in the Department of Telecommunication. However, his case was considered at the appropriate level. The remaining applicants were not found eligible for regularisation.


3. We have heard Mr S. Sarma, learned counsel for the applicants and Mr A. Deb Roy, learned Sr. C.G.S.C. at length. We have also perused the documents furnished by the applicants, more particularly, the excerpts of the Muster Roll Register, showing the attendance of the applicants from January 1997 till the month of October 1999. The document cited at page 9, Memo No.X-2/CONS/ENQ/SDE(G)-HF/2001-2002/2 dated 8.5.2001 pertaining to enquiry in respect of the complaint from Sri N.S. Purkayastha, Office of the SDE (Phones), Haflong. In that case one of the applicants, namely, Sri Sujit Kr Das, Casual Mazdoor was ordered to attend the office of the Inquiry Officer, SDE (Grp.), Haflong, on 12.5.2001.

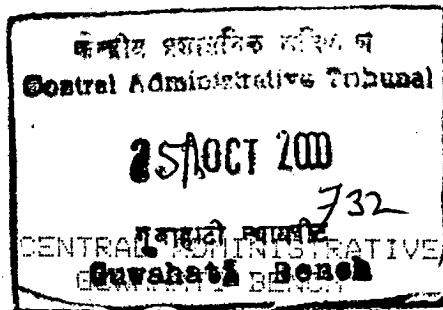


4. From the above documents it is difficult to accept the assertions of the respondents ruling out that the applicants did not complete 240 days work in the Telecommunications Department in any calendar year preceding 1.8.1998 and the applicants were not in employment as on 1.8.1998. In our view the entire matter requires to be re-examined by the respondents by scrutinising the relevant documents including the Muster Roll etc. We accordingly direct the respondents to look into the individual cases of these applicants by scrutinising the records including the records, which have been made available before us. The subject matter pertains to livelihood of persons who worked as casual labourers and who have been agitating since 1999. Therefore, we direct the respondents to complete the exercise as early as possible, preferably within two months from the date of receipt of the order. If the applicants produce the documents, the respondents shall consider the same through the scrutinising committee and pass a reasoned order thereafter for granting/according the benefit of the Scheme for granting temporary status and regularisation as per law.

5. The application is accordingly allowed. There shall, however, be no order as to costs.

  
( K. K. SHARMA )  
ADMINISTRATIVE MEMBER

  
( D. N. CHOWDHURY )  
VICE-CHAIRMAN



Title of the case : O.A. No. 357 of 2000

Between

Shri Sujit Das & Ors. ... Applicants.

AND

Union of India & ors ..... Respondents.~

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Filed by : S. Sarema. Advocate.

Regd.No.:

File : Sujit

Date : 25.10.20

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH.

(An application under section 19 of the Central Administrative  
Tribunal Act, 1985)

D.A.No. .... of 2000

BETWEEN

1. SUJIT DAS
2. KAJAL NATH
3. KAJAL DAS
4. BADAL BANIK
5. NARU CH DAS
6. PARITOSH CH DAS
7. SHYAMAL BISWASH
8. SATYANDRA KUMAR DAS
9. AJAY KR DAS
10. PARESH MALAKAR
11. PARESH DAS
12. PRATAP MALAKAR
13. PARIMAL MALAKAR
14. SAMEHU DAS
15. MAINUL HAQUE LASKAR
16. SANKAR ROY

All the 16 applicants are working as casual labour under the Sub Divisional Officer, Telecom, Halflong since 1996 and 1987.

VERSUS

1. Union of India,  
Represented by the Secretary to the Govt. of India,  
Ministry of Communication,  
Sanchar Bhawan, New Delhi.
2. The Chief General Manager, Telecom  
Assam Circle, Ulubari, Guwahati.

*Sujit Das*

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FILED BY  
The Applicants  
Through  
S. Sarma,  
Advocate

*1 NDELT*

*1986-87*

*O A 161/99*

*Art 6 P 36*

*\* Art 8 P 40-  
Oct 13.8.99*

*\* Art 14 P 48*

*\* 26.9.21K Applicants.  
1050.*

*> Art 16*

3. The General Manager, Telecom  
Silchar SSA, Silchar-1.

4. The Sub Divisional Officer, Telecom  
Halflong.

..... Respondents.

PARTICULARS OF THE APPLICATION

1. PARTICULARS OF THE ORDER AGAINST WHICH THIS APPLICATION IS  
MADE:

This application is directed against the order dated 26.9.2000 by which it has been intimated that the cases of the applicants have been scrutinised by a committee for conferment of temporary status, however the said committee did not recommend their case for grant of temporary status. This application is also directed against the action of the respondents in not granting temporary status and regularisation thereafter in total violation of the order dated 11.1.2000 of the Hon'ble Tribunal passed in O.A. No.5/2000 as well as various schemes prepared to that effect.

2. LIMITATION:

The applicant declares that the instant application has been filed within the limitation period prescribed under section 21 of the Central Administrative Tribunal Act, 1985.

3. JURISDICTION:

The applicant further declares that the subject matter of the case is within the jurisdiction of the Administrative Tribunal.

*Swift-2008*

4. FACTS OF THE CASE:

4.1. That the applicants are citizens of India and as such they are entitled to all the rights, privileges and protections as guaranteed by the Constitution of India and laws framed thereunder.

4.2. That the applicants are presently working as casual labour under the Department of Telecommunication since 1986 and 1987 and till date they are continuing in the said post without any break. The applicant No 2,3 and 5 entered the service of the respondents in the year 1986 and the rests in the year 1987, as casual workers. The applicants through this application has prayed for granting of temporary status and regularisation as directed by the Hon'ble Tribunal and in the light of the scheme prepared in the year 1989 and the subsequent clarifications issued from time to time. The relief claimed by the applicants is common and the cause of action is also same for all the applicants and hence they pray before the Hon'ble Tribunal to allow them to join together in a single application, invoking rule 4(5)(a) of Central Administrative Tribunal (Procedure) Rules 1987.

The applicants for better appreciation of factual position regarding their service particulars has annexed a list and same is marked as Annexure-A.

4.3. That the casual labourers of the Deptt. of Posts preferred a writ petition before the Hon'ble Supreme Court claiming the similar benefit of regularisation like that of the present applicants. The Hon'ble Supreme Court after hearing the parties was pleased to allow the said writ petition directing the re-

*Just*

respondents thereto to prepare a scheme on rational basis for absorbing as far as possible the casual labourers who have been continuously working for more than one year in the Posts and Telegraphs Deptt. Claiming the similar benefit some of the casual labourers working under the Telecom Department filed a writ petition vide No. Writ petition (C) No. 1280 of 1989 (Ram Gopal & Ors vs. U.O.I & Ors). The Hon'ble Supreme Court on 17.4.90 was pleased to dispose of the said writ petition along with other connected matters directing the respondents thereto to prepare a scheme on rational basis for absorption of casual labourers who have continuously worked for more than one year in the Telecom Department. For better appreciation of the factual position the operative part of the said judgment and order dated 17.4.90 is quoted below :

" We find the though in paragraph 3 of the writ petition, it has been asserted by the petitioners that they have been working more than one year, the counter affidavit does not dispute that petition. No distinction can be drawn between the petitioners as a class of employees and those who were before this court in the reported decision. On principles , therefore the benefits of the decision must be taken to apply to the petitioners. We accordingly direct that the respondents shall prepare a scheme on a rational basis absorbing as far as practical who have continuously worked for more than one year in the Telecom Deptt. and this should be done within six months from now. After the scheme is formulated on a rational basis, the claim of the petitioners in terms of the scheme should be worked out. The writ petitions are also

Sujit DSS

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disposed of accordingly. There will be no order as to costs on account of the facts that the respondents counsel has not chosen to appear and contest at the time of hearing though they have filed a counter affidavit."

A copy of the judgment passed by the Hon'ble Apex Court is annexed herewith and marked as ANNEXURE-1.

4.4. That pursuant to the judgment passed by the Hon'ble Apex Court, the respondents have prepared a scheme in the name and style "Casual Labour grant of temporary status and regularisation" Scheme 1989. The aforesaid scheme has been circulated by an order dated 7.11.89 issued by the Dept. of Telecommunication. In the said scheme it has been categorically mentioned that the same will be effective from 1.10.89 onwards and the same will be applicable to the casual workers employed by the Dept. of Telecommunication.

A copy of the said scheme is annexed herewith and marked as ANNEXURE-2.

4.5. That the applicants beg to state that the applicant Nos 2,3 and 5 were appointed as casual worker in the year 1986 and the rests got their appointment in the year 1987. It is pertinent to mention here that the all the applicants prior to their such appointment the respondents have placed indent before the District Employment Exchange, Haflong and the name of the applicants have been sponsored by the said Employment Exchange.

A copy of one of such sponsorship letter dated 30.4.87 is annexed herewith and marked as Annexure-3.

*Swift 003*

4.6 That the applicant begs to state that after issuance of the Annexure-3 letter dated 30.4.87 interview was held for the said post of Mazdoor and they were selected for the said post by the said duly constituted interview board. It is pertinent to mention here that till date they are continuing in their respective posts without any break and each year they have completed more than 240 days of work in a calender year. It is also pertinent to mention here that all of them were recruited prior to issuance of the letter dated 7.11.89 by which the scheme of 1989 for grant of Temporary Status and Regularisation has been circulated. In view of the criteria laid down in the said scheme the applicants are entitled to Temporary Status and subsequent Regularisation just after 7.11.89 i.e, the date on which the aforesaid scheme was circulated. The respondents however, ignoring their claim have been denied the said benefit and till date they have not been conferred with temporary status and subsequent regularisation.

4.7 That after the issuance of the aforesaid scheme of 1989 the respondents have been issuing various clarifications in regard to the cut-off date mentioned in the said scheme. To that effect mention may be made of letter dated 17.12.1993 by which the said benefit was extended to the recruitees of 30.3.1985 to 22.6.88. Thereafter some of the later recruitees approached the Hon'ble Central Administrative Tribunal, Ernakulam Bench, by way of filing O.A. No.750/94 and pursuant to an order dated 13.3.95 passed by the said Hon'ble Tribunal the respondents have issued an order dated 1.11.1995, extending the said cut-off date up to recruitees of 10.9.1993.

The applicant craves leave of this Hon'ble Tribunal to produce the letters dated 22.6.88, and 1.11.95 at the time of hearing of this case.

*Sujit Das*



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4.8 That the applicant begs to state that in view of the afore-said clarifications, as well as the order of the Hon'ble Central Administrative Tribunal, Ernakulam Bench referred above, they are entitled to get the benefit of the said scheme of 1989. It is further stated that the respondents thereafter issued various orders by which it has been clarified that the benefit of the scheme shall be extended to the recruiters of 31.3.1997. To that effect Department of Telecommunication issued a letter in the month of February, 1999, by which the said benefit has been extended to the recruiters of 31.3.1997.

The applicants in spite of their best efforts could not collect an authenticated copy of the said order and hence prays before this Hon'ble Tribunal for a direction to the respondents to produce the same before the Tribunal at the time of hearing of this case.

4.9 That the applicants beg to state that claiming similar benefit the Union namely, All India Telecom Employees Union, had approached the Hon'ble Tribunal by way of filing O.A. Nos. 299 and 302 of 1996. The Hon'ble Tribunal on 13.8.97 after hearing the parties to the proceeding was pleased to allow the said Original Application in favour of the applicants directing the respondents to extend the benefit of the said scheme of 1989. It is pertinent to mention here that the applicant in the aforesaid OAs have also prayed for a direction to treat them at par with the casual workers of Postal Deptt. as the scheme prepared in their respect was more beneficiary than that of the Telecom Deptt. The Hon'ble Tribunal while disposing of the said OAs was also pleased to grant the aforesaid relief by directing the respondents therein to treat them at par with the casual workers

*Sujit Das*

of Postal Deptt.

A copy of the said order of the Hon'ble Tribunal dated 13.8.97 is annexed herewith and marked as Annexure-4

4.10. That the applicants state that the said order dated 13.8.97 has been passed in respect of the applicant No.1 of the said Original Application i.e. All India Telecom Employees Union and hence the benefit of the said judgment and order dated 13.8.97 is also applicable to the members of the said Union including the present applicants. Needless to say here that when a judgment is pronounced by any court of law in respect of a particular set of employees, the principle laid down in the said judgment is required to be extended to the other similarly situated employees of the department. On the other hand the respondents being a model employer should deny the said benefit to the employees who could not approach the door of the court for want of money etc.. It is the duty of the respondents to treat all the employees of a particular group or grade at par with the other group or grade who got the benefit of certain judgment in their favour.

4.11. That the applicants beg to state that even after the judgment and order dated 13.8.97 the respondents have not done anything in regard to the granting of Temporary Status pursuant to the scheme mentioned above as well as the clarifications issued by the respondents to that effect. It is stated that being aggrieved some similarly situated employees like that of applicants have approached the Hon'ble Tribunal by way of filing various Original Applications before the Hon'ble Tribunal and the Hon'ble Tribunal after hearing was pleased to direct the respondents to consider their cases for grant of temporary status and

*Surjit Doss*

regularisation. The respondents thereafter issued various orders by which direction has been issued to the local Head Offices for furnishing particulars of the casual labourers working under them. To that effect mention may be made of one of such order dated 27.8.98 by which particulars of the casual labourers like that of applicants have been asked for to grant Temporary Status and Regularisation.

A copy of the said letter dated 27.8.98 is annexed herewith and marked as Annexure-5

4.12. The applicants being aggrieved by the aforesaid action of the respondents for not granting Temporary Status to them were constrained to move this Hon'ble Tribunal by way of filing O.A. No. 167/99. The Hon'ble Tribunal on 31.5.99 was pleased to dispose of the said Original Application with direction to the respondents to dispose of the representation of the applicants by a reasoned order.

A copy of the said Order dated 31.5.99 referred above is annexed herewith and same is marked as Annexure-6.

4.13. That pursuant to the aforesaid Annexure-6 order the applicants filed detailed representation individually on 16.6.99 praying for grant of Temporary Status and Regularisation in the light of the Scheme of 1989 prepared by the respondents as well as the clarifications issued from time to time.

A copy of one of such identical representations is annexed herewith and marked as Annexure-7.

*Swift*

4.14. That the respondents after receipt of the representation filed by the applicants has issued an identical order to each applicant on 13.8.99 by which the individual representation has been disposed of. In the said order the respondents while rejecting the claim of the applicants, have mentioned five grounds and the applicants beg to reply the same as follows :

(a) As regard the contention mentioned in the said order at sl. no. 1 is that the representation filed by the applicants was vague and without requisite and vital information and particulars, the applicants beg to state that in the representation filed by them contained the letters dated 7.1.89, by which the scheme for grant of Temporary Status and Regularisation has been circulated and the said order has been issued by the Assistant Director General, STN to the Chief General Manager, and all the Heads of Administrative Units. It is therefore not correct say on the part of the respondents that the applicants have suppressed certain factual matters in their representations.

(b) As regard the contention made in para 2 of the said letter dated 13.8.99 that the representations filed by the applicants were not supported by documents, the applicants beg to state that in their representations they have mentioned the letters and schemes issued by the respondents themselves and hence there is no necessity to support the contention by documents again and again. It is further stated that the contention is not true as in the above noted original application the main supporting document has been the letter dated 7.11.89 by which the scheme of 1989 was circulated and the respondents cannot shift their responsibility placing their ignorance about the said letter dated 7.11.89.

*Swift*

(c) As regards the contention made in para 3 of the said letter dated 13.3.99 the applicants beg to state that for grant of Temporary Status and Regularisation the basic criteria is the date of engagement and the days of work in a particular year. To that effect Annexure-3 letter issued by the Employment Officer, Haflong is quite clear regarding the date of engagement of the applicants.

(d) As regards the contention made in paragraph 4 of the said letter dated 13.8.99 the applicants beg to state that non-maintenance of Register or Records in regular basis is not the fault of the applicants rather same highlights the callousness of the respondents in maintaining the proper records. It is stated that the applicants somehow could collect some of the documents by which it can be ascertained that they have been working since their date of joining without any break and each year they have completed more than 240 days of continuous service under the respondents.

(e) As regards to the contention made in paragraph 5 of the said letter dated 13.8.99 the applicants beg to state that in fact there was no ban on recruitment of casual labourers after 30.3.1985 and the aforesaid fact is clear from the Annexure-3 letter dated 30.4.1987 by which the name of the applicants have been sponsored by the local Employment Exchange.

A copy of the order dated 13.8.99 is annexed herewith and marked as Annexure-8.

4.15. That the applicants beg to state that from the above Annexure-8 order dated 13.8.99 it is crystal clear that the

*Sujit Das*

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respondents have not maintained any record in respect of the applicants with regard to their services which shows total non-application of mind of the respondents. It is emphatically stated that in fact there are various records in the office of the respondents to show that the applicants have been working since their date of joining without any break.

The applicants after the issuance of Annexure-8 order dated 13.8.99 collected certain documents which are as follows :

i. Letter N. AMT/CH/U-17/RJCM/91-92 dated 12.6.1991 issued by the Assistant Director Telecom in the name of Area Director Telecom Guwahati in which name of the applicants found place. The aforesaid letter dated 12.6.1991 has been issued in regard to non-payment of some arrears to the casual mazdoors of Haflong.

ii. Letter No. M-1/CM/SDOT/HFL/94-95 dated 17.8.94 issued by the SDOT, Haflong. In the said letter clarification has been issued regarding the date of engagement of the casual mazdoors and objections were also invited regarding alteration of their date of engagement if any. In the said order the name of all the sixteen applicants found place along with their date of engagement and days of work till 1993 i.e. till the date of issue of the said order.

Apart from these letters, mentioned above, the applicants are in possession of some copies of payment bills including A.C.G.-17 Pay Bill and attendance register counter signed by the authority concerned and pray before this Hon'ble Tribunal to produce the same before the Hon'ble Tribunal at the time of hearing.

*Swift*

Copies of order dated 12.6.91 and 17.8.94 are annexed herewith and the same are marked as Annexure 9 and 10.

4.16. That the applicants beg to state that from a reliable source they could come to know that as many as 900 posts of regular mazdoor has been sanctioned by the Ministry of Communication, Department of Telecommunication to Assam Circle, Telecom. It is also learnt from the said source that some of the posts have already been allotted to the casual labourers like that of the applicants under the respondents ignoring the claim of the present applicants.

4.17. That the applicants beg to state that the contention raised by the respondents in the impugned Annexure-8 order dated 13.3.99 that the applicants do not fulfill the minimum criteria for granting Temporary Status is not based on records mentioned above. In fact the respondents have not consulted with the records maintained by themselves and issued the impugned order dated 13.8.99 without application of mind. It is pertinent to mention here that the respondents very recently issued another order dated 1.9.99 by which the benefit of the scheme of 1989 for grant of Temporary Status and Regularisation has been extended to the recruitees up to 12.2.1999. In view of the aforesaid order dated 1.9.99 the applicants are entitled to get the benefit of the said scheme even if their recruitment is not taken from 1986 and 1987. In fact the applicants got their appointment in the year 1986 and 1987 as reflected in the Annexure-A list.

A copy of the order dated 1.9.99 is annexed herewith and marked as Annexure-11.

4.18. That the applicants beg to state that after issuance of

*Surjit Das*

the Annexure-8 order dated 13.8.99, they preferred another representation highlighted the grievances. The said representation has been filed by the each applicant on 9.9.99 addressing to the General Manager, Telecom, Silchar. The said representation is still pending before the respondents and till date no reply has been communicated to the applicants. In the said representation the applicant while controverting the statements made in the order dated 13.8.99 has also enclosed all the relevant documents mentioned above.

The applicants crave leave of the Hon'ble Tribunal that the contentions raised in the representation dated 9.9.99 may be treated as part of the present Original Application.

A copy of the representation (identical) filed by each applicant is annexed as Annexure-12.

4.19. That the applicants beg to state that as stated above at least 300 posts of Regular Mazdoor has been allotted to Assam Circle, Telecom, and some them have already been filled up by the respondents ignoring the bona fide claim of applicants. It is stated that the respondents by issuing the impugned order has sought to nullify the claim of the applicants only to fill up the said posts by their nearer and dearer. Presently move is going on to fill up the said posts of Regular Mazdoors by some outsiders and hence the applicants having no other alternative approaching the Hon'ble Tribunal praying for setting aside of Annexure-8 order dated 13.8.99 and for grant of Temporary Status and Regularisation in the light of the Scheme as well as the clarification issued by the respondents from time to time.

*Suff*



4.20 That the applicants being apprehensive of their discontinuation of service were constrained to move the Hon'ble Tribunal by way of filing OA No. 5/2000. The Hon'ble Tribunal was pleased to dispose of the said OA by an order dated 11.1.2000 directing the respondents to reconsider the matter. The Hon'ble Tribunal while disposing of the said OA also gave liberty to the applicants file a separate representation and direction has been issued to the respondents to dispose of the said representation by reasoned order.

A copy of the order dated 11.1.2000 passed in OA No. 5/2000 is annexed herewith and marked as Annexure-13

4.21 That pursuant to the aforesaid order the respondents have issued an order dated 14.3.2000 to each applicants by which the representation filed by them has been rejected. In the said order the respondents have taken all together 7 (seven) grounds for rejection of the representations filed by them. The respondents in this time has shifted their plea with that of Annexure-8 order dated 13.8.99. Some new plea has been taken in the said order dated 14.3.00. The applicants thereafter made verbal as well as written representations to the respondents.

A copy of the order dated 14.3.00 is annexed herewith and marked as Annexure-14.

4.22. That the applicants beg to state that acting on their representations the respondents have not issued any order of termination at that time and the respondents have given verbal assurance that the matter will be looked into by a committee. Accordingly the respondents have issued an order dated 26.4.2000

*Sgt O.S.*

directing the applicants to appear before the said committee for scrutinising the records. All the present applicants by the said order have been directed to bring their initial appointment letters or Employment sponsorship letters ; working particulars/ payment particulars till last working day if available; age certificate; and two copies of recent photographs. The applicants as stated above were all appointed through the Employment Exchange and following the due processes of law and as per the said letter dated 26.4.2000 brought all the relevant documents as mentioned in the order including the photographs. The respondents however, did not verified the documents at the time of scrutiny. The respondents only took the photographs but the records have been returned to all the applicants.

A copy of the order dated 26.4.2000 is annexed herewith and marked as Annexure-15.

4.23. That the applicants thereafter have been continuing in their respective service with the hope that their services would be regularised in due course of time along with the other similarly situated employees like that of them. But, the respondents contrary to their legitimate expectations have issued the impugned order dated 26.9.2000 rejecting their claim for grant of temporary status and regularisation on the grounds that they have not completed 240 days of service in any calender year and they were not in employment as on 01.8.98. In fact all the applicants are still working as casual worker under the respondents and each year they have completed more then 240 days of work in a calender year. The applicants being the casual worker never allowed any leave and they had to work even in the holidays and some are even in nights.

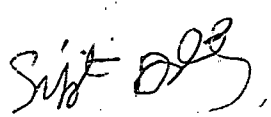
*Sgt*

A copy of the order dated 25.9.00 is annexed herewith and marked as Annexure-16.

4.24. That the applicants beg to state that the respondents have issued all together three order three orders rejecting their claim for grant of temporary status in the light of the 1989 scheme and its subsequent clarifications issued from time to time. Each three occasions they have given different grounds and from the same the arbitrary action on the part of the respondents can be seen clearly. In fact the respondents have failed to apply their mind in issuing the impugned orders. In the last order i.e, the order dated 26.9.00 (Annexure-16.) they have stated only two grounds i.e, 1. That they have not completed 240 days of service in any particular year. and 2. That they were not in employment as on 1.8.98.

The applicants craves leave of the Hon'ble Tribunal to produce all the relevant documents at the time of hearing of the case including the payment registrar.

4.25. That the applicants beg to state that after issuance of the said order dated 26.9.00 (Annexure-16) now they have no other alternative than to approach the Hon'ble Tribunal. The applicants, because of issuance of the aforesaid impugned order dated 26.9.00 (Annexure-16), coupled with the fact that the administrative control have subsequently been changed to the "Nigam", now apprehends that their service may be terminated at any moment. They are still in employment and because of the aforesaid developments their services may be dispensed with at any moment and hence they pray before the Hon'ble Tribunal for an interim order directing the respondents not to disengage them from their pre-

Sd/- 

sent employment till the disposal of the O.A. It is further stated that the respondents have filled up all most 600 posts and till date about 200 posts are being filled up and in fact there are as many as 28 vacancies under the respondents no 4 and hence there would be difficulties for the respondents in implementing the interim order as has been prayed for. In case the interim order as has been prayed for is not granted the applicants will suffer irreparable loss and injury.

5. GROUND FOR RELIEF WITH LEGAL PROVISION:

5.1. For that the denial of the benefit of the scheme to the applicants in the instant case by the respondents is prima facie illegal, arbitrary, and violative of Articles 14 and 16 of the Constitution and hence the action of the respondents are liable to be set aside.

5.2. For that it is a settled principles of law that some principles have been laid down in any judgment extending certain benefit to a set of employees, same is require to be extended to other similarly situated employees without requiring them to approach the doors of the court again and again.

5.3. For that For that the discrimination meted out to the applicants is not based on any intelligible differential and the same is violative of Articles 14 and 16 of the Constitution of India.

5.4. For that the benefit which the casual labourers working in the Department of Posts are deriving having been based on Supreme Court judgment and the similar judgment relying on the said

*Swift D.S.*

judgment having been delivered in the cases of Casual Labourers of the Department of Telecommunication and more so, both the Departments are under the same Ministry, there is no earthly reason as to why the said benefit should not be extended to the present applicants.

5.5 For that the issuance of the order dated 26.9.00 is illegal, arbitrary and the same depicts non application of mind of the respondents and the respondents have shown their inconsistency so far the grounds of rejections of the cases of the applicants which is illegal and arbitrary.

5.6 For that the contention raised by the respondents in the Annexure-16 order dated 26.9.00 by which the representation claiming grant of Temporary Status has been rejected is not at all tenable in view of existence of the records and the same is liable to be set aside and quashed.

5.7 For that the contentions raised by the respondents in the Annexure-16 order dated 26.9.00 regarding non-fulfillment of minimum requisite qualification as prescribed in the Scheme for grant of Temporary Status and Regularisation is not sustainable in view of existence of order dated 1.9.99 issued by the Department of Telecommunication and hence the same is not sustainable in the eye of law.

5.8 For that the contention of the respondents in regard to ban on recruitment as mentioned in the impugned order dated 26.9.00 is not sustainable as the respondents themselves have placed the indent for filling up the said post of casual mazdoors to the local Employment Exchange and now by issuing the said impugned

*Swift*

order and raising the claim of ban on recruitment, the respondents cannot shift their responsibility, and therefore the entire action of the respondents are liable to be set aside and quashed.

5.9. For that in any view of the matter the action/inaction of the respondents are not sustainable in the eye of law and liable to set aside and quashed.

The applicants crave leave of this Hon'ble Tribunal to advance more grounds both factual and legal at the time of hearing of this application.

6. DETAILS OF REMEDIES EXHAUSTED:

That the applicants declare that they have exhausted all the remedies available to them and there is no alternative remedy available to them.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT:

The applicants further declare that they have not filed previously any application, writ petition or suit regarding the grievances in respect of which this application is made before any other court or any other Bench of the Tribunal or any other authority nor any such application, writ petition or suit is pending before any of them.

8. RELIEF SOUGHT FOR:

Under the facts and circumstances stated above, the applicant most respectfully pray that the instant application be

*Sd/-*

admitted, records be called for, and after hearing the parties on the cause or causes that may be shown, and on perusal of records, be grant the following reliefs to the applicants:-

8.1. To set aside and quash the Annexure-16 order dated 26.9.00 and any other such orders, with a further direction to the respondents to extend the benefit of the said scheme of 1989 as well as the subsequent clarifications issued from time to time for grant of Temporary Status and Regularisation.

8.2. To direct the respondents allow the applicants to work continuously and after granting the Temporary Status to regularise their service with all consequential service benefits.

8.3. Cost of the application.

8.4. Any other relief/reliefs to which the applicants are entitled to under the facts and circumstances of the case and as may be deemed fit and proper by the Hon'ble Tribunal.

9. INTERIM ORDER PRAYED FOR:

Pending disposal of the application the applicants pray for an interim order directing the respondents not to disengage them from service and allow them to work in their respective post.

10. This application is filed through Advocate.

11. PARTICULARS OF THE I.P.O.:

1. I.P.O. No. : 26 503422
2. Date : 15.11.2000
3. Payable at : Guwahati.

12. LIST OF ENCLOSURES:

As stated in the Index.

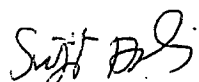
*Sujit Das*

VERIFICATION

I, Shri, Sujit Das, son of Ananta Das, aged about 31 years, at present working as Casual Mazdoor, under Sub Divisional Officer, Telecom, Haflong, do hereby solemnly affirm and verify that the statements made in paragraphs 1, 2, 3, 4, 1, 4, 6-4, 8, 4, 10, 4, 16, 4, 19, 4, 24-4, 25, 2, 5 to 12 are true to my knowledge and those made in paragraphs 4, 18, 4, 20-4, 23, 4, 27-4, 28, 4, 29, 4, 30-4, 31, 4, 32-4, 33 are also true to my legal advice and the rest are my humble submission before the Hon'ble Tribunal. I have not suppressed any material facts of the case.

I am the applicant No.1 in the instant application and well acquainted with the facts and circumstances of the case and am competent to sign this verification on behalf of other applicants.

And I sign on this the Verification on this the 24<sup>th</sup> day of Sept. of 2000 on authorisation by the others.

  
Signature.



## ANNEXURE - A.

SL NO	NAME	WORKING UNDER	WORKING SINCE.
1.	SUJIT DAS	S.D.O.T. HALFLONG	1.1.87
2.	KAJAL NATH	-DO-	1.1.86.
3.	KAJAL DAS	-DO-	1.1.86.
4.	BADAL BANIK	-DO-	1.1.87.
5.	NARU CH DAS.	-DO-	1.1.86.
6.	PARITOSH CH DAS	-DO-	1.1.87.
7.	SHYAMAL BISWASH	-DO-	1.1.87.
8.	SATYANDRA DAS	-DO-	1.1.87.
9.	HAJY KR DAS	-DO-	1.1.87.
10.	PARESH MALAKAR	-DO-	1.1.87
11.	PARESH DAS	-DO-	1.1.87
12.	PRATAR MALAKAR	-DO-	1.1.87.
13.	PARIMAL MALAKAR	-DO-	<u>1.1.87.</u>
14.	SAMBHU DAS	-DO-	1.1.87.
15.	MAINUL HAQUE	-DO-	1.1.87.
16.	SANKAR ROY	-DO-	1.1.87.

Absorption of Casual Labours  
Supreme Court directive Department of Telecom take back all  
Casual Mazdoors who have been disengaged after 30.3.85.

In the Supreme Court of India  
Civil Original Jurisdiction.

Writ Petition (C) No 1280 of 1989.

Ram Gopal & ors. .... Petitioners.

-versus-

Union of India & ors ..... Respondents.

With

Writ Petition Nos 1246, 1248 of 1986 176 , 177 and 1248 of 1988.

Jant Singh & ors etc. etc. .... Petitioners.

-versus-

Union of India & ors. .... Respondents.

ORDER

We have heard counsel for the petitioners. Though a counter affidavit has been filed no one turns up for the Union of India even when we have waited for more than 10 minutes for appearance of counsel for the Union of India.

The principal allegation in these petitions under Art 32 of the Constitution on behalf of the petitioners is that they are working under the Telecom Department of the Union of India as Casual Labourers and one of them was in employment for more than four years while the others have served for two or three years. Instead of regularising them in employment their services have been terminated on 30 th September 1988. It is contended that the principle of the decision of this Court in Daily Rated Casual Labour Vs. Union of India & ors. 1988 (1) Section (122) squarely applies to the petitioner though that was rendered in case of Casual Employees of Posts and Telegraphs Department. It is also contended by the counsel that the decision rendered in that case also relates to the Telecom Department as earlier Posts and Telegraphs Department was covering both sections and now Telecom has become a separate department. We find from paragraph 4 of the reported decision that communication issued to General Managers Telecom have been referred to which support the stand of the petitioners.

By the said Judgment this Court said :

" We direct the respondents to prepare a scheme on a rational basis for absorbing as far possible the casual labourers who have been continuously working for more than one year in the

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posts and Telegraphs Department".

We find the though in paragraph 3 of the writ petition, it has been asserted by the petitioners that they have been working more than one year, the counter affidavit does not dispute that petition. No distinction can be drawn between the petitioners as a class of employees and those who were before this court in the reported decision. On principles, therefore the benefits of the decision must be taken to apply to the petitioners. We accordingly direct that the respondents shall prepare a scheme on a rational basis absorbing as far as practical who have continuously worked for more than one year in the Telecom Deptt. and this should be done within six months from now. After the scheme is formulated on a rational basis, the claim of the petitioners in terms of the scheme should be worked out. The writ petitions are also disposed of accordingly. There will be no order as to costs on account of the facts that the respondents counsel has not chosen to appear and contact at the time of hearing though they have filed a counter affidavit.

Sd/-

( Ranganath Mishra ) J.

New Delhi

April 17, 1990.

Sd/-

( Kuldeep Singh ) J.

CIRCULAR NO. 1  
GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS

STN SECTION

No. 269-10/89-STN

New Delhi 7.11.89

To

The Chief General Managers, Telecom Circles  
M.T.H.I New Delhi/Bombay, Metro Dist. Madras/  
Calcutta.  
Heads of all other Administrative Units.

Subject : Casual Labourers (Grant of Temporary Status and Regularisation) Scheme.

Subsequent to the issue of instruction regarding regularisation of casual labourers vide this office letter No.269-29/87-STC dated 18.11.88 a scheme for conferring temporary status on casual labourers who are currently employed and have rendered a continuous service of at least one year has been approved by the Telecom Commission. Details of the scheme are furnished in the Annexure.

2. Immediate action may kindly be taken to confer temporary status on all eligible casual labourers in accordance with the above scheme.

3. In this connection, your kind attention is invited to letter No.270-6/84-STN dated 30.5.85 wherein instructions were issued to stop fresh recruitment and employment of casual labourers for any type of work in Telecom Circles/Districts. Casual labourers could be engaged after 30.3.85 in projects and Electrification circles only for specific works and on completion of the work the casual labourers so engaged were required to be retrenched. These instructions were reiterated in D.O letters No.270-6/84-STN dated 22.4.87 and 22.5.87 from member (pers. and Secretary of the Telecom Department) respectively. According to the instructions subsequently issued vide this office letter No.270-6/84-STN dated 22.6.88 fresh specific periods in Projects and Electrification Circles also should not be resorted to.

3.2. In view of the above instructions normally no casual labourers engaged after 30.3.85 would be available for consideration for conferring temporary status. In the unlikely event of there being any case of casual labourers engaged after 30.3.85 requiring consideration for conferment of temporary status. Such cases should be referred to the Telecom Commission with relevant details and particulars regarding the action taken against the officer under whose authorisation/approval the irregular engagement/non retrenchment was resorted to.

3.3. No Casual Labourer who has been recruited after 30.3.85 should be granted temporary status without specific approval from this office.

4. The scheme finalised in the Annexure has the concurrence of Member (Finance) of the Telecom Commission vide No

- 27 -

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SMF/78/98 dated 27.9.89.

5            Necessary instructions for expeditious implementation of the scheme may kindly be issued and payment for arrears of wages relating to the period from 1.10.89 arranged before 31.12.89.

sd/=

ASSISTANT DIRECTOR GENERAL (STN).

Copy to.

P.S. to MDS (C).

P.S. to Chairman Commission.

Member (S) / Adviser (HRD). GM (IR) for information.  
MCG/SEA/TE.-II/IPS/Admn. I/CSE/PAT/SPB-I/SR Secs.

All recognised Unions/Associations/Federations.

sd/=

ASSISTANT DIRECTOR GENERAL (STN).

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ANNEXURE

CASUAL LABOURERS (GRANT OF TEMPORARY STATUS AND REGULARISATION) SCHEME.

1. This scheme shall be called "Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of Department of Telecommunication. 1989"
2. This scheme will come in force with effect from 1.10.89. onwards.
3. This scheme is applicable to the casual labourers employed by the Department of Telecommunications.
4. The provisions in the scheme would be as under.

A) Vacancies in the group D cadres in various offices of the Department of Telecommunications would be exclusively filled by regularisation of casual labourers and no outsiders would be appointed to the cadre except in the case of appointment on compassionate grounds, till the absorption of all existing casual labourers fulfilling the eligibility qualification prescribed in the relevant Recruitment Rules. However regular Group D staff rendered surplus for any reason will have prior claim for absorption against the existing/future vacancies. In the case of illiterate casual labourers, the regularisation will be considered only against those posts in respect of which illiteracy will not be an impediment in the performance of duties. They would be allowed age relaxation equivalent to the period for which they had worked continuously as actual labour for the purpose of the age limit prescribed for appointment to the group D cadre, if required. Outside recruitment for filling up the vacancies in Gr. D will be permitted only under the condition when eligible casual labourers are NOT available.

B) Till regular Group D vacancies are available to absorb all the casual labourers to whom this scheme is applicable, the casual labourers would be conferred a Temporary Status as per the details given below.

Temporary Status.

- i) Temporary status would be conferred on all the casual labourers currently employed and who have rendered a continuous service at least one year, out of which they must have been engaged on work for a period of 240 days (206 days in case of offices observing five day week). Such casual labourers will be designated as Temporary Mazdoor.
- ii) Such conferment of temporary status would be without reference to the creation / availability of regular Gr. D posts.
- iii) Conferment of temporary status on a casual labourers would not involve any change in his duties and responsibilities. The engagement will be on daily rates of pay on a need basis. He may be deployed any where within the recruitment unit/territorial circles on the basis of availability of work.
- iv) Such casual labourers who acquire temporary status will not, however be brought on to the permanent establishment unless they are selected through regular selection process for Gr. posts.

6. Temporary status would entitle the casual labourers to the following benefits :

i) Wages at daily rates with reference to the minimum of the pay scale of regular Gr.D officials including DA, HRA, and CCA.

ii) Benefits in respect of increments in pay scale will be admissible for every one year of service subject to performance of duty for at least 240 days (206 days in administrative offices observing 5 days week) in the year.

iii) Leave entitlement will be on a pro-rata basis one day for every 10 days of week. Casual leave or any other leave will not be admissible. They will also be allowed to carry forward the leave at their credit on their regularisation. They will not be entitled to the benefit of encasement of leave on termination of services for any reason or their quitting service.

iv) Counting of 50 % of service rendered under Temporary Status for the purpose of retirement benefit after their regularisation.

v) After rendering three years continuous service on attainment of temporary status, the casual labourers would be treated at par with the regular Gr. D employees for the purpose of contribution to General Provident Fund and would also further be eligible for the grant of Festival Advance/ food advance on the same condition as are applicable to temporary Gr.D employees, provided they furnish two sureties from permanent Govt. servants of this Department.

vi) Until they are regularised they will be entitled to Productivity linked bonus only at rates as applicable to casual labour.

7. No benefits other than the specified above will be admissible to casual labourers with temporary status.

8. Despite conferment of temporary status, the offices of a casual labour may be dispensed within accordance with the relevant provisions of the Industrial Disputes Act. 1947 on the ground of availability of work. A casual labourer with temporary status can quite service by giving one months notice.

9. If a labourer with temporary status commits a misconduct and the same is proved in an enquiry after giving him reasonable opportunity, his services will be dispensed with. They will not be entitled to the benefit of encasement of leave on termination of services.

10. The Department of Telecommunications will have the power to make amendments in the scheme and/or to issue instructions in details within the framing of the scheme.

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GOVT. OF ASSAM  
DEPARTMENT OF LABOUR & EMPLOYMENT  
DISTRICT EMPLOYMENT EXCHANGE:  
HAFLONG:

NO. ORIGINALLY

131871 967-1012 / Dated Haflong, the 30-4-1987

To:

Shri/shrimati Sujit Das  
C/O Ananta Das, AEN. Office  
N.F. Rly, P.O. Haflong N.C. Hills

Sub:-

Recruitment of Mazdoor  
interview there of :-

Sri,

Your particulars have been forwarded to the  
Asst. Engineer, N.C. Hills, Haflong  
against the post of Mazdoor

The interview will be held on 7/5/87 at 11 A.M.  
at Telephone Exchange, Haflong

You are therefore, directed to appear for interview to the employer on the date and time and at the venue indicated above with the Employment Registration Card, this letter original certificates and testimonials etc sharp in time.

No. T.A. / D.A. is admissible for the the journeys in this connection.

Yours faithfully,

*(Signature)* 30/4/87  
Employment Officer,  
District Employment Exchange,  
Haflong.



- 31 -  
CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No.299 of 1996.

and

302 of 1996.

Date of order : This the 13th day of August, 1997.

Justice Shri D.N.Baruah, Vice-Chairman.

D.A.No.299 of 1996

All India Telecom Employees Union,

Line Staff and Group-D,

Assam Circle, Guwahati & Others. .... Applicants.

- Versus -

Union of India & Ors. .... Respondents.

D.A. No.302 of 1996.

All India Telecom Employees Union,

Line Staff and Group-D

Assam Circle, Guwahati & Others. .... Applicants.

- Versus -

Union of India & Ors. .... Respondents.

Advocate for the applicants : Shri B.K. Sharma

Shri S. Sharma

Advocate for the respondents : Shri A.K. Choudhury

Addl.C.G.S.C.

ORDER

BARUAH J.(V.C.)

Both the applications involve common question of law and similar facts. In both the applications the applicants have

prayed for a direction to the respondents to give them certain benefits which are being given to their counter parts working in the Postal Department. The facts of the cases are :

1. O.A. No.302/96 has been filed by All India Telecom Employees Union, Line Staff and Group-D, Assam Circle, Guwahati, represented by the Secretary Shri J.N.Mishra and also by Shri Upen Pradhan, a casual labourer in the office of the Divisional Engineer, Guwahati. In O.A. 299/96, the case has been filed by the same Union and the applicant No.2 is also a casual labourer. The applicant No.1 in O.A. No.299/96 represents the interest of the casual labourers referred to Annexure-A to the Original Application and the applicant No.2 is one of the labourers in Annexure-A. Their grievances are :

2. They are working as casual labourers in the Department of Telecom under Ministry of Communication. They are similarly situated with the casual labourers working in the Department of Postal Department under the same Ministry. Similarly the members of the applicant No 1 are also casual labourers working in the telecom Department. They are also similarly situated with their counter parts in the Postal Department. They are working as casual labourers. However the benefits which had been extended to the casual labourers working in the Postal Department under the Ministry of Communications have not been given to the casual labourers of the applicants Unions. The applicants state that pursuant to the judgment of the Apex Court in daily rated casual labourers employed under Postal Department vs. Union of India & Ors. reported in (1988) in sec.122 the Apex Court directed the department to prepare a scheme for absorption of the casual labourers who were continuously working in the department for more than one year for giving certain benefits. Accordingly a scheme was prepared by the Department of Posts granting benefit

Attested  
by  
[Signature]

to the casual labourers who had rendered 240 days of service in a year. Thereafter many writ petitions had been filed by the casual labourers, working under the department of Telecommunication before the Apex Court praying for directing to give similar benefits to them as was extended to the casual labourers of Department of Posts. Those cases were disposed of in similar terms as in the judgment of Daily Rated Casual Labourers (Supra). The Apex Court, after considering the entire matter directed the Department to give the similar benefit to the casual labourers working under the Telecom Department in similar manner. Pursuant to the said judgment the Ministry of Communication prepared a scheme known as "Casual Labourers (Grant of Temporary Status and regularisation) Scheme" on 7.11.89. Under the said scheme certain benefit had been granted to the casual labourers such as conferment of temporary Status, Wages and Daily Rates with reference to the minimum of the pay scale etc. Thereafter, by a letter dated 17.3.93 certain clarification was issued in respect of the scheme in which it had been stipulated that the benefits of the scheme should be confined to the casual labourers engaged during the period from 31.3.1985 to 22.6.1988. On the other hand the casual labourers worked in the Department of Posts as on 21.11.1989 were eligible for temporary Status. The time fixed as 21.11.1989 had been further extended pursuant to a judgment of the Ernakulam Bench of the Tribunal dated 13.3.1995 passed in O.A.No.750/94. Pursuant to that judgment, the Govt. of India issued a letter dated 1.11.95 conferring the benefit of Temporary Status to the casual labourers. The present applicants being employees under the Telecom Department under the Ministry of Communication also urged before the concerned authorities that they should also be given same benefit. In this connection the casual employees submitted a representation dated 29.12.1995 before the Chairman

File  
n

, Telecom Commission, New Delhi but to the knowledge of the applicant the said representation has not been disposed of. Hence the present application.

3. O.A.299/96 is also of similar facts. The grievances of the applicants are also same.

4. Heard both sides, Mr.B.K.Sharma, learned Counsel, appearing on behalf of the applicants in both the cases submits that the Apex Court having been granted the benefit of temporary status and regularisation to the casual labourers, should also be made available to the casual labourers working under Telecom Department under the same Ministry. Mr.Sharma further submits that the action in not giving the benefits to the applicants is unfair and unreasonable. Mr.A.K.Choudhury, learned Addl.C.G.S.C for respondents does not dispute the submission of Mr.Sharma. He submits that the entire matter relating to the regularisation of casual labourers are being discussed in the J.C.M level at New Delhi, however, no decision has yet been taken. In view of the above, I am of the opinion that the present applicants who are similarly situated are also entitled to get the benefit of the scheme of casual labourers (grant of temporary Status and Regularisation) prepared by the Department of Telecom. Therefore, I direct the respondents to give the similar benefit as has been extended to the casual labourers working under the Department of Posts as per Annexure-3 (in O.A.302/96) and Annexure-4 (in O.A.No.299/96) to the applicants respectively and this must be done as early as possible and at any rate within a period of 3 months from the date of receipt copy of this order.

However, considering the entire facts and circumstances of the case I make no order as to costs.

Sd/- Vice Chairman.

*Attn*  
*14*

Department of Telecommunications  
Office of the Chief General Manager, Assam Telecom Circle,  
Ulubari, Guwahati - 781 007.

No. ESTT-9/12/

Dated the 27th Aug., 1998

To

Y/R

1. Sri J.D. Yadav, GM, Kamrup Telecom. Dist., Guwahati.
2. Sri S. S. Ghosh, TDM, Bongaigaon.
3. Sri B. K. Goswami, TDM, Tezpur.
4. Sri B. N. Singh, TDM, Dibrugarh.
5. Sri K. Mani, TDM, Jorhat.
6. Sri S. Rajhans, TDM, Nagaon.
7. Sri S. K. Samanta, TDM, Silchar.

Sub:- Case for grant of Temporary Status of the Casual Mazdoors  
(full time) working the SSAs.

Kindly submit the information regarding the number of casual labourers working, not yet conferred Temporary Status, for a period of more than 240 days in your SSA as per authenticated records in the enclosed proforma. The detail particulars of such casual labourers may also be furnished as indicated below:-

1. Name of Casual Labourer
2. Fauther's Name
3. Educational Qualification
4. Date of Engagment
5. Whether working in the job of  
regular nature or casual/  
seasonal nature
6. Date of sponsorship
7. Official/officer who engaged  
the casual labourer
8. Particulars of service rendered  
since engagement  
Year  
Total no. of days worked

**You are also requested to furnish a certificate signed by IFA and Head of the SSA to the extent that** it has been verified/checked from the authenticated records for the enlisted casual labourers for the period they worked in the Department.

**The information must be submitted latest by 9.9.98.**

9/9/98

BZC(M)

S.R.F.

( R. S. Tripathi )  
Dy.G.M.(Admin),Guwahati-7.

36- ANNEXURE-6

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No.163 of 1999, 167 of 1999 & 168 of 1999.

Date of Order: This the 31st Day of May 1999.

HON'BLE MR.JUSTICE D.N.BARUAH, VICE-CHAIRMAN  
HON'BLE MR.G.L.SANGLYINE, ADMINISTRATIVE MEMBER

O.A.163 of 99

1. Shri Anu Kharkhunger, Casual Worker,  
At present working under Microwave Project,  
Division Shillong, N.E.Task Force)
2. All India Telecom Employees Union,  
Line Staff and Group 'D' employees,  
Assam Circle, Guwahati.

-Vs-

Union of India & Ors.

By Advocate Mr.B.K.Sharma, Mr.S.Sarma for the applicant  
By Advocate Mr.B.C.Pathak, Addl.C.G.S.C.

O.A. No.167 of 1999

1. Shri Sujit Das Applicants.  
Casual Worker,  
At present working under S.D.O.T. Haflong,  
(Sub Divisional Officer of the Telecom)
2. All India Telecom Employees Union,  
Line Staff and Group 'D' employees,  
Assam Circle, Guwahati.  
(Represented by Shri J.N.Mishra, Circle Secretary)

-Vs-

1. Union of India & Ors.

Mr.B.K.Sharma, Mr.S.Sarma, Advocate for the respondents.

Mr.E.C.Pathak Addl.C.G.S.C. for the respondents.

O.A.No.168 of 99

1. Shri Naba Kumar Das
2. Sri Kandarpa Das
3. Shri Tinku Mandal
4. Shri Kaml Kalita.

All of them are presently working as Casual Worker,  
under the Divisional Engineer,

-Vs-

1. Union of India & Ors.


Altoz

*[Signature]*

By Advocate Mr.B.K.Sharma, Mr.S.Sarma for the applicant.  
By Advocate Mr.B.S.Basumatary, for the respondents.

O R D E R.

BARUAH J(VC):



These Original Applications involve common questions of law and similar facts. Therefore, we propose to dispose of these application by this common order. The applicants are casual labourers in the Department of Telecommunication and posted at different stations in the Assam Circle and N.E.Circle. Some of the applicants have been working for more than ten years. The Government of India prepared a scheme for granting temporary status to the casual labourers. The scheme is known as Casual Labour (Grant of Temporary Status and Regularisation) Scheme, 1989. As per the said scheme those casual employees who had completed more than 240 days of service should be given temporary status. Later on, the Office Memorandum dated 12-2-1999, Annexure 10 in O.A.No.163 of 1989, was issued extending the benefit of the said scheme to those persons who completed the requisite period up to 31-3-1997. As per the said office Memorandum dated. 12.2.99 the applicants who had completed requisite period of service in 1997 are also entitled to get the temporary status. The applicant's grievance is that they have not been granted temporary status. According to the applicants as per the Office Memorandum dated.12.2.99 the applicants are entitled to get the temporary status and subsequent regularisation of their services. As the applicants were denied temporary status they have approached this Tribunal without submitting any representation.

*Att. Gen. for Advmt.*  
*R*  
contd/-

We have heard Mr. S. Sharma, learned counsel for the applicants and Mr. B. C. Pathak learned Adl. C. G. S. C. as well as Mr. B. S. Basumatary for the respondents. As per the decision of the Apex Court dated 17-4-99 (Annexure 1) the case of the applicants is required to be considered. The applicants have approached this Tribunal without submitting any representation. Normally this Tribunal may not entertain any application if departmental remedy is not exhausted. As the facts are not available before us we dispose of the Applications with direction to the applicants to submit representation within a period of one month from to-day. If such representation is filed the respondents shall consider the same as per observations made above. If the applicants are entitled to get the temporary status as under the scheme and or any guideline they shall consider the same. This must be done as early as possible at any rate within a period of 3 months from the date of receipt of this order.

Application is disposed of. No order as to costs.

Sd/- VICE CHAIRMAN

Sd/- MEMBER (ADMI)

Certified to be true Copy

प्रमाणित प्रतिलिपि

Section Officer (J)

अनुमान अधिकारी (न्यायिक शाखा)  
Central Administrative Tribunal

केन्द्रीय प्रशासनिक अधिकरण  
Guwahati Bench, Guwahati-8

गुवाहाटी न्यायपीठ, गुवाहाटी-8

Attested  
by  
Adm. Secy



To,  
The Chief General Manager, Telecom

Assan Circle, Udhari, GH

Sub: - Order dated 31.5.99 passed in O.A. Nos 163, 167 & 168/99.

Sir,

With due deference and profound submission I beg to state the few following lines before your Honour for kind consideration and necessary action thereof.

That, being aggrieved by the non granting of temporary status and regularisation of my services, I was constrained to move the Hon'ble Tribunal by way of filing O.A. mentioned above with a prayer for grant of temporary status and regularisation. The Hon'ble Tribunal having found prima facie case was pleased to dispose of the said OAs with a direction to dispose of the representation with a speaking order and hence this representation. (Copy enclosed).

That I am a casual worker working under your organisation since long. My juniors have been granted with temporary status as per the scheme of grant of temporary status and regularisation. It is pertinent to mention here that some of the casual workers have already approached this Hon'ble Tribunal by way of filing various OAs and the same has been allowed by the Hon'ble Tribunal. Even some juniors mainly under the SDOT Kamrup as well as SDOT Rangia have been granted with temporary status and thereafter their service have been regularised much before.

That in this connection mention may be made of scheme circulated vide 7.11.89 letter issued by your Honour by which temporary status has been granted to many of us excluding me. My office record/as well as documents pertaining to my date of engagement has been produced in the court. From the same it is crystal clear that my case is required to be considered against the said scheme. It is pertinent to mention here that now a new order has come and as per the said order dated 12.2.99 my case is required to be considered for grant of temporary status and regularisation.

That in view of the aforesaid facts and circumstances I pray before your Honour to consider my case for grant of temporary status and regularisation with immediate effect.

Thanking you.

Sincerely yours.

.....

16.9.99

Copy to .

1. The Director Dept. of Telecommunication.  
Sanchar Bhawan New Delhi.



GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR - I

No. E-20/SKD/13

Dated at Silchar, the 13<sup>th</sup> August '99

To

Sri Sujit Das  
Haffong Telephone Exchange

Ref : Your representation dated 16-6-99. 15-6-99

Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated ..... 15-6-99 ..... is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. ☒ No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross-checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

General Manager, Telecom  
Silchar SSA, Silchar-788001

Attended  
Telecom  
Silchar

Aug 11 P43

86866

-41-

RCED

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GOVT. OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE AREA DIRECTOR TELECOM. RAJGARH ROAD, GUWAHATI,  
GUWAHATI-781007.

NO. AMT/GH/U-17/RJCM/91-92/

Dated at Guwahati the 12/6/91.

TO

The Telecom. Dist. Engineer,  
Silchar.Sub :- Non-payment of arrear to the Casual Mazdoor under  
A.E. Wireless, Halflong.Ref :- C.G.M.T. Letter No. UNSI-2/VCL-III/90 Dtd. at  
Guwahati the 20.5.91.

I am directed to intimate you that telephonic confirmation  
by you regarding payment of arrear to casual mazdoor under A.E., W/L,  
Halflong is not correct.

As per V.O.'S report the following casual mazdoors under  
the control of A.E. Wireless Halflong were not paid arrear for which it  
is included in the agenda of RJCM Meeting.

So, you are hereby requested to make the payment of pending  
arrear of the C/Mazdoors under A.E. Wireless, Halflong immediately of  
proper verification of the same and confirm telegraphically. Matter  
most urgent.

1. Sri Boloram Roy, S/O Sri Bipul Roy Dec. 87.
2. " Barun Ch. Sarkar, S/O Sri Satish Ch. Sarkar, Dec. 87 & March 88
3. " Harich Roy, S/O Kate Satish Ch. Roy, March /88
- ✓ 4. " Kamaruddin Barbhuiya S/O Sri Magbal Ali.  
Barbhuiya for 3/87, 7/87, 8/87, 9/87, 10/87, 11/87, 12/87, 1/88,  
2/88, 3/88, under Mustering official Sri M. Singh (1/11) 4/87, 5/87,  
6/87, under mustering official Sri L.K. Goswami 7/9.
5. Sri Kajal Ch. Das S/O Sri Kirtiram Das for 6/87.
- ✓ 6. " Kajal Nath S/O Sri Bipin Ch. Nath for 12/87.
7. " Madhab Ch. Paul S/O Sri Gandhi Paul, for 12/87
8. " Parash Ch. Das S/O Sri Promod Ch. Das for 3/88
- ✓ 9. " Pariton Ch. Das S/O Sri Sarda Das 5/87 & 6/87
10. " Ramjan Khan, S/O Sri Allaadin Khan 9/87/12/87
11. " Satyendra Das S/O Sri Lalit Mohon Das for 5/88
12. " Subodh Nath, S/O Sri Sumanta Nath for 12/87.
13. " Sujit Ch. Das S/O Sri Gopesh Ch. Das. for 9/87, 2/88
14. " Sri Shyama Biswas S/O Sri Basanta Biswas for 12/87.

Asstt. Director Telecom. (S&E),  
For Area Director Telecom. Guwahati

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GOVT OF INDIA  
DEPARTMENT OF TELECOMMUNICATION  
OFFICE OF THE SUB-DIVISIONAL OFFICER TELEGRAPHS, HAFLONG-780019

ANNEXURE

NOTICE

With reference to TDE's/Silchar letter No.E-20/GT/Devt/RLG/44 Dtd.20-7-94;

Attention are invited for staff and C.M. regarding clarification objection against the particulars of engagement C.M. in this Sub-Division, stated below w.e.f. 85 to till date.

The objection clarification or any the query to this effect may be forwarded to this office in written on or before 15.8.94 for further enquiry.

H-1-M-1/CM/SDOT/HFL/94-55/ Dated at HFL the 17.8.94

Sub-Divisional Officer, Telegraphs  
Haflong-780019

Sl.No.	Name of Casual Labourer	Caste	Date of Birth	Age	Days worked year wise							Engagement for Office	Remarks
					1988	1989	1990	1991	1992	1993	1994	Ship	Engagement who approved
1.	Sri Sankar Roy	Hindu S/C	31.10.70	Jan'87 -15	247	246	250	242	252	253	254	Up to 1400/94 July 1400/94 1400/94	SDOT/HFL
2.	Sri Ajoy Kr.Das	Hindu	27.10.68	Jan'87	320	281	268	323	349	251	259	64/241/07 Dtd 23.5.07	----- do -----
3.	Sri Parimal - Malakar,	Hindu S/C	1-7-67	Jan'87	269	244	289	272	268	254	250	148/1285/- -07 dt 17.11.07	----- do -----
4.	Pratap Malakar	Hindu S/C	22.11.73	Jan' 1987	271	245	269	243	243	247	257	196/66/92 Dt.10.2.92	----- do -----
5.	Parsab Malakar	Hindu S/C	28.2.65	Jan'86 255days	250	255	246	250	249	247	244	136/240/07 dt 21.2.97	Development SDOT/HFL works
6.	Sambu Das	Hindu	Jan'87	Jan'87	317	305	308	344	250	271	280	164	----- do -----
7.	Sujit Das	Hindu	Jan'87	Jan'87	252	117	121						----- do -----
8.	Paritosh Das	Hindu S/C	Jan'87	Jan'87	244	247	323	248	255	270	259	156	----- do -----

H-1-M-1/CM/SDOT/HFL/94-95/

Dtd. 17-8-94

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5m

ANNEXURE.11

No.269-13/99-STN-II  
Government of India  
Department of Telecommunications  
Sanchar Bhawan  
STN-II Section  
New Delhi

Dated 1.9.99.

To

All Chief General Managers Telecom Circles,  
All Chief General Managers Telephones District,  
All Heads of other Administrative Offices  
All the IFAs in Telecom. Circles/Districts and  
other Administrative Units.

Sub: Regularisation/grant of temporary status to Casual  
Labourers regarding.

Sir,

I am directed to refer to letter No.269-4/99-STN-II dated  
12.2.99 circulated with letter No.269-13/99-STN-II dated 12.2.99  
on the subject mentioned above.

In the above referred letter this office has conveyed approval on the two items, one is grant of temporary status to the Casual Labourers eligible as on 1.8.99 and another on regularisation of Casual Labourers with temporary status who are eligible as on 31.3.97. Some doubts have been raised regarding date of effect of these decision. It is therefore clarified that in case of grant of temporary status to the Casual Labourers, the order dated 12.2.99 will be effected w.e.f. the date of issue of this order and in case of regularisation to the temporary status Mazdoors eligible as on 31.3.97, this order will be effected w.e.f. 1.4.97.

Yours faithfully

(HARDAS SINGH)  
ASSISTANT DIRECTOR GENERAL (STN).

All recognised Unions/Federations/Associations.

(HARDAS SINGH)  
ASSISTANT DIRECTOR GENERAL (STN)

To,  
The General Manager, Telecom,  
Silchar SSA, Silchar 788001.

Sub :- Grant of temporary status and regularisation.

Ref :- Order vide No E-20/SKD/13 dated 13.8.99.

Sir,

With due deference and profound submission I beg to state the few following lines before your honour for kind consideration and necessary action thereof.

That I am a casual mazdoor, working under your organisation since long 1987 and my case is covered by the scheme of grant of temporary status and regularisation. It is pertinent to mention here that since long I have been requesting your honour for my regularisation as well grant of temporary status but my such prayer was never acceded to. It is pertinent to mention here also that being aggrieved by the said non regularisation I was constrained to move the doors of the Hon'ble Tribunal by way of filing O.A, No 167 of 1999. The Hon'ble Tribunal while entertaining my such application was pleased to pass an order directing me to file a representation and accordingly I have filed a representation in the month of June 1999 praying for my such regularisation.

That on receipt of my such representation, the aforesaid order on reference has been passed rejecting my prayer made on the said representation. My parawise reply to the said order dated 13.8.99 is as follows:

a) That my aforesaid representation pursuant to the aforesaid order of the Hon'ble Tribunal was not vague. In my said representation I have categorically mention my year of engagement as casual mazdoor which is the basic criteria for grant of temporary status and regularisation under the scheme of 1989 as well the clarification mentioned in the order dated 17.12.93 and the recent order vide No DOT No 269-4/93-STN-II (pt) dated 12.2.99. It is pertinent to mention here that the last order dated 12.2.99 issued by the DOT is very clear that employees who have completed 10 years of service as on 31.3.97 will be regularised as one time measure. I have completed more than 14 years of service and hence by any of the aforesaid circulars I am entitled to get the benefit of the same.

b) That in support of my aforesaid claim I am enclosing the order dated 12.2.99 issued by the D.O.T and some of the documents showing my service period including Muster Roll Nos. and the notice dated 17.8.94 wherein some of the service particulars are mentioned. On the other hand several documents have been produced before the authority concerned when my name was sought to be sent for regularisation. It is also pertinent to mention here that the muster roll register and pay bills may also be perused to show my service period. From the above it will be crystal clear that I have been working since 1986 as casual Mazdoor.

c) That the aforesaid records submitted by me will show that I am working since 1987 as Casual mazdoor and hence I am entitled

45-

to get the benefit of the aforesaid schemes for grant of temporary status and regularisation.

d) That from the above order dated 13.8.99 it is crystal clear that in our case office has not maintained any record or register and the aforesaid absence has caused a serious harm to my service career. However, I am not at all liable for the said maintenance of records and for the mistake of office I may not be made to suffer as has been done in my case. It is also pertinent to mention here that from the available records maintained by me the aforesaid difficulties can be sorted out and relying on those documents I may be allowed the aforesaid benefit of temporary status as well as regularisation according to the aforesaid scheme and D.O.T's order.

e) That as stated in the order dated 13.8.99 that there was ban on recruitment of Casual labourer after 30.3.85, I beg to state that my recruitment was done by the Asstt. Engineer Wireless Halflong and the said appointment was pursuant to an interview and my name was sponsored through the local employment exchange. To that effect one of the initial order dated 30.4.1987 of appointment is enclosed for ready reference. From the above order dated 30.4.87 it is clear that recruitment to the post of casual mazdoor was also in progress after the said cut of date i.e. 30.3.85.

In view of the aforesaid facts and circumstances I pray before Your Honour to consider my case after scrutinising the aforesaid records enclosed in this application as well as the available records maintained by the office and with a further prayer to grant temporary status and subsequent regularisation.

I hope that Your Honour would be kind enough to grant me the aforesaid relief.

Thanking you.

Sincerely yours

Copy to:-

1. The Director, Department of Telecommunication  
Sanchar Bhawan, New Delhi.
2. The Chief General Manager, Telecom,  
Assam Circle, Ulubari, Guwahati-7.

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## The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

## ORDER SHEET

APPLICATION NO.

5/2000

OF 199

Applicant(s)

Sri. Sujit Das and ors.

Respondent(s)

Union of India and ors.

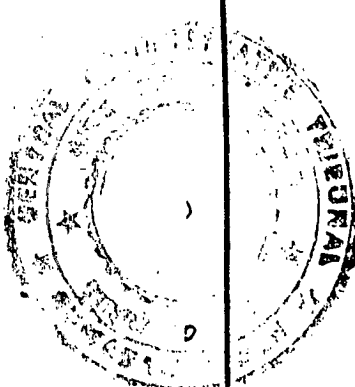
Advocate for Applicant(s)

Mr. B. K. Sharma.

Mr. S. Sharma. Mr. H. K. Goudami

Advocate for Respondent(s)

C.G.S.C.

Notes of the Registry	Date	Order of the Tribunal
	11-1-2000	<p>Present: Hon'ble Mr. Justice D.N. Baruah, Vice-Chairman and Hon'ble Mr. G.L. Sanglyine, Administrative Member.</p> <p>16 applicants have approached this Tribunal by filing a single petition. They have prayed for permission to join in this single application under the Provision of Rule 4(5)(a) of the C.A.T. Procedure Rules 1987. Heard Mr. B.K. Sharma learned counsel for the applicant and Mr. B.C. Pathak, learned Addl. C.G.S.C. Prayer is granted.</p> <p>In this application the applicants have challenged the Annexure 9 order dated 13.8.99 by which the representation of the applicants was rejected. The case of the applicants is that they have been working since 1986 or 1987. But the Annexure 9 order shows that the authority does not have any record to show that the applicants have been working as such.</p>

contd/-



Notes of the Registry	Date	Order of the Tribunal
<p>52</p> <p>11-1-2000</p> <p>Mr. B.K. Sharma submits that this clause is contrary to Annexure 11 chart which eloquently speaks about their working since 1985. Mr. Sharma also submits that they are still working. We have heard Mr. B.C. Pathak, learned Addl. C.G.S.C. also.</p> <p>On hearing counsel for the parties we dispose of the application with direction to the respondents to scrutinise the case and consider the same by giving a reasoned order. The applicants may file separate representations giving details of their case within 15 days from to-day. They may also produce evidence that they have been working since 1986 -87. If such representation is filed that should be considered by taking into consideration of Annexure 11 chart and then dispose of the matter by a reasoned order. This must be done within a period of one month from the date of receipt the representation.</p> <p>Application is disposed of. No order as to costs.</p> <p>Till disposal of the representation status quo as on to-day shall be maintained.</p>	11-1-2000	

Sd/-VICECHAIRMAN  
Sd/MEMBER (A)

Memo. No. 386

Dated 4-2-2000

Copy for information and necessary action to :

1. Shri Sujit Das, S/o Ananta Das, working as Casual Mazdoor, O/o the Sub Divisional Officer, Telecom, Haflong.
2. Mr. B.C. Pathak, Addl. C.G.S.C., C.A.T., Guwahati Bench, Guwahati.

DEPUTY REGISTRAR.



ANNEXURE - 15

9

**Government of India**  
**Department of Telecommunications**  
**Office of the General Manager Telecom Silchar SSA: Silchar**

No.E-20/Scrutiny/CM/2000-2001/05

Dated at Silchar, 26-4-2K

To

✓ Shri..... *Sujit Das*  
 S/o ..... *Late Gopesh Ch. Das*  
 Vill ..... *Kati Gora*  
 P.O. .... *Kati Gora*  
 Dist. .... *Cachar*

SUBJ:- Cau for appearing before scrutinizing committee of records  
Of casual Mazdoors.

You are hereby requested to appear before the scrutinizing committee on ..... *01.05.2000*..... with the following documents /particulars, in original, on the specified date, time and at the specified venue given below :

1. Initial engagement particulars as casual mazdoor, appointment order /sponsorship of employment exchange in your possession.
2. All documents i.e. working particulars, payment particulars till last working day, if any, available with you.
3. Age proof certificate.
4. *Three* Two copies of recent passport size photographs.

Venue :- Hotel Indraprastha Regency, ..  
 Lochan Bairagi Road, Ground floor  
 Silchar - 788005.

*Sup.*  
 ( T. R. PAUL ) *26/4/2K*  
 Member, Scrutinizing Committee  
 Divisional Engineer(P&A)  
 O/o the G.M. Telecom/Silchar  
 Silchar SSA : Silchar

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ANNEXURE-16



GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR 60  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26-09-2000

To

✓ Sri Badal Banik  
s/o Sri Laxman Banik  
vill. & P.O. Haranga Jao  
Dist. N.C. Hills

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

The committee after through scrutiny and examination of records submitted its report to the undersigned.

As per the said committee report, you were not found eligible for conferment of Temporary Status Mazdoor under any scheme or order of DOT, including one time relaxation given by Telecom Commission vide order dt. 12-02-1999, on the basis of your engagement records, as you did not fulfil the minimum eligibility criteria i.e.

- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998. ✓ A & Cmt 240 days.
- 2) You were not in engagement as on 01-08-1998. ✓

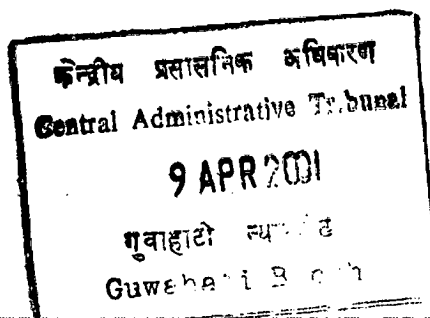
The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR

Attested  
As  
Advocate.



Filed by - 61  
Asha Das.  
Advocate  
9/4/2001

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

O.A. No.357/2000

Sujit Das & Ors.

-Vs-

U.O.I & Ors.

REJOINDER TO WRITTEN STATEMENT FILED BY THE RESPONDENTS:

1. That the applicants have received the copy of the Written Statement and have gone through the same. Save and except the statement which are not specially admitted here in below, rests may be treated as total denial. The statement which are not borne on record are also denial and the respondents are put to the strictest proof thereof.
2. That with regard to the statement made in para-1 of the written statement the applicants offer no comment on it.
3. That with regard to the statement made in para-2 of the written statement the applicants deny the correctness of the same and beg to state that from the date of engagement they have been working as casual worker till date without any break. It is noteworthy to mention here that sometime even in Sundays and holidays the respondents engaged them for the work. The aforesaid fact will be revealed from the Register maintained by the respondents.

The applicants crave leave of this Hon'ble Tribunal to produce the aforesaid records at the time of hearing of the case.

4. That with regard to the statement made in para-3 of the written statement the applicants beg to state that there cases are covered by the judgement of the Hon'ble Apex Court wherein a

direction has been issued to the respondents to prepare a scheme on rational basis in to consideration one year continuous service pursuant to the said judgement the scheme of 1989 came in to force laying down the guidelines and all the applicants fulfill the said criteria. The respondents ought to have granted the benefit of the scheme the present applicants much earlier since they were initially recruited in the year 86-87. But the respondents willfully and deliberately have violated the judgement of the Hon'ble Apex Court as well as guidelines of the 1989 scheme and its subsequent clarification issued from time to time.

5. That with regard to the statement made in para-4 of the written statement the applicants state that their cases are covered by the scheme of 1989 and its subsequent clarification issued by the Ministry concerned from time to time, taking in to consideration the date of engagement as well as number of working days in a particular year.

6. That with regard to the statement made in para-5 of the written statement the applicants deny the correctness of the same and beg to state that prior to their initial engagement the respondents have placed their indent to the local Employment Exchange. Pursuant to the aforesaid indent placed by the respondents the local Employment Exchange sponsored the names of the applicants in the year 1986-87 and since then they are working as such without any break.

7. That with regard to the statement made in para-6 of the written statement the applicants deny the correctness of the same and beg to state that records will reveal the fact that the present applicants are still continuing in their respective service till date.

Since the respondents in their written statement have not produced the Muster Roll Register, the applicants crave

leave of this Hon'ble Tribunal to produce the extract of the Muster Roll Register at the time of hearing of the case.

8. That with regard to the statement made in para-7 of the written statement the applicants deny the correctness of the same and beg to state that so far as judgement of the Apex Court as well as scheme of 1989 is concerned, all the applicants are entitled to get the benefit of the scheme as well as it's subsequent clarification namely one dt.1.9.99 (Annexure-11).

9. That with regard to the statement made in para-8 of the written statement the applicants beg to state that other similarly situated employees like that of the present applicants have already been granted with the benefit of the scheme of 1989. However, the reasons best known to the respondents, the said benefit has not been extended to the present applicant although they are entitled to the same on the date of it's commencement i.e. 1.10.89. All the applicants were in employment in the year 1986-87 and 1.10.89 all of them had completed 240 days of continuous work and the respondents ought to have granted the benefit of the said scheme in the year 1989 itself.

10. That with regard to the statement made in para-9 of the written statement the applicants offer no comment on it.

11. That with regard to the statement made in para-10 and 11 of the written statement the applicants beg to reiterate and affirm the statement made above and as well as in the O.A.

12. That with regard to the statement made in para-8 of the written statement the applicants reiterate and reaffirm the statement made in above as well as in the OA and beg to state that in the order dated 13.8.99 the reasons given by the respon-

dents are mainly (1) No. Register or casual labourer. Hence in absence of concrete documentary evidence, it can not be checked and cross checked at casual labour after 30.3.85 still in force.

In reply to the aforesaid contentions the applicants state that as per the guidelines of DOT respondents are duty bound to maintain a combined seniority list of all retrenched casual workers. However, in the present case since the respondents have not maintained any record, the record pertaining to the Muster Roll Register will hold the field to show the continuation of their services.

That apart so far it relates ban on recruitment of casual labourer after 30.3.85, it is not true taking in to consideration the order dated 17.12.93 and Annexure-11 order dated 1.9.99.

13. That with regard to the statement made in para-14 of the written statement the applicants reiterate and reaffirm statement made in the OA.

14. That with regard to the statement made in para-15 of the written statement the applicants beg to state that in absence of official record, the respondents can not deny the benefit of the scheme to the present applicants. The applicants in foregoing paragraphs made a prayer for production Muster Roll Register which will go to show the malafide intention of the Respondents.

15. That with regard to the statement made in para-16 of the written statement the applicants deny the correctness of the same and beg to state that the respondents have admitted the facts that the basic criteria for grant of temporary status in 240 days of work in a calendar year. Taking in to consideration the Muster Roll Register it is crystal clear that the applicants have been continuing in their respective services since 1986-87



and each year they have completed 240 days of continuous service under the respondents.

16. That with regard to the statement made in para-17 of the written statement the applicants deny the correctness of the same and beg to state that as per the circular of DOT dated 17.10.87 the Respondents are duty bound to prepare a combined seniority of a list for casual workers including the retrenched casual worker.

That apart the Muster Roll Register is maintained by the respondents but the respondents knowing fully well the fact that if the Muster Roll Register is produced same will go to show that they have been working continuously under the respondents.

Since the applicants have already made a prayer for production of Muster Roll Register, therefore they again reiterate the same prayer and beg to rely upon the dates, number of working days at the time of hearings of the case. It is noteworthy to mention here that the payment Register produced by the respondents are only extract and it is therefore the applicants pray before this Hon'ble Tribunal to produce the pay bill under ACG 20 including the ACG vouchers. The respondents have only given the only particulars of ACG-17 and Muster Roll pay Bills. However the payments made to them under other pay bills like ACG has not been produced. In fact, huge amount of contingency bills are being drawn by the respondents in the name of the present applicants even some time it exceeds. The number of employees which are being misused on and often.

17. That with regard to the statement made in para-18 of the written statement the applicants beg to state that the statement made by the respondents are contradictory and in fact the ban as stated by the respondents has been lifted by using various clarification made by the Ministry concerned, mentioned

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may be made of one of such order dated 1.9.99 (Annexure-11) which the benefit of the said scheme has been extended up to the recruits as on 1.8.98.

18. That with regard to the statement made in para-19 of the written statement the applicants beg to state that the respondents have admitted the facts and taking in to consideration such admission, the entire action on the part of the respondents can be termed as illegal and self contradictory.

19. That with regard to the statement made in para-20 of the written statement the applicants reiterate and reaffirm the statement made above as well as in the OA.

20. That with regard to the statement made in para-21 of the written statement the applicants offer no comment on it.

21. That with regard to the statement made in para-22 of the written statement the applicants beg to state that all together approximately 900 posts have been sanctioned in the Assam Circle under the Group-D establishment and the respondents now ignoring the case of the present applicants sought to allot the said posts to their nearer and dearer.

22. That with regard to the statement made in para-23 of the written statement the applicants deny the correctness of the same and beg to state that a purported screening committee was constituted hurriedly avoid further litigation and contempt proceedings and the available records could not be produced before the said screening committee for it's evaluation. Now the respondents have issued an order dated..... by which the respondents now sought to constitute a review selection committee to re-examine the matter afresh.

Although in the aforesaid para the respondents have enclosed a letter dated 28.3.2000 but same has not been enclosed

in the copy served on the applicants.

It is further stated that all the applicants fulfill the requisite criteria and the said fact is revealed factor the Muster Roll Register.

23. That with regard to the statement made in para-24 and 25 of the written statement the applicants beg to state that the statements made by the Respondents are self contradictory and not based on records and hence the same are denied.

24. That with regard to the statement made in para-26 and 27 of the written statement the applicants the applicants deny the correctness of the same and reiterate and reaffirm the statement made above as well as in the OA.

25. That with regard to the statement made in para-28 of the written statement the applicants deny the correctness of the same and reiterate and reaffirm the statement made above and beg to state that to avoid contempt proceeding everything has been done hurriedly and same has resulted in issuance of the impugned order which are self conflicting.

26. That with regard to the statement made in para-29 of the written statement the applicants beg to state that taking in to consideration the Muster Roll Register the case of the applicants are required to be considered for grant of temporary status and subsequent regularisation.

27. That with regard to the statement made in para-30 of the written statement the applicants offer no comment on it.

28. That with regard to the statement made in para-31, 32, 33, 34, 35, 36 and 37 of the written statement the applicants reiterate and reaffirm the statement made above as well as in the OA.

29. That with regard to the statement made in para-38 and 39 of the written statement the applicants deny the correctness

of the same and beg to state that taking in to consideration the judgement of the Apex Court as well as the scheme of 1989 and its subsequent clarification it is crystal clear that all the applicants have completed the required number of continuous service in a particular year and they are entitled to get the benefit of the scheme.

In view of the aforesaid facts and circumstances of the case the applicants pray before this Hon'ble Tribunal for an appropriate direction to the respondents to extend the benefit of the scheme w.e.f. the date of its commencement with all consequential benefits.

VERIFICATION.

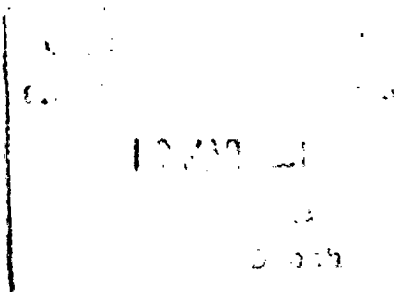
I, Shri ,Sujit Das, son of Ananta Das, aged about 33 years, at present working as Casual Mazdoor, under Sub Divisional Officer, Telecom, Haflong, do hereby solemnly affirm and verify that the statements made in paragraphs 1, 2, 5, 10, 13, 14, 15, 18, 19, 20, 23 to 29..... are true to my knowledge and those made in paragraphs 3, 4, 6, 7, 8, 9, 12, 16, 17, & 22 are also true to my legal advice and the rest are my humble submission before the Hon'ble Tribunal. I have not suppressed any material facts of the case.

I am the applicant No.1 in the instant application and well acquainted with the facts and circumstances of the case and am competent to sign this verification on behalf of other applicants.

And I sign on this the Verification on this the ... day of ..... of 2001 on authorisation by the others.

Signature.

Sujit Das



Recd

12/13/01

(A. DEB ROY)  
Sr. C. G. S. C.  
C. A. T., Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH ::: GUWAHATI.

O.A. NO. 357 OF 2000

Sujit Das and Others

- Vs -

Union of India and others.

- And -

In the matter of :

Written Statement submitted by  
the Respondents.

The respondents Most Respectfully beg to submit  
the Written Statement as follows :

1. That with regard to para 4.1 the respondents  
beg to offer no comment.
2. That with regard to para 4.2 the respondents  
beg to state that the applicants are not in engagement  
in DOT as Casual Labourer. They were engaged occasionally  
for short periods depending on the availability of works.  
They were not in continuous engagement as claimed for.
3. That with regard to para 4.3 the respondents  
beg to state that the aware of the relevant judgement  
orders and schemes.

Contd.....

4. That with regard to para 4.4 the respondents beg to state that they are aware of the scheme 1989 of DOT and complied with the Spirit of the instructions contained therein.

5. That with regard to para 4.5 the respondents beg to state that Annexure-3 submitted by the applicant is a call letter from District Employment Exchange, Haflong and not an appointment order in any capacity. It is an individual call letter and does not justify to have been sponsored all the applicants through Employment Exchange.

6. That with regard to para 4.6 the respondents beg to state that it is not a fact that the applicants were selected for any regular appointment and have been continuing in their posts and have completed 240 days in every calendar year without any break.

Their engagement records have been verified and their claims are not based on the facts and documents.

They are not eligible to be regularised under 1989 under scheme of DOT as referred above in para 4.4 as per their engagement record in DOT.

An interview call letter dated 30.04.87 does not establish the claim of all the applicants to have been selected/appointed in the Department in any capacity and does not confer any right for regularisation as TSM in the DOT scheme 1989 circulated vide dated 07.11.89.

The claim so made by the applicants are not justified and could not be acceded to.

7. That with regard to para 4.7 the respondents beg to state that this office is aware of the instructions and guidelines contained in different circulars referred by the applicants in this para.

8. That with regard to para 4.8 the respondents beg to state that the benefits extended by the scheme of 1989 and subsequent modifications, clarifications referred by the applicants are well admitted and all eligible applicants/candidates have been extended the benefit and brought under the said scheme and already regularised.

9. The benefits are never denied to the eligible candidates and they have been conferred TSM status after thorough scrutiny and examination of records.

9. That with regard to para 4.9 the respondents beg to offer no comment.

10. That with regard to para 4.10 the ~~statements~~ respondents beg to state that the admissible benefits to eligible candidates under the instructions and orders of DOT/Tribunal have never been denied.

11. That with regard to para 4.11 the respondents beg to state that the instructions of the order has been complied with.

Contd.....



12. That with regard to para 4.12 the respondents beg to state that as per direction of the Hon'ble C.A.T. Guwahati in judgement order dated 31.05.99 the applications of the applicants in O.A. No. 167/99 have been disposed off vide this office letter No. E-20/SKD/13 dated 13.08-99 by passing reasoned orders.

A copy of letter dated 13.08.99 is annexed herewith and marked as Annexure - 1.

13. That with regard to para 4.13 the respondents beg to state that already disposed of vide no. E-20/SKD/13 dated 13.08.99. No further comment.

14. That with regard to para 4.14 (a) the respondents ~~in~~ beg to state that the application did not contain father's name, postal address etc. to communicate.

15. That with regard to para 4.14 (b) the respondents beg to state that this office is aware of the contents of the scheme of DOT 1989. Supporting documents meant authentic document in respect of engagement, if any, produced for examination with official records.

16. That with regard to para 4.14 (c) the respondents beg to state that it is not a fact that the date of engagement is the only basic criteria for regularisation. Minimum 240 days work in a calendar year is the basic criteria for regularisation subject to other relevant instructions issued by DOT from time to time.

17. That with regard to para 4.14 (d) the respondents beg to state it is a fact that no register is maintained for casual labourers for intermittent and occasional nature of jobs since they are not in regular employment. Only payment voucher is the authentic document for ascertaining the no of days worked by the Casual Labourer.

The no of days worked have been ascertained through detail scrutiny and examination of all payment vouchers in the Divisional Office.

18. That with regard to para 4.14 (e) the respondents beg to state that the regarding ban on recruitment of Casual Labourers DOT/ND order No. 269-10/89/STN dated 07-11-89 and even No. dated 17.12.93 are self explanatory. It is admitted that inspite of ban and strict instructions from DOT there were some violations. But the applicants even though stated to have been engaged during the period 30.03.85 to 22.06.88 on purely casual basis from time to time and did not complete 240 days work in any calendar year cannot claim for regularisation under 1989 scheme.

19. That with regard to para 4.15 (i) the respondents beg to offer no comment.

20. That with regard to para 4.15 (ii) the respondents beg to state that this was issued based on some certificates given by the line staffs but was found false and not based on authentic documents.

21. That with regard to para 4.15 (iii) the respondents beg to offer no comment.

Contd.....

22. That with regard to para 4.16 the respondents beg to state that the question of ignoring the eligible candidates does not arise.

23. That with regard to para 4.17 the respondents beg to state that it is not a fact that the records were not consulted. A scrutinising committee was formed in the SSA for detailed scrutiny and verification of records vide this office Memo No. E-20/Scrutiny/CM/02 dated 12-04-2000 under the instruction of ~~eg~~ CGMT Guwahati No. ESTT-9/12/PART-1/23 dated 28.03.2000.

Copy of the letter dated 28.03.2000 is annexed herewith and marked as Annexure - 2.

As per the report of the committee only one applicant in this case, Shri Sujit Das, was found to have worked for 240 days in one calendar year but was not in engagement on 01.08.98 and afterwards in DOT. ~~xxxxxx/His case is being~~ His case is being examined at appropriate level. Remaining 15 applicants were not found eligible for regularisation as TSM and were not recommended by the committee. Their representations have been finally disposed off vide this office letter No. E-20/TSM Regularisation/SC/05 dated 26.09.2000 as per the order of the Hon'ble CAT Guwahati dated 31.08.99.

Copy of the letter dated <sup>26-09-2000</sup> ~~31.08.99~~ is annexed herewith and marked as Annexure - 3.

24. That with regard to para 4.18 the respondents beg to state that the representations of 15 applicants finally disposed off on 26.09.2000. Final disposal of one represen-

Contd.....

-7-

representation in respect of Shri Sujit Das is pending subject to decision taken by ~~THE~~ CGMT Guwahati.

25. That with regard to para 4.19 the respondents beg to state that there is no scope for discrimination amongst the old applicants and new applicants. All applicants those found eligible on verification committee report have been regularised. It is not a fact that there has been any attempt to nullify the claims of the applicants and the allegation against the respondent is baseless and false.

26. That with regard to para 4.20 the respondents beg to state that the applicants in O.A. No. 5/2000 were asked to appear before the scrutinising committee vide GMT Silchar Office letter No. E-20/Scrutiny/CM/2000-2001/03 dated 26.04.2000 and their engagement particulars were thoroughly scrutinised. Based on the committee report 15 cases were finally disposed off vide letter No. E.20/TSM Regularisation/SC/05 dated 26.09.2000. This process was done under the direction of Hon'ble CAT Guwahati order dated 11.01.2000 in O.A. No. 5/2000.

27. That with regard to para 4.21 the respondents beg to offer no comment.

28. That with regard to para 4.22 the respondents beg to state that it is not a fact that the documents were not verified. The verification was done on the basis of authentic payment vouchers. Specimen signatures of the labourers were recorded in the verification sheet page-1.

Contd.....

In whatsoever from the payment was made to the applicant casual labourers either in MR or ACG-17 or in A/Roll must be included in the accounts of the paying authorities, preserved in the Divisional Office in the custody of Accounts Officer.

The certificates given by LI/SI/JTO etc. cannot be treated as an authentic document for the purpose of determining the engagement.

The relevant documents like Educational Qualification Age proof certificate etc. have already been examined.

29. That with regard to para 4.23 the respondents beg to state that the applicants were not in engagement as Casual Labourer on DOT as on 01.08.98 and afterwards. It is not a fact that they are still working in DOT and as such their claim as "Still working in DOT" is not justified.

Their cases would have been considered if they would have qualified the minimum eligibility criteria. The applicants have been stressing upon the point 'date of engagement' which is not the prime eligibility criteria. As such their claim showing the date of engagement in DOT in 86-87 is not justified and rejection of their claim for grant of temporary status is justified.

30. That with regard to para 4.24 the respondents beg to offer no comment.

31. That with regard to para 4.25 the respondents beg to state that it is not a fact that the applicants are in employment in present "Nigam" i.e. BSNL. As such their further

Contd.....

termination or disengagement does not arise.

32. That with regard to para 5.1 the respondent beg to state that the benefit under any scheme of DOT has never been denied to the eligible candidates. The action of the respondent is justified and there is no violation of the constitutional provisions.

33. That with regard to para 5. 2 the respondents beg to state that the applicants are confusing facts with analogy. Since they do not fulfil the minimum eligibility criteria their representation for regularisation cannot be exceeded to .

34. That with regard to para 5.3 the respondents beg to state that there has been no discrimination as will be evident from the fact that all eligible candidates recommended by the committee have already been regularised in the SSA. The action of the respondent is not violative of the constitutional provisions. Committee report in respect of 16 applicants in this case is annexed herewith as Annexure - A.

35. That with regard to para 5.4 the respondents beg to state that the benefit to eligible candidates have never been denied.

36. That with regard to para 5.6 the respondents beg to state that the order dated 26.09.2000 is legal and justified. The allegations made against the respondents are not justified and not based on facts.

37. That with regard to para 5.7 the respondents beg to state that the minimum 240 days work any calender year and engagement on 1.8.98 are the basic conditions to claim grant of TSM and subsequent regularisation.

38. That with regard to para 5.8 the ~~respondents~~ respondents beg to state that there is no post of Casual Mazdoor. Requisitions made from time to time for construction works. By showing a call letter the applicant cannot establish his claim for regularisation under DOT scheme 1989.

39. That with regard to para 5.9 the respondents beg to offer no comment.

VERIFICATION

I, Shri Ganesh Chandra Savma  
being authorised do hereby solemnly declare that the  
statement made in this written statement are true to  
my knowledge, believe and information and I have not  
if suppressed any material facts.

And I sign this verification on this 19<sup>th</sup> day  
of February, 2000.

  
Declarant.

Asstt. Director Telecom. Deptt.  
O/O the C. G. M. Telecom  
Assam Circle, Guwahati-781005

ANNEXURE I

-11-

13/8

8



GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -1

No. E-20/SKD/13

Dated at Silchar, the 13<sup>th</sup> August '99

To

Shri Sujit Das  
Haffong Telephone Exchange


Ref : Your representation dated 16-6-99. 15-6-99

Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated 15-6-99 is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross-checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

  
General Manager, Telecom  
Silchar SSA, Silchar-788001





GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -1

Dated at Silchar, the 13<sup>th</sup> August '99

No. E-20/SKD/13

To

Sri Kajal Nath  
Haffong Telephone Exchange

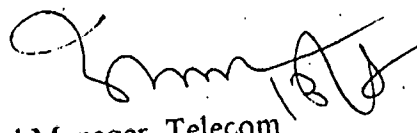
Ref : Your representation dated ~~16-6-99~~ 15.6.99

Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated 15.6.99 is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross-checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

  
General Manager, Telecom  
Silchar SSA, Silchar-788001

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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR - I

No. E-20/SKD/13

Dated at Silchar, the 13<sup>th</sup> August '99

To Shri Kajal Das  
Hablong Telephone Exchange


Ref : Your representation dated 16-6-99.

Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated ..... 16/6/99 ..... is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross - checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

  
General Manager, Telecom  
Silchar SSA, Silchar-788001

De



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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -1

No. E-20/SKD/13

Dated at Silchar, the 13<sup>th</sup> August '99

To

Sri Badal Banik  
Haflong Telephone Exchange

Ref : Your representation dated 16-6-99.


Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated ..... 16.6.99 ..... is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross - checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

9c

  
General Manager, Telecom  
Silchar SSA, Silchar-788001



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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -1

No. E-20/SKD/13

Dated at Silchar, the 13<sup>th</sup> August '99

To

Sri. Naru Ch. Das  
Haflong Telephone Exchange

Ref : Your representation dated ~~16-6-99~~ 15-6-99


Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated 15-6-99 is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross-checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

9c

  
General Manager, Telecom  
Silchar SSA, Silchar-788001



-16-

85

GOVERNMENT OF INDIA,  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -I

No. E-20/SKD/13

Dated at Silchar, the 13<sup>th</sup> August '99

To Sri Paritosh Das  
Haflong Telephone Exchange

Ref: Your representation dated ~~16-6-99~~ 15-6-99


Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated 15-6-99 is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross - checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

9c

  
General Manager, Telecom  
Silchar SSA, Silchar-788001



GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -1

No. E-20/SKD/13

Dated at Silchar, the 13<sup>th</sup> August '99

To Shri Satyendra Kumar Das,  
Haflong Telephone Exchange

Ref : Your representation dated 16-6-99.

Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated .....16/6/99..... is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross - checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

9c  
General Manager, Telecom  
Silchar SSA, Silchar-788001



GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR - I

No. E-20/SKD/13

Dated at Silchar, the 13<sup>th</sup> August '99

To Sri Ajoy Das  
Hailong Telephone Exchange


Ref : Your representation dated 16-6-99/17-6-99

Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated 17-6-99 is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross-checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

  
General Manager, Telecom  
Silchar SSA, Silchar-788001

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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -1

No. E-20/SKD/13

Dated at Silchar, the 13<sup>th</sup> August '99

To

Sr. Parish Malakar  
Haflong Telephone Exchange

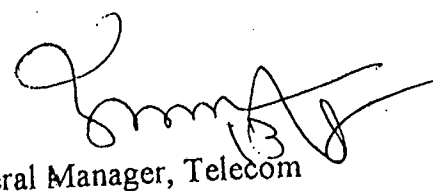
Ref : Your representation dated 16-6-99.

Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated .....16/6/99..... is vague and without requisite and vital information and particulars.
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3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
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5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

  
General Manager, Telecom  
Silchar SSA, Silchar-788001

7c





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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -1

No. E-20/SKD/13

Dated at Silchar, the 13<sup>th</sup> August '99

To Sri Paresk Ch. Das  
Hafong Telephone Exchange

Ref : Your representation dated ~~16-6-99~~ 15-6-99

Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated 15.6.99 is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross-checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

9c

General Manager, Telecom  
Silchar SSA, Silchar-788001



GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -1

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No. E-20/SKD/13

Dated at Silchar, the 13<sup>th</sup> August '99

To

Sri Pratap Malakar  
Hafong Telephone Exchange


Ref : Your representation dated 16-6-99. NIL

Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated ..... NIL ..... is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross - checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

  
General Manager, Telecom  
Silchar SSA, Silchar-788001

92



GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -1

Dated at Silchar, the 13<sup>th</sup> August '99

No. E-20/SKD/13

To

Sri Parimal Malakar  
Haflong Telephone Exchange

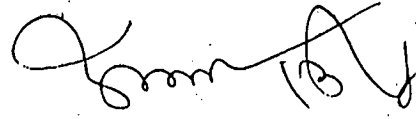
Ref : Your representation dated 16-6-99. NIL

Sub : Grant of Temporary status

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3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross - checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

  
General Manager, Telecom  
Silchar SSA, Silchar-788001

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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -I

No. E-20/SKD/13

Dated at Silchar, the 13<sup>th</sup> August '95

To

Sri Shambhu Das  
Hailong Telephone Exchange

Ref : Your representation dated ~~16-6-99~~ 15.6.99

Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated ..... 15.6.99 ..... is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you a temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross - checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

General Manager, Telecom  
Silchar SSA, Silchar-788001

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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -1

Dated at Silchar, the 13<sup>th</sup> August '99

No. E-20/SKD/13

To

Md. Mainul Haque Laskar  
Haflong Telephone Exchange

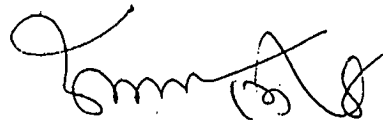
Ref : Your representation dated 16-6-99. NIL

Sub : Grant of Temporary status

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1. Your representation dated ..... NIL ..... is vague and without requisite and vital information and particulars.
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3. Available records at this end do not fulfil the minimum criteria for granting you as temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, in absence of concrete documentary evidence, it can not be checked and cross-checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

  
General Manager, Telecom  
Silchar SSA, Silchar-788001



GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM.  
SILCHAR SSA : SILCHAR -1

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Dated at Silchar, the 13<sup>th</sup> August '99

No. E-20/SKD/13

To

Sri Sanakar Roy  
Haflong Telephone Exchange

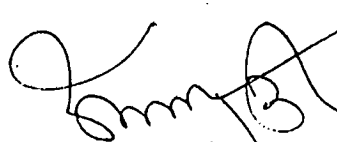
Ref : Your representation dated 16-6-99. 15-6-99

Sub : Grant of Temporary status

With reference to above, you are hereby intimated that your representation has been examined thoroughly in view of the judgement and observation of Honourable C.A.T. Guwahati dated 31-05-99 in O.A. No. 167 of 1999 and observed that :-

1. Your representation dated ..... 15-6-99 ..... is vague and without requisite and vital information and particulars.
2. It is not supported with copies of documents filed before the C.A.T. Guwahati in connection with cited case.
3. Available records at this end do not fulfil the minimum criteria for granting you temporary status.
4. No register or record in regular basis is maintained for casual labourers. Hence, absence of concrete documentary evidence, it can not be checked and cross - checked at our end.
5. Ban on recruitment of casual labourer after 30.3.85 still in force.

Under the circumstances, stated above your request for grant of temporary status can not be entertained and as such your representation stands rejected.

  
General Manager, Telecom  
Silchar SSA, Silchar-788001

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T/C

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D.O.No.Estt-9/12/PART-1/23

Government of India,  
 Deptt. of Telecommunications  
 O/O the Chief General Manager,  
 Assam Telecom Circle,  
 Guwahati- 781007.

Dated the 28th March, 2000.

My dear Sir,

A list of casual Mazdoors working as on 1.8.98 was forwarded by your office for granting temporary status as per scheme pronounced by Telecom Directorate in its letter no.269-10/9-STN dated 7.11.89 (copy enclosed). The names of casual mazdoors recommended by your SSA are given in Annexure "A". However, it is observed that apart from these names, additional numbers of Casual Mazdoors have approached Hon'ble CAT from your SSA for granting of Temporary Status to them. (As enclosed Annexure B).

2. The Hon'ble CAT has directed that the matter be sorted out by making detailed scrutiny and examination in consultation with the records and a speaking order be passed in every case individually. For this purpose, it is required that a committee comprising 3 members be constituted by you out of which one member shall be a nominee of Circle Office while 2nd member would be DE(P&A) of your SSA and 3rd member should be Accounts Officer from Finance side of your SSA. Mr. Sanjay Day, STE (RRC)..... of Circle Office is hereby nominated as member for the aforeside committee for your SSA. The above mentioned committee should be constituted immediately so that it completes its task by 30.4.2000 positively.

3. Broad Terms of reference of the committee should be as under.

i) The committee shall interview all casual labourers appearing in Annexure A and B above and obtain their photograph (duly attested by the committee) as well as signatures.

ii) The engagement/payment record of each labourer shall be verified on the basis of payment particulars and signatures of labourers.

iii) A list of Mazdoors eligible for grant of Temporary Status should be prepared on the basis of guidelines for granting temporary status to Casual Mazdoors issued by Deptt. of Telecom vide letter no.269-10/89-STN dtd.7.11.89 and subsequent letter no.269-4/93-STN II dtd.17.12.93 and also 269-4/93-STN II dt.12.02.99 and 269-4/93-STN II(Pt) dt.13.2.2000 (copy enclosed).

Contd...P/2..

-:2:-

Further Directorate vide letter no.271-85/97-STN-II dated 17.2.1998 (copy attached) observed that the casual labourers are being engaged on the basis of false certificates for attendance. Needless to mention the verification of records by the committee should be done strictly on the basis of authentic documents.

v) The committee should verify the number of casual labourers without temporary status who have completed 240 days in any preceding year and were in service as on 01.08.1998 as per following details.

Period of Recruitment	Numbers
A. upto 30.3.1985	
B. Between 31.3.1985 to 22.06.88	
C. From 23.06.1988 to 01.08.1998.	

The details of each casual labourer should be recorded separately in the format attached herewith as Annexure C (Page-1 and Page-2). More sheets can be attached if needed but recording of details has to be individually for each casual labourer.

vi) The committee shall submit the report to the SSA Head for further necessary action who will complete the formalities of declaring TSM to eligible Mazdoor subject to number authorised by Directorate. In respect of non-eligible mazdoors and the one's who have gone to the court, the speaking orders on their disengagement/non-confirmation of TSM status should be passed by each SSA head and delivered to him through Registered letter/under receipt.

In this connection please note that any delay in deciding the representations of each individual labourer may attract 'Contempt of the Court' proceedings.

vii) The above instructions and term of reference are being issued with the specific approval of CGMT Assam Telecom Circle.

It is requested that the necessary action may kindly be initiated so as to complete the task positively before 30.4.2000.

In case of any queries please write to and call the under-signed on 540167(O)/ 524524(R).

With. Kind regards.

(M. Shukla)  
Dy. General Manager (Admn)

To,

Shri. C.B. Nair  
General Manager, Silchar  
Telecom District Manager, .....

Contd...P/3...





GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26-09-2000

To

✓ Sri Rajal Nath.  
S/o Late Bipin Ch. Nath.  
vill. & P.O. Chandpur.  
Dist. Cachar.

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.


The committee after through scrutiny and examination of records submitted its report to the undersigned.

As per the said committee report, you were not found eligible for conferment of Temporary Status Mazdoor under any scheme or order of DOT, including one time relaxation given by Telecom Commission vide order dt. 12-02-1999, on the basis of your engagement records, as you did not fulfil the minimum eligibility criteria i.e.

- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998.
- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

  
General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR



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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26 -09 -2000

To

✓ Sri Mainul Haque Laskar  
S/o Sri Abdul Kadir Laskar  
Vill & P.O. Sonapur.  
DIST. Cachar.

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

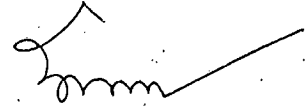
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- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998.
- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

  
General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom.  
SILCHAR



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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26 -09 -2000

To

✓ Sri Ajoy Das.  
S/o Late Dharami Mohan Das.  
Vill. Halighara P.O. Katigorah  
Dist. Cachar.

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

The committee after through scrutiny and examination of records submitted its report to the undersigned.

As per the said committee report, you were not found eligible for conferment of Temporary Status Mazdoor under any scheme or order of DOT, including one time relaxation given by Telecom Commission vide order dt. 12-02-1999, on the basis of your engagement records, as you did not fulfil the minimum eligibility criteria i.e.

- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998.
- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR



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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26 - 09 - 2000

To

✓ Sri Badal Barik  
S/o Sri Gauranga Barik  
Vill. & P.O. Haranga Jao  
Dist. N.C. Hills

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

The committee after through scrutiny and examination of records submitted its report to the undersigned.

As per the said committee report, you were not found eligible for conferment of Temporary Status Mazdoor under any scheme or order of DOT, including one time relaxation given by Telecom Commission vide order dt. 12-02-1999, on the basis of your engagement records, as you did not fulfil the minimum eligibility criteria i.e.

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- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR



GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26 -07 -2000

To

✓ Sri Parash Malakar  
S/o Sri Surendra Ch. Malakar  
Vill & P.O. Harangajao  
Dist. N.C. Hills

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

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The committee after through scrutiny and examination of records submitted its report to the undersigned.

As per the said committee report, you were not found eligible for conferment of Temporary Status Mazdoor under any scheme or order of DOT, including one time relaxation given by Telecom Commission vide order dt. 12-02-1999, on the basis of your engagement records, as you did not fulfil the minimum eligibility criteria i.e.

- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998.
- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR



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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26 - 09 - 2000

To

✓ Sri Pratap Malakar  
S/o Sri Prasanna Malakar  
Vill. & P.O. Haffong.  
Dist. N.C. Hills.

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

The committee after through scrutiny and examination of records submitted its report to the undersigned.

As per the said committee report, you were not found eligible for conferment of Temporary Status Mazdoor under any scheme or order of DOT, including one time relaxation given by Telecom Commission vide order dt. 12-02-1999, on the basis of your engagement records, as you did not fulfil the minimum eligibility criteria i.e.

- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998.
- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR



GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR.  
SILCHAR SSA :: SILCHAR

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No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26 - 09 - 2000

To

✓ Sri Parimal Malakar  
S/o Sri Prasanna Malakar  
P.O. Haffong  
Dist. N.C. Hills

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

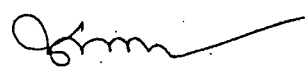
The committee after through scrutiny and examination of records submitted its report to the undersigned.

As per the said committee report, you were not found eligible for conferment of Temporary Status Mazdoor under any scheme or order of DOT, including one time relaxation given by Telecom Commission vide order dt. 12-02-1999, on the basis of your engagement records, as you did not fulfil the minimum eligibility criteria i.e.

- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998.
- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

  
General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR



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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26 - 09 - 2000

To

✓ Sri Satyendra Kr. Das  
S/o Shri Lalit Mohan Das  
Vill 2 P.O. Haranga jae  
Dist N.C. Hills.

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

The committee after through scrutiny and examination of records submitted its report to the undersigned.

As per the said committee report, you were not found eligible for conferment of Temporary Status Mazdoor under any scheme or order of DOT, including one time relaxation given by Telecom Commission vide order dt. 12-02-1999, on the basis of your engagement records, as you did not fulfil the minimum eligibility criteria i.e.

- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998.
- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR





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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26 -09 -2000

To

✓ Sri Shamshu Das.  
S/o Sri Sital Ch. Das.  
vill. Hatimara.  
P.O. Bihara Dist. Cachar.

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

The committee after through scrutiny and examination of records submitted its report to the undersigned.

As per the said committee report, you were not found eligible for conferment of Temporary Status Mazdoor under any scheme or order of DOT, including one time relaxation given by Telecom Commission vide order dt. 12-02-1999, on the basis of your engagement records, as you did not fulfil the minimum eligibility criteria i.e.

- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998.
- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR



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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SCI/05

Dated at Silchar, the 26-09-2000

To

Sri Paritosh Das  
S/o Sri Sarada Das  
vill. Bakri Lawar Pt III  
P.O. Kalinagar Dist. Hailakandi

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

The committee after through scrutiny and examination of records submitted its report to the undersigned.

As per the said committee report, you were not found eligible for conferment of Temporary Status Mazdoor under any scheme or order of DOT, including one time relaxation given by Telecom Commission vide order dt. 12-02-1999, on the basis of your engagement records, as you did not fulfil the minimum eligibility criteria i.e.

- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998.
- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

General Manager Telecom  
Silchar SSA :: Silchar.

General Manager, Telecom  
SILCHAR



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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26 -09 -2000

To

✓ Sri Shyamal Biswas.  
S/o Sri Basanta Biswas.  
P.O. Badarpur Dist. Karimganj

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

The committee after through scrutiny and examination of records submitted its report to the undersigned.

As per the said committee report, you were not found eligible for conferment of Temporary Status Mazdoor under any scheme or order of DOT, including one time relaxation given by Telecom Commission vide order dt. 12-02-1999, on the basis of your engagement records, as you did not fulfil the minimum eligibility criteria i.e.

- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998.
- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Teleco  
SILCHAR



GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26-09-2000

To

Sri

✓ Paresh Ch. Das.  
s/o Late Proomode Ch. Das.  
Vill. & P.O. Harangajao  
Dist. N.C. Hills

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

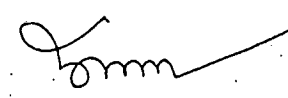
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- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998.
- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

  
General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR



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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26 - 09 - 2000

To

Sri

Sankar Roy

s/o Late Krishna Kr. Roy

vill. Rangauti Bilpar

P.O. Hailakandi Dist. Hailakandi

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

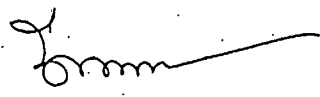
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- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

  
General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR



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GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26-09-2000

To

✓ Sri Kajal Das.  
s/o Late Kirti Ram Das.  
vill. & P.O. Harangajao  
Dist. N.C. Hills.

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

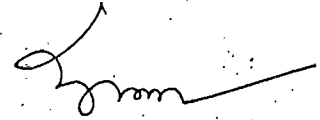
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- 1) You did not complete 240 days work in Department of Telecom. in any calendar year preceeding 01-08-1998.
- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

  
General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR



GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE GENERAL MANAGER TELECOM SILCHAR  
SILCHAR SSA :: SILCHAR

No. E-20/TSM Regularisation/SC/05

Dated at Silchar, the 26-09-2000

To

Sri

Naru Ch. Das.  
Sri Sunshil Ch. Das.  
Haflong Rly. Colony.  
P.O. Haflong. Dist. N.C. Hills

Sub: - Grant of Temporary Status Mazdoor.

Ref: - Your case in CAT/Guwahati in OA No. 5/2000

With reference to the above, you are hereby intimated that as per the instructions of the Hon'ble CAT/Guwahati in the case in OA No. referred above, your engagement particulars were thoroughly scrutinized and examined by a committee in consultation with the records. The committee was formed in this SSA as per the instructions of CGMT, Assam Circle, Guwahati vide Memo No. Estt-9/12/PART-1/23 dtd. the 28-03-2000.

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- 2) You were not in engagement as on 01-08-1998.

The committee did not recommend your name for conferment of Temporary Status Mazdoor.

Under the circumstances stated above, your request for granting Temporary Status Mazdoor cannot be acceded to and as such your representation stands, disposed of.

General Manager Telecom  
Silchar SSA :: Silchar.

General Manager Telecom  
SILCHAR

Particulars from the date of initial engagement

Applicant : Smt. DAS.

STAZDOOR

STAZDOOR		NO. OF DAYS	MODE OF PAYMENT i.e. MASTER ROLL/ACG-17 PARTICULARS i.e. Vr. No.		AMOUNT	ENGAGED BY WHOM	BILLING/ PASSING AUTHORITY	NAME OF A.O. WHO HAS PAID
MONTH	PARTICULARS		Vr. No.					
1987	October	26	ACG-17	Nil	442.00	COT/SC	DE/TDM-SC	AO(c) /SC
1987	November	28	ACG-17	9	476.00	COT/SC	DE/TDM-SC	AO(c) /SC
1987	December	31	MR	6	527.00	COT/SC	DE/TDM-SC	AO(c) /SC
		85						
1988	January	31	ACG-17	3	527.00	COT/SC	DE/TDM-SC	AO(c) /SC
1988	February	29	ACG-17	4	493.00	Dy. TDE/SC	DE/TDM-SC	AO(c) /SC
1988	June	30	ACG-17	4	847.50	JTO(C) /SC	DE/TDM-SC	AO(c) /SC
1988	November	30	ACG-17	17	885.00	AE(w)/HFL	DE/TDM-SC	AO(c) /SC
		120						
1989	January	31	ACG-17	6	914.50	AE(w)/HFL	DE/TDM-SC	AO(c) /SC
1989	February	28	ACG-17	6	861.00	AE(w)/HFL	DE/TDM-SC	AO(c) /SC
1989	April	25	ACG-17	15	768.75	AE(w)/HFL	DE/TDM-SC	AO(c) /SC
1989	May	28	MR	7	861.00	AE(w)/HFL	DE/TDM-SC	AO(c) /SC
		112						
1991	October	15	ACG-17	97	570.00	AO(c) /SC	DE/TDM-SC	AO(c) /SC
1991	December	15	dir/Vr		600.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
		30						
1992	January	15	dir/Vr		600.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	January	15	dir/Vr		600.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	February	15	dir/Vr		600.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	February	14	dir/Vr		560.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	March	30	dir/Vr		1200.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	April	15	dir/Vr	59	645.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	April	15	dir/Vr	58	645.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	May	15	dir/Vr		645.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	May	15	dir/Vr		645.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	June	30	dir/Vr		1290.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	July	26	dir/Vr		1118.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	August	19	dir/Vr		817.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	September	19	dir/Vr		874.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	October	19	dir/Vr		874.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	November	19	dir/Vr	135	874.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1992	December	15	dir/Vr		690.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
		296						
1993	January	26	ACG-17	23	1040.00	SDOT/SC	DE/TDM-SC	AO(c) /SC
1993	February	19	dir/Vr		874.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1993	March	24	dir/Vr		1104.00	AO(c) /SC	AO(c) /SC	AO(c) /SC
1993	August	31	ACG-17	12	1395.00	SDOT/SC	DE/TDM-SC	AO(c) /SC
		100						
1998	March	1	ACG-17		40.00	AO(c) /SC	DE/TDM-SC	AO(c) /SC

SIGNATURE OF THE COMMITTEE MEMBERS

Sankar Das  
SDE (RR)/GH  
(Circle Office Member)

(M.R. Choudhury)  
Sr. AO (Cash)  
O/O the GMT, Silchar

Sup D  
9/6/20



## 113

NAME OF THE APPLICANT: MD MAINUL HAQUE LASKAR  
CASUAL MAZDOOR

[illegible]

SIGNATURE OF THE COMMITTEE MEMBERS:

(Sankar Das)  
SDE(RRC/GH)  
(Circle Office Member)

(M.R. Choudhury)  
 • Sr. A.O. Casl  
 O/O the GMT

Supd  
(I.R.P.A.)  
D.E. (P&A)  
O/O the GMT/Sc

NAME OF THE APPLICANT: Sri BADAL BANIK a  
CASUAL MAZDOOR

Dupond  
 (LRP-11)  
 D.E. (P&A) 9/6/2k  
 O/O the GMT/Sc.

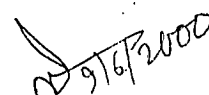
ANNEXURE "C" (Page-2)

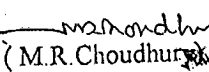
STATEMENT PARTICULARS FROM THE DATE OF INITIAL ENGAGEMENT

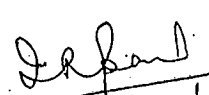
NAME OF THE APPLICANT: Smt AJOY DAS  
STATUS: CASUAL MAZDOOR

YEAR	Month	No of days	MODE OF PAYMENT i.e. MASTER ROLL / ACG-17 PARTICULARS i.e. VOUCHER NOS.	AMOUNT	ENGAGED BY WHOM	BILLING/ PASSING AUTHORITY	NAME OF A.O. WHO HAS PAID.
1988	April	30	M/R No-5	847.50	AEW/HFL	DET/SC	AO(2)/SC
	May	31	M/R No-1	875.75	"	"	"
	Nov	30	M/R No-18	885.00	"	"	"
	Dec	31	M/R No-1	914.50	"	"	"
1989	Jan	28	M/R No-2	826.00	"	"	"
	March	5	ACG-17 No-39	85.00	"	"	"
	April	20	M/R No-14	615.00	"	"	"
	Aug	24	M/R No-1	738.00	"	"	"
	Sept	12	ACG-17 No-472/48	360.00	"	"	"
1992	June	12	ACG-17 No-32	480.00	"	"	"
	Aug	7	ACG-17 No-428/21,24,27	280.00	"	"	"
1993	March	12	ACG-17 No-28,292/13	480.00	"	"	"
	Aug	2	ACG-17 No-3	80.00	"	"	"
	Oct	7	ACG-17 No-27	315.00	"	"	"
	Nov	3	ACG-17 No-25	135.00	"	"	"
1994	Jan	5	ACG-17 No-20	225.00	"	"	"
	Aug	31	ACG-17 No-26	1395.00	"	"	"
	Sept	30	ACG-17 No-81	1350.00	"	"	"
	Oct	31	ACG-17 No-59	1395.00	"	"	"
	Dec	31	ACG-17 No-5	1395.00	"	"	"
1995	Jan	31	ACG-17 No-51	1395.00	"	"	"

SIGNATURE OF THE COMMITTEE MEMBERS:

  
(Sankar Das)  
SDE(RRC/GH)  
(Circle Office Member)

  
(M.R. Choudhury)  
Sr. A.O. Cash  
O/O the GMT/SC

  
(I.R. Paul)  
D.E. (P&A)  
O/O the GMT/SC


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9/6/2000

(M.R.Choudhury)  
 Sr. A.O.Cash  
 O/O the GMT

  
 (I.R. Paul)  
 D.E. (P&A)  
 O/O the GMT/Sc

STATEMENT PARTICULARS FROM THE DATE OF INITIAL ENGAGEMENT

NAME OF THE APPLICANT: PRA TAP MALAKAR  
CASUAL MAZDOOR

Page 1

YEAR	Month	No of days	MODE OF PAYMENT i.e. MASTER ROLL / ACG-17. PARTICULARS i.e. VOUCHER NOS.	AMOUNT	ENGAGED BY WHOM	BILLING/ PASSING AUTHORITY	NAME OF A.O. WHO HAS PAID.
1992	Aug.	5	ACG-17 Vr. 10	200.00	SDOT/HFL	TDE/SC	A.O. Cash/SC
1990	May	2	ACG-17 Vr. 16	80.00	JTD/HFL	TDE/SC	"
	Sept.	8	ACG-17 Vr. 24, 33, 41, 57	360.00	SDOT/HFL	TDE/SC	"
	"	2	ACG-17 Vr. 15	90.00	"	"	"
1994	April	30	ACG-17 Vr. 35	1350.00	JTD/HFL	"	"
	May	31	ACG-17 Vr. 34	1395.00	SDOT/HFL	"	"
	June	6	ACG-17 Vr. 54	270.00	"	"	"
	Sept.	30	ACG-17 Vr. 43	1350.00	"	"	"
	Oct.	31	ACG-17 Vr. 33	1395.00	"	"	"
	Nov.	30	ACG-17 Vr. 7	1350.00	"	"	"
	Dec.	31	ACG-17 Vr. 96	1395.00	"	"	"
1995	Feb.	28	ACG-17 Vr. 28	1260.00	"	"	"
	June	6	ACG-17 Vr. 12	270.00	"	"	"
	"	19	ACG-17 Vr. 35	855.00	"	"	"
	"	2	ACG-17 Vr. 3	90.00	"	"	"
	Sept.	8	ACG-17 (Vr. 31, 35)	360.00	"	"	"
	"	1	ACG-17 Vr. 36	45.00	"	"	"
	"	19	ACG-17 Vr. 32	855.00	SDOT/HFL	"	"

SIGNATURE OF THE COMMITTEE MEMBERS:

(Sankar Das)  
SDE(RRC/GH)  
(Circle Office Member)

(M.R. Choudhury)  
Sr. A.O. Cash  
O/O the GMT/SC

(I.R. Paul)  
D.E. (P&A)  
O/O the GMT/SC



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ASURE "C" (Page - 2)

**ENGAGEMENT PARTICULARS FROM THE DATE OF INITIAL ENGAGEMENT**

NAME OF THE APPLICANT : PARIMAL MALAKAR.  
CASUAL MAZDOOR

YEAR	MONTH	NO. OF DAYS	MODE OF PAYMENT i.e. MASTER ROLL/ACG-17 PARTICULARS i.e.		AMOUNT	ENGAGED BY WHOM	BILLING/ PASSING AUTHORITY	NAME OF A.O. WHO HAS PAID
			PARTICULARS	Vr. No.				
1989	April	25	ACG-17	15	768.75	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1989	May	31	MR	7	953.25	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1989	June	30	ACG-17	4	922.5	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1989	August	31	ACG-17	1	953.25	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
		117						
1991	January	2	ACG-17	25 & 26	69	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1991	April	9	ACG-17	4,10 & 19	321.75	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
		11						
1992	March	1	ACG-17	6	37.75	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1992	April	3	ACG-17	55 & 56	120	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1992	July	1	ACG-17	4	40	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1992	December	15	ACG-17	11,15&31	620	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
		20						
1993	February	12	ACG-17	9&27	520	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1994	February	5	ACG-17	64 & 67	225	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	April	30	ACG-17	37	1350	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	August	31	ACG-17	34	195	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	September	30	ACG-17	42	1350	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	October	31	ACG-17	57	1395	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	December	31	ACG-17	34	1395	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
		158						
1995	January	31	ACG-17	19 & 59	1395	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1995	February	28	ACG-17	33	1260	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1995	April	30	ACG-17	39	1350	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1995	June	23	ACG-17	32 & 2	1890	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1995	September	19	ACG-17	35	855	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
		131						
1996	November	5	ACG-17	16	225	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1997	June	24	ACG-17	5& 40	1215	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1997	September	8	ACG-17	77	360	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1997	October	6	ACG-17	10	270	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1997	November	8	ACG-17	54	360	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
		46						
1998	July	1	ACG-17	11	80	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1998	August	1	ACG-17	19	80	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC

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9/6/2000  
(Sankar Das)  
SDE (RRG)/GH

M.R. Choudhury  
(M.R. Choudhury)/6/2K  
Sr. A.O. (Cash)  
O/O the GMT, Silchar

9/6/2K  
(L.R. Paul)  
D.E. (P&A)  
O/O the GMT, Silchar





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The graph shows the function  $f(x) = \frac{1}{2}x^2$  plotted on a coordinate grid. The x-axis ranges from 0 to 2, and the y-axis ranges from 0 to 2. The curve starts at the origin (0,0) and ends at the point (2,2). The area under the curve is shaded in light blue.

!

(Sankar Das)  
SDE(RRC/GH)  
(Circle Office Member)

(M.R. Choudhury) 9/6/21  
Sr. A.O. Cash  
O/O the GMT/SC

*Lupis*  
(I.R. Paul)  
D.E. (P&A) 9/6/22  
O/O the GMT/Sc

MENT PARTICULARS FROM THE DATE OF INITIAL ENGAGEMENT

IE OF THE APPLICANT : PARITOSH DAS.

CASUAL MAZDOOR

YEAR	MONTH	NO. OF DAYS	MODE OF PAYMENT i.e. MASTER ROLL/ACG-17 PARTICULARS i.e.		AMOUNT	ENGAGED BY WHOM	BILLING/ PASSING AUTHORITY	NAME OF A.O. WHO HAS PAID
			PARTICULARS	Vr. No.				
1988	February	27	MR	17	459	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1988	June	30	MR	1	847.5	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1988	July	31	MR	12	875.75	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1988	August	28	MR	2	828	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1988	September	30	MR	4	885	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1988	October	21	MR	16	819.5	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1988	November	30	MR	15	885	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
		187						
1989	August	18	MR	18	553.5	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
		18						
1990	August	1	ACG-17	17	30	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
		1						
1991	January	1	ACG-17	18	34.5	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1991	January	1	ACG-17	95	34.5	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
		2						
1992	January	11	ACG-17	5,19,24	415.25	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1992	June	16	ACG-17	30 & 32	640	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1992	November	8	ACG-17	8	320	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
		35						
1993	May	1	ACG-17	9	40	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1993	September	2	ACG-17	24	90	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1993	September	6	ACG-17	57,41,33	270	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1993	September	2	ACG-17	15	90	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
		11						
1994	January	5	ACG-17	10	225	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1994	February	2	ACG-17	67	90	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	June	30	ACG-17	13	1395	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	August	31	ACG-17	4	1395	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	September	30	ACG-17	35	1350	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	October	31	ACG-17	56	1395	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	November	30	ACG-17	5	1350	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	December	31	ACG-17	51	1395	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
		190						
1995	January	31	ACG-17	41	1395	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1995	February	28	ACG-17	34	1280	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1995	April	30	ACG-17	69	1350	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1995	July	19	ACG-17	25	855	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1995	August	19	ACG-17	31	855	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
		127						
1996	January	16	ACG-17	11	720	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1996	February	24	ACG-17	19	1080	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1996	March	1	ACG-17	10	40	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1996	June	16	ACG-17	5	855	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1996	September	3	ACG-17	8	135	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
		60						
1997	March	8	ACG-17	58	380	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1997	September	20	ACG-17	42 & 65	900	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1997	November	10	ACG-17	26	450	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC

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SIGNATURE OF THE COMMITTEE MEMBERS

Sankar Das  
SDE (RR)/GH  
(Circle Office Member)

(M.R. Choudhury)  
Sr. AO (Cash)  
O/O the GMT, Silchar

I.R. Paul  
DE (P&A)  
O/O the GMT, Silchar



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SIGNAUTE OF THE COMMITTEE MEMBERS:

*Infid*  
 (L.R. Paul) 9/6/2k  
 D.E. (P&A)  
 O/O the GMT/Sc

MENT PARTICULARS FROM THE DATE OF INITIAL ENGAGEMENT

OF THE APPLICANT : SANKAR ROY.  
AL MAZDOOR

YEAR	MONTH	NO. OF DAYS	MODE OF PAYMENT i.e. MASTER ROLL/ACG-17 PARTICULARS i.e. VR. Nos.		AMOUNT	ENGAGED BY WHOM	BILLING/ PASSING AUTHORITY	NAME OF A.O. WHO HAS PAID
			PARTICULARS	Vr. No.				
1989	January	31	ACG-17	1	914.50	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1989	April	18	ACG-17	14	553.50	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1989	May	18	MR-5	7	553.50	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1989	June	19	ACG-17	4	584.25	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
		86						
1990	June	6	ACG-17	20,32, 37				
		6		39, 43,50	207.00	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1991	January	4	ACG-17	43,52,58	138.00	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
		4						
1992	April	30	ACG-17	9	465.00	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1992	June	4	ACG-17	6	162.00	JTO/HFL	DE/TDM-SC	AO(Cash)/SC
1992	June	4	ACG-17	16	160.00	JTO/HFL	DE/TDM-SC	AO(Cash)/SC
1992	August	31	ACG-17	11 & 20	675.00	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
1992	September	11	ACG-17	15	486.00	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1992	December	11	ACG-17	13	530.00	AE(W)/HFL	DE/TDM-SC	AO(Cash)/SC
		91						
1993	March	4	ACG-17	15	162.00	JTO/HFL	DE/TDM-SC	AO(Cash)/SC
1993	May	15	ACG-17	8,27,51	600.00	JTO/HFL	DE/TDM-SC	AO(Cash)/SC
		19						
1994	April	30	ACG-17	39	1350.00	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	June	30	ACG-17	41	1350.00	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	August	31	ACG-17	36	1395.00	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	October	31	ACG-17	27	1395.00	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1994	December	31	ACG-17	23	1395.00	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
		163						
1995	January	31	ACG-17	86	1395.00	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
		31						
1997	March	1	ACG-17	22	40.00	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1997	June	10	ACG-17	33	450.00	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1997	September	20	ACG-17	41,64	900.00	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1997	October	5	ACG-17	110	250.00	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC
1997	November	18	ACG-17	46,75	900.00	SDOT/HFL	DE/TDM-SC	AO(Cash)/SC

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SIGNATURE OF THE COMMITTEE MEMBERS

Sankar Das  
SDE (RRC)/GH  
(Circle Office Member)

(M.R. Choudhury)  
Sr. AO (Cash)  
O/O the GMT, Silchar

L.K. Paul  
DE (P&A)  
O/O the GMT, Silchar

Sup D  
(L.R. Paul) 9/6/20  
D.E. (P&A)  
O/O the GMT/Sc

CASUAL MAZDOOR

SIGNATURE OF THE COMMITTEE MEMBERS:

—manoudhy  
(M.R. Choudhury) 9/6/11  
Sr. A.O. Cash  
O/O the GMT/EC

(LR Paul)  
 D.E. (P&A) 9/6/22  
 O/O the GMT/Sc