

30/100  
CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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(4)

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH: GUWAHATI.5

ORIGINAL APPLICATION NO. 361/2000(T)

. . . Union, J. L. S. and ors. . . . . APPLICANTS  
versus.

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

FOR THE APPLICANT(S) *Mr. A. K. Gopwami*  
ADVOCATE

*Ms. A. Talukdar*

FOR THE RESPONDENT(S) *C.G. S.C.*

Notes of the Registry DATE COURT'S ORDER

File N.P. No. 5081/2000 has been received from Gauhati High Court vide order dtd. 13.9.2000 due to not maintainable before Gauhati High Court. Hence this case is registered as Original Application.	7.11.00	Present: Hon'ble Mr. Justice D.N. Choudhury, Vice-Chairman. Office to inform the applicant about the transfer of the case from Gauhati High Court for taking necessary steps.
	1m 27/11/2000	<i>Vice-Chairman</i>
	27.11.00	Miss A. Talukdar, learned counsel for the applicant submits that she will take fresh steps for service of copies within days. List on 6.12.2000 for <del>admissio</del> order.
	6.12.00	List after four weeks to enable the respondents to file written state- ment. List on 9.1.2001 for written statement and for further orders.
	mk	<i>Vice-Chairman</i>

*By. Registrar*  
Bom 31/10/2000

Inform the parties  
Received  
by Email  
16/11/00

7.11.2000

"Vakilatnama" has  
been filed by Mr. B.C.  
Pathak, Addl.C.G.S.C.

Recd5-12-2000

As per order add.  
27.11.2000 the  
applicant has not  
taken any step by  
the applicant Advocate.

Recd

No. of files has been  
filed.

23  
9.1.2001

Blks are filed.

11/1/01

16.3.2001  
Service of notice  
issued to the  
respondents vide  
D.O.W.S. 10/3-16.Dt.19.3.01.

Recd

10.1.2001

None appears for the applicant, nor  
any steps taken. List the matter on 8.2.01 for  
orders.

Vice-Chairman

nkm

8-2. nos 5-13. Affidavited 14-3-2001.

Mr.  
A.T.  
0-2

14.3.01

Ms.A.Talukdar learned counsel  
appearing on behalf of the applicant.  
Mr.B.C.Pathak, Addl.C.G.S.C. for the  
respondents. says that he has not  
received copy of the application.  
The office note shows that steps  
have been taken. The applicant is  
requested to furnish the copy to the  
respondents. Issue usual notices.  
List on 11.4.01 for orders.

J.C.Usha**Member**

1m  
11.4.01  
11.4.01

It has been stated by Mr.B.C.  
Pathak, Addl.C.G.S.C. that as per  
instructions the written statement  
was filed by the High Court itself  
in the form of the <sup>Respectfully</sup> affidavit. But  
Ms.A.Talukdar learned counsel for the  
applicant has submitted that she has  
not received any affidavit or written  
statement. The respondents ~~may~~ shall  
take necessary steps for serving of  
copy of the Affidavit or written state-  
ment filed in the High Court, with  
copy to the counsel for the applicant  
~~in due~~  
It is open for the applicant to file  
rejoinder if ~~so~~ advised. List on  
9.5.01 for hearing.

1mVice-Chairman

## Notes of the Registry

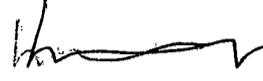
## Date

## Order of the Tribunal

9.6.2001

Ms. A. Talukdar, learned counsel for the applicant has stated that she has received the written statement today only and requires more time to file rejoinder. Prayer is allowed.

List on 8.6.2001 for hearing.

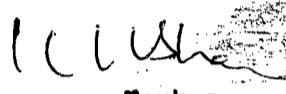


Vice-Chairman

bb

8.6.01

The case is adjourned to 22-6-2001 for hearing.



Member

mb

22.6.2001

19.7.2001  
 Copy of the Judgment has been sent to the parties, for issuing the same to the applicant as well as to the Ady. C.G.S.C. for the Rejoinder.

nkm

Heard the learned counsel for the parties. Hearing concluded. Judgment delivered in open court, kept in separate sheets. The application stands disposed of. No order as to costs.



Vice-Chairman

### Table 2. The $\alpha$ values

IN THE GAUHATI HIGH COURT

( High Court of Assam Nagaland, Meghalaya, Manipur, Tripura;

## Mizoram & Arunachal Pradesh

CIVIL APPELLATE SIDE

Appeal from.  
Civil Rule.

W. P. C.G

No. 5081 of 2000

Sté Somnára Paul

Appellant.  
Petitioner.

- Versus -

Respondent.

Opp. Party.

Appellant  
For Petitioner.

Mr. A.K. Qaswani }  
Mr. A. Salukder } Advocates

For Respondent  
Opposite party

6456

66

13.9.2000

B E F O R E  
THE HON'BLE MR.JUSTICE JN SARMA

Heard Mr. AK Goswami, Learned Advocate  
for the petitioner.

Call for the records.

Let a Rule issue calling upon the  
respondents to show cause as to why a Writ  
should not be issued as prayed for; and/or why  
such further order or other orders shall not be  
passed as to this court may seem fit and  
proper.

Mr. K.K. Mahanta, Learned Sr.C.G.S.C.  
accepts notice on behalf of all the respondents.  
Extra copies of the petition shall be served  
on him during the course of the day.

In the meantime the service of the  
petitioner shall not be terminated. Transfer  
this matter to Central Administrative Tribunal  
at Guwahati. This writ application is entertained  
in view of the fact that as on to-day C.A.T.  
at Guwahati is not functioning.

Liberty is granted to the respondents  
to move the application for vacating the  
stay.

✓  
JUDGE

UPADHAYA

① file in court  
② funds to be used  
③ Central Admin  
④ Transfer to Central Admin  
Central Admin  
Guwahati

✓  
16.9.2

16.9.2  
B.J.1619

Noting by Officer or Advocate	Serial No.	Date	Office notes, reports, orders or proceeding with signature
<p><u>26-9-2000</u></p> <p>A m acceptance has been filed on behalf of the respondent Nos. 1 to 9.</p> <p>Agst</p> <p>A order dt. 13-9-2000 communicated on record calls for m/s memo No. 1F, 993-96/PM dt. 26-9-2000</p> <p>(B.M. 26/9/2000)</p>			

Noting by officer or Advocate.	Serial No.	Date	Office notes, reports, orders, or proceeding with signature.

01

CENTRAL ADMINISTRATIVE TRIBUNAL ::  
GUWAHATI BENCH.

O.A./~~XXXX~~ NO. 361 . . . . . of 2000

O.A.No.362 of 2000

And

DATE OF DECISION 22.6.2001 . . . . .

O.A.No.363 of 2000

1. Shri Soumitra Paul (O.A.No.361/2000)

APPLICANT(S)

2. Shri Sudip Kar (O.A.No.362/2000)

3. Smt Ranju Devi Kairi (O.A.No.363/2000)

Mr A.K. Goswami and Ms A. Talukdar ADVOCATE FOR THE APPLICANT(S)

-- VERSUS --

The Union of India and others

RESPONDENT(S)

Mr B.C. Pathak, Addl. C.G.S.C. ADVOCATE FOR THE  
RESPONDENTS.

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

THE HON'BLE

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



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No.361 of 2000

Original Application No.362 of 2000

And

Original Application No.363 of 2000

Date of decision: This the 22nd day of June 2001

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

O.A.No.361/2000

Shri Soumitra Paul,  
C/o Alok Nath, Tarapur,  
Sib-bari, P.O. Silchar, Cachar,  
Assam.

O.A.No.362/2000

Shri Sudip Kar,  
Ambikapatty,  
P.O. Silchar, Cashar,  
Assam.

O.A.No.363/2000

Smt Ranju Devi Kairi,  
Baghar Kona, P.O. Sabganga,  
Silchar.

.....Applicants

By Advocates Mr A.K. Goswami and  
Ms A. Talukdar.

- versus -

1. The Union of India, represented by the  
Commissioner & Secretary to the  
Government of India,  
Department of Telecommunication,  
New Delhi.

2. The Chief Engineer (Civil),  
Department of Telecom Operations,  
North East Zone, Guwahati.

3. The Executive Engineer,  
Telecom Civil Division,  
Department of Telecommunications,  
Silchar.

4. The Assistant Surveyor of Works (Admn.),  
Telecom Civil Circle,  
Silchar.

.....Respondents

By Advocate Mr B.C. Pathak, Addl. C.G.S.C.

.....

O R D E R (ORAL)

CHOWDHURY.J. (V.C.)

All these cases are analogous in nature involving the same and similar issues and accordingly all these cases were taken up together for consideration.

2. The key issue involved in these applications relates to regularisation of service of the applicants who are/were working under the Executive Engineer, Telecommunications, Civil Division.

3. I have heard Ms A. Talukdar, learned counsel for the applicants and Mr B.C. Pathak, learned Addl. C.G.S.C. The learned counsel for the applicants submitted that since the applicants worked more than the statutory period, their services are needed to be regularised. Mr B.C. Pathak has produced the records alongwith the Office Order No.34/2001/CE-NEZ/SH/348 dated 1.6.2001. As per the said Office Order, fourteen persons including the present applicants were conferred temporary status in conformity with the 'Casual Labourers (Grant of Temporary Status) Scheme of Department of Telecommunication, 1989'. The said order included the names Shri Soumitra Paul, Shri Sudip Kar and Smt Ranju Devi Kairi, the present applicants.

4. In view of the aforementioned order granting temporary status to the present applicants, the applications have become infructuous.

5. Accordingly the applications stands disposed of. The Office Order dated 1.6.2001 shall form part of the record. It would, however, be open to the applicants to move the Tribunal if they are otherwise aggrieved by the order.

No order as to costs.

( D. N. CHOWDHURY )  
VICE-CHAIRMAN

**THE GAUHATI HIGH COURT**

THE HIGH COURT OF ASSAM : NAGALAND : MEGHALAYA : MANIPUR  
 TRIPURA : MIZORAM AND ARUNACHAL PRADESH )

**CHECK SLIP**

A. 36/2000(T)

DISTRICT : Cachar

DB/SB/A/B

FILING SL NO.

NAME OF PARTY :

W.P.(C) CASE NO. 5081/2000

CATEGORI CODE : 10189

DATE OF FILING : 13/9/2000

Sri Sumitra Paul

Union vs of India & Sons  
 Signature of D. A.

1. Court Fee Due : Rs. 58.80

Court Fee Paid : ✓

Deficit if any : ✓

2. Filed within Limitation : Yes/No ✓

Condation Petition : Yes/No ✓

if any

3. Related information For : Yes/No ✓

Caveat Matching : ✓

4. Vakalatnama File : Yes/No ✓

5. Certified copy of order : Yes/No ✓

Judgement, if required, : ✓

Filed

6. Affidavit/Verification : Yes/No ✓

in order

7. From in Proper : Yes/No ✓

8. Any other defects ( to be : Yes/No ✓

name )

**CASE READY / DEFECTIVE**

13/9/2000  
 Commissioner of Registration  
 Civil Court  
 Cachar

**SIGNATURE OF THE SUPDT.**  
**FILING SECTION**

**SIGNATURE OF THE STAMP**  
**REPORTER**

## IN THE GAUHATI HIGH COURT

( THE HIGH COURT OF ASSAM : NAGALAND : MEGHALAYA : MANIPUR  
TRIPURA : MIZORAM AND ARUNACHAL PRADESH )

13

	Category	No.	Year
1.	(a) Case No. :	W. P. (C) NO- 1	508/ 2000
1.	(b) Related Case No. :		199
1.	(c) Related Information :		
1.	(d) Jurisdictional Value Rs.	1.	(e) Court Fee Rs. 58.80
1.	(e) Provision of law under which the case is filed	11/A 226	

DATE / MONTH / YEAR

1. (f) Date of Registration : **13 09 2000**

2. (a) Case Category Code : **10189**

2. (b) Subject Category Code : **S B**

2. (c) Bench Code : **A**

3. State Name : **Cachar** 4. State Code \_\_\_\_\_

4. Petitioner(s) : **Sri Sumitra Paul**

5. Respondent(s) : **Union of India & ors**

6. Petitioner(s) : **Mr. A. K. Goswami**  
**Ms. A. Talukdar**

7. Respondent(s) : **G. G. S. C.**

8. State Code of the Case :

9. Court No. :

10. Caveat (if any) : Yes  / No  *Debierwar Das  
13/9/2000*

★ Kindly use appropriate codes

Signature with date :

✓  
DISTRICT : KAMrup

IN THE GAUHATI HIGH COURT

( The High Court of Assam, Nagaland, Meghalaya, Manipur,  
Tripura, Mizoram and Arunachal Pradesh )

(Civil Extra-Ordinary Jurisdiction)

Writ Petition (C) No. 5081 / 2000

CATEGORY OF CASE : other Civil suits (Casual employee in Telecom Deptt -  
matter relating to CAT. - not allotted  
to Bench B)  
CATEGORY CODE : CR 10189

BENCH : A

Shri Soumitra Paul ..... Petitioner

Versus

Union of India and ors. ... Respondents

I N D E X

<u>Sl. No.</u>	<u>Particulars</u>	<u>Page Nos.</u>
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6.	Annexure - IV	16 - 17
7.	Annexure - V	20
	Total pages	20

Filed by

*Anju Talukdar*  
Advocate



DISTRICT : CACHAR

IN THE GAUHATI HIGH COURT

( The High Court of Assam, Nagaland, Meghalaya, Manipur,  
Tripura, Mizoram and Arunachal Pradesh )

(Civil Extra-Ordinary Jurisdiction)

Writ Petition (C) No. 5081/2000

Category: 10189

To

The Hon'ble Shri Brijesh Kumar, B.A., LL.B, the  
Chief Justice of the Hon'ble Gauhati High Court  
and His Lordships other companion Justices of the  
said Hon'ble Court.

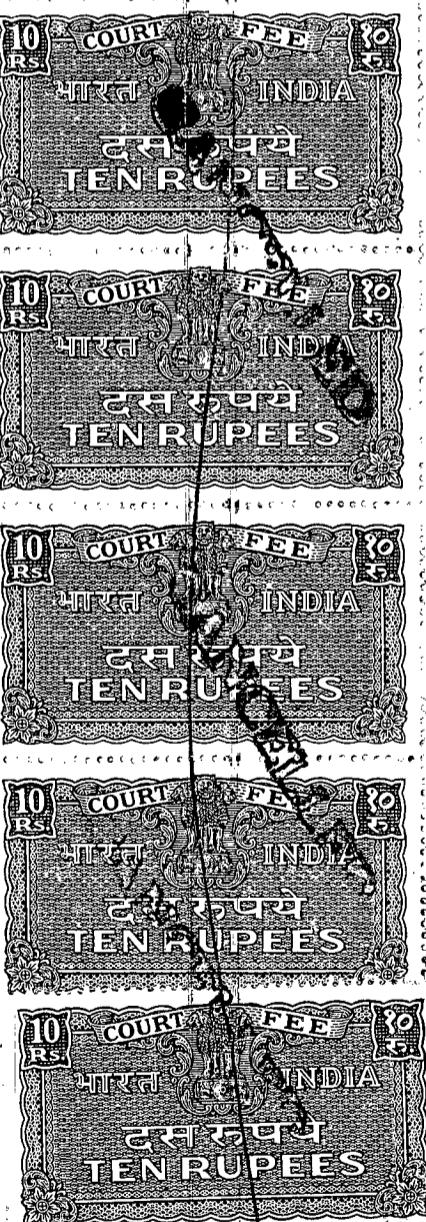
IN THE MATTER OF :-

An application under Article  
226 of the Constitution of  
India praying for a writ in the  
nature of Mandamus and/or  
certiorari and/or any other  
appropriate writ, order or  
direction.

AND

IN THE MATTER OF :-

Enforcement of the petitioner's



5  
7  
Filed by  
Sarita Paul  
Petitioner  
Gauhati High Court  
(Date) 13-9-2000

-2-

fundamental and legal rights.

AND

IN THE MATTER OF :-

Threatened termination of  
services of the petitioner.

AND

IN THE MATTER OF :-

Non-regularisation of the  
service of the petitioner.

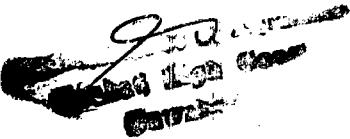
AND

IN THE MATTER OF :-

Shri Soumitra Paul,  
son of Ganendra Ch Paul,  
C/O Alok Nath, Tarapur,  
Sib-bari,  
P.O. Silchar:- 788004.  
Cachar, Assam.

Petitioner.

Versus.



1. Union of India,  
represented by the Commissioner  
& Secretary, to the Govt. of  
India, Department of  
Telecommunications, Sanchar  
Bhawan, New Delhi.

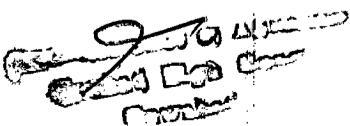
2. Chief Engineer (Civil),  
Department of Telecom Opera-  
tions, North East Zone,  
Guwahati.

3. Executive Engineer,  
Telecom Civil Division,  
Department of Telecommunica-  
tions, Dr Surendra Dhar Lane.  
Ambikapatty, Silchar:-788 004,

4. Assistant Surveyor of Works  
(Admn), Telecom Civil Circle,  
Silchar.

Respondents.

The humble petition of the  
petitioner abovenamed:



MOST RESPECTFULLY SHEWETH:

1. That the petitioner is a citizen of India and a permanent resident of Cachar, Assam, and as such is entitled to all the rights and privileges guaranteed to Indian citizens under the Constitution of India and other laws for the time being in force.

2. That the petitioner states that he is a graduate. He was registered with the employment exchange and his name was sponsored for appearing in a interview for the post of temporary typist-cum-work clerk, Grade II, on daily rate basis. The petitioner having qualified and being selected in the interview so conducted, the petitioner was appointed vide order dated 25.1.93 issued by the Executive Engineer, Telecom Civil Division for a period of not more than 89 days or till regular incumbent is posted.

A copy of the order dated 25.1.93 is annexed hereto and is marked as Annexure:-I.

3. That the petitioner states that although the appointment order showed that the appointment was for a period of 89 days only, the service of the petitioner was extended from time to time and the petitioner is still continuing in service.

4. That the petitioner is continuously and regularly discharging the duties to the satisfaction of all concerned for nearly 8 years and there has been no complaint from any quarter whatsoever.

5. That in view of the long service rendered by the petitioner, ~~at~~ the Assistant Surveyor of Works (Administration), Telecom Civil Circle, Silchar:-4 had issued a letter dated 15.9.98 to the Executive Engineer, Telecom Civil Division :I/II, requesting him to submit detailed particulars in respect of the petitioner for the purpose of regularisation of the service of the petitioner.

A copy of the said letter dated 15.9.98 is annexed hereto and marked as Annexure:-II.

6. That in response to the letter dated 15.9.98, particulars as sought for were furnished and the Assistant Surveyor of Works (Admn), vide his letter dated 17.9.98 had forwarded the same to the Executive Engineer (H/Q), Office of the Chief Engineer (C), for further necessary action in this regard.

A copy of the said letter dated 17.9.98 along with

*Shri B. B. Datta*  
Sub-Engineer  
Telecom Civil Circle  
Silchar

the enclosure is annexed hereto and is marked as Annexure:-

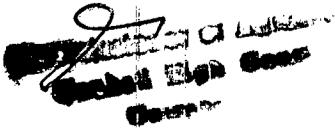
III.

7. That the petitioner had also filed representations from time to time praying for regularisation, but to no avail.

8. That the petitioner states that the Superintending Engineer (Civil), Telecom Civil Circle, wrote a letter dated 25.4.2000 in connection with the regularisation of the services of the petitioner and ~~some~~ others and details of each of such employees who were engaged for long periods of time was given. By the said letter the Superintending Engineer solicited the kind intervention <sup>of the Chief Engineer (C)</sup> in the matter for regularisation.

A copy of the said letter dated 25.4.2000 is annexed hereto and is marked as Annexure:-IV.

9. That the petitioner states that the petitioner came to learn that Smt Ranju Devi Kairi, who was similarly situated with the petitioner and whose case was also forwarded for regularisation, was terminated from service vide order dated 31.8.2000 w.e.f. 1.9.2000. No reason was assigned in the said order. The aforesaid Ms Kairi was ap-

  
Smt. Ranju Devi Kairi  
Date: 10/09/2000

pointed as a steno-cum-typist on 12.8.92. The petitioner also has reliably come to learn that termination of his service is also imminent and such order of termination will be passed by the competent authority immediately on arrival at the station from a tour on 14.9.2000 and as such the petitioner has approached this Hon'ble Court invoking the writ jurisdiction in view of the fact that the Central Administrative Tribunal, in absence of Vice-Chairman and Member, is not functioning in the judicial side.

A copy of the order dated 31.8.2000 is annexed hereto and is marked as Annexure:-V.

10. That the petitioner states that the petitioner having rendered continuous service for nearly 8 years, as recommended by the Superintending Engineer (Civil) by his letter dated 25.4.2000, his case is liable to be considered for regularisation.

11. That the respondents acted illegally acted arbitrarily in not considering the case of the petitioner of ~~A~~ regularisation in view of his long satisfactory service and as such the same is violative of Article 14 and 16 of the Constitution of India.

12. That the petitioner states that the post in which the petitioner is discharging his duties, is a sanctioned post and the fact that the petitioner has rendered service for almost 8 years would go to show that the service of the petitioner is needed on a permanent basis and the duties which the petitioner is discharging is regular in nature and as such the respondents are liable to be directed to consider the case of the petitioner, if necessary by framing a scheme, for the ends of justice.

13. That your petitioner submits that in the facts and circumstances of the case, termination of the service of the petitioner would be against the interest of justice and as such the respondents are liable to be directed not to terminate the services of the petitioner summarily.

14. That your petitioner submits that the respondents acted illegally and arbitrarily in not taking up the matter relating to the regularisation of the petitioner's services and as such the respondents are liable to be directed to consider the case of the petitioner for regularisation of service.

15. That unless during the pendency of the case the

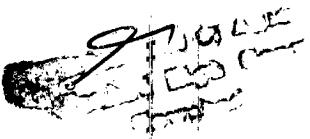
respondent are directed not to terminate services of the petitioner, the petitioner will suffer irreparable loss and injury.

16. That the petitioner demanded justice and the same was denied to him.

17. That there is no other alternative, equally efficacious remedy and the remedy prayed for is just, proper and adequate.

18. That this application is made bonafide and for the ends of justice.

In the premises aforesaid it is humbly prayed that Your Lordships may be pleased to call for the records, issue a Rule, calling upon the Respondents to show cause as to why a writ in the nature of Mandamus be not issued directing the respondents to regularise the services of the petitioner and on cause or causes shown and after hearing the



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-10-

parties, make the Rule absolute, and/or pass such further and/or other order/orders as Your Lordships may deem fit and proper;

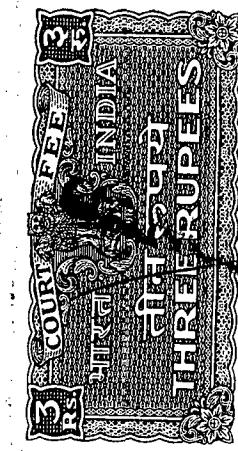
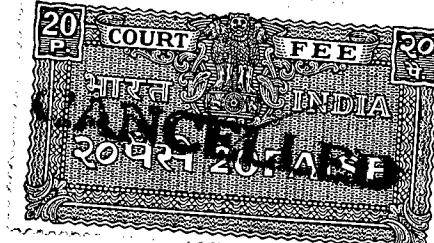
-And-

In the interim it is further prayed that Your Lordships may be pleased to direct the respondents not to terminate the services of the petitioner and/or pass such further and/or other order/orders as Your Lordships may deem fit and proper.

And for this the petitioner as in duty bound shall ever pray.

Affidavit...





-11-

AFFIDAVIT

I, Shri Soumitra Paul, son of Ganendra Ch. Paul, aged about 31 years, resident of C/O Alok Nath, Tarapur, Sib-bari, P.O. Silchar:-788 004, Cachar, Assam, do hereby solemnly affirm and say as follows:-

1. That I am the petitioner in the instant case and such am acquainted with the facts and circumstances of the case and hence competent to swear this affidavit.

2. That the statements made in this affidavit and in paragraphs 1-4, 7, 9-12, 15-18 of the accompanying petition are true my knowledge and those made in paragraphs 5, 6, 8 being matter of records of the case are true to my knowledge and information derived therefrom which I believe to be true and the rest are my humble submissions before this Hon'ble Court.

And I sign this affidavit on this the 13<sup>th</sup> day of Sept., 2000 at Guwahati.

Identified by me.

Madhab Berner  
Advocate's Clerk

13/9/2000

Soumitra Paul  
13/9/2000

DEPONENT

13/9/2000  
The declarant is identified by Sri.....  
M. B. Personal  
Known to me to be.....  
and explained to me the contents of the affidavit and I declare that it is true to the best of my knowledge and belief.  
13/9/2000

Commissioner of Admin.  
Guwahati High Court  
13/9/2000

ANNEXURE-I

DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE EXECUTIVE ENGINEER: TELECOM CIVIL DIVISION:  
SILCHAR: 788004.

NO. 16(3)/TCD/SC/186 / Dated at Silchar, the 25 / 1 / 1993

O F F I C E O R D E R

Approval of Executive Engineer, Telecom Civil Division, Silchar is hereby conveyed for engaging

Shri Saumitra Paul as typist cum W.C.Gr-II, purely on casual basis under Telecom Civil Division, Silchar.

for a period not more than 89 ( eighty nine) days or till regular incumbent is posted which ever is earlier at a daily rate of

(Rupees Fifty Seven and paise Ninety Five) only 57=95 per day on no work no pay basis w.e.f..... only

His service is on casual basis and will not confer any right for his regular engagement in this Department and will automatically cease after 89 days.

Executive Engineer,  
Telecom Civil Division,  
Silchar.

copy to:-  
1. Shri Saumitra Paul, C/O Alok Nath, Tarapur, Sib-bari, P.O.-Silchar-3, Dist-Cachar.

Executive Engineer,  
Telecom Civil Division,  
Silchar.

(Certified to be true copy)

g. rukhda  
(Addressee)

-13-

ANNEXURE:-II

CONFIDENTIAL/BY  
PEON POST

DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE SUPERINTENDING ENGINEER::TELECOM CIVIL CIRCLE  
SILCHAR-788 004

No. 12(4)95/SE/TCC/SC/Conf/58 DATED AT SILCHR, THE 15.9.98

To

The Executive Engineer(C)  
Telecom Civil Division:I/II  
Silchar-4.

Sub Regularisation of service regarding.

With reference to the subject mentioned above, you are requested to furnish the particulars in respect of :-

(1) Shri Sudip Kar	Presently working in O/O the Superintending Engineer(C) Telecom Civil Circle, Silchar, (Previously working in O/O the Executive Engineer, Telecom Civil Divn, Silchar.
(2) Mrs Jayashree Deb Roy	Presently working in O/O the Executive Engineer (C), Telecom Civil Divn.II, Silchar
(3) Sri Soumitra Paul	Presently working in O/O the Asstt. Engineer(C), Telecom, Civil Sub: Divn. Aizawl.
(4) Miss Ranju Devi Kairi	Presently working in O/O the Executive Engineer (C), Telecom Civil Divn.I, Silchar.

The following particulars in respect of them are to be submitted immediately for onward transmission of the same to the higher authority.

- (1) How recruited.
- (2) Basis of contract.
- (3) Condition of Contract.
- (4) Mode of payment.
- (5) Amount paid.

Matter is most urgent

Asstt. Surveyor of Works(ADMN)  
Telecom Civil Circle.  
Silchar-4.

*(Certified to be true copy)*

*Aij subd  
collected*

- 141 -  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE SUPERINTENDING ENGINEER-TELECOM CIVIL CIRCLE  
AMBICAPATTY, SILCHAR-788 004  
No.12(4)96/SE-TCC/SC/ 848

~~SECRET~~ **ANNEXURE III**

Dated at Silchar, the 17/9/98

28

To

The Executive Engineer(HHQ)  
Office of the Chief Engineer(C)  
N. E. Telecom Zone,  
Guwahati

Sub :- Regularisation of Services - TCS

Ref :- Your letter No. 1(40)94/CD/ 14-22/311/964 dated. 11-9-98

With reference to your letter No cited above on the above mentioned subject, the requisite information asked for therein has been enclosed herewith as per Annexure - I for taking further necessary action at your end please.

Enclo :- As above

Assistant Surveyor of Works(Admin)  
Telecom Civil Circle  
Silchar

Copy to :-

1. The Executive Engineer (C) Telecom Civil Division- I Silchar along with a copy of the above statement with reference to his letter No. 16(3) TCI-I/SC/1167 dated. 16-9-98
2. The Executive Engineer(C) Telecom Civil Division- II Silchar along with a copy of i.e above statement with reference to his letter No. 16(8)76/ TCI-II/SC/602 dated. 16-2-98

Assistant Surveyor of Works (Admin)  
Telecom Civil Circle  
Silchar

Approved  
Paras  
Sircar

Certified to be true copy

Ajit Guwahati  
Guwahati

- 25 - Part 1

Statement - Second  
Home source

Statement of contract labour under  
Telecom Civil Circle, Silchar

OF PERSONS	HOW REC- RUITED	BASIS OF CONTRACT	CONDITION OF CONTRACT	MODE OF PAYMENT	AMOUNT PAID	REMARKS
2	3	4	5	6	7	8
1 Sri Sudip Kar	Through the Employment Exchange	Purely temporary on Casual basis for not more than 89 days in each occasion upto 25-4-95. Thereafter on contract basis	No work no pay basis	Upto 25-4-95 daily rate basis and from 26-4-95 against bill submitted by contract labour on monthly basis	Rs. 1600/- per month	
2 Sri Soumitra Paul	—do—	Purely on temporary casual basis for a period not more than 89 days in each occasion upto 25-4-95. Thereafter on contract basis from 26-04-95	—do—	—do—	—do—	
3 Miss. Ranju D.M. Kairi	—do—	—do—	—do—	—do—	—do—	
4 Mrs. Jayasree Deb Roy	—do—	Purely temporary on casual basis for a period not more than 89 days in each occasion upto 24-4-95. From 26-4-95 on contract basis	—do—	—do—	—do—	

13/9/95  
Assistant Surveyor of Works (A)  
Telecom Civil Circle  
Silchar

Attn  
Kumar

DS

66

Dist.Cachar.

These two applicants have filed their applications.

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ANNEXURE IV

DEPARTMENT OF TELECOM SERVICES  
OFFICE OF THE SUPERINTENDING ENGINEER : TELECOM CIVIL CIRCLE  
SILCHAR - 788 004

No. 12(4)95/SI-TCC/SC/595

Dated at Silchar, the 25/4/2000

To:

Shri H.R. Das  
Chief Engineer(C)  
Telecom Assam  
Guwahati

Sub: Regularisation / Grant of Temporary status to Casual labourers under TCC, Silchar.

Kindly refer to your letter No.1(40)94/CE-NEZ/GH/1067 dated 9-7-99 and even No. 2175 dated 27-12-99 regarding grant of Temporary status to Casual labourers and subsequent even No.2654 dated 16-3-2K regarding regularisation of service of Sri Amarjit Singh, TSM, office Peon, addressed to C.G.M.T. Telecom N.E. Circle, Shillong and copy endorsed to this office.

The fate of the casual labourers with /without Temporary status still now working under this Circle who have come from the weaker section of the society is uncertain and in fact, is hanging in a thin thread. Inspite of furnishing several reports from this office and your correspondences with C.G.M.T. N.E. Circle, Shillong, no action seems to have been taken by the O/O the CGMT, N.E. Circle, Shillong for regularisation /grant of Temporary status of the casual labourers of Telecom Civil Wing, though similar category of casual labourers attached to different SSA and Task Force of Telecom Department are enjoying the benefits of R.M. /TSM/ Casual labour with protection of wage w.e.f. 1-1-96 in accordance with Vth pay commission. A copy each of such benefits extended by Area Director, Telecom Task Force, Silchar vide order No. DTF/SC/R-1/98-99 dated 28-9-98 and by GMT, Agartala vide order No. E-289/TS/99-2000/65 dated 9-3-2K is enclosed for your kind perusal.

The particulars of aforesaid ill fated casual labourers under this circle are further reproduced below:

S. No.	Name	Present status	Educational Qualification	Initial date of engagement	Whether SC/ST/ OBC	Remarks
1.	Sri Amarjit Singh	TSM(O/Peon)	Class-X	14-11-85 TSM w.e.f. 5-5-93	OBC	Eligible for R.M.
2.	Sri Jananajoy Roy	O/Chowkidar	Class-VI	20-7-87	SC	Completed more than 240 days & Eligible for TSM as unskilled labour.
3.	Bhola Sankar Debnath	Store ..	Class-X	1-7-88	OBC	- do -
4.	Ran Chand Goala	- do -	Class-VI	8-3-90	- do -	- do -
5.	Satish Mallickar	Motor Driver	Class-X	15-5-90 Aizawl	SC	- do - as Motor Driver
6.	S. Ran Goala	Store Chowkidar	Class-X	18-12-90	OBC	- do - as unskilled labour
7.	S. Jayashree	Typist	II S.I.C.	28-1-91	U/R	- do - as skilled labour

Certified to be correct

Atiul  
Sarkar

8. Sri Pradip Das Stone Chowkidar Class-VII 3-1-91

9. Sri Sujit Das	O/Peon, Silchar	Class-VIII	19-11-91	SC	Completed more than 240 days & eligible for TSM as unskilled labour.
10. Sri Sujit Roy	O/Peon, Aizawl	Class-VIII	9-12-91	SC	- do -
11. Miss Rajju Devi Karmi	Steno Cum Typist	H.S.L.C.	12-8-92	SC	- do -
12. Sri Sudip Kar	Typist	B.A.	8-2-93	OBC	- do - as skilled labour
13. Sri Souritra Paul	Typist, Aizawl	H.S.L.C.	- do -	SC	- do -
14. Sri Nanu Sarkar	Motor Driver, Agartala.	Class-VIII	18-11-93	U/R	- do -
				SC	- do - as Motor Driver.

In addition to above, following persons were engaged on contract basis w.e.f. the date mentioned against each

Sl.No	Name	Present status	Educational Qualification	Initial date of engagement	Whether SC/ST/ OBC	Remarks
1	Sri Baramali Debnath	O/Peon	Class-X	6-3-96	OBC	
2.	Sri Rajesh Rabi Das	O/Chowkidar	-do-	15-12-96	SC	Eligible for wages as casual labour(unskilled) - do -

A copy of DGT order No. 269-13/99-STN-II dated 1-9-99 on the above subject is enclosed for your kind perusal, wherein approval has been conveyed regarding grant of temporary status to the casual labourers eligible as on 1-8-98 w.e.f. 1-9-99 and regularisation of casual labourers with temporary status eligible as on 31-3-97 w.e.f. 1-4-97. Thus TSM at Sl No.1 is eligible for E.M in the scale of Rs.2550-3200 w.e.f. 1-4-97. The other casual labourers of Sl No.2, 3, 4, 6, 8, 9 & 10 are eligible for TSM w.e.f. 1-9-99 in the minimum of the scale of Rs.2550-3200 i.e. at Rs.2550/- + D.A, HRA and CCA as admissible.

Also, the casual labourers at S. No. 5 & 14 are eligible for TSM w.e.f 1-9-99 at the minimum of the scale 3050-4590 i.e. at Rs.3050/- + D.A, HRA & CCA as Motor Driver.

The remaining casual labourers at Sl.No 7, 11, 12 & 13 are eligible for TSM w.e.f. 1-9-99 at minimum of the scale of Rs.3050-4590 i.e. at Rs.3050/- + D.A, HRA & CCA as skilled labour.

The other labourers S/Shri Baramali Debnath & Rajesh Rabi Das may be considered eligible for Daily wage of casual labour (unskilled) @ Rs.2550/- + D.A 38% i.e. Rs.117.30 w.e.f. either the date of engagement or the date of approval as deemed fit

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As it may take sometime to consider the casual labourers to be conferred with temporary status, it is requested to provide them the interim relief with the daily wage calculated at the minimum of the scale of Rs.3050/- + 38% D.A per month for Sl.No. 5, 7, 11, 12, 13 & 14 as for Casual Motor Driver/ skilled casual labour as applicable w.e.f. the date of your kind approval.

Similarly, the daily wage calculated at the minimum of the scale of Rs.2550/- + 38% D.A per month for unskilled labourers at Sl.No.2, 3, 4, 6, 8, 9 & 10 may be granted with w.e.f. the date of your approval.

In connection with admissibility of minimum of the scale + D.A for casual labourers, a copy each of DOT order No. 10-13/87-Rates dated 23-2-1988 enclosed along with DOT order No. 269-11/98/STN-II dated 15-9-98 for casual labourers without temporary status and DOT order No. 10-13/87-R dated 26-7-89 regarding casual labourers engaged as casual Motor Drivers is enclosed for your kind perusal.

Several representations of the casual labourers were forwarded to you earlier. Many of them have further represented for consideration of at least daily wage as applicable for casual labourer. The representations of the following casual labourers are enclosed herewith for your kind consideration.

<u>Sl.No.</u>	<u>Name</u>	<u>Present status</u>
1.	Sri Janmajoy Roy	O/Chowkidar
2.	Rupchand Goala	Store Chowkidar
3.	Sri Bhola Sankar Debnath	- do -
4.	Subash Goala	- do -
5.	Jayshree DebRoy	Typist
6.	Pradip Das	Store Chowkidar
7.	Sujit Das	O/peon
8.	Sujit Roy	O/Peon
9.	Miss Ranju Devi Kauri	Steno Cum Typist
10.	Sri Sudip Kar	Typist
11.	Sri Soumitra Paul	Typist, Aizawl
12.	Sri Satadal Malakar	Driver, Aizawl
13.	Sri Nantu Sarkar	Driver, Agartala.
14.	Sri Banamali Debnath	O/Peon
15.	Sri Rojesh Rabidas	N/Chowkidar.

It will not be out of place to mention that DOT(now DTS) has approved for Assam Telecom Circle regularisation of 13 (thirteen) TSM and conferring TSM to 672 casual labourers vide order No. 269-4/93/STN-II(P1) dated 9-2-20(X) (copy enclosed). Similar approval might have been conveyed for N.I. Telecom Circle. In view of natural law of justice, the TSM/Casual labourers listed above should get similar monetary benefits and upliftment in their career, since they have been performing their duties continuously and satisfactorily from the date of their initial engagement. The matter was also discussed with your good self during your recent visit at Silchar.

Under the circumstances stated above, I solicit your kind intervention in the matter for regularisation/ TSM and your approval for interim relief as discussed above.

An early action is requested.

Enclo. As above

Superintending Engineer(C)  
Telecom Civil Circle  
Silchar

1. The Chief General Manager Telecom, N.E. Circle, Shillong along with above enclosures for kind information & necessary action  
Enclo: As above
2. The Chief Engineer(C), Telecom, N.E. Zone, Shillong along with above enclosures for kind information  
Enclo: As above
3. Spare.

Superintending Engineer(C)  
Telecom, Civil Circle  
Shillong

WY

GOVT. OF INDIA  
DEPARTMENT OF TELECOM OPERATIONS  
(CIVIL WING)  
OFFICE OF THE SUPERINTENDING ENGINEER(C) TELECOM  
CIVIL CIRCLE AMBICAPATTY SILCHAR

No.12(4)95/SE-TCC/SC/1150

Dated at Silchar, the 31-8-2k

To

Miss. Ranju Devi Kairi

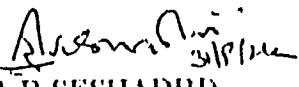
Sub :- Termination of services

Dear madam,

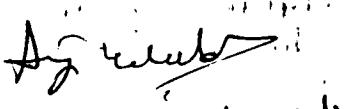
As directed by the Superintending Engineer(C) Telecom Civil Circle Silchar and in pursuance of the order of the Chief Engineer(C) DTO Shillong (camp at Guwahati) it is regretted to inform you that your services are no longer required from 01-9-2000 onwards.

Thanking you,

Yours faithfully

  
(A.R.SESHADRI)  
Asstt.Surveyor of works(Admin)  
Telecom Civil Circle  
Silchar

Certified to be true copy

  
A.R. Seshadri  
Administrator