

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 of India & ors... APPLICANTS
versus.

Union of India & ors Respondents.

FOR THE APPLICANT(S)
ADVOCATE

Mr. A. K. Gopwami
Ms. A. Talukdar

FOR THE RESPONDENT(S)

C. G. S. C.

Notes of the Registry

DATE

COURT'S ORDER

This N.P. No. 5081/2000
has been revised
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.

Laid before
Hon'ble court for further
order.

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.


Vice-Chairman

lm

mk
31/11/2000

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 ~~admission~~ order.


Vice-Chairman

pg

mk

27/11/00

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,


Vice-Chairman

mk

7/11-2000

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

10.1.2001

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

Vice-Chairman

nkm

8-2-2001 no S.M. Adjourned to 14.3.2001.

5-12-2000

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

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.

Member

No. 4/12 has been
filed.

2/11/01
9.1.2001

Steps are filed.

lm

11.4.01
11.4.01

16.3-2001

Service of notice
issued to the
respondents vide
D/No. 1013-16 dt. 19.3.01.

Boo

It has been stated by Mr.B.C.

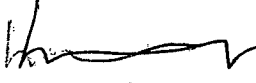
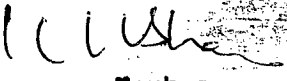

Pathak, Addl.C.G.S.C. that as per
instructions the written statement
was filed by the High Court itself
in the form of the Affidavit. But
Ms.A.Talukdar learned counsel for the
applicant has submitted that she has
not received any affidavit or written
statement. The respondents may shall
take necessary 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.
It is open for the applicant to file
rejoinder if advised. List on
9.5.01 for hearing.

Vice-Chairman

lm

3

7

Notes of the Registry	Date	Order of the Tribunal
<p>19.7.2001</p> <p>Copy of the Judgment has been sent to the Office for issuing the writ to the applicant as well as to the A.D., C.G.C. for its Records.</p>	9.5.2001	<p>Mr. 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.</p> <p>List on 8.6.2001 for hearing.</p> <p> Vice-Chairman</p>
bb	8.6.01	<p>The case is adjourned to 22-6-2001 for hearing.</p> <p> Member</p>
mb	22.6.2001	<p>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.</p> <p> Vice-Chairman</p>
nkm		

(High Court of Assam Nagaland, Maghalaya, Manipur, Tripura;
Mizoram & Arunachal Pradesh)

Appeal from.
Civil Rule.

W. P. (C)

No. 5081 of 2000

Appellant.
Petitioner.

Ste Soumitra Paul

- Versus -

Union of India Loss

Respondent.

Opp. Party.

Appellant
For Petitioner.

Mr. A.K. Goswami }
Ms. A. Babukder } Advocates

For Respondent
Opposite party

CGSC

66

[illegible]

13.9.2000

BEFORE
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) 2 Rule
- (2) Records are called for
- (3) Communicate to Mr.
- (4) Transfer this matter
Central Administrative Tribunal
Guwahati.

15-9-2

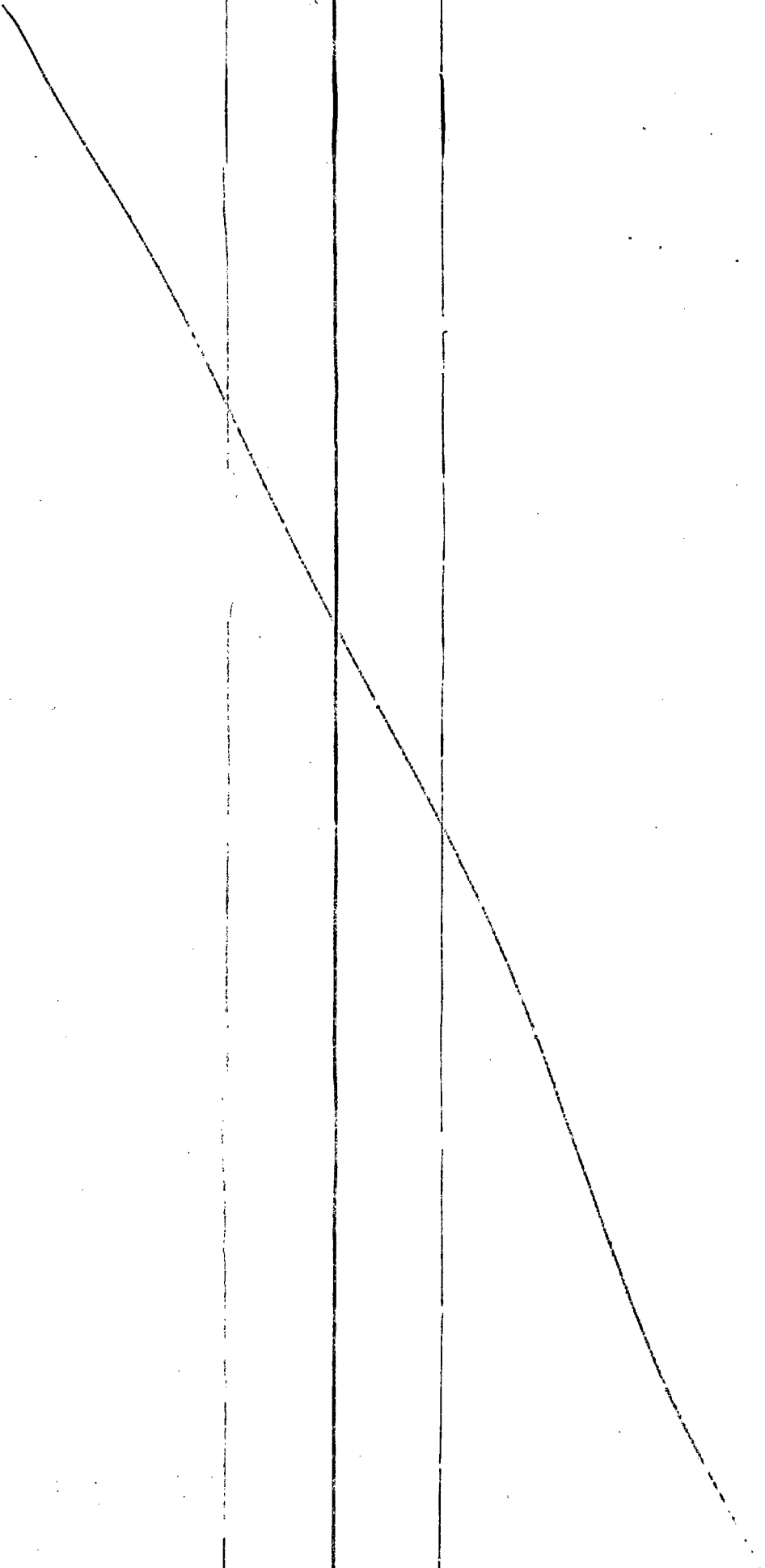
16/9

X

20 3-

A.P.-C 508/200

Noting by Officer or Advocate	Serial No.	Date	Office notes, reports, orders or proceeding with signature
<p><u>26-9-200</u></p> <p>A me acceptance has been filed on behalf of the respondent Nos. 1 to 4.</p> <p>And</p> <p>A order dt. 13-9-200 communicate and record call for vide Memo No. 17,993-96/RM dt. 26-9-200</p> <p>(Bn) 26/9/200</p>			

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

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)
2. Shri Sudip Kar. (O.A.No.362/2000)
3. Smt Ranju Devi Kairi (O.A.No.363/2000)

APPLICANT(S)

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



10

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.

.....

L

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.

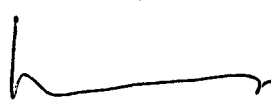
2. The key issue involved in these applications relates to regularisation of service of the applicants who are/were working under the Executive Engineer, Telecommunications, Civil Division.

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. 361/2000(T)

DISTRICT : Cachar

DB/SE(A)/B

FILING SL NO.

NAME OF PARTY :

W.P.(C) CASE NO. 508/2000

CATEGORI CODE : 10189

DATE OF FILING : 13/9/2000

Sri Sumitra Paul

Union of India son
Signature of D. A.

1. Court Fee Due

Court Fee Paid

Deficit if any

Rs. 58.80

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 / DEFECTIVESIGNATURE OF THE SUPDT.
FILING SECTIONSIGNATURE 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 U/A 226

DATE / MONTH / YEAR

1. (f) Date of Registration : 13 09 2000
2. (a) Case Category Code : 10189 ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
2. (b) Subject Category Code : 3B
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 ☒

Debiwar Das
 13/9/2000

★ Kindly use appropriate codes

Signature with date :

2 ✓ 14
DISTRICT : ^{Cachar ✓} ~~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 Rules (Casual employee in Telecom Deptt -*
CATEGORY CODE : *CR 10189* *matter relating to CAT. - Not allotted*
to Bench B)

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>
1.	Writ Petition	1 to 10
2.	Affidavit	10
3.	Annexure - I	12
4.	Annexure - II	13
5.	Annexure - III	14 - 15
6.	Annexure - IV	16 - 19
7.	Annexure - V	20
Total pages		20

Filed by

Anjan Talukder
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 :-

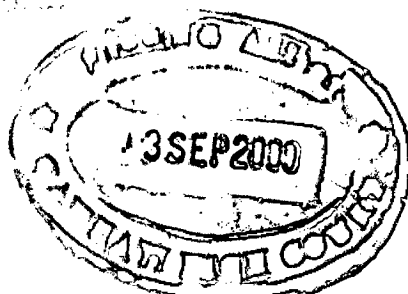
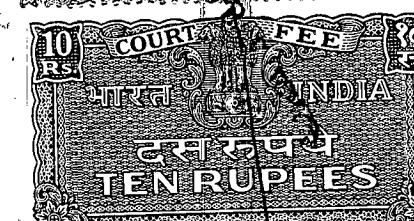
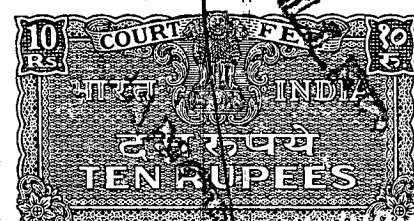
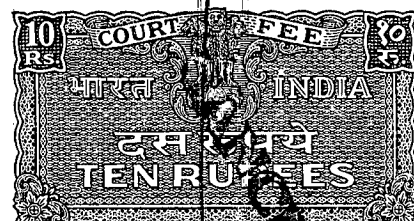
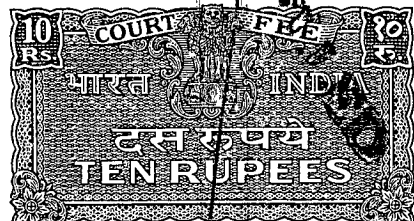
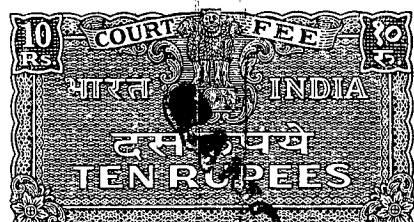
An application under Article
226 of the Constitution of
India praying for a writ in the
nature of Mandamus and/or
certiorari and/or any other
appropriate writ, order or
direction.

AND

IN THE MATTER OF :-

Enforcement of the petitioner's

Filed by:
Sourindra Paul
Thakur
Advocate
(Advocate) 13/9/2000



13 SEP 2000
CACHAR

-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.

[Handwritten signature and stamp]
20/11/2019
11:00 AM
11/11/2019

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

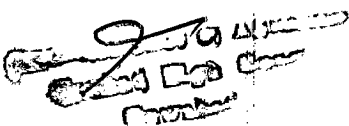
2. Chief Engineer (Civil),
Department of Telecom Opera-
tions, North East Zone,
Guwahati.

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:

A handwritten signature in dark ink is written over a rectangular stamp. The stamp contains some text, but it is mostly illegible due to the handwriting and the quality of the scan. The signature appears to be in a cursive style.

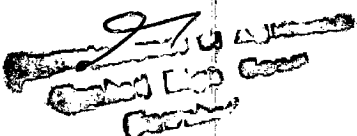
MOST RESPECTFULLY SHEWETH:

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.

A handwritten signature in dark ink is written over a rectangular official stamp. The stamp contains some text, but it is mostly illegible due to the signature and the quality of the scan. The signature appears to be written in a cursive style.

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

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 ^{of the Chief Engineer (C)} in the matter for regularisation.

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

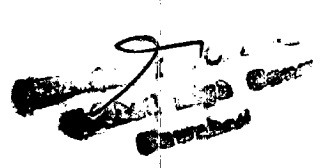
9. That the petitioner states that the petitioner came to learn that Smt Ranju Devi Kairi, who was similarly situated with the petitioner and whose case was also forwarded for regularisation, was terminated from service vide order dated 31.8.2000 w.e.f. 1.9.2000. No reason was assigned in the said order.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

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 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

9 JUL 1964
JUL 1964
JUL 1964

24

-10-

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

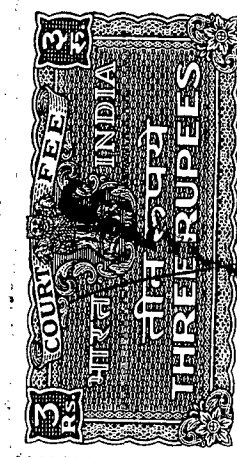
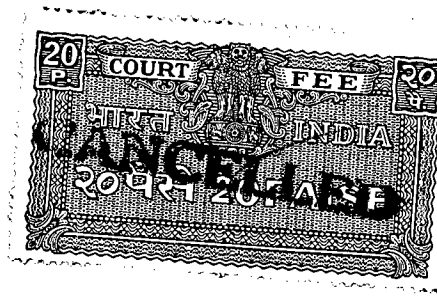
-And-

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...

9 of 10
High Court
Petitioner



-11-

A F F I D A V I T

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 13th day of Sept., 2000 at Guwahati.

Identified by me.

Madhab Barman

Advocate's Clerk

Soumitra Paul
13/9/2K

DEPONENT

13th day of Sept/2000
The deponent is identified by Sri M. Barman, Personal
Known to me and explained to me and explained to me and explained to me
and explained to me and explained to me and explained to me

13/9/2000
Commissioner of A.M.
Cachar High Court

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

OFFICE ORDER

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
per day on no work no pay basis w.e.f.....

57-95
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.

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.

Executive Engineer,
Telecom Civil Division,
Silchar.

Certified to be true copy

Signature
(Signature)

-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

*Arif Zuhair
Advocate*

— 141 —
DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE SUPERINTENDING ENGINEER, TELECOM CIVIL CIRCLE
AMBICAPATTY, SILCHAR-788 004

ANNEXURE — III

Dated at Silchar, the 17/9/98

No. 12(4)96/SE-TCC/SCI 848

To

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

Sub : Regularisation of Services - 100

Ref : Your letter No. 1(40)94/CE. H/O/SC/11/964 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.

Encls : As above

Assistant Surveyor of Works (Admin)
Telecom Civil Circle
Silchar
9/10/98

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) TCD-I/SC/1167 dated. 16-9-98
2. The Executive Engineer (C) Telecom Civil Division- II Silchar along with a copy of the above statement with reference to his letter No. 16(8) TCD-II/SC/662 dated. 16-9-98

Assistant Surveyor of Works (Admin)
Telecom Civil Circle
Silchar
9/10/98

Attested
Tanus
Advocate

Certified to be true copy

As per
signature

- 25 -

~~Annexure - 5 contd~~
~~Annexure~~

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 <i>Casual</i> 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 B.O submitted by contract labour on monthly basis	Rs. 1600= .00 per month	
2 Sri Soumitra Paul	-do-	Purely on temporary casual basis for a period not more than 89 days in each occa- sion upto 25-4-95. There- after on contract basis from 26.04.95	- do -	-do-	-do-	
3 Miss. Ranju Devi Kairi	-do -	-do -	-do-	-do-	-do-	
4 Mrs. Jayashree Deb Roy	-do -	Purely temporary on casual basis for a period not more than 89 days in each occa- sion upto 24-4-95. From 26-4-95 on contract basis	-do -	-do-	-do-	

17/9/95
Assistant Surveyor of Works (A)
Telecom Civil Circle
Silchar

1995

Dist. Cachar.

These two applicants have filed and applied

ANNECTURE IV

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

No. 12(4)95/SE-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. In spite 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/TSM/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 Deb Nath	Store	Class-X	1-7-88	OBC	- do -
4	Rup Chand Goala	- do -	Class-VI	8-3-90	- do -	- do -
5	Sudhakar Mukhar	Motor Driver	Class-X	15-5-90	SC	- do - as Motor Driver
6	Sushil Goala	Store Chowkidar	Class-X	18-12-90	OBC	- do - as unskilled labour
7	Sudhakar	Typist	H.S.L.C.	28-1-91	U/R	- do - as skilled labour

Copy to be drawn
by rule
advocate

- 17 -

8. Sri Pradip Das Store Chowkidar Class-VII 3-4-91

SC Completed more than 240 days & eligible for TSM as unskilled labour.

9. Sri Sujit Das O/Peon, Silchar Class-VIII 19-11-91
 10. Sri Sujit Roy O/Peon, Aizawl Class-VIII 9-12-91
 11. Miss Rajju Steno Cum H.S.L.C. 12-8-92
 Devi Kari Typist B.A. 8-2-93
 12. Sri Sudip Kar Typist H.S.L.C. - do -
 13. Sri Souritra Paul Typist, Aizawl Class-VIII 18-11-93
 14. Sri Nana, Sarkar Motor Driver, Agartala.

SC - do -
 SC - do -
 OBC - do - as skilled labour
 SC - do -
 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	Eligible for wages as casual labour (unskilled) - do -
2	Sri Rajesh Rabi Das	O/Chowkidar	-do-	15-12-96	SC	

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 SI No. 1 is eligible for EM in the scale of Rs. 2550-3200 w.e.f. 1-4-97. The other casual labourers at SI 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 SI 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 Banamali 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 SI 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 SI 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.

Sl.No.	Name	Present status
1.	Sri Janmajoy Roy	O/Chowkidar
2.	Rupchand Goala	Store Chowkidar
3.	Sri Bhola Sankar Debnath	- do -
4.	Subash Goala	- do -
5.	Jayshree DebiRoy	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 Rajesh 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(Pt) dated 9-2-2000 (copy enclosed). Similar approval might have been conveyed for N.E 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.

Encls: 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
Encls: As above
2. The Chief Engineer (C), Telecom, N.E. Zone, Shillong along with above enclosures for kind information
Encls: As above
3. Spare.

A/C
Superintending Engineer (C)
Telecom Civil Circle
Shillong

(114)

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ANNEXURE - IV

9/1

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
(A.R. SESHADRI)

Asstt. Surveyor of works (Admn)
Telecom Civil Circle
Silchar

Catagorized as per copy

By [Signature]

Advocate