

~~100~~
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No.....4118/2000

R.A/C.P No.....

E.P/M.A No.....

1. Orders Sheet..... OA Pg.....1.....to.....3.....
2. Judgment/Order dtd 27.7.2001 Pg.....X.....to.....<sup>11.8.2001 date and
withdrawn</sup>
3. Judgment & Order dtd..... Received from H.C/Supreme Court
4. O.A..... 4118/2000 Pg.....67.....to.....~~118~~.....28.....
5. E.P/M.P..... Pg.....to.....
6. R.A/C.P..... Pg.....to.....
7. W.S..... Pg.....to.....
8. Rejoinder..... Pg.....to.....
9. Reply..... Pg.....to.....
10. Any other Papers..... Pg.....to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (JUDI.)

Bahler
22/12/07

CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH: GUWAHATI.5

ORIGINAL APPLICATION NO. 418/2000

Smt. Dukhal, Prasad & Ors. Applicant.

VERSUS

Union of India & Ors Respondents.

For the Applicant(s) *Mr. H. Das, So. Adr.**Mr. J. Talukdar,**" M. Bhagawati.*For the Respondents. *... R. K. Adr.*

NOTES OF THE REGISTRY

This application is in form
but not in time. Condonation
Petition filed vide
M/258/D/NGC/2 dated 18.10.2000
for Rs 500 filed vide
IPO/20 No 771052
Dated 29.11.00
AM
Dy. Registrar.

DATE:

ORDER

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

Admit. Call for the records. Returnable
by six weeks. List on 15.1.2001 for
further orders.

Issue notice to show cause as to
why the Notice Nos. M/258/D/NGC/2,
M/258/D/NGC/2, dated 18.10.2000, shall
not be suspended until further
orders.

Meanwhile the aforesaid
orders shall remain suspended.

Vice-Chairman

Notice prepared and sent to
Smt. S. S. for serving the respondent
No 1 to 3 by Registered Mail D IN
3033 to 30 dated 17/12/2000

trd 15-1 No. 5.3. Adjourned to 17.1.2001.

96

A.D.

15/1.

17.1.01 Present : Hon'ble Mr. K.K. Sharma,
Member (A).

Four weeks time is allowed for
filing of written statement to the
respondents. List for further order on
14.2.2001.

K. K. Sharma

Member

① Notice served by us
on R. No. 2, other
respondents are still
awaiting.

② No. Reply has been
filed.

By
16/1/2001

trd

Notice duly served on
R No 283. 18/01/01.

0.A.No.418/2000

No written statement
has been filed.

By
13.2.01

14.2.01

Heard learned counsel for the
applicant and also Mr. S. Sengupta
learned Railway Standing counsel for
the respondents. Mr. Sengupta prays for
4 weeks time to file written statement.
Prayer is allowed. List on 21.3.01 for
orders.

Vice-Chairman

lm

No written statement
has been filed.

By
20.3.01

21.3.01

List on 25.4.01 to enable the res-
pondents to file written statement.

Vice-Chairman

No W/S has been
filed.

NS
24/4/01

pg

25.4.2001

Three weeks time allowed to the respondents
to file written statement. List for orders on
18.5.01.

Vice-Chairman

nk m

18.5.01

Mr S. Sarma, learned counsel appearing
on behalf of the respondents prays for
3 weeks time to file written statement.
Prayer allowed.

List on 22.6.01 for further order.

Member

No written statement
has been filed.

By
21.6.01

pg

22.6.01

No written statement so far filed.
List on 25.7.01 for filing of written
statement and further orders.

Vice-Chairman

lm

25.07.01

List again on 29-08-2001 to enable the
respondents to file written statement.

Vice-Chairman

Notes of the Registry	Date	Order of the Tribunal
-----------------------	------	-----------------------

27.7.01		
---------	--	--

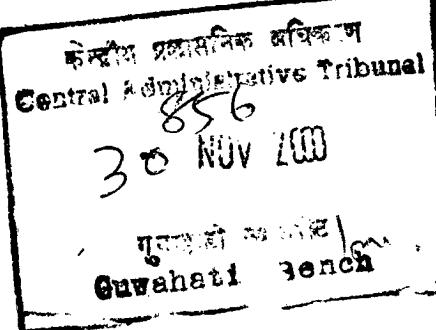
		<p>Mr. M. Bhagawati learned counsel for the applicant, makes request to withdraw the application. Request is accepted. Application is dismissed as withdrawn.</p>
--	--	---

JKS

Member

Copy of the order
of 27.7.01 sent to
D. Section 208 issuing
of the same to the
learned Advocate for
the parties.

31.7.01



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI

O.A. No. 418 of 2000

Sri Durbal Prasad & ors.

.....Applicante.

-Vs-

Union of India & ors.

...Respondents.

I N D E X

<u>Sl. No.</u>	<u>Particulars</u>	<u>Annexures</u>	<u>Page Nos.</u>
1.	Application		1 - 11
2.	Verification		12
3.	Order dated 18/10/2000	A, B, C & D	13 - 16
4.	Statements of imputa- tion	E, F, G & H	17 - 20
5.	Memo of charger	I, J, K & L	21 - 24
6.	Copies of Represen- tations	M, N, & O	25 - 28

Filed by

Jayanta Jalukdar

Advocate.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI

Durbal Prasad
Filed by the applicants
through
Jyanta Salukhela
Advocate

O.A. No.

418

of 2000

केन्द्रीय प्राधिकारी अधिकार
Central Administrative Tribunal

30 NOV 2000

गुवाहाटी आवादी
Guwahati Bench

1. Particulars of Applicante :

i. Shri Durbal Prasad (46 years)

son of Late Prayag Prasad,

VE-II/NGC,

Amingaon East Colony,

P.O. Amingaon,

District Kamrup (Assam).

ii. Shri Gabrial Ekka (52 years)

son of late Josapl Ekka,

D/Mach/Gr.-I/NGC,

Railway Colony,

Bamunimaidan,

Guwahati-781 021.

District Kamrup (Assam)

iii. Md. Wahed Ali (56 years),

son of late Alep Haji,

D/Elect/Gr-I/NGC

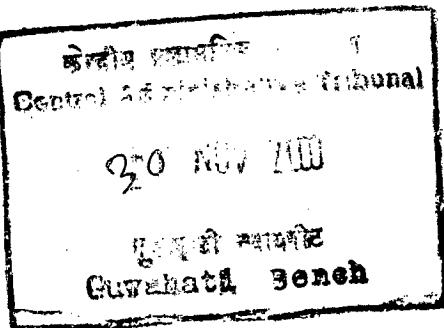
Railway Colony,

Bamunimaidan,

Guwahati-781 021,

District Kamrup (Assam).

02.



iv. Sri Keshab Chandra Das (35 years)
son of late
D/H Helper
Amingaon, Railway Colony,
P.O. Amingaon,
District Kamrup (Assam)

....Applicants.

-Versus-

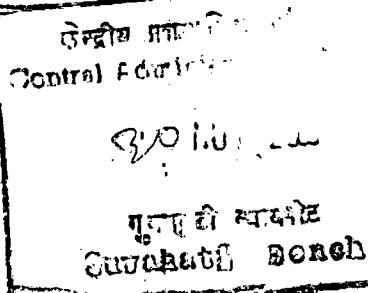
1. Union of India,
Represented by Chairman, Railway,
Board, Railway Bhavan,
New Delhi.
2. The General Manager,
N.F.Railway,
Maligaon,
Guwahati-781 011.
3. Senior DME (DieselNGC),
Bamunimaidan,
Guwahati-781 021

.....Respondents.

1. PARTICULARS FOR WHICH THIS APPLICATION IS MADE :
Order of cancellation of allotment of quarters
issued on 18/10/2000 being order No. M/258/D/
NGC/2 in respect of Sri Durbal Prasad, order

03.

No. M/258/D/NGC/2 dated 18/10/2000 in respect of Sri Gabriel Ekka, order No. M/258/D/NGC/2 dated 18/10/2000 in respect of Md. Wahed Ali and order No. M/258/D/NGC/2 dated 18/10/2000 in respect of Sri Keshab Chandra Das (hereinafter called the impugned orders).



JURISDICTION OF THE TRIBUNAL :

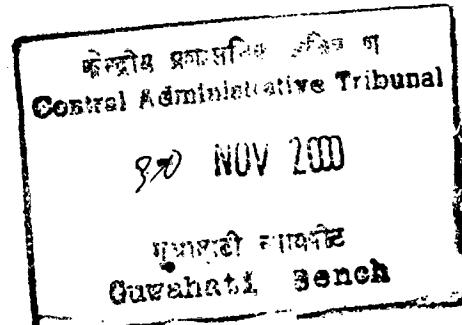
This application is within the jurisdiction of this Hon'ble Tribunal.

3. LIMITATION :

This application is within the period of limitation.

4. FACTS OF THE CASE :

- i. That all the applicants are employees of the Indian Railways and they are working under the NE Railway, Maligaon, Guwahati-781 011. *They have a common cause of action as per C.A.T procedure rule 1987 4(S) (a).*
- ii. That the applicants were allotted quarters by the Railways and they have been occupying the Quarters, particulars of which are given below :-
 - (a) Sri Darbal Prasad,
Quarter No. E/G1 Type 3 at AMJ
Amingaon East Colony, P.O. Amingaon,
He has been occupying the quarter since
17/12/97.



04

(b) Shri Gabriel Ekka,

Quarter No. 228/J Type II/NCC,

Railway Colony,

Bamunimaidan,

Guwahati-781 021,

Occupying since 18/9/95.

(c) Md. Wahed Ali,

Quarter No. 420/D Type II at NGC

Railway Colony,

Bamunimaidan,

Guwahati-781 021.

Occupying since 3/4/92.

(d) Shri Keshab Chandra Das,

Quarter No. T/6/B Type I at 26 No. AMJ

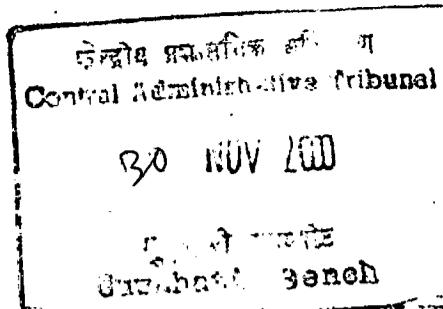
Amingaon Railway Colony,

P.O. Amingaon

Occupying since 30/4/2000.

Copies of the order dated 18/10/2000 cancelling allotted quarters of the applicants are enclosed and marked as Annexure-A, B, C and D respectively.

iii. That all the applicants are in occupation of their respective quarters, mentioned above. They have been living in the said quarters alongwith the their family members since their respective dates of occupation of the quarters.



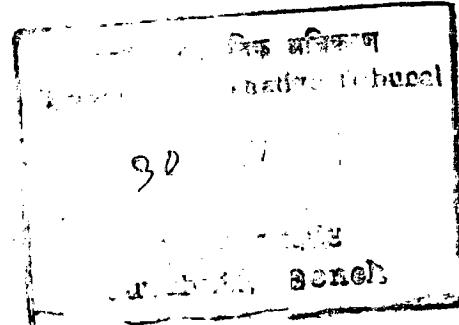
05.

iv. That the applicants were shocked and surprised to receive memos from the Senior DME(Diesel)/NGC, in which it was stated that the applicants had subletted their quarters mentioned above. As such, the allotment of quarter of the petitioners were cancelled and they were directed to vacated the quarters. The above notices issued to the applicants came as bolts from the plse to the applicants. They deny having subletted the quarters to anybody. The allegations is false and is not substantiated by any evidence.

Copies of the statement of impugnation of Misconduct of the applicants are enclosed and marked as Annexure E, F and H respectively.

v. That subsequently, the applicants received memorandum of charges for imposing minor penalties from the Respondents. The applicants also replied to the charges.

Copies of the Memo of chages of the applicants dated 23/10/2000 and 24/10/2000 and copies of the representation to the Memorandum of charges by the applicants are enclosed and marked as Annexure I, J, K, L, M, N and Q respectively.



06.

vi. That it is specifically mentioned here that prior to the order of cancellation of the quarters, the Respondents did not give the applicants any chance to prove their innocence. The order of cancellation was preemptively issued against the applicants ~~and preemptively~~ and in an one-sided manner. The natural Justice demands that before taking any preemptive steps, the Respondents should have given a chance to the applicants to establish their innocence. However, nothing was done in this case, In order words, before issuing of the cancellation orders, no show cause notice, not even barest notice, was issued to the applicants. The chargesheet, that was given subsequently to the applicants, is like putting the cart before the horse. There can hardly be found a greater violation of principles of natural justice and fair play than the instant case.

vii. That the cancellation order or quarters will cause great hardship and difficulty to the petitioners. They are presently having families with their wives and children. They are lowly placed employees and they can hardly afford to live in the rented houses. As such, great hardship and difficulty would be caused to the applicants , if the cancellation orders stands.

13
123
123
P

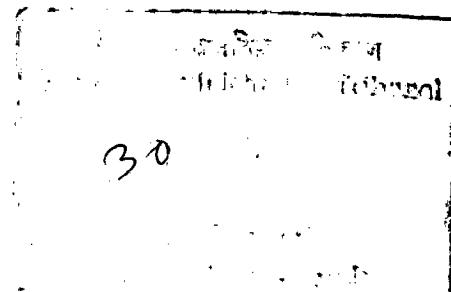
07.

viii That the applicants have been told by the Bill Clerk that apart from the cancellation of the allotment of quarters, they will be penalised in the form of money. Penalty would be imposed upon them and such penalty would be deducted from the salary with effect from the current month (November, 2000). Perhaps, deduction of salary is also sought to be done without any prior notice to the applicants.

ix. That the entire steps of the Respondents make of ~~injustite~~, illegality and vindictiveness. It is, therefore, a fit case where your Lordships may kindly be pleased to intervene and interfere to protect the applicants' interests of the ~~applicants~~. More particularly, it has become incumbent that the Respondents are told not to give effect to the order of cancellation of the quarter and not to deduct any amount from the salary of the applicants.

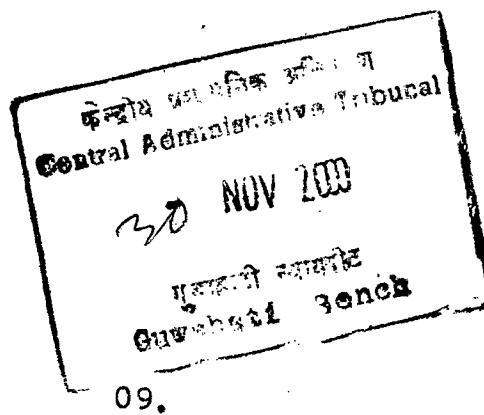
5. GROUND WITH LEGAL PROVISIONS :

Being highly aggrieved by the impugned orders mentioned above, issued by the



Senior DME (Diesel) / NGC, North East Frontier Railway, the applicants beg to prefer this application on the following amongst others, grounds :-

- I. For that before issuing the impugned orders, the Respondents did not care to issue any show cause notice to the applicants. As such, there has been gross violation of the principle of natural Justice and fair play.
- II. For that the applicants were all along in occupation of their respective quarters. They had never sublet their quarters to any one. Had the applicants been given a fair hearing, the whole, truth would have come out. However, as the Respondents preferred to take a one-sided view, the whole truth did not come to light.
- III. For that the applicants are poor employees of the Railways. If they are now made to vacate their quarters, they will have to live on the streets, as they have no resources to hire for themselves any new accommodation.
- IV. For that the action of the Respondents has been unjust, unreasonable, illegal, and, therefore, cannot be sustained in law.



09.

V. That in any view of the matter, the impugned orders are bad in law as well as in facts, and, therefore, the same are liable to be set-aside and quashed.

6. DETAILS OF THE REMEDIES EXHAUSTED :

No appeal lies against the orders of transfer. However, the aggrieved persons preferred representation before the Eastern command.

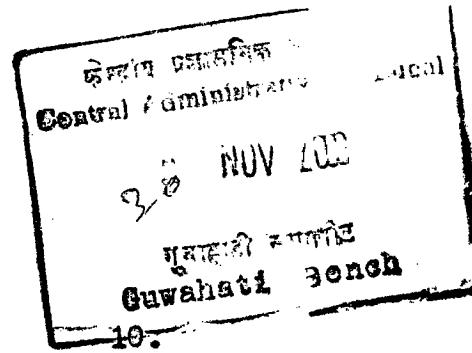
7. MATTER NOT PENDING BEFORE ANY COURT/TRIBUNAL :

The applicants declare that they have not filed any application before any court or Tribunal for adjudication of this case.

8. RELIEF SOUGHT:

The applicants therefore pray :-

- cancelation of all went
Gurterim Order allowed*
- i. This Hon'ble Tribunal may be pleased to direct the Respondents not to give effect to the impugned orders and to cancell the said orders.
 - ii. This Hon'ble Tribunal may kindly set-aside and quash the empugned orders.
 - iii. This Hon'ble Tribunal may kindly direct the Respondents not to deduct any amount from the salary of the applicants by way of arrear rent or future rent or penalty.



16

3

2

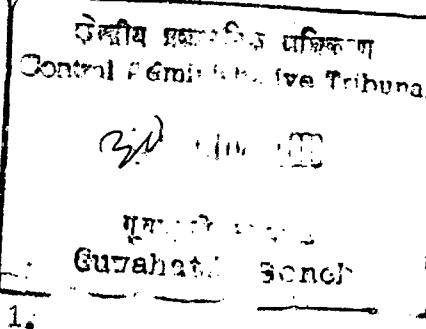
iv. This Hon'ble Tribunal may kindly pass any further and or other orders as may be deemed and fit and proper.

9. INTERIM RELIEF PRAYED FOR :

During pendency of the case the operation of the impugned order with respect to persons Shri Durbal Prasad, Shri Gabriel Ekka, Md. Wahed Ali and Sri Keshab Ch. Das ~~and~~ the order of cancellation of allotment of quarter issued on 18/10/2000 being order No. M/258/D/NGC/2 in respect of Sri Durbal Prasad, order No. M/258/D/NGC/2 dated 18/10/2000 of Sri Gabrial Ekka, order No. M/258/D/NGC/2 dated 18/10/2000 of Md Wahed Ali and order No. M/258/D/NGC/2 dated 18/10/2000 of Sri Keshab Ch. Das be stayed and direct the Respondents not to deduct any amount from the salary of the applicants and to impose penalty upon them.

10. PARTICULARS OF I.P.O. :

I.P.O. No.	: 6 G 771050
Date	: 29/11/2000
TO WHOM PAYABLE	: The Registrar, Central Administrative Tribunal, Guwahati Bench
AT WHAT OFFICE	: G P O, Guwahati



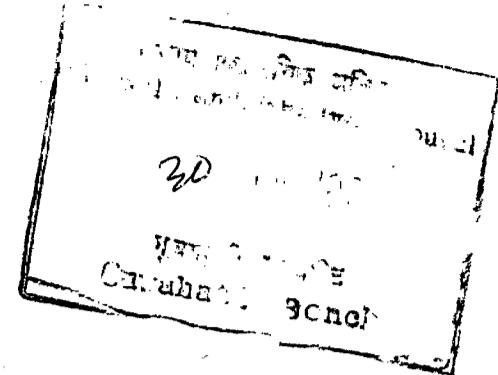
11. DOCUMENTS :

Details particulars of document are indicated in the Index of this application.

12. APPLICATION PRESENTED BY :

This application is to be filed through the advocate of the application.

12.



VERIFICATION

I, Shri Durbal Prasad, son of late Prayag Prasad, aged about 46 years, JE-II/NGC, Amingaon East Colony, P.O. Amingaon, District Kamrup, Assam, do hereby solemnly affirm to state as follows :-

1. That I am one of the applicant of this instant application and, as such, I am fully conversant with the facts and circumstances of the case and I swear this Affidavit on behalf of the other applicants of this matter.
2. That I am well acquainted with the facts and circumstances of this case. I have also authorised by the Union and the affected of this case to take necessary steps of this case.
3. The statements made in paragraph Nos. 2, 3, 4, 5, 6-12 are true to my knowledge and these are made in paragraph Nos. 1, 4(i), 4(v) are matters of records, and the rest are humble submissions.

And I sign this verification on this the 30th day of November, 2000 at Guwahati.

Durbal Prasad

SIGNATURE

No. M/258/D/NGC/2

Central
Bureau
of
Investigation
2nd NUV
ग्राही एवं
गवाहाति बॉन्च

Office of the
Sr.DEN(DIESEL)/NGC

Dated 7.1.2007

18/10/2007

To
Sri. Durbal Phasad, J.E. I.N.G.C.

Sub:- Cancellation of allotment order of Fly. Qr.
No. E/61-type III at AMJ

Ref:- Sr.DEN/ LG's letter No.G/3/15/Sub Dated
27/3/2007. 28/8/2008

The Fly. Qr. No. E/61-type III which was allotted to you
vide this office allotment order 2/3/14/10(GP/10)2613 Dated. 17/12/97
is subletted by you. This was communicated to this office
vide above referred letter.

In view of the above, the allotment order of the above
Qr. No. E/61-type III, stands is cancelled with immediate effect from
effect. You should hand over the quarter to SSE/ I/NGC and
produce a clearance report regarding vacation of quarter ob-
tained from SSE/ I/NGC to this office.

18/10

Sr.DEN(DIESEL)/NGC

Copy to:-

- 1) DGM/G/MLG } for information please.
- 2) Sr.DEN/LG }
- 3) SSE/I/NGC
- 4) SSE/... To arrange recovery of damage rent at the prevailing
rate from Sri Durbal Phasad till such time
a clearance report regarding vacation of Qr. is
obtained and produced from SSE/Works/NGC.

Sr.DEN(DIESEL)/NGC

Certified to be true copy

Gulabkhan
Advocate

N. E. T. M. I. G. S. E. (D. I. S. E. L.) / N. G. C.

Copy Office of the
Sr. D. E. (D. I. S. E. L.) / N. G. C.

No. M/258/D/NGC/2

Dated 7.1.2001

12/10/2001

To
Sri. G. Elbka. A. Much G. M. G. / N. G. C.

Sub:- Cancellation of allotment order of Fly. Dr.
No. 228/T/Type II/NGC

Re:- Sr. D. E. (D. I. S. E. L.) / N. G. C. letter No. G/3/15/Suh Dated
27/12/99. 28/8/2000

The Fly. Dr. No. 228/T/Type II which was allotted to you
vide this office allotment order M/258/D/NGC/2/... Dated 12/9/95
is subletted by you. This was communicated to this office
vide above referred letter.

In view of the above, the allotment order of the above
Dr. No. 228/T/Type II stands as cancelled with immediate 12-1-2000
effect. You should hand over the quarter to SSE / N. G. C. and
produce a clearance report regarding vacatin of quarter ob-
tained from SSE / N. G. C. to this office.

Sr. D. E. (D. I. S. E. L.) / N. G. C.

Copy to:-

1) DGM/G/MLG } for information please.

2) Sr. D. E. (D. I. S. E. L.) / N. G. C.

3) SSE/W/N. G. C.

4) OS/E - to arrange recovery of damage rent at the prevailing
rate from Sri G. Elbka. A. Much G. M. G. till such time
a clearance report regarding vacatin of Dr. is
obtained and produced from SSE / Works N. G. C.

181

Sr. D. E. (D. I. S. E. L.) / N. G. C.

Certified to be true copy

Gulabda
Advocate

R
Encl. 20/10/2006
ct 1630
1/10/06. 9/1

Annexure -C

N. F. TATWARI

Office of the
Sr.DME(DIESEL)/NGC

No. M/259/D/NGC/12

Dated 7.1.2007

18/10/2007

To
Sri. M. Ali. P/Elect. Govt/NGC

Sub:- Cancellation of allotment order of Drly. No.
No. 420/B Type II at NGC

Ref:- Sr.DEN/ LG's letter No.G/3/15/Sub Dated
27/3/12. 28/8/2007

The Drly. No. 420/B Type II which was allotted to you
vide this office allotment order M/259/D/NGC/1 dated 2/4/92
is subletted by you. This was communicated to this office
vide above referred letter.

In view of the above, the allotment order of the above
Drly. No. 420/B Type II stands as cancelled with immediate
effect. You should hand over the quarter to SSE/NGC and
produce a clearance report regarding vacation of quarter ob-
tained from SSE/NGC to this office.

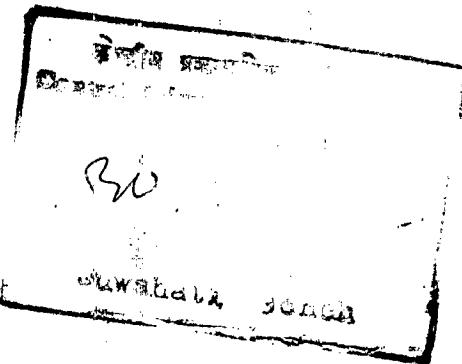
1st/10

Sr.DME(DIESEL)/NGC

My to:-

- 1) DGM/G/MLG for information please.
- 2) Sr.DEN/MLG
- 3) SSE/NGC
- 4) CS/R - to arrange recovery of damage rent at the prevailing
rate from Sri. M. Ali. P/Elect. Govt. till such time
a clearance report regarding vacation of Drly. is
obtained and produced from SSE/NGC.

Sr.DME(DIESEL)/NGC



Certified to be true Copy

Gulshan
Advocate

N. T. TUTJEAH

Annexure ->

Office of the
Sr. DIPLOMATICO

10-411/258 D 1150 12

Rated ~~7.1.2.102~~

18/10/26

To
Sri. Krishnas. Ch. Das
Chhipar

Ref:- Sr.DEN/ LG's letter No.G/3/15/Sub P dated

97/57.12.99. 28 | 8/2000

The file No. T/G/B.type T which was allotted to you
vide this office allotment order NY/258/DNGP/Ltd. 30/4/2020
is subletted by you. This was communicated to this office
vide above referred letter.

In view of the above, the allotment order of the above
Mr. No. T/6/B. type I... stands as cancelled with ~~effect from 3/1/78~~
effect. You should hand over the quarter to SSE JNNR and
produce a clearance report regarding vacation of quarter ob-
tained from SSE JNNR to this office.

۱۸۱

Sr. NAME (FITSSEL) / NGC

Now to...

- 1) DGM/C/MLG for information please.
2) Sr. DEN/MLG
3) SSE/W~~NES~~ AMT
4) CS/E - to arrange recovery of damage kept at the prevailing
rate from Sri Lekhals Ch. Das... till such time
a clearance report regarding variation of Mr.'s
obtained and produced from SSE Works/NES.

कानूनी अदालत Legal Institutions Tribunal

30 111 20

ગુજરાતી સાહિત્યાના
ગુજરાતી સાહિત્ય

Sr. DIESEL

Certified to be True Copy

Galbán
Advocate

Annexure - B

Statement of imputation of Misconduct

This office has been informed by Sr. Div. Engineer N.F. Railway, Maligaon vide his Letter No. G/3/15/Sub dt. 23.8.2000 that Sri Kurkash Prasad Designation STENINGER has subletted the Rly. Cr. No 2/61 TYPEWRITER which was allotted to him.

This ten amounts to serious misconduct for which he is charged.

22/10/00

प्रधर ब'हल वान्तर अधिकारी (फिल्म)
पू.सी. रेल्वे रा.पा.
Sr. Div. Manager
N.F. Railway, New Gorakhpur.

30

Certified to be True Copy

Gulabchand
Advocate

Annexure - F

Statement of imputation of Misconduct

This office has been informed by Sr. Divl. Engineer N.F. Railway, Maligon vide his Letter No. G/3/15/Sub Dated 16.8.2000 that Sri G. E. Elka - Designation of Mech Engg - has subletted the Rly. Qrs. No. 228ft typed at NG which was allotted to him.

This amounts to serious misconduct for which he is charged.

Ch 24/10/2K
संस्कृत अभियंता (सिंभंन) (डिअल)
पू.सी. रेलवे विभाग
Divl. Mech. Engg.
N.F. Railway, New Guna

30

Certified to be true Copy

G. E. Elka
Advocate

Annexure - G

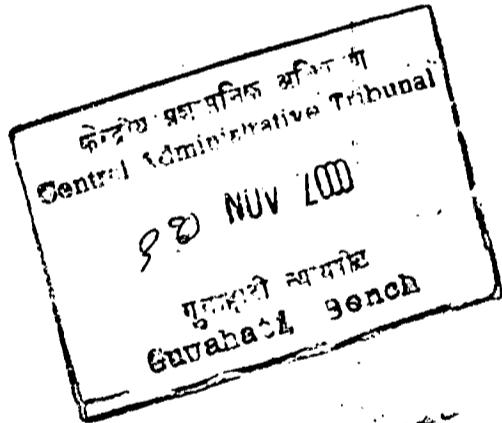
Statement of Imputation of Misconduct

This office has been informed by Sr. Divl. Engineer E.E. Railway, Maligon vide his Letter No. 0/3/15/Sub Dated 16.8.2000 that Sri W.C.H. ~~W.C.H.~~ has subletted the Rly. Ors. No. 420/13 TYPE P at N.G.I. which was allotted to him.

This amounts to serious misconduct for which he is charged.

A 24/10/2k

W.C.H. ~~W.C.H.~~ ~~W.C.H.~~
W.C.H. ~~W.C.H.~~ ~~W.C.H.~~
W.C.H. ~~W.C.H.~~ ~~W.C.H.~~
W.C.H. ~~W.C.H.~~ ~~W.C.H.~~



Certified to be true copy

*Halukela
Advocate*

RECORDED

and by S. N. D. D.

Annexure - H

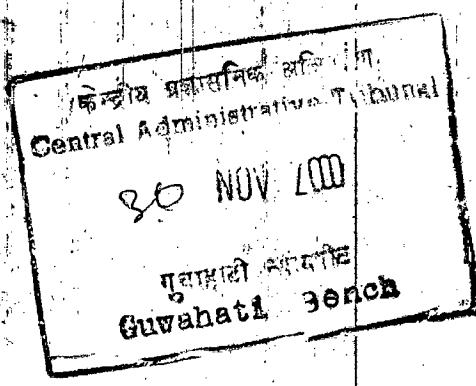
Statement of imputation of Misconduct

This office has been informed by Sri G. V. D. D. N. F. Railway, Naligaon vide his Letter No. G/3/15/345 dt. 28.8.2000 that Sri Ireshwar Ch. Das in his Designation, C/Helper has substituted the Railway No. T/6/B type LATAM 5 which was allotted to him.

This amounts to serious misconduct for which he is charged.

Ansawar

25/10/00



Certified to be true copy

Gulabdar
Advocate

Standard Form of Memorandum of charge for Imposing Minor
penalties under Rule 11 of TS(D&A) Rules, 1960

NO. M. 1258 (1) ING 62

Office of the General Manager (Name of Railway Administration)
(Place of issue)..... Dated 24/10/24.

HYPNOPANDUM

Shri.....Shri Elaka.....(Designation).Q/Mech Gp. I
Office in which working.....S.S./D./J.N.G.C......is hereby
informed that the ~~President~~ ~~Railway Board~~ undersigned for the purpose(s)
to take action against him under Rule 11 of the Railway Servants
(Discipline and Appeal) Rules, 1968. A statement of the ~~Impairment~~
~~of misconduct or misbehaviour or which~~ action is proposed to be
taken as mentioned above is enclosed.

2. Shri. G. I. E. Balachandran.....is he eby given an opportunity to make such representative as he may wish to make against the proposal. The representation, if any should be submitted by the undersigned(~~through the General Manager~~.....,....., so as to reach the ~~said General Manager~~ within ten days of receipt of this Memorandum.

3. If Shri. G. E. Baker fails to submit this representation within the period specified in Para 2, it will be presumed that he has no representation to make and orders will be liable to be passed against Shri. G. E. Baker ex parte.

4. The receipt of this Memorandum should be acknowledged by
Shri. G. E. Kibria.....

(By order and in the name of the President).

24/10/24
मंडल यान्त्रिक अभियंता (F. 15/11/24)

S.S-Chakrabarty-0ME/0/000

Name and designation of the competent authority.

To

Shri. Gulab Singh G.M. (Name, Designation, Office
of the Railway servant). Under SS (DINGE)

~~To be retained where ever this Memorandum is issued by the
Railway Board / the President.~~

where the President is the disciplinary authority.

Certified to be true Copy

galerikan
Adresat:

~~Standard Form of Memorandum of Appeal under the Railway Discipline Rules, 1950.~~

No. M/258/DING/2

File of Mr. S. D. DING/2 of Railway Administration
Place of issue NGC Dated 24/10/2K
MEMORANDUM

Shri W. Alc' Designation ~~Elect. Govt~~

Office in which working S.G.P.D./NGC is hereby informed that the President Railway Board Undersigned proposes to take action against him under Rule 11 of the Railway Servants Discipline and Appeal Rules, 1950. A statement of the imputation ~~misconduct or misbehavior~~ on which action is proposed to be taken as mentioned above is enclosed.

2. Shri W. Alc' is hereby given an opportunity to make such representation as he may wish to make against the proposal. The representation, if any should be submitted by the undersigned, through the ~~General Manager~~ Rly., so as to reach the ~~General Manager~~ within ten days of receipt of this Memorandum.

3. If Shri W. Alc' fails to submit this representation within the period of specified in Para 2, it will be presumed that he has no representation to make and orders will be liable to be passed against Shri W. Alc' excepted.

4. The receipt of this Memorandum should be acknowledged by

Shri W. Alc'

Subj. : अधिकारी (By order and in the name of the President)
मालिनी विभाग
नियन्त्रण विभाग

(To 24/10/2K
संदर्भ वानिक अभियंता (मिस्टर) (मिस्टर)
कृष्ण रेड्डी, एम. ए. ए. ए.
Div. Mech. Engg. & On/Off
N.E. Railway, New Guwahati

S.S. Chalghaboray - Done/D/Con

Signature
(Name) S.S. Chalghaboray

Date and designation of the
competent authority

Shri W. Alc' ~~Elect. Govt~~ (Name, Designation, Office
of the Railway servant) Under S.G.P.D./NGC

To be returned when this Memorandum is issued by the
President or the President.

The President is the disciplinary authority. Certified to be true copy

Malakdar
Advocate

Annexure - L

Standard Form of Memorandum of charge for imputation and penalties (Rules 11 of 'S(D&A) Rules, 1960.

No M/258/SD/INGC/2

Office of the General Manager (Name of Railway Administration)
(Place of issue) N.G.C. Dated. 23/10/2017

M E M O R A N D U M

Shri Keshab Ch. Das....(Designation)....(Dated 10/11/2017)

Office in which working.....S.S./D./INGC..... is hereby informed (and the President is also informed Inter-sigant proposals) to take action against him under Rule-II of the Railway Servants Discipline and Appeal) Rules, 1969. A statement of the imputation of misconduct or malversation on which action is proposed to be taken as mentioned above is enclosed.

2. Shri Keshab Ch. Das is thereby given an opportunity to make such representation as he may wish to make against the proposal. The representation, if any should be submitted by the undersigned (through the General Manager), so as to reach the General Manager within ten days of receipt of this Memorandum.

3. If Shri Keshab Ch. Das fails to submit this representation within the period specified in Para-2, it will be presumed that he has no representation to make and orders will be liable to be passed against Shri Keshab Ch. Das ex parte.

4. The receipt of this Memorandum should be acknowledged by Shri Keshab Ch. Das.....

~~in the name of the President~~ Andam

30/10

(Signature)

(Name) Adk. Rakish

Adk. Rakish AME - 1

Name and designation of the competent authority.

To Shri Keshab Ch. Das....(Name, Designation, Office of the Railway servant). 10/11/2017 S.S./D/INGC

~~To be retained where ever this Memorandum is issued by the Railway Board/ the President.~~

~~the President is the disciplinary authority.~~

Certified to be true Copy

Gulabda
Advocate

To
The Sr. DME(Diesel)/New Guwahati,
N.F.Railway.

Sir,

Subs- Representation to your memorandum of charge No.M/258/B/NGC/2 dated 23.10.2000.

With due respect I beg to lay the following few lines for your kind consideration.

That Sir, Rly. Qrs. No. E/61 Type-III at AMJ has been allotted to me vide allotment order No. 2/314/10 (Option) 2513 dt. 17.12.97 and I have taken occupation of the same and staying with my family since then.

That Sir, it came as a rude shock to know that the allotment order of the above quarter has been cancelled vide your Letter No. M/258/D/NGC/2 dt. 18.10.00 on charges of subletting the same.

But Sir, I do hereby declare that at no point of time after taking occupation of the quarter by me, the said quarters had been sublet and I am staying with my family in the quarters all along. And also, Sir, I am ready to face any enquiry to that effect.

So, Sir, I request you to allot the same quarter in my favour and exonerate me from the charge.

Thanking you, Sir,

By
12

Yours faithfully,

Durbal Prasad.

"JF - 17"

Date - 31/10/2000

Certified to be true copy

H. Palitola
Advocate

27

38

- -

Annexure - B

To

Sr. Z NC (Diesel)

New Gauhati.

(Through Proper Channel).

Sir,

Sub:- Reply to Memorandum

Ref:- Your No. M/ 258/3/NC/ 2 dt. 19.10.2K

Ex & M /258/3/NC/2 dt. 24.10.2K.

With reference to your above letter/s/ Memorandum I wish to submit the following few lines for your kind consideration and sympathetic action please.

That Sir, the contest that I have submitted my allotted Bldy No. 420/B, to not turn on the day of checking although I was staying in my Bldy. I was away on duty some of my relatives had come from my village in connection with the treatment of my nice who was seriously ill and was under going treatment at Gauhati Medicinal College, At the time of verification they were present in my Quarter. This I think has been perceived by the authorities as having submitted the house. On humanitarian ground I have permitted them to stay in my Quarter for a few day. They had already left on completion of treatment.

contd

केन्द्रीय प्रशासनिक अधिकारालय
Central Administrative Tribunal

8 NOV 2000

23

33

That Sir, I am still occupying the
quarter which can be verified at any point of time.

The position explained above, In view
of I verently request you to kindly drop the charge
of 'Serious Misconduct' I also assure you that
in case of my relatives visiting me in further, I
will inform you before hand before permitting them
to stay in my quarter even for a single day.

I also request you to kindly cancel the c
concealment cancellation order of Quarter as issued
vice your letter at 10.10.2K.

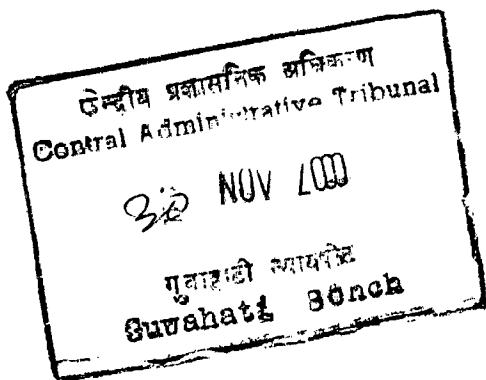
I shall remain obliged.

Yours faithfully,

Md. Wahid Ali
10:- Letter Mr.
Diesal / 10

Certified to be true copy

Abulhassan
Advocate



Annexure - O

To,
Sr. DME (Diesel) NGC
N.F. Railway.

Sub :- Cancellation of Allotment order of Rly
Qr. No. T/6/8 Type-I at 26th Colony,
Amingaon.

Ref :- Your L/No. M/258/D/NGC/2 dt. 18/10/2000.

In reference to your above cited letter this is to inform you that I am not subletted my Rly quarter to any other party. But fact is that my cousin brother is staying in the quarter with me since two month. Because they have come from other place for medical treatment.

Yours faithfully,

Keshab Ch. Das.

Dated, New Guwahati,
the 30th Oct. 2000.

(Keshab Ch. Das)
D/Helper under
Sr./DME/D/NGC.

R on 30/10/2000

30 - (M. M.)

30 - 10/2000

30 - 10/2000

Central Administrative Tribunals
30 - 10/2000
30 - 10/2000

Certified to be true copy

G. B. Das
Advocate.