

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

X

(DESTRUCTION OF RECORD RULES, 1990)

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O.A./T.A No. 188/2000

R.A/C.P No. 12/03

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SECTION OFFICER (Judl.)

FORM NO. 4

(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO. 188/2000 OF 199

Applicant(s)

Sri Profulla Ch. Talekder

Respondent(s)

Union of Indn and oes.

Advocate for Applicant(s)

Mr. S. Sarma.
Mr. C. K. Nair.

Advocate for Respondent(s)

C. G. S. C.

Notes of the Registry	Date	Order of the Tribunal
<p>This Application in form and within time G. F. of Rs. 50/- deposited vide IPO BD No. 497441 Dated 10.5.2000</p> <p>19/6/00</p> <p>Notice forwarded and sent to D/S. for having the list N. 1 to 5 vide DINo. 1659 W-1661 dtd 20/6/00</p>	<p>12.6.00</p> <p>nkm</p> <p>16.6.00</p>	<p>Present: Hon'ble Mr D.C. Verma, Judicial Member</p> <p>Mr S. Sarma, learned counsel for the applicant prays for an adjournment. List for admission on 16.6.00.</p> <p>Member(J)</p> <p>Present : Hon'ble Sri D.C.Verma, Member(J)</p> <p>Mr. S. Sarma, learned counsel for the applicant and Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents.</p> <p>Application is admitted. Issue notice to the respondents to file written statement within three weeks. Meanwhile it is directed that the respondents shall keep the applicant</p>

Notes of the Registry

Date

Order of the Tribunal

20/6/00

Envelops not supplied

by

4-7-2000

① Service report are still awaited.

② No. 10/5 has been filed.

By

Notice duly served on respondent No 1.

by
17/7

No written statement has been filed.

22/8
26.9.2000

16.6.00

engaged in case work is available.
List on 17.7.2000 for further order.

Member(J)

trd

18/8/2000

5.7.00

Present: Hon'ble Mr S. Biswas, Administrative Member

None for the applicant. Mr B.S. Basumatary, learned Addl. C.G.S.C. on behalf of Mr A. Deb Roy, learned Sr. C.G.S.C., requests for adjournment. Post on 2.8.00 for orders.

5-3-
Member(A)

nkm

2.8.00

No Bench is available.
Adjourned to 18.8.00.

18/8
h

18.8.00

No Bench is available.
Adjourned to 15.9.00.

15/9
h

15.9.00

No Bench to be listed on 27.8.00.

15/9
h

27.9.2000

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

Heard Mr S. Sarma, learned counsel for the applicant. Notice on respondent No. 1 is served. Mr A. Deb Roy, learned Sr. C.G.S.C. is present on behalf of respondent No.1. Notice properly addressed to respondent Nos.2 and 3 were duly sent by registered post with Acknowledgement Due on 20.1.2000. Service on the aforesaid respondents is according

Notes of the Registry	Date	Order of the Tribunal
<p>Copy of order dtd 27/9/00 Communicated to the party concerned vide D.No. 9/10/00 dtd.</p> <p>No. written statement has been filed.</p> <p>By 31.1.2001</p> <p>No. w/s has been filed.</p> <p>By 9.1.2001</p> <p>No. w/s has been filed.</p> <p>By 29.1.2001</p> <p>NO w/s has been filed.</p> <p>NS 24/4/2001.</p>	<p>27.9.2000</p> <p>nkm</p> <p>27/9/2000</p> <p>19-12</p> <p>4-1-</p> <p>10.1.01</p> <p>pg</p> <p>2.2.2001</p> <p>22-3</p> <p>25.4.2001</p> <p>nkm</p>	<p>treated as complete. List this case for hearing on 19.12.00. It would, however, be open for the respondents to file affidavit in the meantime.</p> <p>Office to send copy of the order to the respondents.</p> <p>Vice-Chairman</p> <p>There was a divergence. Adj. to 8.1.2001.</p> <p>On the prayer of Mr K.N.Choudhury, learned counsel for the respondents the case is adjourned to 31.1.2001.</p> <p>Vice-Chairman</p> <p>Adj. to 22/3/2001</p> <p>NO S.B. Today. Adjourned to 25.4.2001.</p> <p>Adjourned to 25.5.01 for hearing on the prayer of Mr B.C. Das, learned counsel for the respondents.</p> <p>Vice-Chairman</p>

Notes of the Registry	Date	Order of the Tribunal
	25.5.2001	Passed over. List on 20.6.2001
	4.7.2001	<p>By order</p> <p>Mr. S. Sarma, learned counsel for the applicant mentions that a similar matter being O.A.No. ⁸⁸ 175 of 2000 has been fixed for hearing in the Division Bench of today. He requests that the application may also be taken up alongwith O.A.No. ⁸⁸ 175 of 2000.</p> <p>Accordingly, the matter is taken up for hearing in the Division Bench of today.</p> <p>K. Ushah Member</p>
No. W/S has been filed. <u>By</u> 30.7.01	4.7.01	<p>List on 31.7.01 alongwith O.A.No. 88 of 2000 for hearing.</p> <p>K. Ushah Member</p> <p>Vice-Chairman</p>
No. W/S has been filed. <u>By</u> 29.8.01	lm 31.7.01	<p>The case is listed for hearing today.</p> <p>List this case alongwith O.A. 88 of 2000 on 30/8/2001 for hearing.</p> <p>K. Ushah Member</p> <p>Vice-Chairman</p>
No. W/S has been filed. <u>By</u> 20.9.01	mb 30.8	<p>There is no Division Bench today. The Case is adjourned to 21.9.2001.</p> <p>M. A. K. Jey 20/8</p>
15.10.2001 W/S submitted by Mr. Repaths. 2 and 3.	21.9.	<p>There is no Division Bench today. The Case is adjourned to 18/10/2001.</p> <p>M. A. K. Jey 21/9</p>
	18/10	<p>There is no Division Bench today. The Case is adjourned to 29/11/2001.</p> <p>M. A. K. Jey 21/10</p>

Notes of the Registry	Date	Order of the Tribunal
<p>Wls filed on behalf of the respondents No. 2 & 3.</p> <p><i>By</i> 3.1.02.</p>	<p>21.12.01</p> <p>mb</p>	<p>List on 4.1.2002 for further hearing.</p> <p>The respondents are ordered to produce the connected records including records required to be maintained herewith under (The) Contract Labour (Regulation & Abolition) Act, 1970.</p> <p><i>K. U. Sharma</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>
<p>Wls filed on behalf of R. No. 2 & 3.</p> <p><i>By</i> 18.1.02.</p>	<p>4.1.02</p> <p>lm</p>	<p>List on 21.1.02 to enable the respondents to produce the records.</p> <p><i>K. U. Sharma</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>
<p>Wls filed on behalf of R. No. 2 & 3.</p> <p><i>By</i> 6.2.02.</p>	<p>21.1.02</p> <p>mb</p>	<p>List on 22.1.2002 showing the name of Sri K.N. Choudhury and Sri B.C. Das learned counsel for the respondents.</p> <p><i>K. U. Sharma</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>
	<p>22.1.02</p> <p>pg</p>	<p>Though opportunity was given to the respondents they could not produce the record. Mr B.C. Das, learned counsel for the respondents prays for two weeks ^{for me} time for production of record.</p> <p>List again on 7.2.2002 for hearing.</p> <p><i>K. U. Sharma</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>

Notes of the Registry	Date	Order of the Tribunal
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22.1.02

7.2.2002

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

K. U. Shan
Member

[Signature]
Vice-Chairman

nk m

26.2.2002

Cy. of the order has been sent to the office for issuing the order to the applicant as well as to L/Adm for the Respondents

HS

24/3/02

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. ~~7.2.2002~~ 186/2000

Date of Decision. 7.2.2002.....

Shri Prafulla Chandra Talukdar

Petitioner(S)

Mr S. Sarma and Mr U.K. Nair

Advocate for the
Petitioner(s)

-Versus-

The Union of India and others

Respondent(s)

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

Mr K.N. Choudhury and Mr B.C. Das

Advocate for the
Respondent(s)

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

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

1. Whether Reporters of local papers may be allowed to see the judgment ?
 2. To be referred to the Reporter or not ?
 3. Whether their Lordships wish to see the fair copy of the Judgment ?
 4. Whether the Judgment is to be circulated to the other Benches ?
- Judgment delivered by Hon'ble : Vice-Chairman

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.188 of 2000

Date of decision: This the 7th day of February 2002

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

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

Shri Prafulla Chandra Talukdar,
Working as Casual Worker under the
ICAR Research Complex,
Barapani, Meghalaya.

.....Applicant

By Advocates Mr S. Sarma and Mr U.K. Nair.

- versus -

1. The Union of India, represented by the
Secretary to the Government of India,
Ministry of Agriculture,
New Delhi.
2. The Director General,
Indian Council of Agricultural Research (ICAR),
New Delhi.
3. The Director,
Indian Council of Agricultural Research (ICAR),
ICAR Research Complex for N.E.H. Region,
Barapani, Meghalaya.

.....Respondents

By Advocates Mr A. Deb Roy, Sr. C.G.S.C.,
Mr K.N. Choudhury and Mr B.C. Das.

.....

O R D E R (ORAL)

CHOWDHURY. J. (V.C.)

Conferment of temporary status and regularisation of casual workers in terms of the guidelines issued vide O.M. dated 7.6.1988 followed by like O.M.s is the subject matter for adjudication that has come up again for consideration in this Tribunal.

2. The applicant moved this Tribunal by way of an application seeking for a direction on the respondents for conferment of temporary status with effect from 1.9.1993 under the Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of 1993 for regularisation of his service in a Group 'D' post and for continuance of his

service. The said application was numbered and registered as O.A.No.90 of 1997. In the aforementioned O.A. it was asserted by the applicant that he was engaged as casual labourer under the Director of Indian Council of Agricultural Research (ICAR for short) since 1983 till presentation of the O.A. and since he fulfilled the eligibility conditions, he was also entitled for being considered for grant of temporary status and therefore sought for a direction from the Tribunal. The respondents in the said O.A. entered appearance and submitted their written statement denying the claim of the applicant. The Tribunal on assessment of the materials on record directed the respondents to consider and dispose of the representation of the applicant and to pass a reasoned order thereon. The operative part of the judgment is reproduced below:

"I have heard learned counsel of both sides. In view of the dispute about the facts of the engagements of the applicant the respondents were directed by order dated 27.5.1998 in Misc. Petition No.56/98 to produce payment Register of casual workers of the Farm Manager, ICAR Research Complex upto 1993. The order was issued in the presence of the then Sr. C.G.S.C. Mr S. Ali and Mr S. Sarma, counsel for the applicant. Opportunities to produce records were granted however the records were not produced till the last date of hearing and no one appeared for the respondents. An adverse inference can therefore be drawn that the statement of the respondents to the effect that the applicant was not engaged as casual labourer in their organisation is false. However, such inference is not drawn at present. On the other hand an opportunity is granted to the Director, ICAR, respondent No.3 to dispose of the representation submitted by the applicant dated 11.12.1997, Annexure-3C after due enquiry into the records and the facts and after hearing the applicant personally. Shri J.K. Bharali, Manager, Operation and Maintenance Cell had clearly stated in two certificates that the applicant was working in his Division. Similarly, Shri D. Medhi, programme Officer in his certificate dated 3.2.1998 had issued certificate that the applicant was working as casual Carpenters in the Division of Operation and Maintenance Cell as on 1.1.1993. Such certificates could not have been issued without any basis by the officers. Therefore, while disposing of the representation the respondent No.3 shall inquire into the facts on the basis of which the certificates were issued and also into the cases of other casual employees who were granted temporary status on the basis of certificates issued by the Managers concerned and particularly, the case of the applicants in O.A.No.40/94. The respondent No.3 shall thereafter communicate a speaking order to the applicant within 3 months from the date of receipt of this order. The applicant may also submit a fresh representation stating his grievances, if.....

if he desires, to the respondent No.3 within 20 days from today and if such representation is received, the respondent No.3 shall take the fresh representation into consideration. If the applicant is still aggrieved he may approach this Tribunal again."

The Director by the impugned order dated 20.12.1999 passed the cryptic order rejecting the representation of the applicant. Hence this application assailing the legality and validity of the order dated 20.12.1999.


3. The respondents submitted written statement and took the same plea as was earlier in its written statement in O.A.No.90/1997.

4. We have heard Mr S. Sarma, learned counsel for the applicant and Mr B.C. Das, learned counsel for the respondents at length. In the impugned Office Order dated 20.12.1999 the Director, ICAR referred to the judgment of the Tribunal dated 9.6.1999 in O.A. No.90/1997, the representation of the applicant dated 2.7.1999 and thereafter he concluded that the representation for grant of temporary status could not be acceded to as he did not fulfil the necessary requirement for grant of temporary status. The order itself indicated that he did not address those aspects of the matter which were specifically directed to be addressed by this Tribunal. In the order dated 9.6.1999 in O.A.No.90/1997 the Tribunal referred to the two certificates issued by Shri J.K. Bharali, Manager, Operation and Maintenance Cell and the certificate issued by Shri D. Medhi, Programme Officer who vouchsafed in writing that the applicant rendered the necessary service under the respondents as on 1.1.1993. The Tribunal expressed that such certificates would not have been issued without any basis by the officers concerned. The judgment of the Tribunal also indicated its displeasure for not making available the records though time was granted to the respondents. When best evidence was not made available, it was open for the Tribunal to draw an adverse inference and the Tribunal indicated the same in the judgment and order in O.A.No.90/1997. The authority was granted an opportunity.....

opportunity to look into it and pass an order. The respondent No.3 in a most casual fashion rejected the application without taking proper note of the judgment rendered by the Tribunal. The respondents in their written statement referred to some inter-departmental communications. One such communication was that of the Senior Farm Manager, Shri N.R. Roy, dated 6.8.1999. The said communication only refers to the judgment of the Tribunal and the communication dated 4.8.1999 from the Manager, Legal Cell. On what basis the Farm Manager communicated the same is not made available to us. At any rate, the respondents, despite opportunity granted could not produce the records to show and justify the grounds. As stated earlier the Director passed the order on 20.12.1999 by rejecting the applicant's representation. It appears that after institution of the application, assailing the action of the respondents, a committee was constituted on 7.9.2001. The authority referred to the minutes of the committee, Annexure I to the written statement, wherein it referred to two communications sent by Shri J.K. Bharali and Shri D. Medhi, obtained from those officers after disposal of O.A.No.90/1997 by the Tribunal by its order dated 9.6.1999. The committee referred to the certificates and further clarification from Shri Bharali and Shri Medhi dated 20.12.1999 and 16.8.1999. The contents of the clarifications of Shri Bharali and Shri Medhi are reproduced below:

"I have already submitted the report that Shri P.C. Talukdar was engaged under contract in my section and not on Muster Roll. However, the certificate was given by me was not proper as head of Institution (Director) is only competent to issue the certificate. Therefore, the certificate given by me was not in proper and it is Director to issue the certificate not myself.

Sd/- J.K. Bharali
20.12.99"

 "The certificate was issued on dated 3.2.98 due to heavy pressure from Shri Prafulla Ch. Talukdar. I had never certified his Muster Roll bills and never maintained his attendance.

Sd/- D. Medhi
Programme Officer
dtd. 16.8.99"

5. Admittedly, the aforementioned certificates were obtained by the respondents after disposal of O.A.No.90/1997 by the Tribunal by order dated 9.6.1999, wherein the Tribunal took note of it and observed that such certificates could not have been issued by the officers concerned. It seems that the respondents sought to wriggle out of the situation by obtaining further endorsement from the officers that those certificates were issued casually. The judgment of the Tribunal was never challenged and therefore, the finding of the Tribunal has attained finality. The Tribunal never directed to act in the manner the respondents acted. The Tribunal only ordered that while disposing of the representation of the applicant, the respondent authority was to enquire into the facts on the basis of which the certificates were issued and also into the cases of other casual employees who were granted temporary status on the basis of certificates issued by the Managers concerned and particularly the case of the applicants in O.A.No.40/1994.

6. The committee did not dispute the fact that the applicant worked under the respondents. The committee in its own finding even stated that the services of Shri P.C. Talukdar was obtained for research work through contract labour. How this contract labour came in was never explained. We granted time to the respondents to produce the records including the records maintained for contract labourers. After the decision rendered by the Supreme Court in Surinder Singh Vs. Engineer-in-Chief, CPWD, reported in (1986) 1 SCC 639, the Central Government introduced numerous schemes for recruitment of casual labourers and daily wage earners.

7. Mr B.C. Das, learned counsel for the respondents, referred to the communication dated 10.12.1992 issued by the Senior Farm Manager about the existence of the casual labourers. Mr Das submitted that in the list the name of the applicant did not appear. Admittedly, the said list was of December 1992. The said list is not exhaustive as will appear from the order No.RC(G)25/95 dated 9.1.2002, whereby

the.....

the respondent authority granted temporary status to one Man Mohan Thakur, Casual Labourer with effect from 1.9.1993. It was mentioned that he was to work under the Senior Farm Manager. The list referred to by Mr B.C. Das did not disclose the name of Shri Man Mohan Thakur. Be that as it may, on the own finding of the committee the applicant worked under the respondents, but according to them he worked through contract labour. In the absence of any record it is difficult to accept the plea that he worked under any independent contractor appointed in conformity with the Contract Labour Regulations. The respondents, despite opportunities, did not produce any record. In the circumstances we hold that the applicant worked under the respondents as a casual labourer and therefore, his services need to be computed for the purpose of conferment of temporary status. The respondents are accordingly directed to consider the matter in the light of the observations made above and pass an appropriate order in the light of the Scheme, and complete the exercise within three months from the date of receipt of the order.

8. The application is allowed to the extent indicated. There shall, however, be no order as to costs.


(K. K. SHARMA)
ADMINISTRATIVE MEMBER


(D. N. CHOWDHURY)
VICE-CHAIRMAN

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

Title of the case :- O.A. No. 188/2000.

Between:-

Prafulla Ch. Talukdar. :- Applicant.

And.

Union of India & ors. :- Respondents.

I N D E X .

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Filed by, S.Sarma. Advocate.

Regd No.

Date.

File: C:\WS\SS\PRAFULLA.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH : GUWAHATI

FILED BY
The Applicants
Thompson; Nani, Advocate.
U. 12. Nani, Advocate.

Between

Shri Prafulla Chandra Talukdar, S/o
Late Madhab Chandra Talukdar, aged
about 43 years, presently working as
casual worker under ICAR Research
Complex, Borapani, Meghalaya.

... Applicant.

- AND -

1. Union of India, represented by
the Secretary to the Government
of India, Ministry of
Agriculture, Krishi Bhavan, New
Delhi-1.
2. Director General, India Council
of Agricultural Research (ICAR),
Krishi Bhavan, New Delhi-1.
3. The Director India Council of
Agricultural Research (ICAR)
ICAR Research Complex, for NEH
Region, Borapani, Meghalaya.

... Respondents

DETAILS OF THE APPLICATION.

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

The present application is directed against the

order vide No. RC(G) 34/97 (Part) dated 20.12.99 issued by the Director ICAR, Meghalaya (Respondent NO. 3) rejecting the representation filed by the Applicant pursuant to the direction issued by the Hon'ble Tribunal vide its judgment and order dated 9.6.99 passed in OA No. 90/97. The Applicant through this application has also prayed for an appropriate direction to the Respondents to grant the temporary status and subsequent regularisation in the light of the scheme prepared and its subsequent clarification issued from time to time.

2. JURISDICTION OF THE TRIBUNAL

That the Applicant declares that the subject matter of the present application is well within the Jurisdiction of this Hon'ble Tribunal.

3. LIMITATION

The Applicant declares that the present application have been filed within the limitation period prescribed under Section 21 of the Administrative Tribunal Act 1985.

4. FACTS OF THE CASE

4.1 That the Applicant is a citizen of India and as such he is entitled to all the rights and privileges as guaranteed under the Constitution of India and laws framed thereunder.

4.2 That the India Council of Agricultural Research (ICAR) is a State within the meaning of Article 12 of the Constitution of India and it is governed by the

rules regulations and procedures laid down by the Government of India from time to time. The ICAR Research Complex for NEH Region is headed by the Respondent NO. 3 i.e. the director and the said complex was established in the year 1975 with the Headquarter at Shillong. The said complex is one of the largest complex of ICAR in the North Eastern Region and almost all its divisions are situated within the complex.

4.3 That the Applicant initially appointed as a casual Carpenter in the year 1983 and he has been working as such till date with some artificial breaks. It is pertinent to mention here that alongwith the Applicant some other casual workers have also been appointed under the Respondent No. 3. However, at that time no appointment letter was issued to any of them but the payment have been made through Muster Roll Registers. Basically after the aforesaid appointment the Applicant was placed under direct control of Firm Managers.

A copy of his certificate of employment dated 11.11.83 is annexed herewith and marked as Annexure-1

4.4 That the Applicant since 1983 has been working under the Respondents as casual carpenter/worker till date and by now he has completed almost 17 years of service. The Government of India Ministry of Personnel, Public Grievances and Pension, Department of Personnel and Training issued an Office Memorandum dated 7.6.88 by which certain guideline in regard to granting of temporary status and regularisation have been issued. The case of the Applicant is covered by the aforesaid

guideline dated 7.6.88. It is pertinent to mention here that each year he has completed 240 days of work and as such he is also entitled to be conferred with temporary status as provided by the scheme 'Casual Labourers' (Grant of temporary status and regularisation) schemes 1993. As per the said scheme a casual worker who is engaged for period of 240 days in a year is entitled to be conferred with temporary status and subsequent regularisation. It is noteworthy to mention here that some of the casual workers claiming regularisation of their services had approached this Hon'ble Principal Bench of this Tribunal and pursuant to its judgement dated 16.2.1990 the scheme was prepared for grant of temporary status and regularisation.

Copies of the ~~Order dated 7.6.88~~ and letter dated 10.9.93 enclosing the scheme are annexed herewith and marked as Annexure-2 ~~and 3 respectively.~~

4.5 That the Applicant begs to state that the aforesaid Annexure 2 scheme has been made applicable to the casual workers who were in employment as on 7.6.88, i.e. the date on which the scheme came into force. Again as per the Annexure 3 scheme dated 1.9.93 taking into consideration his initial appointment in year 1983 as casual worker more specifically as casual carpenter under the Group D establishment of Respondent No. 3 he is entitled to get all the benefits enumerated in the said schemes including temporary status.

4.6 That the Applicant states that he has been pursuing the matter before the Respondents since long

by filing Numbers of representations of which mention may be made of one of such representations dated Feb'95, 25th July 1995 and 11.12.96. However, the Respondents inspite of his repeated request have not yet issued any order granting him temporary status.

Copies of representations dated Feb'95, 25.7.95 and 11.12.96 are annexed herewith and marked as Annexure-4, 5 and 6 respectively.

4.7 That the Applicant begs to state that claiming similar benefit the ICAR Workers Union earlier filed OA No. 40/94 making a similar prayer like that of the present Applicant. However during the pendency of the said OA the Respondent No. 3 issued an order by which temporary status have been granted to the Applicant of the said OA pursuant to 1993 scheme. The aforesaid OA 40/94 have been disposed on 24.9.97 taking into consideration the benefit granted to those Applicant pursuant to 1993 scheme. However, a direction has been issued to the Respondents to consider their cases under the 1988 as well as 1989 scheme.

A copy of the order dated 24.9.97 is annexed herewith and marked as Annexure-7.

4.8 That the Applicant begs to state that his case is also covered by the 1989 scheme issued by the Government of India for grant of temporary status and regularisation. The Applicant fulfills all the requisite qualifications as described in the aforesaid 1989 scheme and denial of the same has resulted in hostile discrimination.

The Applicant craves leave of this Hon'ble Tribunal to produce the copy of the 1989 scheme at the time of hearing of the case.

4.9 That the Applicant begs to state that the inaction on the part of the Respondents in not granting the benefits enumerated in the aforesaid 1988, 1989 and 1993 schemes is not sustainable in the eye of law and liable to be set aside and quashed, with a further direction to the Respondents to grant temporary status to the Applicant with retrospective effect taking into consideration the aforesaid schemes including other benefits described therein with all consequential service benefit including regularisation, arrear salary and seniority etc.

4.10 That the Applicant being aggrieved by the action of the Respondents was constrained to move this Hon'ble Tribunal by way of filing OA No. 90/97. In the aforesaid Original Application the Respondents have filed written statements. On 9.6.99 the Hon'ble Tribunal after hearing the parties to the proceeding was pleased to dispose of the said OA No.90/97 directing the Respondents to dispose of the representation filed by the Applicant. It is noteworthy to mention here that Hon'ble Tribunal while disposing of the matter has also taken into consideration the order date 27.5.1998 passed in Misc Petition No. 56/98 wherein direction has been issued to produce the Payment Registrar before the Hon'ble Tribunal. Instead of repeating the portion of the aforesaid judgment and order dated 9.6.99 the relevant

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portion is quoted below.

"I have heard learned counsel of both sides. In view of the dispute about the facts of the engagements of the Applicant the Respondents were directed by order dated 27.5.1998 in Misc. Petition NO. 56/98 to produce payment Registrar of casual workers of the Farm Manager, ICAR Research Complex upto 1993. The order was issued in the presence of the then Sr. C.G.S.C. Mr. Ali. and Mr. S.Sarma, counsel for the Applicant. Opportunities to produce records were granted however the records were not produced till the last date of hearing and no one appeared for the Respondents. An adverse inference can therefore be drawn that the statement of the Respondents to the effect that the Applicant was not engaged as casual laborer in their organisation is false. However, such inference is not drawn at present. On the other hand an opportunity is granted to the Director, ICAR, Respondent NO. 3 to dispose of the representation submitted by the Applicant dated 11.12.97, Annexure-#C after due inquiry into the records and the facts and after hearing the Applicant personally. Shri J.K. Bharali, Manager, Operation and Maintenance Cell had clearly stated in two certificates that the Applicant was working in his Division. Similarly, Shri D. Medhi, Programme Officer in his certificate dated 3.2.98 had issued certificate that the Applicant was working as casual Carpenter in the Division of Operation and Maintenance Cell as on 1.1.93. Such certificates could not have been issued without any basis by the

officers. Therefore, while disposing of the representation the Respondent No. 3 shall inquire into the facts on the basis of which the certificates were issued and also into the cases of other casual employees who were granted temporary status on the basis of certificates issued by the Managers concerned and particularly, the case of the Applicant in OA NO. 40/94. The Respondent No. 3 shall thereafter communicate a speaking order to the Applicant within 3 months from the date of receipt of this order. The Applicant may also submit a fresh representation stating his grievances, if he desires, to the Respondent No. 3 within 20 days from today and if such representation is received, the Respondent No. 3 shall take the fresh representation into consideration. If the Applicant is still aggrieved he may approach this Tribunal again.

Application is disposed of No order as to costs."

A copy of the said judgement and order dated 9.6.99 is annexed herewith and marked as Annexure-8.

4.11 That the Applicant begs to state that pursuant to aforesaid judgment and order dated 9.6.99 the Respondents made certain inquiries in the matter. During course of enquiry as per the direction of the Hon'ble Tribunal certain queries have been made to one Shri J.K. Bharali the then Manager, operation and maintenance cell and accordingly said Shri Bharali submitted his reply vide his letter dated 28.8.99. From the aforesaid letter it reveals that the engagement of

the Applicant was made by the then competent authority and same was made as per his instruction only. Again from the said letter it reveals that the Applicant has been paid salary from Muster Roll Registrar but in absence of said records it cannot be ascertain the exact date of engagement.

A copy of the said letter dated 28.8.99 is annexed herewith and marked as Annexure-9.

The Applicant craves leave of this Hon'ble Tribunal for a direction to the Respondents to produce all the relevant records pertaining to implementation of the order dated 9.6.99 passed in OA No. 90/97 and the Muster Roll Registrar at the time of hearing of this case.

4.12 That the Applicant begs to state that in the aforesaid judgement and order dated 9.6.99 the Hon'ble Tribunal clearly mentioned regarding the other similarly situated employees like that of the Applicant who have been granted with temporary status. However, the Respondents violating the said judgment and order of this Hon'ble Tribunal has issued an order vide No. RC(G) 34/97 (Part) dated 20.12.99 by which the representation filed by the Applicant has been rejected stating that his case is not covered by the scheme of 1993.

A copy of the order dated 20.12.99 is annexed herewith and marked as Annexure-10.

4.13 That the Applicant begs to state that the

aforesaid order dated 20.12.99 is a non-speaking order and same is violative of the judgement and order dated 9.6.99 passed by the Hon'ble Tribunal. On perusal of the said order itself shows the non-application of mine by the Respondent No. 3. The judgment and order dated 9.6.99 is very clear and from the letter issued by Shri J.K. Bharali it is crystal clear that the Applicant was engaged in the year 1983 as casual worker and his such appointment was as per the instruction issued by the then competent authority. It will not be out of place to mention here that the whole issue involved was regarding his appointment and the appointing authority and since said Shri Bharali vide his letter dated 28.8.99 has categorically mentioned regarding the authority of such appointment, and hence Respondents now cannot raised the same question by issuing the impugned order dated 20.12.99.

4.14 That the Applicant begs to state that infact at no point of time the Respondents have denied the date of engagement of the Applicant as 1983 both in the written statement filed in the OA No. 90/97 as well as in the impugned order dated 20.12.99. As stated above the case of the Applicant is covered by the 1988 , 1989 and 1993 schemes wherein the basic criteria for granting the benefit under the said scheme is only dated of engagement and number of days of continuous work. Considering the aforesaid admission made by the Respondents the Applicant is entitled to all the benefits enumerated in the aforesaid schemes.

4.15/ (That) the Applicant begs to state that under

similar fact situation persons working under the Respondents got temporary status and in their cases no such quarries have been made regarding the competency of the authority who issued similar certificates to them. For example one Shri Dharmeswar Barman who was working since 1982 as casual labour have been granted in temporary status vide order dated 14.3.95 basing on a certificate issued by one Shri D. Medhi Firm Manager who also certified the engaged of the Applicant. Similarly basing on a certificate issued by Shri J.K. Bharali one Shri Madan Ch. Kalita who got his employment in the year 1981 has been granted with temporary status with effect from 1.9.93 by an order dated 15.3.95. It is also pertinent to mention here that the person namely Shri Khagendra Nath Medhi who was recruited alongwith the Applicant was also conferred with temporary status by an order dated 14.3.95 pursuant to a certificate issued by Shri D. Medhi Firm Manager. However, the Respondents now by issuing the impugned order has rejected the claim of the Applicant on the ground of competency of appointing authority.

The relevant records including certificates issued to the Applicant and other employees mentioned above and their orders of granting temporary status is annexed herewith and marked as Annexure-11 Colly.

4.16 That the Applicant having no other alternative has come under the protective hand's of this Hon'ble Tribunal seeking an appropriate direction to the Respondents to extend him the benefit of the aforesaid

schemes by granting temporary status with retrospective effect and other service benefits as described therein and as has been granted to the other similarly situated employees like that of him.

5. GROUNDS WITH LEGAL PROVISIONS

5.1 For that the entire action on the part of the Respondents in not granting the temporary status to the Applicant violating the provisions contained in the 1988, 89 and 93 schemes is illegal and arbitrary and same are liable to be set aside and quashed.

5.2 For that action of the Respondents in treating the Applicant not at par with the other similarly situated employees to whom the benefit of the scheme has already been granted is violative of Article 14 and 16 of the Constitution of India. The Respondents being a model employer should have extended the said benefit to the Applicant without requiring him to approach this Hon'ble Tribunal, more so whereas themselves have allowed the said benefit to one set of their employees. In any case the Respondents cannot differentiate their employees in regard to employment as has been done in the instant case. Hence the entire action of the Respondents is illegal and not sustainable in the eye of law.

5.3 For that the Respondents have acted illegally in issuing then impugned order dated 20.12.98 without applying the mind and without complying the judgment and order dated 9.6.99 passed in OA No. 90/97 and hence same is liable to set aside and quashed.

5.4 For that the order dated 20.12.99 is a non-speaking order and not in accordance with the direction issued by the Hon'ble Tribunal in its judgment and order dated 9.6.99 passed in OA No. 90/97 and hence same is not sustainable in the eye of law and liable to be set aside and quashed.

5.5 For that in any view of the matter the action on the part of the Respondents is not sustainable in the eye of law and liable to be set aside and quashed.

The Applicant craves leave of this Hon'ble Tribunal to advance more grounds both legal as well as factual at the time of hearing of this case.

6. DETAILS OF THE REMEDIES EXHAUSTED:

That the Applicant declares that he has exhausted all the possible departmental remedies towards the redressal of the grievances in regard to which the present application has been made and presently he has got no other alternative than approached this Hon'ble Tribunal.

7. MATTER PENDING WITH ANY OTHER COURTS

That the applicant declares that the matter regarding this application, is not pending in any other Court, of Law or any other authority or any other branch of the Hon'ble Tribunal.

8. RELIEF SOUGHT:

Under the facts and circumstances stand above the Applicant pray that the instant application be admitted, records be call for and upon hearing the parties on the cause or causes that may be shown and on perusal of records be pleased to grant the following reliefs.

8.1 To direct the Respondents to extend the benefit of 1988, 89 and 93 schemes and to grant him temporary status as has been granted to the other similarly situated employees like that of him with retrospective effect with all consequential service benefits including arrear salary and seniority etc.

8.2 To set aside and quashed order dated 20.12.99 and to allow him to continue in his work after granting temporary status and to regularise his service taking into consideration his past service and experience.

8.3 Cost of the application.

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

9. INTERIM ORDER PRAYED FOR:

Under the facts and circumstances of the case the Applicant prays for interim order directing the Respondents not to disengage him from his current employment and to allow him to continue in his service pending disposal of this application.

10. THE APPLICATION IS FILED THROUGH ADVOCATE:

11. PARTICULARS OF THE POSTAL ORDER :

(i) I.P.O. No.: 06 497441

(ii) Date: 10.5.2000

(iii) payable at Guwahati

12. LIST OF ENCLOSURES :- As stated above.


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VERIFICATION

I, Shri Prafulla Chandra Talukdar, S/o Late Madhab Chandra Talukdar, aged about 43 years, presently working as casual worker under ICAR Research Complex, Borapani, Meghalaya, do here by solemnly affirm and state that the statement made in this petition from paragraph 1 to 3, 4 to 4.6, 4.8, 4.9, 4.13, 4.14, 4.16, and 5 to 12 are true to my knowledge and those made in paragraphs 4.7, 4.10, 4.11, 4.12 and 4.15 are matters records of records informations derived therefrom which I believe to be true and the rest are my humble submission before this Hon'ble Tribunal.

And I sign this verification on 30th day of May 2000.


প্রাফুল্লা চন্দ্র তালুকদার
(PRAFULLA CH. TALUKDAR)

Annexure - 1
Form : AGRICOMPLEX

Phone :

Telex :

Annexure - 1

मास्तीय इति अनुसन्धान परिसर उत्तर पूर्वी प्रादेशीय इति अनुसन्धान क्षेत्र, शिलांग

ICAR RESEARCH COMPLEX FOR N. E. H. REGION, SHILLONG

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TO WHOM IT MAY CONCERN

This is to certify that Shri Prafulla Chandra Talukdar, son of Shri Madhab Chandra Talukdar of Ghatbar village in the District of Barapeta (Assam) is working in my Division as a casual carpenter since January 1983.

I have found him very honest and sincere in his duties. He is a very hardworking young boy. I wish all success in his life.

(J.K. Bhargava)

Manager

Operation and Maintenance Cell,
ICAR Research Complex
for N.E.H. Region
Shillong-3

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ANNEXURE-2

(COPY)

No.51016/2/90-Estt (C)

Government of India
Ministry of Personnel, P.G. & Pensions
Department of Personnel & Training

New Delhi, the 10th Sept., 1993.

OFFICE MEMORANDUM

Subject:- Grant of temporary status and regularisation of Casual Workers-
formulation of a scheme in pursuance of the CAT, Principal Bench,
New Delhi, judgement dated 16th Feb, 1990 in the case of Shri. Raj
Kamal & Others vs. UOI.

The guidelines in the matter of recruitment of persons on daily wage basis in Central Government offices were issued vide this Department's O.M.No.49014/2/86-Estt(C) dated 7.6.88. The policy has further been reviewed in the light of the judgement of the CAT, Principal Bench, New Delhi delivered on 16.2.90 in the writ petition filed by Shri. Raj Kamal and others Vs Union of India and it has been decided that while the existing guidelines contained in O.M. dated 7.6.88 may continue to be followed, the grant of temporary status to the casual employees, who are presently employed and have rendered one year of continuous service in Central Government offices other than Department of Telecom, Posts and Railways may be regulated by the scheme as appended.

2. Ministry of Finance etc. are requested to bring the scheme to the notice of appointing authorities under their administrative control and ensure that recruitment of casual employees is done in accordance with the guidelines contained in O.M. dated 7.6.88. Cases of negligence should be viewed seriously and brought to the notice of appropriate authorities for taking prompt and suitable action.

Ministry of Personnel, P.G. & Pensions
Department of Personnel & Training

Sd/-

(Y.G. PARANDE)

New Delhi, the 10th Sept. 1993.

OFFICE MEMORANDUM

Subject:- Grant of temporary status and regularisation of Casual Workers-
formulation of a scheme in pursuance of the CAT, Principal Bench,
New Delhi, judgement dated 16th Feb, 1990 in the case of Shri. Raj
Kamal & Others vs. UOI.

The guidelines in the matter of recruitment of persons on daily wage basis in Central Government offices were issued vide this Department's O.M.No.49014/2/86-Estt(C) dated 7.6.88. The policy has further been reviewed in the light of the judgement of the CAT, Principal Bench, New Delhi delivered on 16.2.90 in the writ petition filed by Shri. Raj Kamal and others Vs Union of India and it has been decided that while the existing guidelines contained in O.M. dated 7.6.88 may continue to be followed, the grant of temporary status to the casual employees, who are presently employed and have rendered one year of continuous service in Central Government offices other than Department of Telecom, Posts and Railways may be regulated by the scheme as appended.

2. Ministry of Finance etc. are requested to bring the scheme to the notice of appointing authorities under their administrative control and ensure that recruitment of casual employees is done in accordance with the guidelines contained in O.M. dated 7.6.88. Cases of negligence should be viewed seriously and brought to the notice of appropriate authorities for taking prompt and suitable action.

Department of Personnel & Training, Casual Labourers (Grant of Temporary Status and Regularisation) Scheme.

1. This Scheme shall be called " Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of Government of India, 1993".
2. This Scheme will come into force w.e.f. 1.9.1993.
3. This Scheme is applicable to casual labourers in employment of the Ministries/Departments of Government of India and their attached and subordinate offices, on the date of issue of these orders. But it shall not be applicable to casual workers in Railways, Department of Telecommunication and Department of Posts who already have their own schemes.
4. Temporary Status
 - i) Temporary Status would be conferred on all casual labourers who are in employment on the date of issue of this O.M. and who have rendered a continuous service of at least one year, which means that they must have been engaged for a period of at least 240 days (206 days in the case of offices observing 5 days week).
 - ii) Such conferment of temporary status would be without reference to the creation/availability of regular Group 'D' Posts.
 - iii) Conferment of temporary Status on a casual labourer would not involve any change in his duties and responsibilities. The engagement will be on daily rates of pay on need basis. He may be deployed anywhere within the recruitment unit/territorial circle on the basis on availability of work.
 - iv) Such casual labourers who acquire temporary status will not however, be brought on to the permanent establishment unless they are selected through regular selection process for Group 'D' Posts.
5. Temporary status would entitle the casual labourers to the following benefits:-
 - i) Wages at daily rates with reference to the minimum of the pay scale for corresponding regular Group 'D' official including DA, HRA and CCA.
 - ii) Benefits of increments at the same rate as applicable to a Group D employee would be taken into account for calculating pro-rata wages for every one year of service subject to performance of duty for at least 240 days (206 days in administrative Offices observing 5 days week) in the year from the date of conferment of temporary status.
 - iii) Leave entitlement will be on a pro-rata basis at the rate of one day for every 10 days of work, casual or any other kind of leave, except maternity leave, will not be admissible. They will also be allowed to carry forward the leave at their credit on their regularisation. They will not be entitled to the benefits of encashment of leave on termination of service for any reason or on their quitting service.
 - iv) Maternity leave to lady casual labourers as admissible to regular Group D employees will be allowed.
 - v) 50% of the service rendered under Temporary Status would be counted for the purpose of retirement benefits after their regularisation.
 - vi) After rendering three years 'continuous service after conferment of temporary status, the casual labourers would be treated on par with temporary Group D employees for the purpose of contribution to the

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ANNEXURE 3

-20-

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To,

The Director,
ICAR Research Complex for NEH Region,
Umroi Road, Barapani - 793103.

Sub: Request to grant temporary status as Casual Labour.

Sir,

I have come to know that most of the employees working in the ICAR, Research Complex for NEH Region, Barapani has been granted temporary status w.e.f. 1.9.93 and they will be paid pay & allowances at par with the IVth grade employees of this complex. Accordingly necessary order for granting of such temporary status has been issued vide the order NO.RC(G)14/95 dt.13.3.95.

In this connection I beg to inform you that I was working as Casual Carpenter since 1983 under the then Manager OM Cell and presently also I am working on the same capacity under the Estate Officer. Due to my illness though sometimes I was absent, but my total services as casual employee is more than 240 days in each year.

Though order has been issued for temporary status of the casual employees it has come to my knowledge that my name has not been included in the above quoted orders, the reasons for which is not known to me.

I therefore, request you to kindly examine my case in light for whatso ever has been stated in the above paragraphs and to consider my case for giving temporary status of casual employee for which act of kindness I shall remain grateful to you.

Thanking you.

Dated Barapani

the Feb. 1995

Yours faithfully

P.P.

(P.Talukdar)

H
-21-
To

The Director,
ICAR Research Complex for NEH Region,
Barapani.

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ANNEXURE-3

ANNEXURE - 4

Sub:- Request for grant of temporary status as
casual labour.

Sir,

Kindly refer to my application on the above cited
subject (Copy enclosed) and to enclose herewith other
certificate as a documentary proof to the effect that
I was working on muster roll basis as on 1.9.93 and I
had completed 240 days in that year.

I, therefore, request you to kindly issue necessary
orders on the basis of the certificate enclosed.

Yours faithfully,

Dated Barapani the
25th, July, 1995.

Plm

(Shri.P.Talukdar)

To
The Director, ICAR Research Complex
for North Eastern Hills Region,
Barapani-793103, Meghalaya.

Sub : Request for regularisation of service/
grant of temporary status.

Sir,

With folded hands, I beg to state the following
for redressal of my long persisting grievance.

1. That sir, I was appointed as casual carpenter
in the year 1983 and I have been continuing as such till
date with certain artificial break. However, it is on
record that I have rendered more than 240 work days of service
in a particular year. In this connection, certificate issued
by the competent authority dated 25.7.95 is enclosed.

2. That sir, I have come to know that the Government
of India have formulated a scheme "Casual Labourer (Grant
of Temporary Status and Regularisation) Scheme of Government
of India, 1993" in terms of which a casual labourer who
has rendered more than 240 days of service in a particular
year is entitled to be granted with temporary status.

3. That many of the casual labourers similarly
situated like that of me have already been granted temporary
status of which mention may be made of order No. RC(G) 14/95
dated 14.3.95 by which many of the casual labourers have
been granted temporary status in terms of the said scheme.
However, in my case, no such benefit has been extended
without any valid reason.

Contd.....

4. That sir, I am a very poor employee belonging to lower stratum of society and have been living from hand to mouth from my meagre income. Needless to say that my case is fully covered under the said scheme and accordingly I may also be entitled to be conferred with temporary status.
5. ☒ That I have reliably learnt that my case was under process and for the purpose of conferment of temporary status to me and similarly situated other persons, even a committee was also constituted set up. The said committee has favourably considered our cases but till date, no final order has been passed.
6. That long silence in the matter towards conferment and of temporary status/towards my subsequent regularisation of my service has deprived me from the benefit of the temporary status scheme and in this hard days of livelihood I have been suffering tremendously. Words fail me to express my plight.
7. That earlier I had made representation in the month of February 1995 followed by reminder dated 25.7.95. The said representations have not evoked any response and hence once again I submit this appeal to your goodness for consideration of my case so that I am no longer deprived of the benefit of the said scheme.

Should your honour graciously be pleased to confer me with temporary status and subsequent regularisation of my service with effect from 1.9.93 like that of the other similarly situated casual labourers, I shall remain bound to your honour in deep gratitude.

With sincere regards,

Yours faithfully,

Dated Barapani
the 11th December 1996

3d/- Prafulla Ch. Talukder.
Casual Labour,
ICAR Research Complex for
NEH Region, Barapani-793103.

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.40/94

Date of Order: This the 24th Day of September 1997

HON'BLE MR.JUSTICE D.H.BARUAH, VICE-CHAIRMAN

HON'BLE SHRI G.L.SAUGLYINE, MEMBER, ADMINISTRATIVE

1. The Indian Council of Agricultural Research(ICAR) Workers' Union, Registration No.75 of 1991, Office at Borapani, Shillong, represented by its General Secretary, Smt.Maya Thapa.

... .. Applicants.

By Advocate Mr.B.K.Sharma, Mr.M.K.Choudhury.

-Vs-

1. The Union of India, represented by the Secretary, Ministry of Personnel, Public Grievances and Pensions, New Delhi.
2. The Director, Indian Council of Agricultural Research, ICAR Complex, for North Eastern Hill Region, Cedar Road, Shillong-3.

... .. Respondents.

By Advocate Mr.S.Ali, Sr.C.G.S.C.

O R D E R.

BARUAH J(V.C.):

The applicant is a registered Union of the employees of Indian Council of Agricultural Research (for short ICAR), at Borapani. This Union represents the interest of the members of the Union. The names mentioned in Annexure A are some of the members of the applicant Union. They have been engaged as Casual labourers for many years as mentioned in Annexure A. The Govt. of India prepared a scheme known as "casual labourers (grant of temporary status and regularisation." This scheme came into force from 1-9 - 1993. It is admitted that the members of the applicant Union are entitled to the benefit of said scheme. In spite of that, authorities have not granted temporary status to them. Hence this present

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Application.

2. The contention of the applicants is that they are also entitled to get the benefit of the another scheme, as mentioned in Annexure 'C'. They claimed the benefit of the under that scheme, for grant of temporary status. However, they had not been granted the benefit, therefore, they filed an Original Application in the year of 1994.

3. We have heard both sides. Mr. B.K. Sharma learned counsel appearing on behalf of the applicants submits that during the pendency of this application the respondents granted temporary status to the members of the applicant as per Annexure 'C' office memorandum dated 10-9-93. Therefore, in so far as the applicants for grant of temporary status is concerned this application has become infructuous. However, the applicants are also entitled to the benefit of 1989 scheme which was denied to them. All facts regarding the scheme 88 are not available here. Records have not been produced before this Tribunal by the Sr. Central Government Standing Counsel on behalf of the respondents in spite of the order. Therefore, it is not possible for this Tribunal to decide the matter.

4. In view of the above we dispose of the application with a direction to the respondents specifically respondent No.2 to consider this aspect to the matter. For that purpose the applicant Union may submit a representation giving details of the claim before the authority within 3 weeks from to-day. If such representation is filed within the said period the respondents shall consider the representation also and shall pass a reasoned order within 2 months.

9.2
contd/-

5. Thereafter considering the entire facts and circumstances of the case we make no order as to costs.

So/- VICE CHAIRMAN

So/- MEMBER (A)



LM:

Certified to be true Copy

प्रमाणित प्रति

LL 5/11/97

Deputy Registrar (G)
Central Administrative Tribunal
Guwahati Bench

Represent

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 90 of 1997.

Date of Order :

Shri G.L.Sanglyine, Administrative Member.

Shri Prafulla Chandra Talukdar,
Casual Labourer,
working in the office of the Respondent No.3
at Barapani, Meghalaya.

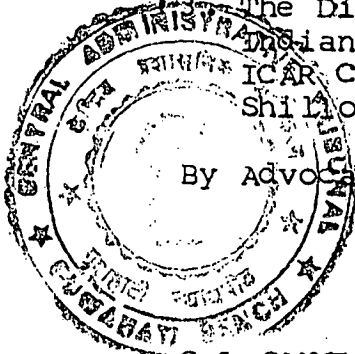
. . . Applicant.

By Advocate Shri S.Sarma.

- Versus -

1. Union of India,
represented by the Secretary
to the Government of India,
Ministry of Agriculture,
New Delhi.
2. The Indian Council of Agricultural Research (ICAR)
represented by its Director General,
Krishi Bhawan, New Delhi.
3. The Director,
Indian Council of Agricultural Research (ICAR)
ICAR Complex for N.E.Hills Region,
Shillong-3.

By Advocate Sri K.N.Choudhury, Standing counsel.



ORDER

G.L.SANGLYINE, ADMN.MEMBER.

In this application the applicant seeks for direction to the respondents who conferred him temporary status with effect from 1.9.1993 under the Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of 1993 and to regularise his services in a Group 'D' post and for continuance of his service. According to the applicant he was engaged as a casual labourer under the Director, Indian Council of Agricultural Research (ICAR for short) since 1983 till the date of submission of this Original Application and had fulfilled the conditions stipulated in the scheme. Therefore, he was entitled to grant of temporary status and subsequent regularisation of his service. He submitted representations for that purpose but he has not been granted the prayer he made. Therefore, he has submitted this application. The

contd..

respondents contested the application. According to them the applicant was never appointed as Casual Labourer in the ICAR Research Complex for N.E.Hills Region at Shillong. The applicant was never engaged as Casual Labourer by the competent authority. He therefore is not entitled for grant of temporary status. The certificate issued by the Manager, Operation and Maintenance Cell upon which the applicant has based his claim cannot be accepted as valid because the authority is not a competent authority to appoint any casual labourer. The only competent authority is the Director himself i.e. respondent No.3. The applicant submitted that the respondents had falsely stated that there was no record to show that he was engaged as casual labourer by the competent authority and that the Manager, Operation and Maintenance Cell has no authority to issue the certificate in question. According to the applicant he worked under the Manager and he is fully competent to issue the certificate. In fact temporary status was granted to the casual labourers on the basis of the certificates issued by the concerned Managers and, in particular, in the case of the applicant in O.A.40/94 (Maya Thapa and others vs. Union of India & Ors.) all the applicants were granted temporary status on the basis of similar certificates issued by the Managers concerned. Therefore, denial of temporary status and regularisation to the applicant on this ground is violative of Article 14 and 16 of the Constitution of India.

2. I have heard learned counsel of both sides. In view of the dispute about the facts of the engagements of the applicant the respondents were directed by order dated 27.5.1998 in Misc.Petition No.56/98 to produce payment Register of casual workers of the Farm Manager, ICAR Research Complex upto 1993. The order was issued in the presence.

contd... 3

of the then Sr.C.G.S.C Mr S.Ali and Mr S.Sarma, counsel for the applicant. Opportunities to produce records were granted however the records were not produced till the last date of hearing and no one appeared for the respondents. An adverse inference can therefore be drawn that the statement of the respondents to the effect that the applicant was not engaged as casual labourer in their organisation is false. However, such inference is not drawn at present. On the other hand an opportunity is granted to the Director, ICAR, respondent No. to dispose of the representation submitted by the applicant dated 11.12.1997, Annexure-3C after due enquiry into the records and the facts and after hearing the applicant personally. Shri J.K.Bharali, Manager, Operation and Maintenance Cell had clearly stated in two certificates that the applicant was working in his Division. Similarly, Shri D.Medhi, Programme Officer in his certificate dated 3.2.1998 had issued certificate that the applicant was working as casual Carpenters in the Division of Operation and Maintenance Cell as on 1.1.1993. Such certificates could not have been issued without any basis by the officers. Therefore, while disposing of the representation the respondent No.3 shall inquire into the facts on the basis of which the certificates were issued and also into the cases of other casual employees who were granted temporary status on the basis of certificates issued by the Managers concerned and, particularly, the case of the applicants in O.A.40/94. The respondent No.3 shall thereafter communicate a speaking order to the applicant within 3 months from the date of receipt of this order. The applicant may also submit a fresh representation stating his grievances, ✓ if he desires, to the respondent No.3 within 20 days from today and if such representation is received, the respondent

No.3 shall take the fresh representation into consideration.

If the applicant is still aggrieved he may approach this Tribunal again.]

Application is disposed of. No order as to costs.

Sd/-MEMBER (Adm)



Certified to be true Copy
प्रमाणित प्रतिलिपि

Section Officer (J)

आनुमान अधिकारी / प्रमाणिक शाखा
Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय
Guwahati Bench, Guwahati-8
गुवाहाटी न्यायापीठ, गुवाहाटी-8

14/6/99

TO

ANNEXURE - 8

-31-

The Chairman,
Legal Cell,
ICAR Research Complex for NEH Region,
Umiam.

Sub:- Case filed by Shri.Prafulla Ch. Talukdar ex- Casual labourer in CAT Guwahati.

Sir,

With reference to your confidential letter No.RC(G)34/97 dt.27th.August 1999, I am to furnish the replies to the points NO. 1,2 and 3 of your aforesaid letter as follows.

1. Shri.Prafulla Ch. Talukdar was engaged on the basis of the verbal instructions of the then competent authority.
2. As regard copies of the M/R bills, it will not be possible from my end to submit the same at this stage as the same are probably with the Finance Section which were submitted to him for adjustment.
3. If any leave/absence as mentioned in coloum 3 of your letter in question, the same may please be verified from the original M/R bills as stated in the point No.2 above.

Dated Umiam the,28th.August'99

Yours faithfully

(J. K. Bharali)

T-7
Civil Engineer.

7/9
H.S. Choudhary
28/8

ANNEXURE - 9

-32-

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
ICAR RESEARCH COMPLEX FOR E.E.S. REGION
GURUJI ROAD, UNIAM-723103, NEGAHALAYA

No.AC(C)34/97(Part)

Dated Uniam, the 20th Dec., 1999

OFFICE ORDER

Reference judgement dated 09.06.99 of the Hon'ble CAT, Guwahati Bench, Guwahati against case no.OA 20/97 and subsequent representation dated 02.07.99 of Shri R. C. Talukdar, Uniam - 723103, Distt. Ri-Bhoi, Meghalaya and after going through all relevant records as well as Govt. of India's order no.51015/2/90-Estt.(C) dated 10.02.95 in this regard, his representation for grant of temporary status cannot be acceded to as he does not fulfil necessary requirement for grant of temporary status.

OA 40/99 dt

9.6.99

(K. D. VERMA)
DIRECTOR.

Shri R. C. Talukdar,
Uniam - 723103,
Distt. Ri-Bhoi,
Meghalaya.

Copy to :-

1. The Registrar, Central Administrative Tribunal, Guwahati Bench, Guwahati with reference to the judgement of Hon'ble CAT dated 09.06.99.
2. The Joint Director (Hqs.), ICAR Research Complex for E.E.S. Region, Uniam.
3. Spare copy (2 Nos.)

C. Medhi 3/2/98

JICR



-#-33-

Gram : AGRICOMPLEX

Phone:

Telex:

ANNEXURE-10
Colly

भारतीय कृषि अनुसन्धान परिषद उत्तर पूर्वीय पर्वतीय कृषि अनुसन्धान क्षेत्र, शिलांग
ICAR RESEARCH COMPLEX FOR N. E. H. REGION, SHILLONG

TO WHOM IT MAY CONCERN

This is to certify that Sri Ghanashyam
Borman son/daughter of Sri Dharmeswar
Borman village Bhogapur
is working under me since last 8th Nov '82 as a
Casual Labour.

She/He is a very good hard and energetic young
worker.

I wish him/her every success in his/her life.

Shudhi
21/11/85
Farm Manager, ICAR
ICAR Research Complex,
Barapani Farm

No. RC(G) 14/95

Dated the 14th March, 1995.

O R D E R

In pursuance of the Council's order No. F.No. 24(15)/93-Cdn dt. 23.9.94 & 23.11.94 and Govt of India, Ministry of Personnel(PG) and Pensions, Deptt of Personnel & Training's OM No. 51016/2/90-Extt(c) dt. 10.9.93, Sri/ ~~ANAND~~ GHANASHYAM BARMAN, C/Labour, ICAR Research complex for N.E.H. Region, Barapani casual labour is hereby granted temporary status with effect from 1.9.93 on the following terms and conditions:

- 1) Conferment/grant of the said temporary status would not involve any change in his/her nature of duties and responsibilities.
- 2) The engagement will be on daily rates of pay on need basis.
- 3) He/She will be deployed anywhere within the engagement unit/place on the basis of availability of works.
- 4) He/She will not have any right to claim for Group 'D' post under permanent establishment unless he/she is selected through a regular selection process of Group 'D' post.
- 5) He/She will be entitled wages at daily rates with reference to the minimum of the pay scale for a corresponding regular group 'D' post including DA, HRA & CCA (as admissible to a 'Group D' post of the place of his/her working only).
- 6) Benefits of increments at the same rate as applicable to a Group 'D' employee would be taken into account for calculating pro-rata wages for every one year of service subject to performance of duty for atleast 240 days (in the year from the date of conferment of temporary status).
- 7) He/She will be entitled to leave on pro-rata basis at the rate of one day for every ten days of work. Casual leave or any other kind of leave except maternity leave will not be admissible.

P.T.O

- 8) Maternity leave to lady casual labourers as admissible to regular Group 'D' employees will be allowed.
- 9) He/She will have to produce Educational/qualification certificate, Age/date of birth certificate, caste certificate and citizenship certificate in original within one month from the date of issue of this order failing which the order shall automatically stand cancelled.
- 10) The wages for the duty period will be payable only on the days on which he/she is engaged on work.
- 11) Despite confinement of temporary status he/she would be liable to be dispensed/removed from the services of casual labour by giving a notice of one month in writing.

Sd/- S. LASKAR
Director

Memo. No. RC(G) 14/95

14th
Dated the 15th March, 1995.

- 1) Sri/mt. GHANASHYAM BARMAN, C/Labour, ICAR Research complex for NEH Region, Barapani.....
- 2) Sr. Farm Manager/Farm Manager, ICAR Research complex for NEH Region, Barapani.
- 3) Joint Director, ICAR Research complex for NEH Region,
- 4) Incharge A.V., ICAR Research complex for NEH Region,
- 5) Finance & Accounts Officer, ICAR Research complex for NEH Region, Barapani, Umroi Road, Meghalaya.
- 6) The Asstt. Adm. Officer (Estt), ICAR Research complex for NEH Region, Barapani, Umroi Road, Meghalaya.

16/3/95
(I.K. SHARMA)
ADMINISTRATIVE OFFICER

- 7-36 -

TO WHOM IT MAY CONCERN


This is to Certify that Shri. Madan Chandra Kalita, son of Late Hari Chandra Kalita, has been working under ICAR Research Complex for N.E.H. Region at Barapani since March, 1981. He was engaged as chawkidar in the ICAR Office and was paid on a daily basis. He is a sincere energetic, and having high responsible young boy.

I wish him every success in his life.

Sd/- J.K. Bharali.

(Manager)
Operation and Maintenance Cell.

Attested by:-


10/9/81
Asst. Administrative Officer (ICAR)
ICAR Research Complex X,
for N.E.H. Region, Shillong

- 8-37 -

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INDIAN COUNCIL OF AGRICULTURAL RESEARCH
ICAR RESEARCH COMPLEX FOR N.E.H. REGION
UMROI ROAD, BARAPALI, MEGHALAYA

No. IC(G)14/95

Dated: Barapani, the 15th March, '95

Q u e r y

In pursuance of the Council's order No. F.No.24(15)/95-Cdn dated 23.9.94 & 23.11.94 and Govt. of India, Ministry of Personnel (PG) and Pensions, Deptt. of Personnel & Training OM No. 51016/2/90-Estt(C) dated 10.9.93, ~~AKAI/Smti.~~
NADAN CHANDRA KALITA, Casual labour is hereby granted temporary status with effect from 1.9.93 on the following terms and conditions :

- 1) Conferment/grant of the said temporary status would not involve any change in his/her nature of duties and responsibilities.
- 2) The engagement will be on daily rates of pay on need basis.
- 3) He/She will be deployed anywhere within the engagement unit/place on the basis of availability of works.
- 4) He/She will not have any right to claim for Group 'D' post under permanent establishment unless he/she is selected through a regular selection process of group 'D' post.
- 5) He/She will be entitled wages at daily rates with reference to the minimum of the pay scale for a corresponding regular group 'D' post including DA, HRA & CCa (as admissible to a Group 'D' post of the place of his/her working only)
- 6) Benefits of increments at the same rate as applicable to a Group 'D' employee would be taken into account for calculating pro-rata wages for every one year of service subject to performance of duty for atleast 240 days in the year from the date of conferment of temporary status.
- 7) He/She will be entitled to leave on pro-rata basis at the rate of one day for every ten days of work. Casual leave or any other kind of leave except maternity leave will not be admissible.
- 8) Maternity leave to lady casual labourers as admissible to regular Group 'D' employees will be allowed.
- 9) He/She will have to produce Educational/Qualification certificate, Age/date of birth certificate, caste certificate and citizenship certificate in original within one month from the date of issue of this order failing which the order shall automatically stands cancelled.

Contc...P/2.

- 10) The wages for the duty period will be payable only on the days on which he/she is engaged on work.
- 11) Despite conferment of temporary status, he/she would be liable to be dispensed/removed from the services of casual labour by giving a notice of one month in writing.

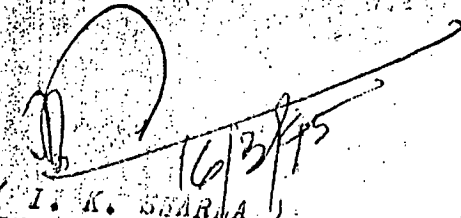
Sd/-
(S. Laskar)
Director.

Memo. No. RC(G)14/95

Dated Barapani, the 15th March, '95

Copy to :-

1. Shri/KMEXX MADAN CHANDRA KALITA, C/Labour, ICAR Research complex for NEH Region, Barapani.....
2. The Sr. Farm manager/Farm Manager, ICAR Research Complex for NEH Region, Barapani.
3. The Joint Director, ICAR Research Complex for NEH Region,
4. In-charge, AVH, ICAR Research Complex for NEH Region,
5. The Finance & Accounts Officer, ICAR Research Complex for NEH Region, Barapani.
6. The Asstt. Admin. Officer (Estt.), ICAR Research Complex for NEH Region, Barapani.


(I. K. SHARMA)
ADMINISTRATIVE OFFICER

TO WHOM IT MAY CONCERN.

This is to certify that Shri Khagendra Nath Medhi, son of Shri Ram Charan Medhi an inhabitant of Village Bhatiulluwa, P.O. Nityananda, Dist. Barpata under P.S. Patachar-Kuchi is working in ICAR Research Complex Farm, Barapani since April '83. I know him very well in this period. He is honest, sincere, energetic and most reliable worker.

His character and conduct are found to be satisfactory.

I wish him all success in his span of life.

Dated, Barapani,
The 2nd Nov '84.

Shreedha
2/11/84.
(D. MEDHI)
Farm Manager
ICAR Research Complex,
Barapani Farm.

No. RC(G) 14/95

Dated the 14th March, 1995.

O R D E R

In pursuance of the Council's order No. F.No. 24(15)/93-Cdn dt. 23.9.94 & 23.11.94 and Govt of India, Ministry of Personnel(PG) and Pensions, Deptt of Personnel & Training OM No. 51016/2/90-Eett(c) dt. 10.9.93, Sri ~~XXXXXX~~ KHAGENDRA .
..MDHL, C/Labour, ICAR Research complex for NEH Region, Barapani.
casual labour is hereby granted temporary status with effect from 1.9.93 on the following terms and conditions:

- 1) Conferment/grant of the said temporary status would not involve any change in his/her nature of duties and responsibilities.
- 2) The engagement will be on daily rates of pay on need basis.
- 3) He/She will be depolyed anywhere within the engagement unit/place on the basis of availability of works.
- 4) He/She will not have any right to claim for Group 'D' post under permanent establishment unless he/she is selected through a regular selection process of Group 'D' post.
- 5) He/She will be entitled wages at daily rates with reference to the minimum of the pay scale for a corresponding regular group 'D' post including DA, HRA & CCA (as admissible to a 'Group D' post of the place of his/her working only).
- 6) Benefits of increments at the same rate as applicable to a Group 'D' employee would be taken into account for calculating pro-rata wages for every one year of service subject to performance of duty for atleast 240 days(in the year from the date of conferment of temporary status).
- 7) He/She will be entitled to leave on pro-rata basis at the rate of one day for every ten days of work. Casual-leave or any other kind of leave except maternity leave will not be admissible.

P.T.O

- 12 -
1 2 1 - 41 -
- 8) Maternity leave to lady casual labourers as admissible to regular Group 'D' employees will be allowed.
- 9) He/She will have to produce Educational/Qualification certificate, age/date of birth certificate, caste certificate and citizen ship certificate in original within one month from the date of issue of this order failing which the order shall automatically stands cancelled.
- 10) The wages for the duty period will be payable only on the days on which he/she is engaged on work.
- 11) Despite confinement of temporary status he/she would be liable to be dispensed/removed from the services of casual labour by giving a notice of one month in writing.

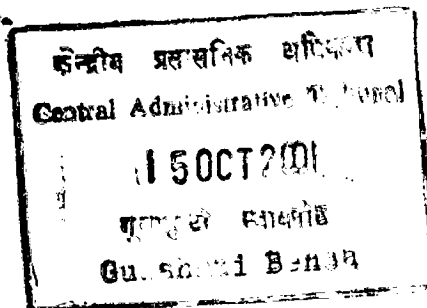
Sd/- S. LAKSHAR
Director

Memo. No. RO(G) 14/95

14th
Dated the 14th March, 1995.

- 1) Sri/ ~~Mr.~~ Khagendra Medhi, C/Labour, ICAR Research complex for NEH Region, Barapani
- 2) Sr. Farm Manager/Farm Manager, ICAR Research complex for NEH Region, Barapani.
- 3) Joint Director, ICAR Research complex for NEH Region,
- 4) Incharge A.V., ICAR Research complex for NEH Region,
- 5) Finance & Accounts Officer, ICAR Research complex for NEH Region, Barapani, Umroi Road, Meghalaya.
- 6) The Asstt. Adm. Officer (Estt), ICAR Research complex for NEH Region, Barapani, Umroi Road, Meghalaya.

16/3/95
(I. K. SHARMA)
ADMINISTRATIVE OFFICER



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL :: GUWAHATI BENCH ::
AT GUWAHATI .

ORIGINAL APPLICATION NO. 188/2000

Shri Prafulla Chandra Talukdar ... Applicant.

- Versus -

Union of India & Others. ... Respondents.

The Respondent Nos. 2 and 3 beg to file this
Written Statement as follows :-

- 1) That all the averments and submissions made in the Original Application are denied by the answering respondents, save what has been specifically admitted herein and what appears from the records of the case.
- 2) That with regard to the statement made in the cause title of the Original Application, the answering respondents beg to state that the applicant has incorrectly stated that he is presently working as Casual Worker under ICAR Research Complex, Barapani, Meghalaya. It is completely a false statement made by the applicant that he was engaged as Casual Worker and is presently working as a Casual Worker in I.C.A.R.

The Office Order No. RC(G) 34/97 (Part) dated

contd... p 2 .

Umium, the 20th December, 1999 is the correct order issued by the authority of this Institute. The relevant documents/ records were examined thoroughly, but the name of the applicant was not found anywhere in the authenticated records/documents maintained by authorised officers of the Institute.

The authority of this Institute had considered the representations submitted by the applicant on Feb., 1995, 25th July, 1995 and 11th December, 1997, but had not acceded to, due to non-availability of his name in any record which was duly maintained by the authorised officers of the Institute.

In 1990, the establishment of ICAR was shifted to ICAR permanent site at Barapani (Umium) and since then there was no establishment of Operation & Maintenance Cell, the post of Manager, O & M Cell has been abolished and Shri J.K. Bharali, T-7 (Civil Engineer) has been working under Scientists of Agril. Engineering Division. ✓

In 1983, the establishment of ICAR was there at Shillong particularly at Dhankheti, Shillong- 3, and due to urgent need of some petty construction work there, a contractor was selected for the said work, but under the supervision of Manager, Operation & Maintenance Cell. The applicant was engaged by the Contractor and the wages so earned by him was given by the Contractor and not by the Office. Ultimately, the applicant obtained the certificate dated 11.11.1983 from Shri J.K. Bharali, which has no value

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-44-
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3.

because after the petty construction work is over, the Contractor and his labourers have left the working site alongwith the applicant. The authority of ICAR did not know about the applicant and even today ICAR authority does not know about him.

The Director of this Institute had constituted a committee again on 7th September, 2001 to examine the documents relating to engagement of the applicant. The constituted committee met on 13.9.2001 and submitted their findings before the Competent Authority which was approved by the C/A.

The findings of the Committee on dated 13.9.2001 revealed that the applicant was never engaged as casual/contract labourers by the authority since 1983 to 1.9.1993. It is the deliberate manipulation activities of the applicant who filed the case against the Council by submitting some vague certificate obtained from some unauthorised/subordinate Technical personnel and misguiding the Hon'ble Court.

The name of the applicant has not been shown/ listed in the authenticated documents of ICAR since its inception. In Annexure- R.IV of the written statement a list of 423 Casual/Contract labourers who have been recommended by a High powered committee including the Director of the Institute and on the basis of this list labourers

contd...

- 45 -

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were considered as casual labourers of this Institute. And according to this list most of the casual labourers were granted Temporary Status regularisation. Nowhere the name of the applicant is found and his claim for TSM status is not granted and will not be granted by the authority of the ICAR.

The recommendation of Committee was done on dated 10.3.1995 as per available documents in the office, but the name of the applicant was not shown/recorded anywhere and, as such, he was not in the roll of 1993 and his claim for granting TSM is not acceptable.

In the proceedings dated 13.9.2001, Shri J.K. Bharali has recorded his statement on dated 20.12.1999 and had mentioned as :

" I have already submitted the report that Shri P.C. Talukdar was engaged under contract in my section and not Muster Roll. However, the certificate was given by me was not proper as head of institution (Director) is only competent to issue the certificate. Therefore, the certificate given by me was not in proper and it is Director to issue the certificate not myself".

Sd/- J.K. Bharali,
20.12.99

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5.

In the same proceedings dated 13.9.2001, Shri D. Medhi, Programme Officer of TOT Project, under ZC Unit on dated 3.2.1990 made a bias statement in that certificate stating that "he had completed 240 days as on 1.9.93 which has been confirmed from the then Manager, C & M Cell".

The same person - D. Medhi again on 16.8.1999 and submitted the reply to Member, Legal Cell, ICAR, Umroi Road, Umium of the proceedings dated 13.9.2001 Shri D. Medhi stated that "The certificate was issued on dated 3.2.1998 due to heavy pressure from Shri Prafulla Talukdar. I had never certified his Muster Roll bills and never maintained his attendance".

So, the certifiecates so issued by Shri J.K. Bharali and Shri D. Medhi are very much ~~of~~ vague, doubtful and not authenticated for which ~~these~~ certificates are not sustainable and should be quashed.

Copies of proceedings dated 13.9.2001, letter dated 10.2.92, list of casual labourers from 1982 - 1995, list of casual labourers who fulfil the terms and conditions, Order of the prepage bottom, letter dated 3.2.98 and letter dated 16.8.1999 are annexed hereto and are marked as Annexures - I, II, III, IV, V, VI and VII respectively.

contd...

3) That with regard to the statement made in paragraphs 2, 3, 4, 4.1 and 4.2 of the Original Application, the answering respondents have no comments to offer.

4) That the answering respondents deny the correctness of the statement made in paragraph 4.3 of the Original Application as it is to mislead this Hon'ble Tribunal. As a matter of fact the applicant was never appointed by the authority of the Institute. As regards his artificial leave, the authority of ICAR is not concerned as his name is not found in the original documents.

The Sr. Farm Manager/Farm Manager were entrusted by the authority of the Institute to maintain records of all casual labourers/contract labourers, but as per annexures shown above, the name of the applicant was not shown by any body including Farm Managers of the Institute. Authority of this Institute enquired about the attendance of the applicant, but nobody replied positive. So, it is a clear case of false averments made by the applicant and on this count alone the Application deserves to be dismissed with cost.

In this para the applicant mentioned "after the aforesaid appointment the applicant was placed under direct control of Farm Manager". But the Sr. Farm Manager vide his letter No. RC/BAR/FM-14/96-97 dated Umium, the

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6th August, 1999 clearly indicates that "Shri P.C. Talukdar has never worked under the General Farm Section, hence payment ~~of~~ to Shri Prafulla Chandra Talukdar from General Section does not arise."

A copy of the letter No. RC/BAR/FM-14/96-97 dated 6.8.1999 is annexed hereto and is marked as Annexure - VIII.

5) That with regard to the statement made in para 4.4 of the Original Application, the answering respondents beg to state that it is surprising to note here that the applicant falsely stated that he had been working since 1983 under the respondent as casual carpenter till date (May/2000) and had completed 17 years. The Estate Officer of this Institute vide his letter No. RC/EC/15/94-95/521 dated the 6th April, 1995 clearly mentioned that "the name of Shri P. Talukdar was not found in attendance register under the Estate Section as on 1.9.93 nor continuing on Muster Roll."

A casual worker should be in the roll as on 1.9.1993 and found engaged for a period of 240 days in a year may be considered for granting him/her TSM as per the Scheme of 1993 i.e. Rajkamal Scheme.

The applicant was never engaged in ICAR either in Agril. Farm or any other establishment of

contd....

ICAR and not found him listed as on 1.9.1993. His false claim for regularisation and for the grant of temporary status does not arise.

A copy of the letter dated 6.4.1995 is annexed hereto and is marked as ANNEXURE - IX.

6) That with regard to the statement made in paragraph 4.5 of the Original Application, the answering respondents state that it is very much false and baseless averment made by the applicant that he was appointed in the year 1983. The certificate so obtained from Shri J.K. Bharali as on 11.11.1983 is quite doubtful/vague as per his statement recorded on the notesheet shown in Annexure - V of the ~~written statement~~ (F. NO. RC(G) 34/97(Pt)). The certificate issued by Shri J.K. Bharali, the then Manager, O.M. Cell is not sustainable as he has mentioned that "Shri P.C. Talukdar was engaged under contract in my section and not on Muster Roll".

The certificate dated 11.11.1983 is a ~~o~~ vague one and hence the statement made by the applicant is not sustainable. Further, he does not fulfil the Scheme of 1993 and, as such, this application is debarred of any merit.

7) That with regard to the statement made in paragraph 4.6 of the Original Application, the answering

contd....

respondents beg to state that the authority of this Institute had considered all the representations submitted by Shri P.C. Talukdar on dated February, 1995, 25.7.1995 and 11.12.1996 and got all the records examined, but the name of the applicant has not been shown by anybody as per records. The authority found some unauthorised certificates signed by few technical staff of this complex which were not acceptable and will never be acceptable also.

8) That with respect to the statement made in paragraph 4.7 of the Original Application, the answering respondents state that the applicant referred a case Original Application No. 40/94 filed by Smt. Maya Thapa & others which is not related to this present case O.A. No. 188/2000 filed by the applicant. As per our L. No. RC(G) 23/94 dated 1.5.1999 respondents had duly implemented the order of the Hon'ble Tribunal, Guwahati Bench, Guwahati dated 24.9.1997 and disposed of the case. Accordingly, the applicant is not concerned in that case and, as such, this should not be sustained rather it may be recorded only.

9) The answering respondents deny the correctness of the statement made in para 4.8 of the Original Application as it is not correct that the applicant is not correct that the applicant fulfils all the requisite

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10.

qualification as required. He does not fulfil the policy of Rajkamal Scheme of 1993. There is no Scheme of 1989 for grant of temporary status and regularisation.

10) That with regard to the statement made in paragraph 4.9 of the Original Application the answering respondents beg to state that when the name of the applicant is not found listed in our records, the question of his regularisation and to grant of temporary status does not arise.

Further, the name of the applicant was not found in the roll of 1993 and had never fulfilled the policy of the Scheme of 1993 (one time scheme), his claim for regularisation as Casual Worker/TSM is liable to be quashed.

A copy of the Council's letter dated 11.3.1995 is annexed hereto and is marked as ANNEXURE - X.

11) That with regard to the statement made in paragraph 4.10 of the Original Applicant, the answering respondents most respectfully state that they have honoured the verdicts/ of this Hon'ble Tribunal passed in Original Application No. 90/97 ~~xxxx~~ on dated 9.6.99. Vide this Office Letter No. RC(G) 34/97 (part) dated

contd...

Umium, the 20th December, 1999, the authority after thorough examining the available records, connected letter with correspondance and also statement recorded in the file had disposed of the said case. In one occasion the applicant was engaged in 1983 by a selected contractor and after that year the authority was not aware regarding engagement of the applicant. As per his statement he had mentioned regarding his "Artificial Leave" but the authority is not concerned about his leave as his name was not listed in our records maintained by the Sr. Farm Manager/Farm Manager of this Institute who were authorised to maintain to do so.

In his letter dated February, 1995 addressed to the Director, ICAR, Research Complex for NEH Region, Umroi Road, Barapani-793 103 had mentioned that "presently also I am working on the same capacity under the Estate Officer". / The authority also examined the letter dated 6th April, 1995 furnished by Estate Officer of this Institute.

The question of producing payment register in case of contract labourer does not arise because the payment towards ~~to~~ contract labourers was made by the selected contractors. That vide letter No. RC/Acctts./Gen/99-2000/922 dated 21.10.1999 the Finance & Accounts Officer of this Institute had submitted the report regarding mode of payment to the contract/casual labourers.

contd...

That as stated earlier the points raised in this paragraph have already been explained in previous paras particularly the certificates issued by Shri J.K. Bharali & Shri D. Medhi, who were and still now they are not authorised Technical Officers to issue such kind of certificate blindly without keeping any records and for which they are changing their views.

A copy of the letter dated 21.10.1999 is annexed hereto and is marked as ANNEXURE- XI.

12) That with regard to the statement made in paragraph 4.11 of the Original Application the answering respondents do not deny that some queries have been made by the Authority of this Institute to Shri J.K. Bharali, T-7 (Civil Engineer) who is working under scientists of Agril. Engineering Division of the Complex. Shri J.K. Bharali had recorded his statement (opinion) in Office file on dated 20.12.1999 (Annexure - V to the Written Statement).

So, the Annexure - 8 which is annexed in this Original Application i.e. a letter to the Chairman, Legal Cell, ICAR, Umiam on 28.8.1999 sent by Shri J.K. Bharali, T-7 Civil Engineer has become infructuous and invalid and as such, it is liable to be quashed.

Further, Shri J.K. Bharali, T-7 (Civil

contd....

Engineer) wrote a letter (Confidential) to the Director of this Institute on dated 20.12.99 explained clearly regarding engagement of the applicant in 1983 through a contractor. And in 1990 and onwards there was no existence of O.M. Cell, all the labourers were working under the supervision of Sr. Farm Manager and the payment of the labourers were made through the contractor. Moreover, Shri J.K. Bharali had also stated that "Due to heavy pressure from Shri P.C. Talukdar directly and indirectly I had to issue certificates to him and I do not know about his attendance."

Thus the question of producing Muster Roll Register does not arise as the selected contractors cleared the payment to contract labourers for their contract bills and no payment was made by ICAR directly to any labourer.

A copy of the letter dated 20.12.1999 is annexed hereto and marked as Annexure - XII.

13) That with regard to the statement made in paragraphs 4.12 and 4.13 of the Original Application the answering respondents state that the Director of this Institute has got all the records examined and issued an Office Order No. RC(G) 34/97 (Part) dated 20.12.1999 and had fully implemented the judgement and order dated 9.6.1999 in case of Original Application No. 90/97 filed by the applicant. The authority considered his representations but did not get any scope to accept it as the applicant does not fulfil the terms of the scheme of 1993.

contd...

14) That with regard to the statement made in paragraph 4.14 of the Original Application the answering respondents state that the applicant was not engaged in 1983 as a casual worker and since 1983 to 1.9.1993 the applicant was not engaged by any authorised officer of the Institute. As a matter of fact the applicant had misguided the authority of the Institute and also the Hon'ble Tribunal by filing Original Application No. 90/97 and Original Application No. 199/2000 by producing vague, unauthenticated and biased certificates only and, as such, is not entitled to any benefit of the Schemes and hence this application is liable to be dismissed with cost.

15) That with regard to the statement made in paragraphs 4.15 and 4.16 of the Original Application the answering respondents beg to state that the applicant mentioned some names in this para which are the genuine casual labourers who were shown in the list of casual/ contract labourers. As per the final list prepared and recommended by the high powered committee on 10.3.1995, the Annexure - X duly attached in this O.A. were granted temporary Status as they fulfilled the policy of the Scheme of 1993 (Rajkamal Scheme). The applicant pointed out that they were given chance on the basis of the certificate issued by Shri D. Medhi and Shri J.K. Bharali. This averment made by the applicant is found totally baseless and incorrect. The respondents stoutly deny the applicant as the names so mentioned in this para were recorded in Annexure - II & III of this written statement

15.

16) That under the facts and circumstances stated above, it is respectfully submitted that it is a fit case for dismissal of the Application by this Hon'ble Tribunal as the applicant is not able to substantiate his claim for TSM (regularisation etc.) and further the Application may be dismissed with cost.

V E R I F I C A T I O N

I, Dr. Narendra Deo Verma, Son of Munilal Verma, aged about 58 years, presently working as Director, Indian Council of Agricultural Research, Research Complex for NEH Region, being duly authorised and competent to sign this verification do hereby solemnly affirm and state that the statements made in paragraphs 1, 3, 6, 7, 8, 9, 13, 14 and 15 are true to my knowledge and those made in paragraphs (2), 4, 5, 10, 11 and 12 are matters of records and information derived therefrom which I believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

I sign this verification on this the 12th October, 2001 at Guwahati.

Date : 12.10.01

Place : Guwahati

Narendra Deo Verma

निदेशक / Director
भा. कृ. अनु. प.-उ. पूर्वी पर्वतीय अनुसंधान परिसर.
ICAR Research Complex For N.E.H. Region.
उमियम, मेघालय
Umiam, Meghalaya

The Committee constituted vide office order
No.BK-2/23/40-2000 dated 7th September, 2001

The Committee sat at 11-30 A.M on 13.9.2001
and examined all the relevant records available in
office and on the basis of the records/documents the
committee offer the following comments:

1. On going through the letter vide No.RC/BAR/
FM-1/92-93/204 dated 10.12.92 (copy enclosed
as Annexure - I alongwith the statement of
casual labourers regarding grant of Temporary
Status submitted by Sr. Farm Manager of this
Institute who had been maintaining the records
of the casual labourers of the Institute, it
is observed that total numbers of casual
labourers as furnished by Sr. Farm Manager
was recorded 280 nos. of labourers (Unskilled
279 nos. and skilled -1 no.) It is also observed
from the list that the name of Shri Prafulla
Chandra Talukdar has not been shown /never
appeared in the list of annexure - 1.
2. The Committee also observed that the above
list furnished by the Sr. Farm Manager was
further scrutinized by the Director, Joint
Director (Hqrs.), Administrative Officer,
Finance & Accounts Officer, Sr. Farm Manager
and Farm Manager on 10.3.95 and accordingly
found 224 numbers of casual labourers eligible
and fulfilled the terms and conditions for
grant of "Temporary Status" for Headquarters
at ICAR Barapani. A list of eligible casual
labourers for 224 enclosed in Annexure - II
And accordingly, 224 numbers of orders
regarding grant of Temporary Status to casual
labourers working under this Institute at
Headquarters, Barapani (now Umiyam) were issued
vide this office letter No.RC(G)14/95 dated
Barapani, the 16th March, 1995.

From the points raised above and records therein
in Annexure I & II, it is very clear that Shri Prafulla
Chandra Talukdar who claimed as casual worker was never
engaged in ICAR, Barapani on casual basis in any time
and even now he is not working in the Complex as casual
worker.

It is also observed that Shri Prafulla Chandra
Talukdar obtained some vague certificates from Technical
staff (unauthorised) when Shri Talukdar was working
under contractor without any basis. These certificates
may not be entertained for any purpose particularly
for the purpose of policy issue. It is also seen in
Notesheet at page No.9/N of File No.RC(G)34/97(pt.),
Shri J.K. Bharali has recorded in writing stating that
Shri P.C. Talukdar was under contract basis which is
reproduced below:

"I have already submitted the report that Shri P.C
Talukdar was engaged under contract in my section and
not on Muster Roll. However, the certificate was given
by me was not proper as head of Institution (Director)
is only competent to issue the certificate. Therefore,
the certificate given by me was not in proper and it is
Director to issue the certificate not myself"

Annex - III

Sd/- J. K. Bharali
20.12.99

N/4

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from prepage N/3

It may also be added here that as regards certificate issued by Shri D. Medhi, Programme Officer of ZC Unit on dated 3.2.1998, the matter has already been explained by Shri Medhi vide his letter dated 16.8.99 addressed to Member, Legal Cell, ICAR, Umiam that he issued the said certificate under heavy pressure from Shri P.C. Talukdar. The last part of the letter dated 16.8.99 is reproduced as below:

"The certificate was issued on dated 3.2.98 due to heavy pressure from Shri Pmafulla Ch. Talukdar. I had never certified his Muster Roll bills and never maintained his attendance"

Amico-IV d V

Sd/- D. Medhi
Programme Officer
dtd. 16.8.99

In the light of above, the Committee feel that the services obtained for operation and research work through contract labourers. In any case does not have any liability to the Institute since the payment was made through contractor for contract work only.

(M. J. Kharawphlang)

(A.C. Deb)

(H.S. Chakraborty)

(G. Sinha)

Recommendation of the Committee members above may pl. be seen for kind appl. of c/a pl.

Approved

22/09/01

Director

Legal cell

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
ICAR RESEARCH COMPLEX FOR N.E.H. REGION
BARAPANI

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NO. RC/BAR/FM-1/92-93/704 Dated Barapani, the 10th Dec., 1992.

To

The Administrative Officer,
ICAR (RC) for NEH Region,
Barapani.

Sub : Grant of temporary status to regularise casual
labourers - consideration for.

Sir,

With reference to the subject cited above I am furnishing the required information as sought for.

i. Total nos of casual labourers - (1) 170 nos + (2) 110 nos
= 280 nos

A. Unskilled - 279 nos
B. Skilled - 1 nos

ii. Date from which they are working,
at the institute.

2(two) nos list of
labourers with name and
year is enclosed herewith.

iii. Financial implications involved : NOT KNOWN

iv. Date from which they become eligible for regularisation. OFFICE TO DECIDE.

Thanking you,

Yours faithfully,

(N. R. Roy)
Sr. Farm Manager.

स. प्रशा. अधिकारी (प्रशा.) / Asst. Admin. Officer (Adm.)
मा. कृ. अनु. प.-उ. पूर्वा पर्वतीय अनुसंधान परिसर.
ICAR Research Complex for N.E.H. Region.
उमियम, मेघालय
Umiam, Meghalaya

S.B.
Pl. put up in file
along with other
relevant papers.

14/12/92

LIST OF CASUAL LABOURERS (YEAR WISE)

1982

Sri Devilal Sarmah

1977

2. Smt. Tili Devi

1978

3. Sri Biren Deka (14/6)

4. Sri Akbar Ali

5. Sri Ganga Pradhan (10/11)

1979

6. Sri Nithsen Sangma

1980

7. Smt Hari Maya (2/4)

8. Sri Suk Bdr. Senar (30/4)

9. Sri Bhinlal Sarna (8/5)

10. Smt. Blish Lyngdoh (7/8)

11. Sri G. Pandey (9/80)

12. Sri Karming Markhap

13. Sri Iem Bdr. Chettri

14. Sri Tej Bdr. Chettri

15. Smt. Flasiben Kharkenger

16.

1981

16. Sri Sukleswar Kalita (1/4)

17. Smt. Melene D. Lyngdoh (1/4)

18. Sri Babulal Metak (22/4)

19. Sri Bhin Bdr. Chettri (1/5)

20. Smt. Mina Kumari Rai (1/5)

21. Sri Hari Chandra Benia (34/5)

22. Smt. Desslie (1/6)

23. Sri Faben Bere (4/6)

24. Sri Birbal Sangma (4/7)

25. Sri Bharamidhar Das (15/7)

26. Sri Bilip Sarna ()

27. Sri Jit Bdr. Senar

28. Sri Burjadhan Barman

29. Sri Shiblakhan Yadav (1/9)

30. Sri Hemeswar Talukder

31. Sri Anar Bahadur

32. Sri Bishau Sagar

33. Smt. Inish Lakhiat

34. Sri Lehit Kumar Berdelei (1/5)

35. Sri Sidheswar Marak (8/3)

36. Smt. Deli Thapa (17/5)

37. Sri Men Bdr. Senar (1/7)

38. Sri Men Bdr. Chettri (1/9)

39. Smt. Bishaukala (4/9)

40. Smt. Lakoni Maya (1/10)

41. Sri T. Ahmed (1/11)

42. Sri Ghanashyam Barman (8/11)

43. Sri Bel Bahadur Berjee (6/10)

44. Sri Rafiqul Haque (14/12)

45. Sri Jit Bdr. Rai

46. Smt. Bhuben Maya

47. Smt. Irinda Lakhiat

48. Smt. Lila Devi Senar

49. Sri Jit Bdr. Thakuri

1983

50. Sri Kamal Sahi Chettri (20/1)

51. Sri Krishna Bdr. Rai (22/1)

52. Smt. Ilenda Shylla (11/1)

53. Smt. Jubirian Lakhiat (2/2)

54. Smt. Hem Maya (1/2)

55. Smt. Kongna War (15/2)

56. Smt. Tara Devi (21/3)

57. Sri Jit Bdr. Lama (2/4)

58. Smt. Nedra Partuh (2/4)

59. Sri Beardsen Marak (22/3)

60. Smt. Anty Lakhiat (4/4)

61. Sri Tirtha Hajarika (5/5)

62. Sri. Bhakta Ram Bara (6/5)

63. Sri Khagen Medhi (23/5)

64. Sri. Chandra Bh. Rai. (11/5)

65. Smt. Sarasati Chettri. (1/6)

66. Sri. Kartick Sarmah. (15/7)

67. Sri. Arjun Chettri. (15/7)

68. Sri. Lankewar Sarna (1/8)

69. Sri. Padma Nath. (1/8)

70. Sri Giridhar Das. (14/9)

71. Sri. Jeichandra Kalita. (27/1)

72. Sri. Suk Bh. Thakuri. (24/9)

73. Smt. Sita Devi (24/9)

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1983

74. Smt. Khuma Devi (24/9)
75. Smt. Bishnumaya Chettri (26/10)
76. Sri Karbalin Nengksah (1/11)
77. Sri Nelson Sangma (15/11)
78. Sri Dharmaeswar Das (13/9)
79. Smt. Ledish Memin (14/11)
80. Smt. Arati Devi (19/11)
81. Smt. Oida Partuh (7/12)
82. Smt. Marbina Nengksah (14/12)
83. Sri Bapukan Das ()
84. Sri Suren Das
85. Sri Debeswar Das
86. Smt. Maju Das
87. Smt. Theirit Kharkenger
88. Smt. Dantimai Warjiri
89. Smt. Saraswati Devi
90. Smt. Sarala Medhi
91. Smt. Mejinish Marak
92. Smt. Laxmi Devi
93. Smt. Soma Devi
94. Sri Phunwel Nengksah
95. Sri Elbister Warjiri
96. Sri Mulung Das
97. Sri Laladhar Sarmah
98. Sri Gebin Kalita
99. Smt. Iti Maya (28/5)
100. Smt. Sita Devi Chettri
101. Sri Purna Kanta Berah

1984

102. Sri Niranjan Medhi (1/2)
103. Smt. Bili Kumari Rai (1/2)
104. Sri Sumindra Nath (2/3)
105. Sri Siben Talukder (13/2)
106. Smt. Radha Chettri (1/3)
107. Smt. Puspa Subha (22/3)
108. Sri Biren Kalita (14/3)
109. Sri Chebital Chettri (7/4)
110. Smt. Chandrakala Rai (6/4)
111. Smt. Pemima Memin (1/5)
112. Smt. Bindu Devi (8/5)

113. Smt. Maya Devi (26/5)
114. Sri Padam Bdr. Rai (21/6)
115. Sri Harnahan Sarmah (21/6)
116. Sri Jamshed Ali (3/5)
117. Sri Pramed Thakuria (8/9)
118. Smt. Radha Devi (3/8)
119. Sri Lembish Marak
120. Sri Meti Bdr. Senar
121. Smt. Neemi Lyngdoh
122. Smt. Remilla Sangma
123. Smt. Subia
124. Smt. Kengtrik
125. Sri Swaru Ram (4/11)
126. Sri Pradip Bere
127. Sri Birendra Shah
128. Sri Jimikar Memin
129. Sri Nathuran Marak
130. Sri Hira Rabha
131. Smt. Medha Sangma
132. Sri Ganesh Kalita
133. Sri Yeslan Majaw

1985

134. Smt. Maya Thapa (3/1)
135. Sri Anil Deka (1/4)
136. Sri Dhan Hazarika (19/5)
137. Sri Hebitra Sangma (1/5)
138. Smt. Mofida Khatun (13/5)
139. Sri Bala Krishna Sarmah (1/6)
140. Sri Thameswar Kalita (29/7)
141. Sri Surja Bahadur
142. Smt. Devi Maya
143. Smt. Januka Devi
144. Smt. Lilmoni Mirda
145. Smt. Hussina Begum
146. Smt. Santi Biswas
147. Smt. Sita
148. Sri Biren Talukder
149. Sri Devital Chettri
150. Sri Ledu Mirda
151. Sri Gejen Das

13/2/83
ICAR Research Complex for N.E.H. Region
Umiam, Meghalaya

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1985

152. Smt. Hithila Memin
153. Smt. Grithalin Sangma
154. Smt. Sobita Memin
155. Smt. Pregish Sangma
156. Smt. Jushma Sarkar
157. Sri Edward Marak
158. Sri Aradip Kalita
159. Sri Marget Sangma
160. Sri Amala Das
161. Sri Jegdee Shah
162. Sri Mulan Pathak
163. Sri Ramesh Halei
164. Sri Ragnath Talukder
165. Sri Anthony Sangma
166. Sri Karna Bar. Thapa
167. Sri Bhadreswar Hajong
168. Sri Shaksing Lyngdoh
169. Sri Tun Tun Ram
170. Smt. Bharati Majaw.

.....

Affected
 13/9/85
 Asst. Adm. Officer (Admn)
 पूर्वी पर्वतीय अनुसंधान परिसर.
 For N.E.H. Region.
 Umiam, Meghalaya

LIST OF THE CASUAL LABOURER WORKING SINCE
1985 through Contractor and since 1992 March
working as Muster Roll Labourer.

1. Smt. Quentina
2. Smt. Rentish
3. Smt. Martidish
4. Smt. Rose Marry
5. Smt. Wantihum
6. Smt. Trelin
7. Sri Keding.
8. Sri Gamish Sangma
9. Smt. Jesenta Kharbangar
10. Sri Milon Marak
11. Smt G. Saiberlin
12. Sri Pynskhemlang
13. Sri Mitherson Marak
14. Sri Krowington Marak
15. Sri Peter Marbanlang
16. Sri Hepjenar Sangma
17. Sri Heringston Sangma
18. Sri Prinbart Sangma
19. Smt. Mariana Sun
20. Smt Victoria Marwein
21. Smt Memin
22. Smt Debera Sylliang
23. Smt Mon Kharkenger
24. Smt Sisilia Marbanlang
25. Smt Iderina Syiem
26. Sri Brester Sun
27. Sri Rolan Sehsten
28. Smt Babina Marak
29. Smt Gretilda Shira
30. Smt Niben Marbanlang
31. Smt Anabish Marbanlang
32. Smt Thrisha Diengdeh
33. Smt Hindamen Lamare
34. Smt Kelish Makri
35. Smt Isabel Marbanlang
36. Smt Kleria Kharbangar
37. Smt Mardish Markhap
38. Smt Indra Swer
39. Smt Lisha Makri
40. Smt Martina Thankhiew
41. Sri Bringstar Markhap
42. Sri Ojitsen Marak
43. Sri Wilber Shira
44. Smt Jesenta Tarkang
45. Smt Helen War
46. Smt Monika Nenapuh
47. Smt Kleria Syiem
48. Sri Edwinson Thira
49. Sri Arjun Syiem
50. Sri Kristinath Marak
51. Sri Knitsen Memin
52. Sri M.T. Sangma
53. Smt Hiss Iapang
54. Smt Trian Jala
55. Maroksen Memin
56. Sri Khurush Sangma
57. Sri Arjun Nath Sangma
58. Smt Umsiben Kharkrang
59. Sri Wankyrshan Fartuh
60. Sri Sengjang Marak
61. Sri Kamanding Lyngdeh
62. Smt Yearlin Warjiri
63. Smt Merrill Lakhiat
64. Sri Jerman Lamare
65. Sri P. hrang Kurbah
66. Sri Krester Suting
67. Sri Bijoy Markhap
68. Smt Icald Makri
69. Smt Ieena Rangtang
70. Smt Brejenty Sangma
71. Sri Ramkhe Memin
72. Smt Melinda Hajaw
73. Sri Kindesh Marak
74. Sri Jedensing Marak
75. Sri Harka Bahadur
76. Sri Hrishikesh Chanda
77. Smt Tulsii Chettri
78. Smt Rambha Joshi
79. Smt Trelin Fartuh
80. Smt Sbein Lyngdeh

J. H. H. S.
Link
10/10/2010
Asst. Admin
ICAR Research Complex for N.E.H. Region
Umiam, Meghalaya

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81. Sri Kandiram Das
82. Smt Rema Chettri
83. Smt Basanti
84. Smt Medha Thabah
85. Smt Preda Mylliem
86. Smt Indra Kala
87. Sri Kumar Chettri
88. Smt Pilinda Sun
89. Smt Phlera Mawlong
90. Smt Merit Phawa
91. Smt Dreshmalin Sangma
92. Smt Diana Diengdeh
93. Smt Debu Jeshi
94. Smt Lalcena Areng
95. Sri Ephie Lyngdoh
96. Sri Bishnu Chettri
97. Sri Krishna Sarma
98. Sri Kalu Swain
99. ~~Smt~~ Sri Greetingbart Sangma
100. Smt Rita Kurbah
101. Smt Kishanona
102. Smt Elti Kharkylla
103. Smt Wantina Nengrum
104. Sri K.O.Saikia
105. Sri Bel Bahadur Subha
106. Sri G.K. Laskar
107. Sri Narayan Thapa
108. Smt Premita Memin
109. Sri Lakhvinder Singh
110. Sri Sukhnaandan Rai

Admitted

स. प्रशा. अधिकारी (प्रशा. ३३२/१०१)
 भा. क. अनु. प-३. पूर्व पर्वत क्षेत्र प्रशा. परिसर.
 ICAR Research Complex for N.E.H. Region.
 उमियम, मेघालय
 Umiam, Meghalaya

Asstt. Admn. Officer (Admn)

Ref: Rc(6) 14/95

LIST OF CASUAL LABOURERS COLLECTED FOR GRANT OF TEMPORARY STATUS WHO FULFILL THE TERMS & CONDITIONS FOR GRANT OF TEMPORARY STATUS.

65 ANNEXURE-IV

BARAPANI HEADQUARTERS.

- ✓ 1. Sri. Amar Bahadur
- ✓ 2. Sri. Devilal Sharma
- ✓ 3. Sri. Bapukan Das
- ✓ 4. Sri. Suren Das
- ✓ 5. Sri. Mon Bahadur Sonar
- ✓ 6. Sri. Lembish Marak
- ✓ 7. Sri. Giridhar Das
- ✓ 8. Sri. Dharmeswar Das
- ✓ 9. Sri. Korming Markhap
- ✓ 10. Sri. Kamal Sahi Chetri
- ✓ 11. Sri. G. Pandey
- ✓ 12. Sri. Krishna Bahadur Rai
- ✓ 13. Sri. Niranjana Medhi
- ✓ 14. Smt. Jubiriana Lakhiat
- ✓ 15. Smti. Desslio
- ✓ 16. Sri. Bhimlal Sharma
- ✓ 17. Sri. Jit Bahadur Rai
- ✓ 18. Sri. Biren Deka
- ✓ 19. Smti. Dil Kumari Rai
- ✓ 20. Sri. Surja Bahadur
- ✓ 21. Smti. Ainish Lakhiat
- ✓ 22. Smti. Liladevi Sonar
- ✓ 23. Smti. Devi Maya
- ✓ 24. Smti. Januka Devi
- ✓ 25. Sri. Khagendra Medhi
- ✓ 26. Sri. Ghanashyam Barman
- ✓ 27. Sri. Dilip Sarmah
- ✓ 28. Smti. Lilmoni Mirda
- ✓ 29. Sri. Biren Talukdar
- ✓ 30. Smti. Hussina Begum
- ✓ 31. Sri. Em Bahadur Chetri
- ✓ 32. Sri. Debeswar Das
- ✓ 33. Smti. Maju Das
- ✓ 34. Smti. Flasi Bon Kharkongor
- ✓ 35. Smti. Moti Bahadur Sonar
- ✓ 36. Smt. Tara Devi
- ✓ 37. Smti. Theirit Kharkongor
- ✓ 38. Smti. Neemi Lyngdoh
- ✓ 39. Sri. Jit Bahadur Sonar
- ✓ 40. Smti. Saraswati Devi

Asst. Dir.
13/9/01
स. प्रशा. अधिकारी (प्रशा.) / Asst. Admn. Officer (Admn)
भा. कृ. अनु. प.-उ. पूर्वी क्षेत्रीय अनुसंधान परिसर.
ICAR Research Complex For N.E.H. Region.
उमियाम, मेघालय
Umiam, Meghalaya

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- ✓ 41. Sri. Bearson Marak
 - ✓ 42. Sri. Nelson Sangma
 - ✓ 43. Sri. Bonbahadur Dorjee
 - ✓ 44. Smti. Marbina Nongkseh
 - ✓ 45. Sri. Durojodhan Barman
 - ✓ 46. Smti. Radha Devi
 - ✓ 47. Smti. Sita
 - ✓ 48. Smti. Maya Devi
 - ✓ 49. Smti. Hem maya
 - ✓ 50. Sri. Arjun Chetri
 - ✓ 51. Sri. Devilal Chetri
 - ✓ 52. Sri. Elbister Warjiri
 - ✓ 53. Sri. Anil Deka
 - ✓ 54. Sri. Padam Bahadur Rai
 - ✓ 55. Smti. Subia
 - ✓ 56. Smti. Khuma Devi
 - ✓ 57. Smti. Bliss Lyngdoh
 - ✓ 58. Smti. Kongtrik
 - ✓ 59. Sri. Jinikar Momin
 - ✓ 60. Smti. Arati Devi
 - ✓ 61. Sri. Dharanidhar Das
 - ✓ 62. Smti. Sita Devi
 - ✓ 63. Sri. Karna Bahadur Thapa
 - ✓ 64. Sri. Bhadreswar Hajong
 - ✓ 65. Smti. Itimaya
 - ✓ 66. Smti. Bishnukala
 - ✓ 67. Sri. Birendra Shah
 - ✓ 68. Smti. Kongna War
 - ✓ 69. Smti. Doli Thapa
 - ✓ 70. Sri. Jamshed Ali
 - ✓ 71. Smti. Bhubon Maya
 - ✓ 72. Smti. Mofida Khatun
 - ✓ 73. Smti. Minakumari Rai
 - ✓ 74. Smti. Sita Devi Chetri
 - ✓ 75. Smti. Bishnumaya Chetri
 - ✓ 76. Sri. Thirthakanta Hazarika
 - ✓ 77. Smti. Laxmimaya
 - ✓ 78. Sri. Sidheswar Marak
 - ✓ 79. Smti. Mellone D. Lyngdoh
 - ✓ 80. Sri. Pradip Boro

Approved
G. Singh
137 91 61
स. प्रशा. अधिकारी (प्रशा.) / Asst. Admn. Officer (Admn)
भा. क. अनु. प.-3. पूर्वी पर्वतीय अनुसंधान परिसर.
ICAR Research Complex For N.E.H. Region.
उमियाम, मेघालय
Umiam, Meghalaya

- 3
- ✓ 81. Sri. Sukleswar Kalita ✓
 - ✓ 82. Sri. Ludu Mirda ✓
 - ✓ 83. Sri. Gajen Das ✓
 - ✓ 84. Smti. Saraswati Chetri ✓
 - ✓ 85. Smti. Maya Thapa ✓
 - ✓ 86. Shri. Chobilal Chetri ✓
 - ✓ 87. Smti. Sarala Medhi ✓
 - ✓ 88. Sri. Biren Kalita ✓
 - ✓ 89. Smti. Mejinish Marak ✓
 - ✓ 90. Smti. Methrila Momin ✓
 - ✓ 91. Sri. Rafiqul Haque ✓
 - ✓ 92. Smti. Anty Lakhia ✓
 - ✓ 93. Smti. Grithalin Sangma ✓
 - ✓ 94. Smti. Tili Devi ✓
 - ✓ 95. Smti. Soma Devi ✓
 - ✓ 96. Smti. Chandrakala Rai ✓
 - ✓ 97. Sri. Balakrishna Sarma ✓
 - ✓ 98. Smti. Hori Maya ✓
 - ✓ 99. Smti. Romila Sangma ✓
 - ✓ 100. Sri. Pramod Thakuria ✓
 - X 101. Sri. Jit Bahadur Thakuria
 - X 102. Sri. Pradip Kalita ✓
 - ✓ 103. Sri. Mulung Das ✓
 - ✓ 104. Sri. Mon Bahadur Chetri ✓
 - ✓ 105. Sri Hira Rabha ✓
 - ✓ 106. Sri. Akbar Ali ✓
 - ✓ 107. Smti. Pemina Momin ✓
 - ✓ 108. Sri. Harmohan Sarmah ✓
 - ✓ 109. Shri. Lankeswar Sarmah ✓
 - ✓ 110. Sri. Kamala Das ✓
 - ✓ 111. Sri. Jogdeo Shah ✓
 - ✓ 112. Smti. Sobita Momin ✓
 - ✓ 113. Sri. Marget Sangma ✓
 - ✓ 114. Smti. Ledish Momin ✓
 - ✓ 115. Sri. Nithson Sangma ✓
 - ✓ 116. Smti. Pregish Sangma ✓
 - ✓ 117. Sri. Romesh Halloi ✓
 - ✓ 118. Sri. Jit Bahadur Lama ✓
 - ✓ 119. Smti. Jushna Sarkar ✓
 - ✓ 120. Sri. Lohit Kr. Bordoloi ✓

(11)

67 (5)

-26-81

Admitted

Qiml

स. प्रशा. अधिकारी (प्रशा.) / Asst. Admin. Officer (Admin)
 भा. कृ. अनु. प.-उ. पूर्वी पर्वतीय अनुसंधान परिसर.
 ICAR Research Complex For N.E.H. Region.
 उमियम, मेघालय
 Umiam, Meghalaya

121. Smti. Ilenda Shylla
 122. Smti. Irinda Lakhiat
 123. Sri. Babul Motok
 124. Smti. Noydra Pyrtth
 125. Sri. Suk Bahadur Sonar
 126. Sri. Ganga Pradhan
 127. Sri. Laladhar Sarmah
 128. Sri. Joy Chandra Kalita
 129. Sri. Siblakhan Yadav
 130. Sri. Gobin Kalita
 131. Sri. Homeswar Talukdar
 132. Sri. Tun Tun Ram
 133. Sri. Tez Bahadur Chetri
 134. Sri. Ganesh Kalita
 135. Sri. Hori Chandra Bonia
 136. Sri. Thaneswar Kalita
 137. Smti. Bharati Majan ?
 138. Smti. Medhi Sangma
 139. Sri. Josland Majaw
 140. Smti. Quintina
 141. Smti. Tentish
 142. Smti. Wantihun
 143. Smti. Trellin Thankhiew
 144. Sri. Gamish Sangma
 145. Sri. Metherson Marak
 146. Sri. Krewington Marak
 147. Sri. Hepjonar Sangma
 148. Sri. Prinbart Sangma
 149. Smti. Mariana Sun
 150. Smti. Victoria Marwein
 151. Smti. Srimoti Momin
 152. Smti. Mon. Kharkongar
 153. Smti. Nibon Marbaniang
 154. Smti. Amabilis Marbaniang
 155. Smti. Thrisha Diengdoh
 156. Smti. Isabel Makpi
 157. Smti. Marvish Markhap
 158. Smti. Indra Swer
 159. Smti. Lisha Makri
 160. Smti. Martina Thangkhiew

(II)

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A. Hester
 1329/01
 स. प्रशा. अधिकारी (प्रशा.)
 ना. कृ. अनु. प.-3. पूर्वी क्षेत्रीय अनुसंधान परिसर.
 ICAR Research Complex For N.E.H. Region
 Umiam, Meghalaya

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(11) 89
- 28-
- ✓ 161. Sri. Ojitson Marak
 - ✓ 162. Smti. Jesenta Tariang
 - ✓ 163. Smti. Monika Nongpluh
 - ✓ 164. Smti. Klore Syiem
 - ✓ 165. Sri. Edwinson Shira
 - ✓ 166. Sri. Krishtinath Marak
 - ✓ 167. Sri. Enitson Momin
 - ✓ 168. Sri. M.T. Sangma
 - ✓ 169. Sri. Malikson Momin
 - ✓ 170. Sri Kherush Sangma
 - ✓ 171. Sri. Kamanding Lyngdoh
 - ✓ 172. Sri. Bijoy Markhap
 - ✓ 173. Smti. Yeald Makri
 - ✓ 174. Smti. Brojenty Sangma
 - ✓ 175. Sri. Ramkhe Momin
 - ✓ 176. Sri. Kindness Marak
 - ✓ 177. Sri. Jedonsing Marak
 - ✓ 178. Smti. Tulsi Chetri
 - ✓ 179. Smti. Rambha Joshi
 - ✓ 180. Smti. Trolin Pyrtuh
 - ✓ 181. Smti. Sbolin Lyngdoh
 - ✓ 182. Smti. Rama Chetri
 - ✓ 183. Smti. Basanti
 - ✓ 184. Smti. Madha Thabah
 - ✓ 185. Smti. Prada Myllem
 - ✓ 186. Smti. Indra Kala
 - ✓ 187. Sri. Kumar Chetri
 - ✓ 188. Smti. Phlora Mawlong
 - ✓ 189. Smti. Drogdalin Sangma
 - ✓ 190. Smti. Debu Joshi
 - ✓ 191. Sri. Bishnu Chetri
 - ✓ 192. Sri. Krishna Sarmah
 - ✓ 193. Sri. Kalu Swain
 - ✓ 194. Sri. Gritingbart Sangma
 - ✓ 195. Smti. Elti Kharkylla
 - ✓ 196. Smti. Wantina Nongrum
 - ✓ 197. Sri. K.C. Saikia
 - ✓ 198. Sri. Bolbahadur Subha
 - ✓ 199. Sri. G.K. Laskar
 - ✓ 200. Sri. Narayan Thapa
 - ✓ 201. Sri. Lakbinder Singh
 - ✓ 202. Smti. Leena Rangslang

Attended
Exhibit
13/9/01
स. प्रशा. अधिकारी (प्रशा.) / Asst. Admn. Officer (Admn)
मा. कृ. अनु. प. उ. पूर्वी पर्वतीय अनुसंधान परिसर.
ICAR Research Complex For N.E.H. Region.
उमिदत, मेघालय
Umiam, Meghalaya

- (11) 84
-29-
- ✓ 203. Smti. Rosemary
 - ✓ 204. Smti. Jesenta Kharbangar
 - ✓ 205. Sri. Milan Marak
 - ✓ 206. Sri. G. Saiborlin
 - ✓ 207. Sri. Pynskhemlang
 - ✓ 208. Sri. Roland Sohsten
 - ✓ 209. Smti. Relish Makri
 - ✓ 210. Smti. Helen War
 - ✓ 211. Sri. Wankyrshan Pyrtuh
 - ✓ 212. Smti. Yearlin Warjiri
 - ✓ 213. Smti. Meril Lakhiat
 - ✓ 214. Sri. Jermon Lamare
 - ✓ 215. Smti. Rita Kurbah
 - ✓ 216. Smti. Pronita Momin
 - ✓ 217. Smti. Melinda Majaw
 - ✓ 218. Sri. Madan Chandra Kalita (store section)
 - ✓ 219. Sri. Dul bahadur Chetry (Tikhe)
 - ✓ 220. Smti. Earry Kurkalong
 - ✓ 221. Smti. Pharty Kurkalong
 - ✓ 222. Smti. Chess Rapsang
 - ✓ 223. Smti. Maya Thapa
 - ✓ 224. Sri. Gopal Sarmah

Upper Shillong

ARUNACHAL PRADESH CENTRE, BASAR

- ✓ 225. Sri. Kento Basar
- ✓ 226. Sri. Nipum Angu
- ✓ 227. Sri. Prakash Bahadur Thapa
- ✓ 228. Sri. Jummo Basar
- ✓ 229. Sri. Gokar Basar
- ✓ 230. Sri. Mijum Riba
- ✓ 231. Sri. Yie Riram
- ✓ 232. Sri. Kirdak Angu
- ✓ 233. Sri. Pratap Chandra Das
- ✓ 234. Sri. J.N. Doley
- ✓ 235. Sri. Monya Bam
- ✓ 236. Sri. Goto Riram
- ✓ 237. Sri. Jummar Basar
- ✓ 238. Sri. Markar Basar
- ✓ 239. Sri. C.S. Sharma
- ✓ 240. Sri. Gopal Diwan
- ✓ 241. Sri. Marto Basar
- ✓ 242. Sri. Dagmo Basar
- ✓ 243. Sri. Lithum Nyorak
- ✓ 244. Smti. Shikoli Ram
- ✓ 245. Sri. Rime Bam

स. प्रशा. अधिकारी (प्रशा.) / Asstt. Admn. Officer (Admn)
भा. क. अनु. प.-उ. पूर्वी पर्वतीय अनुसंधान परिसर.
ICAR Research Complex For N.E.H. Region.
उमियम, मेघालय
Umiam, Meghalaya

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NAGALAND CENTRE, KHANAKHURU, JHARNAPANI.

- ✓ 246. Sri. M.F. Trafdar
- ✓ 247. Sri. Radhakanta Singh
- ✓ 248. Sri. Vesei Angami
- ✓ 249. Sri. Sarju Pandit
- ✓ 250. Sri. Dimbu Khari
- ✓ 251. Sri. Nanda Kaohari
- ✓ 252. Sri. Ratneswar Deka
- ✓ 253. Sri. Haldhar Deka
- ✓ 254. Sri. Sambhu Sarkar
- ✓ 255. Sri. Pradip Das
- ✓ 256. Smti. Bebu Sharma
- ✓ 257. Shri. Binod Siakia (Siakia)
- ✓ 258. Shri. Lolit Majumdar
- ✓ 259. Shri. N.Choudhury
- ✓ 260. Smti. Veleisenu Angami
- ✓ 261. Shri. Khemlal Sharma
- ✓ 262. Shri. Padam Bahadur
- ✓ 263. Shri. Ganesh yadav
- ✓ 264. Shri. Biran Bora
- ✓ 265. Shri. Moniram Gogoi
- ✓ 266. Shri. Dinesh Bora
- ✓ 267. Smti. Keveikhunuo
- ✓ 268. Sri. Jeetu Siakia
- ✓ 269. Shri. Dhan Bahadur
- ✓ 270. Shri. Purni
- ✓ 271. Smti. Azano Angami
- ✓ 272. Smti. Meena Kumari
- ✓ 273. Shri. Dhakti Deka (Dhakti Deka)
- ✓ 274. Shri. Romyo
- ✓ 275. Shri. Muneswar Saikia
- ✓ 276. Shri. Atul Saikia
- ✓ 277. Smti. Limalo Ao

KRISHI VIGYAN KENDRA, TURA

- ✓ 278. Sri. Bablu Sangma
- ✓ 279. Sri. Getdon Sangma
- ✓ 280. Sri. Paster Momin
- ✓ 281. Sri. Gremingaon Sangma
- ✓ 282. Sri. Hellingaon Sangma
- ✓ 283. Sri. Jipson Sangma
- ✓ 284. Sri. Gilbert Marak
- ✓ 285. Sri. Selison Marak
- ✓ 286. Sri. Ratne Chetri
- ✓ 287. Sri. Jogeswar Rabha
- ✓ 288. Sri. Birandra Rabha

12/11/91

स. प्रशा. अधिकारी (पणा) / Asstt. Admin. Officer (Admn)
भा. कृ. अनु. प.-उ. पूर्वा पर्वतीय अनुसंधान परिसर.
ICAR Research Complex For N.E.H. Region.
उमियम, मेघालय
Umiam, Meghalaya

MIZORAM CENTRE, KOLASIB.

- ✓ 289. Shri. Kabiruddin
- ✓ 290. Shri. Sidosal Hambram
- ✓ 291. Shri. Rohlpa
- ✓ 292. Shri. Dhanai Marandi
- ✓ 293. Shri. Sangkhuma
- ✓ 294. Shri. Lalnunmawia
- ✓ 295. Shri. Lalsangliana
- ✓ 296. Shri. Sawveila
- ✓ 297. Shri. Nunmawia
- ✓ 298. Shri. Saila
- ✓ 299. Shri. Lalchhuanga
- ✓ 300. Shri. Jeevan Suren
- ✓ 301. Shri. Rabontudu
- ✓ 302. Shri. Lalnunthari
- ✓ 303. Shri. Thantluangi

TRIPURA CENTRE, LEMBUCHERRA, AGARTALA,

- ✓ 304. Shri. Sapram Debbarma
- ✓ 305. Smti. Phulu rani Deb
- ✓ 306. Sri. Haradhan Roy
- ✓ 307. Sri. Duranta Deb Barma
- ✓ 308. Shri. Chitta Debbarma
- ✓ 309. Shri. Anil Debbarma
- ✓ 310. Shri. Nandalal Gowala
- ✓ 311. Shri. Prafulla Debbarma
- ✓ 312. Shri. Nepal Das
- ✓ 313. Shri. Nanda Kr. Debbarma
- ✓ 314. Shri. Satrughna Debbarma
- ✓ 315. Smti. Maranbala Ghosh
- ✓ 316. Shri. Rajendra Debbarma
- ✓ 317. Shri. Braja Debbarma
- ✓ 318. Shri. Joykumar Debbarma
- ✓ 319. Shri. Bharat Debbarma
- ✓ 320. Shri. Haradhan Chandra Das
- ✓ 321. Shri. Krishnapada Uria
- ✓ 322. Shri. Sambhu Debbarma
- ✓ 323. Shri. Sukhram Debbarma
- ✓ 324. Smti. Jharna Deb
- ✓ 325. Shri. Rati Debbarma
- ✓ 326. Shri. Surjyamani Debbarma

Attested
Chinn
13/5/61

स. प्रशा. अधिकारी (प्रशा.) / Asstt. Admn. Officer (Admn)
भा. कृ. अनु. प.-उ. पूर्वी पर्वतीय अनुसंधान परिसर.
ICAR Research Complex For N.E.H. Region.
उमियम, मेघालय
Umiam, Meghalaya

- ✓ 327. Shri. Subhash Chandra Sarkar
 ✓ 328. Shri. Naba Kr. Debbarma
 ✓ 329. Shri. Sukramani Debbarma
 ✓ 330. Shri. Gauranga Debbarma
 ✓ 331. Shri. Binode Debbarma
 ✓ 332. Smti. Sefali Chakraborty
 ✓ 333. Shri. Anil Debbarma
 ✓ 334. Shri. Durjoy Debbarma
 ✓ 335. Shri. Subodh Debbarma
 ✓ 336. Shri. Ratan Debbarma
 ✓ 337. Shri. Sambhu Debbarma
 ✓ 338. Smti. Dukhini Debbarma
 ✓ 339. Shri. Santosh Debbarma
 ✓ 340. Shri. Satish Debbarma
 ✓ 341. Shri. Nabar Debbarma
 ✓ 342. Shri. Krishna cheran Debbarma
 ✓ 343. Shri. Prabhat Debbarma
 ✓ 344. Smti. Biswalaxmi Debbarma
 ✓ 345. Shri. Swapan Kr. Das
 ✓ 346. Shri. Arjun Debbarma
 ✓ 347. Shri. Puniram Debbarma
 ✓ 348. Shri. Shanti Chowdhury
 ✓ 349. Shri. Sukhabala Das
 ✓ 350. Shri. ^{ASCT} ~~Kamal~~ Debbarma
 ✓ 351. Shri. ~~Debendra~~ Debbarma
 KVK, B.C.MANU, TRIPURA

- ✓ 351. Shri. Manghafu Meg
 ✓ 352. Shri. Chalafru Meg
 ✓ 353. Shri. Parimal Deb Nath
 ✓ 354. Shri. Kanja Meg
 ✓ 355. Shri. Usaang Meg
 ✓ 356. Shri. Arjun Debnath
 ✓ 357. Shri. Laduang Meg
 ✓ 358. Shri. Swapan Debnath
 ✓ 359. Smti. Bhanubala Deb Nath
 ✓ 360. Shri. Narayan Saha

MANIPUR CENTRE, IMPHAL.

- ✓ 361. Sri. K.T. Daniel
 ✓ 362. Shri. S.Subhaschandra Singh
 ✓ 363. Smti. Jati Devi
 ✓ 364. Sri. Th. Diren Singh
 ✓ 365. Sri. S. Muhindro Singh

(71)

-32-

स. प्रशा. अधिकारी (प्रशा.) / Asstt. Admn. Officer (Admn)
 मा. कृ. अनु. प.-उ. पूर्वी पर्वतीय अनुसंधान परिसर.
 ICAR Research Complex For N.E.H. Region.
 उमियम, मेघालय
 Umiam, Meghalaya

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-33-

- ✓ 366. Sri. L. Ingocha Singh
 - ✓ 367. Smti. Ymshang Devi
 - ✓ 368. Smti. Athon Rongmei
 - ✓ 369. Smti. Frai Rongmei
 - ✓ 370. Smti. Dhankumari
 - ✓ 371. Smti. Adon Rongmei
 - ✓ 372. Sri. Adaipao Rongmei
 - ✓ 373. Sri. B.Chuni Sharma
 - ✓ 374. Smti. Angamlu Rongmei
 - ✓ 375. Sri. Hemrang Koireng
 - ✓ 376. Smti. Namphuna Rongmei
 - ✓ 377. Smti. Achung Rongmei
 - ✓ 378. Sri. M. Tualkhanthang @ Thangpu Paite
 - ✓ 379. Sri. Man Bahadur
 - ✓ 380. Sri. Luningaipau Rongmei
 - ✓ 381. Sri. P. Makeingpao Rongmei
 - ✓ 382. Sri. Bachaspatimayum Nimai Sharma
 - ✓ 383. Sri. Naorem Tamu Devi
 - ✓ 384. Sri. Takhelchangbam Mema Devi
 - ✓ 385. Sri. Devilal Sharma
 - ✓ 386. Smti. R.K. Manishang Devi
 - ✓ 387. Smti. C. Mema Devi
 - ✓ 388. Sri. S. Ratankumar
- SIKKIM CENTRE, TADONG, GANGTOK.

- ✓ 388. (a) Smti. Mithu Kumar Darjee
- ✓ 389. Shri. Budhiman Dural
- ✓ 390. Shri. Mohan Thapa
- ✓ 391. Smti. Pabitra Chhetri
- ✓ 392. Ms. Purnamaya Dural
- ✓ 393. Smti. Dabra Sunwar
- ✓ 394. Smti. Chandramaya Chetri
- ✓ 395. Smti. Ram Kumari
- ✓ 396. Shri. Lal Bahadur Chhetri
- ✓ 397. Smti. Bimla Rai
- ✓ 398. Shri. Hari Prasad Chhetri
- ✓ 399. Smti. Bhim Kumari Chhetri
- ✓ 400. Shri. Subhash Thappa
- ✓ 401. Sri. Birbal Bhujel
- ✓ 402. Ms. Kalpana Darjee
- ✓ 403. Ms. Sarda Devi Sharma

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स. प्रशा. अधिकारी (प्रशा.) / Asst. Admn. Officer (Admn)
भा. कृ. अनु. प.-उ. पूर्वी पर्वतीय अनुसंधान परिसर.
ICAR Research Complex For N.E.H. Region.
उमियम, मेघालय
Umiam, Meghalaya

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- ✓ 404. Smti. Phulmit Lepcha
- ✓ 405. Smti. Binda Darjee
- ✓ 406. Smti. Puspa Chhetri
- ✓ 407. Ms. Bishnu Chhetri
- ✓ 408. Smti. Chandra Kala Chhetri
- ✓ 409. Ms. Santi Biswakarma
- ✓ 410. Shri. Ashok Pradhan
- ✓ 411. Sri. Bhim Raj Rai
- ✓ 412. Smti. Jamuna Darjee
- ✓ 413. Smti. Radhika Bhutia
- ✓ 414. Smti. Kala Thapa
- ✓ 415. Smti. Sita Pradhan
- ✓ 416. Smti. Sangeeta Rai
- ✓ 417. Smti. Bishnumaya Bhujel
- ✓ 418. Ms. Suku Dural
- ✓ 419. Ms. Babita Darjee
- ✓ 420. Smti. Ganga Chhetri
- ✓ 421. Smti. Manmaya Darjee
- ✓ 422. Smti. Sukmaya Rai
- ✓ 423. Smti. Santamaya Gurung

[Signature]
DR. U.C. SHARMA
Joint Director (HQ)

[Signature] 10/3/95
I.K. SHARMA
Administrative
Officer

[Signature] 10/3/95
DR. S. LASKAR
Director

[Signature] 10/3/95
A.C. DEB
Finance & Accounts
Officer

[Signature] 10/3/95
N. R. ROY
Sr. Farm Manager

[Signature] 10/3/95
N. SHAH
Farm Manager

[Signature] 10/3/95
स. प्रशा. अधिकारी (प्रशा.) / Asst. Officer (Admn)
भा. कृ. अनु. प. उ. पुर्वो पदवी
ICAR Research Complex For N.E.H. Region.
उमियम, मेघालय
Umiam, Meghalaya

(15) (9)
Note Sheet

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-35-

F.No. Rc(6) 34/97(PH).

ANNEXURE - V^{ad}

Order at pre-page bottom

Flag 'A'

- (a) A draft for kind approval by Director.
- (b) It is noticed that the reply of Shri J. K. Bharali to the letter issued by Member, Legal Cell is very vague. He may thus be asked to clarify/substantiate with documentary evidence as to on what basis he certified on 25.7.95 stating that Shri Prafulla Talukdar was working as master roll basis as on 1.9.93 and Shri Talukdar completed 240 days in that year. In another occasion Shri Bharali has certified dated 11.11.83 that Shri P.C. Talukdar was working as casual carpenter.
- (c) Shri P. C. Talukdar may also be asked to produce the original certificates issued by Shri J. K. Bharali to substantiate genuineness of the certificates produced by him.

However, before issuing the order at (a) above, we may first ascertain the position at (b) & (c) above.

Submitted for orders

AD
Director.

20/11/99

22/11/99

Pl. discuss the matter with me

29.11.99

J. K. Bharali

Director.

I have already submitted the report that Sri P.C. Talukdar was engaged under contract in my section and not on ~~Master~~ roll. However the certificate was given by me was not proper as head of institution (Director) is only competent to issue the certificate. Therefore, the certificate given by me was not in proper and it is directors to issue the certificate not myself.

20/12/99
The statement given by Mr. J. K. Bharali is quite clear that neither he has given any valid certificate

ANNEXURE - VI

Gram - Apicomplex
Phone - 237 214
Fax -

al

भारतीय कृषि अनुसंधान परिषद
उत्तर पूर्वी पर्वतीय कृषि अनुसंधान संस्थान
उमरोई रोड, बारा पानी
मेघालय

ICAR Research Complex for N. E. H. Region
Umroi Road, Bara Pani 793103
Meghalaya

Dated 3.2.98

To whom it may concern

This is to certify that while I was working as the Farm Manager in the Farming system Research Project, Barapani farm of ICAR Research Complex for NEH Region, Shillong, Shri Prafulla Chandra Talukdar was working as a casual carpenter in the Division of operation and Maintenance Cell of this organization and he had completed 240 days on 1.9.93 which has been conformed from the then Manager, O & M Cell.

He is a very hard working boy and bear a good moral character.

Dated Barapani
the 3rd Feb., 1998.

(D. Modhi)
Programme Officer
TOT Project, ICAR
Res. Complex, Barapani
Farm III, TOT Project
Barapani

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ANNEXURE - VII

CONFIDENTIAL

To

The Member, Legal Cell,
ICAR Res. Complex for NEH Region,
Umroi Road, Umiam

Sub:- Issue of certificate in respect of Sh. Prafulla Talukdar
Casual Labourer of I.C.A.R.

Sir,

With reference to your confidential letter No. RC(C)34/97 dated 9th Aug. '99 on the subject cited above, I am to state that a certificate was issued to Sh. Prafulla Talukdar by me on his request as he was factually working on contract basis in the Manager Operation & Maintenance Cell. When I was holding the post of Farm Manager, Farming System Research Projects he was also working in the division for construction of Temporary shed etc. which was done under the supervision of Manager O.M. Cell. The certificate was issued on the basis of my knowledge that Shri Talukdar was working at that time in the temporary construction work of the farm.

As regards point No. 1 a certificate was issued by me dated 3.2.98, the copy of which would be produced within short time.

As regards point No. 2 I had never certified Muster Roll bill in respect of Shri Prafulla Talukdar.

As regards point No. 3 he was doing miscellaneous works under the supervision of contractor.

As regards point No. 4 he was absent for the long time which was not known to me.

The certificate was issued on dated 3.2.98 due to heavy pressure from Shri Prafulla Talukdar. I had never certified his Muster Roll bills and never maintained his attendance.

Yours faithfully

Settled
16/08/99
(D. Medhi)
Programme Officer
TOT Projects,
Zone-III, Umiam

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-am
ANNEXURE VIII

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
ICAR RESEARCH COMPLEX FOR N.E.H. REGION
UMROI ROAD, UMIAM

NO.RC/BAR/FM-14/96-97/

Dated Umiam, the 6th Aug., 1999.

To

The Member, Legal Cell,
ICAR (RC) for NEH Region,
Umroi Road, Umiam.

Sub : Judgement of CAT, Guwahati Bench, Guwahati dated
9.6.99 against the case filed by Shri Prafulla
Chandra Talukder, Casual Carpenter of 1983.

Ref : No. RC(G)34/97 dt. 4.8.99.

Sir,

With reference to the above, I am to inform you that
Shri Prafulla Chandra Talukder was never worked under the
General Farm Section, hence payment to Shri Prafulla chandra
Talukder from General section does not arise.

This is for favour of your information & necessary
action.

Yours faithfully,

(N.R. Roy)
Sr. Farm Manager.

ANNEXURE IX
INDIAN COUNCIL OF AGRICULTURAL RESEARCH
ICAR Research complex for H.E.H. Region
Estate Cell, Unrai Road, Barapani

No. RC/10/15/24-25/32-1

Dated the 6th April, 1995.

To,

The Administrative Officer,
ICAR (RC) for H.E.H. Region,
Barapani.

Ref : Your L.No.RC(3)25/95 dt.28.3.95.

Sir,

On verification of necessary registers/records, it is to state that the name of Shri.P.Talukdar was not found in attendance register under the Estate Section as on 1.9.93 nor continuing on muster roll.

Yours faithfully,

(D.K. CHOWAL)
Estate Officer

No. 24(15)/93-Cdn

Dated the 14th March, 1995.

To

All Directors/Project Directors of
Research Institutes/Centres/Directorates.

Subject: Grant of temporary status and regularisation of casual workers. Adoption of scheme formulated by Dept. of Personnel & Training - applicability to casual workers who were not in employment as on 1.9.1993 and for this reason had not rendered continuous service of 240 days as on this date but had rendered such service in any preceding year - clarification - req.

Sir,

In the context of this Council Circular No.24-15/93-Cdn dated 23rd November, 1994 adopting the scheme formulated by Department of Personnel & Training with regard to grant of temporary status and regularisation of casual workers, certain Institutes have sought clarification about applicability of these instructions to those casual labourers who were not in employment as on 1.9.1993, the date from which the scheme has been implemented and for this reason had not rendered 240 days continuous service as on 1.9.93 but were in employment in a preceding year, say 1968 and had completed continuous service of 240 days in that year. In this connection, reference is invited to para 3 & 4 of Appendix to the aforesaid circular according to which the scheme is applicable to casual labourers in employment on the date of issue of these orders. Since the orders have been made effective from 1.9.93 the casual labourers who might have completed 240 days in 1968 (as per the hypothetical case referred to us) will not be eligible for grant of temporary status if such casual labourers were not in employment as on 1.9.1993 and had not put in 240 days of continuous service in that year.

Yours faithfully,

(SOMI SINGH)
UNDER SECRETARY(S)

Copy for information to:-

- 1) Estt. III Section, ICAR.
- 11) All I.A. Sections, ICAR.

M. No. —

SECTION OFFICER

ICAR

21277 No.

Date

4.4.95

भारतीय कृषि अनुसन्धान परिषद्
उत्तर पूर्वी पर्वतीय कृषि अनुसन्धान संस्थान
उमरोई रोड, वड़ा पानी
मेघालय
ICAR Research Complex for N. E. H. Region
Umroi Road, Bara Pani-793103
Meghalaya

Gram : Agricomplex
Phone : 237 214
Fax : -41-

No. RC/Accts/Gen./99-2000/922,

Dated 21.10.99

To

The Member Secy.,
Legal Committee,
ICAR Res. Complex,
Umiam, Meghalaya.

Sub.:- Proceedings of the constituted committee met
on 13.10.99.

Ref.:- 1. Our letter of even no. dated 14.10.99.
2. Your letter No. RC(G)34/97 dt. 14.10.99.
3. Copy of the proceedings dt. 15.10.99.

Sir,

With reference to above, I am to inform you that it is understood that the payment of casual labour during that period was made through the respective contractors only and not to the person concerned as referred in your letter, on the basis of lowest tender rates and on production of bills after duly sanctioned by the C/A through Administrative Section. Therefore, to get the further information, if necessary, relevant files of the Administrative Section may kindly be referred too.

Thanking you,

Yours faithfully,

Rajesh Sahay 21/10/99
(R. Sahay)

Fin. & Accts. Officer.

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ANNEXURE - XII Confidential

Dated 20.12.99 *ax*

To:

The Director,
ICAR, Umiam (Barapani)

Sub: Issue of certificate in respect of
Shri Prafulla Chandra Talukdar,
ex contract labourer.

Sir,

In continuation of my statement recorded
in the notesheet of F.No.RC(G)34/97 (part) on
dated 20.12.99, I would like to state further that:

- Legal cell*
1. Shri Prafulla Chandra Talukdar was engaged through a contractor in the year 1983 for petty construction work under the supervision of Manager, O.M. Cell. His payment was made by the Contractor at that time.
 2. Since 1990 there was no existence of O.M. Cell here at ICAR Barapani and the labourers were working under the supervision of Sr. Farm Manager of the Complex and the payment of the labourers were made through the contractor.
 3. Due to heavy pressure from Shri P.C. Talukdar directly and indirectly I had to issue certificates to him and I do not know about his attendance.

Inconvenience caused for any action on my part is highly regretted.

Yours faithfully,

(J. K. Bharali)
T-7 (Civil Engineer)

Handwritten signature
Finance & Accounts Officer
ICAR Research Complex for
N.E.H. Region, Umroi Road,
Barapani - 793 103, Meghalaya.