

30/10/00  
CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. B.81/2001

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SECTION OFFICER (Judl.)

FORM NO.4  
(See Rule 42)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:GUWAHATI.

ORDERS SHEET

APPLICATION NO. 381/2001

Applicant (s) Md. Armanul Haque

Respondent(s) U.O.I. Govt

Advocate for the Applicant: B. Malakar, B.D.A

Advocate for the Respondent: Case

Notes of the Registry	Date	Order of the Tribunal
	19.9.01	Heard counsel for the parties.
This application is in form but not in time. A噴onation Petition is filed vide M.P. No. C.P. for Rs. 50/- deposited vide IPO/BD No 79.548983		Issue notice to show cause as to why the application shall not be admitted. Returnable by three weeks.
Dated..... 3.9.2001		Mr. B.C.Pathak, learned Addl.C.G.S. C. for the respondents, accepts notice.
		List on 10/10/01 for admission.
		Endeavours shall be made to dispose of the same.
		<i>[Signature]</i> Vice-Chairman
Notice Received. Notice prepared and sent to D/s for hearing the Petitioners No. 703 by Legal A.D. <i>[Signature]</i> 24/9/01	10.10.01	mb List the matter on 16.11.01 to enable the respondents to file its written statement.
		Pendency of this application shall not preclude the respondents from considering the case of the applicant for conferment of temporary status.
DN: 3667 to 3669 Date 28/9/01		<i>[Signature]</i> Vice-Chairman
① Notice duly served on R.No.1, other respondent are still awaited.	pg	

(2)

16.11.01

None is present for the applicant. List again on 14.12.2001 for admission.

15.11.2001

ICUShan  
Member

Rejoinder to the W/S  
has been submitted.

bb

14.12.01

None is present for the applicant. Respondents are yet to file written statement. Four weeks time is allowed to the respondents to file written statement.

List on 11.1.2002 for admission.

No. written statement  
has been filed.

ICUShan  
Member

3/  
10.1.02

mb

11.1.02

List on 13.2.02 for filing of written statement.

Notice of Respondent No.3.  
Returned due to not known.

Vice-Chairman

b2

lm

No. written statement  
has been filed.

3/  
12.2.02

13.2.02

Heard Mr. B. Malabar learned counsel for the applicant and Mr. B.C. Pathak, Addl. C.G.S.C.

Application is admitted. Issue

notice on the respondents. Mr. B.C. Pathak, Addl. C.G.S.C. pointed out that the case of the applicant is being examined, that final examining will be accepted shortly. He prays for time for filing of written statement.

Prayer is allowed. List on 15.3.02 for orders.

No. W/S has been  
filed.

ICUShan  
Member

3/  
14.3.02

lm

15.3.02

List on 24.4.02 to enable the

respondents to complete the exercise as communicated vide letter dated 13th Nov. 2002.

Vice-Chairman

No. W/S has been  
filed.

3/  
23.4.02

(3)

O.A.381 of 2001

Notes of the Registry

Date

Order of the Tribunal

No written statement  
has been filed.

*Rm*  
*Bcp*

*31/5*

*24/5/02*

24.5.2002

List the case for hearing on 17.5.2002. The respondents may file written statement, if any, within three weeks from today.

*Vice-Chairman*

bb

17.5.02

Judgment delivered in open Court. Kept in separate sheets. Application is disposed of. No costs.

lm

*I C U Sharr*

Member

Notes of the Registry

Date

Order of the Registry

16

16

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

O.A. /R.A. No. 381 of 2001 of

DATE OF DECISION... 17.05.02

Md.Amanum Haque

APPLICANT(S)

Mr.B.Malakar

ADVOCATE FOR THE APPLICANT

VERSUS...

Union of India & Ors.

RESPONDENT(S)

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

ADVOCATE FOR THE  
RESPONDENT(S)

THE HON'BLE

MR.K.K.SHARMA, ADMINISTRATIVE MEMBER

THE HON'BLE

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

Judgment delivered by Hon'ble MEMBER(ADMIN) *IC Usha*

N

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No.381 of 2001

Date of Order: This the 17th Day of May 2002

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

1. Md.Amanul Haque  
Son of Md.Azim Uddin  
Village Bhmolla,  
Dist.Darrang Assam     ...     ... Applicant

By Advocate Mr.B.Malakar

-Vs-

1. The Union of India, represented by the Chief General Manager, Assam Telecom Circle  
S.R.Bora Land, Ulubari, Guwahati
2. The Chief Engineer(Civil)  
Telecom(C) Assam Zone, Ulubari
3. Assistant Engineer, Telecom(C)  
Sub-Division, C.R.Das Road,  
Dhubri.

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

O R D E R.

K.K.SHARMA MEMBER(ADMN):

In this application the applicant has claimed the temporary status. The applicant was engaged as Casual Worker under the Respondent No.3. The applicant approached this Tribunal by O.A.No.142 of 98 which was disposed of on 31.8.99. In the Judgment the direction was given to the Respondents to verify the case of the applicant in consultation with the record. The applicant filed another O.A. which was registered as O.A.No.302 of 2000 which was disposed of on 5.12.2000 with a direction to the Respondents to complete the process of verification within three months. As the applicant did not get any relief he filed this O.A. Hence this application :

contd/-

By Annexure H to the U.A. the applicant claims that he had completed more than 240 days.

2. Heard Mr.B.Malakar learned counsel for the applicant. Vide Annexure H the Respondent No.2, Chief Engineer(C) BSNL, Assam, Ulubari, by letter dated 17.11.2000 to the Chief General Manager, BSNL, Assam Circle, Guwahati recommended the case of the applicant. The recommendation of the Chief Engineer is reproduced below:-

No.1(40)2000/CE-ASM/GH/269 dated 17th Nov.2000

To

The Chief General Manager, BSNL, Assam Circle, Guwahati-781007.

Sub: Conferring of TSM to Casual Labourers - Case of Md. Anamul Haque.

Kindly refer to this office even No.103 dated 19th October 2000, wherein a list of leftover names of 10 casual labourers were given. At serial No.10 of that list appears the name of Md.Anamul Haque, whose case was not recommended by the scrutiny Committee. But since Md.Haque appealed for review of his case on valid ground, apart from filing a Cat Case vide U.A.No.302/2000/2212 dated 10.10.2000 against the Department, his case was reviewed by this office.

After review, it is found that due to following reasons his case was not recommended.

1. The Scrutiny Committee found that through concerned AE marked him present on 242 days during the year 1997, but his payment was not made as per minimum wages & Scrutiny Committee decided to divide the total emolument by minimum wages & arrived of total number of days present during 1997, which is less than 240 days.
2. No documents were submitted before the Scrutiny Committee regarding his presence on 1.8.1998.

But on review it was found that he was paid arrear of pay & allowances vide voucher No.146 dated 10.12.1998(refer Annexure A). If the arrear amount is taken into consideration, it is found that he was present on 242 days during one calender year of 1997. Xerox copy of extract of attendance register submitted by Assistant Engineer, Telecom Civil Sub-Division, Dhubri (refer Annexure B) shows that Md.Haque was present on 1.8.1998. Thus it is seen that Md.Anamul Haque,

LL (Wb)

Casual Labourer fulfilled the requisite qualification for conferment of TSM, as per Directorate's circular.

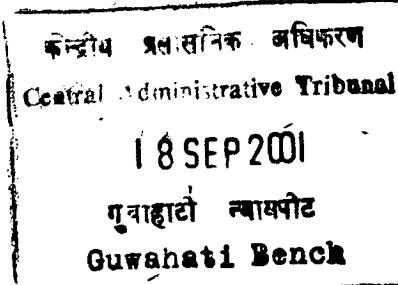
As such, I Recommend the name of Md.Amanul Haque, Casual labourer engaged in the O/O AE, Telecom Civil Sub-Division, Dhubri for conferment of TSM immediately."

3. Heard Mr.B.C.Pathak, learned Addl.C.G.S.C. appearing on behalf of the Respondents. The respondents have not filed any written statement. Mr.Pathak however, filed the Report of the Verification Committee. Mr.Pathak learned Addl.C.G.S.C submitted that the case of the applicant was not recommended by the Verification Committee, because the Committee found from records that in the year 1997 the applicant worked 230 days as per payment vouchers, 220 days as per attendance register, 232 days as per Temp.Adv.Account and 235 days as per Arrear Bills records and 26 days in 1998. The Committee found that the applicant had not worked for 240 days in any year up to 1.8.1998.

4. I have heard the learned counsel for the parties and have also perused the records. The Chief Engineer, BSNL, Assam, Ulubari however, found that the applicant was present for 240 days in the year 1997. There is some materials which shows that the applicant worked more than 240 days in the year 1997. In the facts and circumstances I am of the view that the case of the applicant is required to be re-considered more particularly with reference to the Report of the Chief Engineer dated 17th Nov.2000. The Respondents are directed to consider the case of the applicant with reference to the letter dated 17th Nov.2000 and the process for consideration the case of the applicant should be completed within a period of 3 months from the date of receipt of this order.

5. The application is accordingly, disposed of. There shall however, no order as to costs.

IC ((Shdn-  
(K.K.SHARMA)  
ADMINISTRATIVE MEMBER



FILED BY:  
 Md. Amanul Haque  
 THROUGHT:- To  
 (Redacted)

13/09/01  
 CAUTIKA BIKASH DAS  
 ADVOCATE

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI BENCH

GUWAHATI

381  
 O.A. NO. 381 /2001

Md. Amanul Haque

-Vs.-

Union of India & Ors

I N D E X

<u>Particulars</u>	<u>Annexure</u>	<u>Page</u>
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5. Annexure-C		18 to 19
6. Annexure-D		20 to 21
7. Annexure-E		22 to 23
8. Annexure-F		24 to 26
9. Annexure-G		27 to 28
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Filed by  
 (Redacted)  
 13/09/01  
 Advocate

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal

18 SEP 2001

गुवाहाटी न्यायपोट

Guwahati Bench

FILED BY:-  
MD. ABDULLAH HABEEB  
THROUGH:-  
Gautam Bikash DAS  
13/09/01

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

An application under Section 19 of the  
Central Administrative Tribunal Act, 1985.

Date of filing :

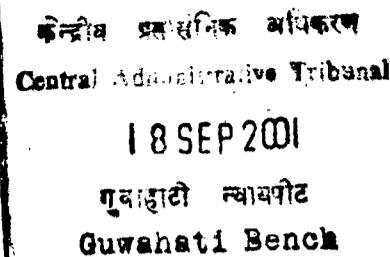
Registration No.:

Signature :

*Wazir 18/9/2001*  
Registrar

contd...

Md. Amanul Haque



-2-

1. Particulars of the : (1) Md Amanul Haque,  
applicant. son of Md Azim Uddin  
Billage Bhmolla,  
P.O. Bahmolla,  
Dist.-Darrang, Assam

1.(a) Particulars of the: (i) The Union of India, represented by the Chief General Manager, Assam Telecom Circle, S.R.Bora Land, Ulubari, Guwahati.

(ii) The Chief Engineer(Civil), Telcom(C), Assam Zone, Ulubari.

(iii) Assistant Engineer, Telcom(C) Sub-Division, C.R.Das Road, Dhubri.

(b) Address for service: As above  
of notices

(c) Particulars of the : Non-granting of temporary ~~xxx~~ statue to the applicant who is entitled to the same despite Hon'ble CAT's order.

2. Jurisdiction of the : The applicant declares that the subject matter of this application is within the jurisdiction of this Tribunal.

contd..

Md. A Haque

৯৪৩৪ স্বত্ত্ব বিভিন্ন  
Central Administrative Tribunal  
18 SEP 2001  
গুৱাহাটী ন্যাশনীয়  
Guwahati Bench

-3-

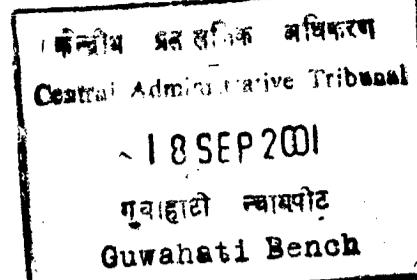
3. Limitation : The applicant further declares that the application is within the limitation prescribed by Section 21 of the CAT Act 1985.

4. Facts of the case: (i) The applicant is working under Respondent No.3 as casual employee and posted at Bongaigaon. The applicant was originally engaged on 1-3-97 and he has, by now completed seven years of continuous service in the department. In the year 1997, the petitioner completed 242 days continuous service in the department as Casual Majdoor as certified by the Respondent No.2.

(ii) That the applicant was recommended by the Superintending Engineer, (HQ) for grant of temporary status vide letter No.1(40)94/CE/NEZ/Ghy/152, dtd. 12.2.98. The recommendation was made to the Respondent No.1. It is the normal practice followed in the department that the employees recommended for grant of temporary status are given such status paying their way for regular absorption in the department. But after such recommendation, the Respondent No.1 instead of granting the temporary status resorted to action for termination of service of the Casual employees. The applicant having come to know about the subject apprehended again approached this Hon'ble Tribunal by filling an application

contd..

Md. A Haque



-4-

under section 19 of the Central Administrative Tribunal Act, 1985 which was registered as O.A.No.142/98 wherein stay order not oust the applicant was passed by this Hon'ble Tribunal. In this way, there were 22 applicants including the present applicant.

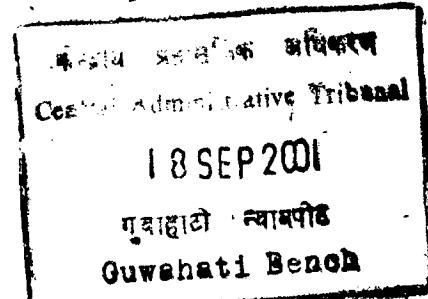
(iii) That the said original application finally disposed off by judgment and order ,dated 31.8.99. The operative portion of the Judgment and order is quoted below :

" In view of the above, we dispose of these applications with direction to the respondents to examine the case of each applicant. The applicants may file representations individually within a period of one month from the date of receipt of the order and is such representations are filed individually the respondents shall scrutinise and examine each case in consultation with the records and thereafter pass a reasoned order on merits of each case within a period of six months thereafter. The interim order passed in any of the case shall remain in force till the disposal of the representations."

(iv) That the judgment being passed as above, the Respondent No.2 vide office Order, No.1(40)94/CE/ASM/GHY/3710, dtd.19.9.2000 granted temporary status

contd...

Mr. A. Haque



-5-

to 15 Casual Majdoor working in the Civil Wing of the Telcom department. In this office order, the name of the applicant was not included.

A copy of the said order dtd. 19.9.2000 is annexed herewith and marked as Annexure-A to this application.

(v) That the applicant begs to state that he has fulfilled the requisite condition for grant of Temporary status as may be evident from the certificate issued by the Respondent No.3 under whose administrative control, the applicant has been working. In the order dated 19.9.2000, it has been stated:

.....Temporary status is hereby conferred upon the following casual labourers who had worked 240 days or more in a year preceding August, 1998 and were in engagement in August, 1998 with effect 1st September, 1999, under casual Labourers (grant of Temporary status) scheme of Department of Telecommunication 1989 as amended from time to time.

This being the sole consideration for grant of temporary status to the Casual Mazdoors, non-inclusion of the name of the applicant is illegal and it is arbitrary as it is on record that the applicant

XXXX

Md. A. Hayne

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was originally engaged on 1-3-1997 and he has completed 242 days of continuous service in the capacity of ~~xxxxxx~~ casual Mazdoor till August, 1998.

A copy of the certificate issued alongwith the recommendation are annexed herewith and marked as Annexures-B and B1. respectively.

vi) That the applicant begs to state that pursuant to the order passed by the Respondent No.2 vide letter no. Estt.9/12(Pt-I)101m, dtd. 7.7.2000, the District Magistrate, Bongaigaon, granted temporary status to 78 casual Mazdoors wherein person appointed on 1.5.97 was also included. This shows that non-inclusion of the name of the applicant in the said list was arbitrary and illegal and he having been appointed initially on 1.3.97 and there was total non-application of mind.

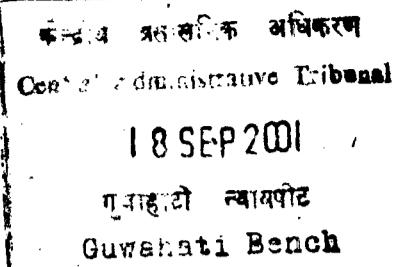
A copy of the said list is annexed herewith and marked as Annexure-E-C to this application.

(vii) That the applicant begs to state that he was paid wages from 1.3.97 to 20.9.98 as per DTO's letter No. 269-II/90-STN-II/, dtd. 15.9.98 and the arrear of wages was also paid from 1.3.97 to 20.9.98. Therefore the criterion laid down in the office order dtd 19.9.2000, that for the purpose of granting temporary status one has to work 240 days or more in a year preceding August, 1998 and were in engagement in August, 1998.

A copy of the arrear pay slip is annexed herewith and marked as Annexure-D to this application.

contd..

Mr. Arif Haque



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(viii) That the Applicant filed an application before this Tribunal which was registered and numbered as O.A. 302/2000 and this application was disposed by the Tribunal on 5.12.2000 on observing inter alia that since the applicant completed the period prescribed by the scheme and since his case was also recommended by the appropriate authority, the respondent authorities are expected to complete the process on consideration.

A copy of the said order is annexed herewith and marked as Annexure-E to this application.

(ix) That after passing of the order by the Tribunal the applicant approached the authority and submitted a copy of the order passed by the Tribunal. On submission the copy of the order to the authorities the applicant was told that since there was no specific direction from the Hon'ble Tribunal, his case would not be considered. However, the Executive Engineer(HQ) in the Office of the Chief Engineer BSNL, Assam, Zone, Guwahati wrote to the Superintending Engineer(Civil Circle) Guwahati vide letter No.1(40)/2K/CE-ASM/GH/267 dtd. 12.2.2001 where-in it was stated that the competent authority is directed to convey the following remarks communicated by the CGMT, Guwahati :-

(1) Md. Anamul Haque has not been recommended by the verification Committee and he was not in service on 1.8.98.

(ii) .....

(iii) under the above circumstances, it is not advisable to grant temporary status to

Md. A Haque

केन्द्रीय प्रशासनिक अधिकार अधिकारी  
Central Administrative Tribunal  
18 SEP 2001  
गुवाहाटी न्यायालय  
Guwahati Bench

-8-

Md.Anamul Haque.

A copy of the said letter is annexed herewith and marked as Annexure-F to this application.

(x) That the applicant begs to state that vide letter No.16(8)92/ GHCD/Vol-ii/2225 dtd.13.11.2000, the Accounts Officer, BSNL, Civil Division, Guwahati wrote to the Executive Engineer(HQ) in respect of conferring temporary status to the applicant. This letter was written with reference to the letter of the Executive Engineer No.1(40)2000/CE-ASM/GH/155 dtd 30.10.2000.

In this letter it was stated :-

" Base year taken by screening committee is verified. The limit of 240 days as 9994-95, 1995-96, 1996-97, 1997- up to 1.8.98. i.e. prior to 1.8.98 (cut off date as per CAT order issued) and the official was paid arrear of pay and allowances vide voucher No.146 dtd.10.12.98".

A copy of the said letter is annexed together with the copy of the attendance roll is annexed herewith and marked as Annexure-G and G<sub>1</sub> with this application.

(xi) That the applicant begs to state that the respondent No.2 wrote to the respondent No.1 vide letter No.1(40)2000/CE-ASM/GH/269 dtd.17.11.2000 regarding non-recommendation of the case of the applicant for grant of temporary status by the scrutiny committee. It was

contd..

Md. Anamul Haque

केन्द्रीय बनासक्ति अधिकरण
Central Administrative Tribunal
18 SEP 2001
पुस्तक वर्गीकरण
General Branch

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It was stated that his case was reviewed by the Scrutinee Committee and after review the following reasons for non recommendation of his case were recorded.

- (i) The scrutinee committee found that though the concerned A.E. marked him present on 240 days during the year 1997, but his payment was not made as per minimum wages and scrutinee committee decided to defy the total emolument by minimum wages and arrived on total number of days present during the year 1997 which is less than 240 days.
- (ii) No documents were submitted before the scrutiny committee regarding his presence on 1.8.98.

But on reviewed by the office, it was found that he was paid arrears of pay and allowance vide voucher No.146 dtd.10.12.1998. If the arrear amount is taken into consideration, it is found that he was present 240 days during one calendar year of 1997. The Xerox copy of the extracted attendance register submitted by the A.E, Telcom, Dhubri Sub-Div. shows that Md Anamul Haque was present on 1.8.98. Thus it is seen that Md Anamul Haque, Casual Labourer fulfilled the requisite qualification for confirmation of temporary status as per Directorate circular.

contd..

Md. A. Haque

As such, I recommend the name of Md. Anamul Haque, Casual Labourer engaged in the office of the A.E., Civil Sub-Div., Dhubri for confirmation of Temporary Status immediately.

A copy of the said letter is annexed ~~xxx~~ herewith and marked as Annexure H to this application.

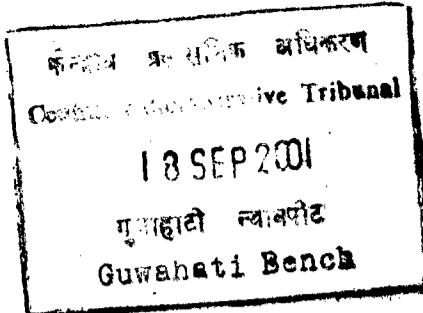
(4) That from the above it is crystal clear that the Scrutinee Committee did not recommend the case of the applicant for grant of temporary status on erroneous footing. There was total non application of the mind on the part of the scrutinee committee and before taking a decision detrimental to the interest of the applicant in a bid to take away the bread from the mouth. It was the duty to the Scrutinee committee to call for records from the Field Officer as well as Controlling Officer before arriving at a suo-motto decision. The decision not to grant temporary status to the applicant is, therefore vitiated by malafide. Such action should be denounced by the Hon'ble Tribunal and be set aside.

(5) REMEDIES EXHAUSTED

The applicant who is entitled to the grant of temporary status was left out of consideration and in terms of the judgment and order, dtd. 31.8.99 in O.A. No. 142/98, the applicant filed representation before the authority, which has not been considered.

contd..

Md. A. Haque



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**(6) MATTERS NOT PREVIOUSLY FILED OR PENDING BEFORE THE COURT.**

The applicant filed O.A. No. 30/2000 which was disposed of finally on 5.12.2000 and thereafter he has not filed any application before any court.

**(7) RELIEF SOUGHT**

Under the circumstances, the applicant prays that he should be conferred with the temporary status as recommended by the authority.

**(8) INTERIM ORDER**

The applicant further prays that pending disposal of this application, the applicant shall not be ousted from the service.

**(9) LEGAL GROUND.**

The applicant states and contends that he having the requisite qualification for grant of temporary status was duly recommended by the authority for grant of such status and non-consideration of his case for the same, is arbitrary and illegal. The scrutiny Committee did not apply their mind and did not consult any record.

**(10) NO. OF I.P.O.- 7G 548983**

Name of the Post Office : Guwahati

Office at which payable : Guwahati

contd...

Nd. A Hague

( 11)

LIST OF ANNEXURES:

A - Office Order No. 1.(40)94/CE-Asm/GHY/  
3/10, dtd. 19.9.2000.

B - Recommendations dated 23.7.99 and  
B1- 24.11.99

C - Order No. E.75/Pt-& CM/CAT Case/2000-2001/  
20, dtd. 25th July, 2000.

D- Salary Slip.

E - Copy of the Tribunal's order.

F - Copy of letter No. 1.(40)/2K/CE-ASM/GH/267  
dtd. 12.2.2001.

G- Copy of the letter No. 16(8)92/GHCD/Col-ii/2225  
-dtd. 13.11.2000.

H - Copy of letter No. 1.(40) 2000/CE-ASM/GH/269  
dtd. 17.11.2000.

Md. A. Haque

শেষ প্রাপ্তি অধিকারণ  
Complaintive Tribunal  
Guwahati Bench

18 SEP 2001

১৩

Guwahati Bench

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

I, Md. Anamul Haque, son of Md Azim Uddin,  
village Bhmolla at present working as Casuāl Mazdoor,  
under Asstt. Engineer, Civil Sub-Division, Dhubri posted  
at Bongaigaon do hereby verify that the statements  
made in paragraph 1, 2, 3, 4 (1, II, V, VI, VII, VIII, XII, ), 5, 6, 7, 8, 9, 10, 11,  
are true to my knowledge and those in paragraph 4 (II, IV,  
VI, IX, X, XI) are true to my knowledge and  
being matters of records which are true to my  
information derive therefrom which I believe to be  
true and rest are my humble submission before this  
Hon'ble Tribunal and I sign this verification on  
this day of August, 2001 at Guwahati.

Md. Anamul Haque  
SIGNATURE



GOVT OF INDIA  
DEPARTMENT OF TELECOM OPERATIONS

ରାଜ୍ୟାକାର ପ୍ରକାଶନ ବିଭାଗ

(CIVIL WING)

O/O THE CHIEF ENGINEER(CIVIL), TELECOM CIVIL ASSAM  
ZONE, 2<sup>nd</sup> FLOOR, MITRA BUILDING, ASHRAM ROAD,  
ULUBARI, GUWAHATI - 781007

No. 1 (40) 94 / CE - ASM / GHY / 3710

Dated : 19<sup>th</sup> September, 2000

OFFICE ORDER

Sub : Grant of Temporary Status to Casual Mazdoors working in Civil Wing units in Assam.

In pursuance of the order No. 269-10/89-STN dated 7-11-89 and 269-13/99-STN-II dated 1-9-99 of the TCHQ New Delhi, and as per Chief General Manager, Telecom, Assam Circle, Guwahati approval contained in letter No. ESTT-9 / 12 (Civil) / 3 Dtd. 12-09-2000, Temporary Status is hereby conferred upon the following Casual Labourers who had worked 240 days or more in a year preceding August 1998 and were in engagement in August 1998, with effect from 1<sup>st</sup> September 1999, under Casual Labourers (Grant of Temporary Status) Scheme of Department of Telecommunication, 1989 as amended from time to time. This conferment of Temporary Status shall be subjected to the following conditions.

1. The casual labourer shall be termed as Temporary Mazdoor. However the conferment of Temporary Status would not involve any change in his/her duties and responsibilities.
2. The engagement will be on daily rates of pay on a need basis. He/She may be deployed anywhere within the State of Assam on the basis of availability of work.
3. Such Casual Labourer, who acquires temporary status through this order, will not be brought on to the permanent establishment unless he / she is selected through a prescribed regular selection process for Group-'D' posts. The grant of temporary status shall not confer any right to such casual labourer for his / her absorption in Group D cadre.
4. The grant of Temporary Status would entitle the Temporary Mazdoors to the following benefits :
  - a. Wages at daily rates to be calculated with reference to the minimum of the pay scale for a regular Group-'D' official (i.e. Rs. 2550) plus DA, HRA and CCA.
  - b. Benefits in respect of increments in pay scale will be admissible for every one year of service subject to performance of duty for at least 240 days (206 days in administrative offices observing 5 days a week) in the year.
  - c. Leave entitlement will be on a Pro-rata basis; one day for every 10 days of work. Casual leave or any other kind of leave will not be admissible. They will also be allowed to carry forward the leave at their credits on their regularisation. They will not be entitled to the benefit of encashment of leave on termination of services for any reason or their quitting service.
  - d. 50% of the service rendered under Temporary Status shall be counted for the purpose of retirement benefits after their regularisation in Gr D cadre.
  - e. After rendering three years continuous service on attainment of Temporary Status, the Temporary Mazdoors will be treated or at par with the temporary Group-'D' employees only for the purpose of contribution to General Provident Fund, and would also further be eligible for the grant of Festival Advance / Food Advance on the same conditions as

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are applicable to temporary Group 'D' employees, provided they furnish two securities from permanent Govt. Servants of the department.

- f. Until they are regularised / absorbed in the Group D cadre the Temporary Mazdoors will be entitled to Productivity Linked Bonus only at rates as applicable to Casual Labourers.
7. 5. No benefits other than those specified above will be admissible to Temporary Mazdoors i.e. Casual Labourers with temporary status.
6. Despite conferment of Temporary Status, the services of any Temporary Mazdoor can be dispensed with any time in accordance with the relevant provisions of the Industrial Dispute Act 1947. Casual Labourer with Temporary Status can also quit from service by giving one months' notice to the competent authority.
7. If a Temporary Mazdoor commits any misconduct and the same is proved in an inquiry after giving him reasonable opportunity, his services will be terminated / dispensed with. Such Temporary Mazdoor shall not be entitled to the benefit of encashment of leave on termination of service.
8. The department will have the power to make any amendments in the aforesaid conditions.

SN	Name of Casual Labourer	Father's name and Address	Presently working under the control of
1.	Sri Dimbeswar Das	Sri Rudra Ram Das, Via Mukalmua, Vill & P.O. Chanda, Dist. Nalbari (Assam)	SE(C), TCC Guwahati
2.	Sri Kandarpa Rajbonshi	Late Kalu Ram Rajbonshi, C/O N. Rajbonshi, Vill. Luit Nagar, P.O. Noonmati, Guwahati - 781020.	SE(C), TCC Guwahati
3.	Sri Bapdhan Rajbonshi	Sri Puwana Rajbonshi, Vill & P.O. Kathalbari, Dist. Nalbari (Assam)	SE(C), TCC Guwahati
4.	Sri Akhil Talukdar	Late Sri Gakul Talukdar, Vill. & P.O. Ramdia (Mazarkusi), Dist. Kamrup. Assam	SE(C), TCC Guwahati
5.	Sri Dhruba Kumar Das	Late Sri Upen Chandra Das, Vill. Bhaika Bari, P.O. Japia, Dist. Kamrup. Assam	AE(C), TCSD III Guwahati
6.	Sri Joyram Chauhan	Sri Lakhi Prasad Chauhan, Rehbari, Guwahati - 781008.	AE(C), TCSD II Guwahati
7.	Sri Bhupen Das	Late Sri Suren Das, Luit Nagar, Noonmati, Guwahati - 781020	AE(C), TCSD I Guwahati
8.	Sri Bhagaban Dutta	Late Krishna Dutta, Vill. Baragra, P.O. Hati Namati, Dist. Nalbari Assam	EE(C), TCD Guwahati

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9.	Sri Anil Rajbonshi	Sri Puwana Rajbonshi, Vill & P.O. Kathalbeui, Via. Baroma, Nalbari Assam.	SE(C), TCS
10.	Sri Birin Chandra Kataki	Late Sri Gondho Ram Kataki, Vill. & P.O. Kurua, Dist. Darrang Assam	AE(C), TCSD
11.	Sri Bir Bahadur Dorjee	Late Sri Dal Bahadur Dorjee, Vill. & P.O. Kajalgaon, Dist. Bongaigaon. Assam	AE(C), TCSD
12.	Sri Bhaben Das	Sri Upen Das, Vill. Ganeshitola, P.O. Hajo. (Assam)	AE(C), TCSD I Guwahati
13.	Ms Runu Devi	Sri Lohit Chandra Sarma, Vill. Poyla, P.O. Bardejali, Dist. Nalbari. Assam	EE(C), TCD Guwahati
14.	Sri Chetri Rohit	Late Sri Kania Bahadur Chetri, Kalita Kuchi, P.O. Narengi, P.S. Noonmati, Guwahati - 781026.	Architect ( Telecom ) Guwahati
15.	Sri Mukut Rajbonshi	Late Sri Rameswar Rajbonshi, Vill. Alta, P.O. Dumnichokhi, Baihata Chariali, Dist. Kamrup. Assam	EE(C), TCD Guwahati

*Releas*  
Executive Engineer(HQ)  
O/O CE(Civil), Guwahati.

Copy to:

1. The Chief General Manager, Telecom, Assam Circle, Guwahati for kind information with  
ref to No. ESTT-8/12(CIVIL)3 dt 2-9-2000
2. GMT, Kamrup Telecom SSA, TDM-Bongaigaon SSA for information.
3. Superintending Engineer(Civil), TCC Guwahati
4. The Architect(Telecom) Guwahati
5. AO, TCD Guwahati
6. The concerned Casual Mazdoors through their controlling officers

*Releas*  
Executive Engineer(HQ)  
O/O CE(Civil), Guwahati.

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## DEPARTMENT OF TELE COMMUNICATIONS.

OFFICE OF THE ASSISTANT ENGINEER :: TELECOM CIVIL SUB-DIVISION.

DHUBRI/

No. 4/TEC.D-DHUBRI/TEC/1998/328

To

Date. 23.7.98... (S)

The Executive Engineer,  
Telecom. Civil Division.  
Guwahati.

Sub:- List of Mazdoor.

Ref:- Telephonic instruction from Sr. Accounts Officer, TCD,  
Guwahati dated 22.7.98.With above reference and subject kindly find the details  
of daily rated mazdoor engaged in this office as below:-

1. Name of Casual Mazdoor & post in which working :- RNB. ANAMUL HAQUE  
against office peon.
2. Date from working :- 1-3-97.
3. Details of break up in service till date :- 1997 = 212 days.  
1998 = 146 days.
4. Authority of appointment with mode of appointment :- Directly engaged as mazdoor.
5. Present status :- No record available.  
Discontinued.
6. If not working whether there is any termination order: No.

Despatched by  
Fax No. 540322.

*July 23/98*  
Assistant Engineer,  
Telecom Civil Sub-Division,  
Dhubri/

*lal*

GOVERNMENT OF INDIA  
DEPARTMENT OF TELECOMMUNICATIONS  
OFFICE OF THE TELECOM DISTRICT MANAGER :::: BONGAIGAON-783380

No. 13-75/1/1 &amp; CM/CAT Case/2(X)0-2001/20

Dated at Bongaigaon the 25<sup>th</sup> July 2000.

In pursuance of the Chief General Manager Telecom, Guwahati letter no. ESTT-9/12(Pl-1)/101 dated 07.07.2000, the TDM, Bongaigaon is pleased to grant TEMPORARY STATUS to the following Casual Labourers who were engaged on full time basis after 31-03-1985 and still continuing for such works under the Bongaigaon SSA where they were initially engaged and not absent for last more than 365 days continuing from the date of engagement under the Casual Labourers (Grant of Temporary Status) Scheme, 1989 as amended from time to time with effect from 01.09.1999.

The Casual labourers are hereby allotted as shown against their names below and should join the new unit within twenty days from the date of issue of this order.

Sl. No.	Name of Casual Labourers	Community	Date of birth	Date of Initial Engagement	Present Unit of working	New unit of allotment
1.	Smt. Basanti Basfore		01-01-60	09-09-83	SDE(TT)/BGN	SDE(TT)/BGN
2.	Md. Mamud		21-05-68	01-07-89	SDE(TT)/BGN	SDE(TT)/BGN
3.	Sri Kashiram Hazumdar		01-03-61	03-10-90	SDE(TT)/BGN	SDE(TT)/BGN
4.	Sri Basanta Bezbhukan		01-03-61	03-10-90	SDE(TT)/BGN	SDE(TT)/BGN
5.	Sri Nagen Rajbongshi		31-12-67	05-10-90	SDE(TT)/BGN	SDE(TT)/BGN
6.	Sri Prabhat Ch. Das		01-03-68	13-10-90	SDE(TT)/BGN	SDE(TT)/BGN
7.	Sri Nirmal Ch. Das		04-02-51	31-12-90	SDE(TT)/BGN	SDE(TT)/BGN
8.	Sri Uma Kanta Roy		31-10-55	31-12-90	SDE(TT)/BGN	SDE(TT)/BGN
9.	Sri Mridul Chakraborty		01-07-61	21-03-91	SDE(TT)/BGN	SDE(TT)/BGN
10.	Sri Ashok Kr. Das		01-10-66	21-03-91	SDE(TT)/BGN	SDE(TT)/BGN
11.	Sri Suraj Brahma	ST	29-06-66	06-04-91	SDE(TT)/BGN	SDE(TT)/BGN
12.	Sri Dadhiram Basumatary	ST	31-05-65	08-04-91	SDE(TT)/BGN	SDE(TT)/BGN
13.	Sri Girish Ch. Das		02-07-68	01-05-91	SDE(TT)/BGN	SDE(TT)/BGN
14.	Md. Sahjanan Ali	OC	28-10-68	01-05-91	SDOP/BGN	SDOP/BGN
15.	Sri Dinesh Nath	OC	31-08-64	02-07-91	SDOT/KKJ	SDOT/KKJ
16.	Sri Rohini Barman	OC	21-10-70	02-07-91	SDOT/KKJ	SDOT/KKJ
17.	Md. Abdul Mannan Haque	OC	23-10-63	02-09-91	SDE(TT)/BGN	SDE(TT)/BGN
18.	Sri Dwipcharan Roy	OC	17-10-69	02-09-91	SDE(TT)/BGN	SDE(TT)/BGN
19.	Sri Sanjib Kr. Das	OC	29-04-72	02-09-91	SDE(TT)/BGN	SDE(TT)/BGN
20.	Md. Wazed Ali	OC	18-07-68	01-11-91	SDOP/BGN	SDOP/BGN
21.	Md. Musa Ali	OC	16-06-69	01-11-91	SDOP/BGN	SDOP/BGN
22.	Sri Biswa Ch. Debnath	OC	02-11-59	02-12-91	SDOT/KKJ	SDOT/KKJ
23.	Sri Thrineshwar Brahma	ST	21-01-61	01-01-92	SDE(TT)/BGN	TDM office/BGN
24.	Sri Bhumidhar Roy	MOBC	18-01-67	01-01-92	SDOT/BGN	SDOT/BGN
25.	Sri Tapan Dey	OC	01-01-72	01-07-92	SDOP/BGN	TDM office/BGN
26.	Sri Jethu Ram Balmiki	SC	13-09-75	01-07-92	SDOP/BGN	SDOP/BGN
27.	Sri Bhajani Das	SC	28-11-58	01-09-92	SDEP/GP	SDEP/GP
28.	Sri Dwijen Singha	MOBC	28-09-64	01-09-92	TDM/BGN	TDM office/BGN
29.	Sri Tapan Ch. Das	SC	15-06-71	01-11-92	SDOP/BGN	TDM office/BGN
30.	Sri Shambhu Das	OC	31-07-67	01-01-93	SDOT/NBR	TDM office/BGN
31.	Md. Tarik Ali	OC	20-11-68	01-01-93	SDOT/NBR	SDE(CDOT)/NBR
32.	Sri Niranjan Medhi	OC	31-12-68	01-01-93	SDOT/NBR	SDOT/NBR
33.	Sri Gopal Das	OC	11-02-72	01-01-93	SDOT/NBR	SDE(CDOT)/NBR
34.	Smt. Rina Basfore	SC	01-07-73	01-01-93	SDE(TT)/BGN	SDE(TT)/BGN
35.	Sri Khagen Nath	OC	31-12-70	25-01-93	SDOT/KKJ	SDOT/KKJ
36.	Sri Mohan Deka	OC	30-04-72	01-04-93	SDOT/NBR	SDE(CDOT)/NBR
37.	Sri Ganesh Das	OC	30-11-71	01-07-93	SDOT/BPRD	SDOT/BPRD

Contd..... P-2

Sl. No.	Name of Casual Labourers	Community	Date of birth	Date of initial engagement	Present Unit of working	New unit of allotment
38.	Sri Nripen Ch. Rabha	ST	01-01-72	01-09-93	SDOT/BPRD	SDOT/BPRD
39.	Sri Birendra Singh	OC	05-02-72	25-09-93	TDM/BGN	TDM office/BGN
40.	Sri Kedar Roy	OC	10-02-69	01-10-93	SDOT/KKJ	SDOT/KKJ
41.	Md. Kader Ali	OC	19-02-79	01-10-93	SDOT/BGN	SDOT/BGN
42.	Sri Bhupenjoy Nangma	ST	11-12-71	01-12-93	SDOP/BGN	SDOP/BGN
43.	Sri Dibakar Majumdar	SC	20-09-68	01-01-94	SDOP/BGN	SDOP/BGN
44.	Sri Shiv Shankar Rai	OC	07-01-71	01-01-94	SDOT/NBR	SDOT/NBR
45.	Md. Badrul Ali	OC	31-12-71	01-01-94	SDOT/NBR	SDOT/NBR
46.	Sri Jogen Ch. Bora	ST	31-10-69	01-02-94	SDOT/NBR	SDOT/NBR
47.	Md. Baharul Islam	OC	26-10-74	01-02-94	SDOT/BGN	SDOT/BGN
48.	Md. Lal Miah	OC	21-03-74	01-08-94	SDOT/DU	SDOT/DU
49.	Miss Sikha Bhattacharjee	OC	19-04-68	01-09-94	SDOT/DU	SDOT/DU
50.	Sri Satrughna Paul	OC	01-02-72	01-09-94	TDM/BGN	TDM office/BGN
51.	Sri Dayaram Roy	MOIC	05-01-72	21-11-94	SDOP/BGN	SDOP/BGN
52.	Md. Mozibur Rahman	OC	01-12-61	01-12-94	SDOT/DU	SDEP/GP
53.	Sri Jhota Das	OC	15-03-71	01-01-95	SDOT/BGN	TDM office/BGN
54.	Sri Dilip Kr. Paul	OC	04-03-77	14-01-95	SDOT/KKJ	SDEP/GP
55.	Sri Dulal Ch. Keltia	OC	08-05-71	01-03-95	SDOT/DU	SDOT/DU
56.	Sri Kimal Basfore	SC	03-02-73	01-03-95	SDOT/NBR	SDE(CDOT)/NBR
57.	Sri Janaklal Brahma	ST	11-08-76	01-03-95	SDOT/KKJ	SDOT/KKJ
58.	Sri Upendra Singh	OC	10-01-76	20-03-95	TDM/BGN	TDM office/BGN
59.	Sri Sujanya Prasad Rabha	ST	01-01-73	21-03-95	SDOP/BGN	SDOP/BGN
60.	Sri Boloram Das	OC	30-08-71	01-04-95	SDOT/BPRD	SDOT/BPRD
61.	Md. Sahajan Khan	OC	01-07-72	01-04-95	SDOT/BPRD	SDOT/BPRD
62.	Md. Abdul Latif	OC	30-01-77	01-04-95	SDOT/BGN	SDOT/BGN
63.	Sri Kumar Singh	OC	11-04-73	01-05-95	SDOT/BPRD	SDOT/BPRD
64.	Sri Dhagen Bora	ST	26-07-74	15-05-95	SDOP/BGN	SDOP/BGN
65.	Sri Sona Basfore	SC	17-05-74	01-06-95	SDOT/DU	SDOT/DU
66.	Sri Bhulu Kr. Ghosh	OC	08-01-69	01-08-95	SDOT/DU	SDOT/DU
67.	Sri Nirod Ch. Roy	OC	03-03-78	01-12-95	SDOT/DU	SDOT/DU
68.	Sri Mridul Das	OC	04-08-75	01-01-96	SDOP/BGN	TDM office/BGN
69.	Md. Mohibul Haque	OC	21-11-75	01-01-96	SDOT/DU	SDOT/DU
70.	Md. Nur Islam	OC	01-10-74	01-02-96	SDOT/BPRD	SDOT/BPRD
71.	Md. Abdul Baten	OC	17-03-77	01-03-96	SDOT/BGN	SDOT/BGN
72.	Smt. Daibaki Devi Roy	OC	21-02-78	01-06-96	SDOT/DU	SDOT/DU
73.	Md. Masidur Rahman	OC	01-12-76	01-06-96	SDOT/DU	SDOT/DU
74.	Sri Chandan Sarkar	SC	10-02-73	20-06-96	SDOP/BGN	SDOP/BGN
75.	Md. Mohimuddin Seikh	OC	31-12-78	01-07-96	SDOT/BGN	SDOT/BGN
76.	Miss Babiya Dey	OC	12-08-74	15-07-96	SDOT/KKJ	SDOT/KKJ
77.	Sri Biswajit Das	OC	24-10-78	01-11-96	SDOP/BGN	TDM office/BGN
78.	Sri Ananta Nath	OC	31-07-74	01-05-97	SDOT/BPRD	SDOT/BPRD

(U. C. Deori)  
Divisional Engineer (P & A)  
O/o Telecom District Manager  
Bongaigaon-783380

Contd..... P.3

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Annexure D

ACE-2 A/c No. 8

**DEPARTMENT OF TELECOMMUNICATIONS**  
(See Rule 115 of Part II of the Rules)

(See Rule-115 of P & T FHB Vol-III Part-

Mr. M. Urquhart AF(C) for

1998-9

## ANNEXURE - C

VERIFICATION OF RECORDS OF CASUAL LABOUR IN ASSAM TELECOM CIRCLE, GUWAHATI  
REF :- HON'BLE CAT, GUWALIATI BENCH DECISION DATED - 31 -8- 1999.

PHOTOGRAPH TO  
BE SIGNED BY  
THE CASUAL  
MAZDOOR IN PRE  
SENCE OF THE  
COMMITTEE.

1. Name of applicant Casual Mazdoor : Md. Anamul Haque.
2. O/A No. if the labourer has gone to court : OA 142/98
3. Father's name & address : Md. Azimuddin Ahmed, VII<sup>th</sup> Balmola, P.O. Balmola, Dist- Darrang, Assam.
4. Dt. of birth : 01-01-78
5. Age as on 01-8-1998 : 20 years - 7 months - 0 days.
6. Dt. of initial engagement : March 97 Mode of Selection : Directly by AE, TCSB, Dhruba (Through Employment XGE or any other method)
7. Nature of duty performed : Office Peon.
8. Present status of the mazdoor : casual Mazdoor (Daily rated)
9. Specimen signature of the mazdoor : Md. Anamul Haque.
10. Engagement particulars from the date of initial engagement : (As per attached sheet) till 01-8-1998
11. Recommendation of the Committee whether Casual labourer should be granted Temporary Status or not keeping in view guide lines :
12. Recommendation of the SSA "Head/Unit" : ..

Circle Office Member C.A.O/ S.S.A / E.E(H/Q).

Annex-E

32

IN THE CASUAL ADMINISTRATIVE TRIBUNAL

MATERIAL PETITION, BURDWAH, 5. (RUL. NO. 4)  
DILWASH SHET. (See rule-42)

APPLICATION NO. 302/2000

Applicant(s) Md. Amanul Haque.

Respondents(s) Union of India and or.

Advocate for Applicant(s) Mr. B. Malakar.

Advocate for Respondent(s) C.G.S.C.

Notes of the Registry	DATE	ORDER OF THE TRIBUNAL
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5.12.00

Heard Mr. B. Malakar, learned counsel for the applicant and Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents.

The matter pertains to grant of temporary status in the light of the Casual Labourer (Grant of Temporary Status and Regularisation) Scheme, 1989 as amended from time to time. The

Contd...



*[Signature]*  
J. D. C. S.

5.12.00 applicant is one of such casual employee who claimed that he has completed the period prescribed by the scheme and his case was also recommended by the appropriate authority. Mr. A. Deb Roy, Sr. C.G.S.C. has stated that cases are under consideration and within a period of three months the respondents are expected to complete the process of consideration.

In view of the statement made at the bar I do not find any useful purpose to pursue the matter. In the circumstances, the respondents are directed to complete the process for consideration of the case of the applicant within a period of three months.

With the above directions made above, the application is disposed of. There shall be however no order as to costs.

Sd/ VICE CHAIRMAN

\*\* Certified to be true Copy  
प्रमाणित प्रतिलिपि

Section Officer (J)  
गोपनीय प्रशासनिक उचित  
Central Administrative Tribunal  
Guwahati Bench, Guwahati-8  
पात्राधी न्यायालय, गुवाहाटी

9/5/2001

9/5/2001

**BSARAT SANCHAR NIGAM LIMITED (BSNL)**  
 (A Government of India Enterprise)  
**OFFICE OF THE CHIEF ENGINEER(C), ASSAM CIVIL ZONE,**  
**MITRA BUILDING, ULUBARJI, GUWAHATI-781007**

NO.-1640/2K/CE-ASM/GH/267

Dated:- 12-02-2001

To

The Supdt. Engineer(C)  
 BSNL Civil Circle,  
 Guwahati- 781 007.

Subject:- Confering TSM Status to Casual laboures.  
 Ref:- 3/SCF-9/12/Civil/18 dtd. 19-01-2001.

With reference to the Executive Engineer(C), BSNL Civil Division, Guwahati's letter No. 1640/2K/CE-ASM/GH/2046 dtd. 28.09.2000 i.r.o Sri Padma Ram Das and w.r.t. to remarks made by Md. Anamul Haque vide his letter No. Nil dated 20-09-2000 to grant Temporary Status, the competent authority is directed to convey the following remarks communicated by the CCE, MTC, Guwahati vide their letter under reference. (Copy enclosed)

- 1) Md. Anamul Haque has not been recommended by the verification committee as he was in service on 01-08-98.
- 2) Sri Padma Ram Das also has not been recommended by the Verification Committee though he was present on 01-08-98. He was caught by police on duty in charge and was in jail for 12 days.

For the above circumstances, it is not advisable to grant Temporary Status to Md. Anamul Haque and Sri Padma Ram Das.

Heence the same may be communicated to the concerned Casual Workers.

Enclos:- As above.

*G.Sivaprakasam*  
 12.02.2001

(G.Sivaprakasam)  
 Executive Engineer(HQ),  
 O/o the Chief Engineer(C),  
 BSNL, Assam Zone,  
 Guwahati.

BHARAT SANCHAY NIGAM LIMITED  
 (A Govt. of India Enterprise)  
 OFFICE OF THE CHIEF GENERAL MANAGER  
 ASSAM CIRCLE, GUWAHATI - 781007.

No.ESIT-9/12/Civil/18

Dated at Guwahati, the 15<sup>th</sup> January, 2001.

10.  
 The Executive Engineer (HQ)  
 O/o the Chief Engineer (Civil)  
 BSNL, Assam Zone  
 Mitra Building, Ulubari,  
Guwahati - 781007.

Office of the  
 Chief Engineer (C.E.D.)  
 BSNL, Assam Zone  
 Mitra Building, Ulubari,  
Guwahati - 781007.

Sub:- Confering of temporary status to casual labourers -  
 1) Case of Md. Anamul Haque.  
 2) Case of Sri Padma Ram Das.  
 3) Case of Sri Deba Prasad Borah.

Ref:- Your office letter No.

1) 1(40) 2000/CE-ASM/GH/101 dt. 19.10.2000.  
 2) 1(40) 2000/CE-ASM/GH/269 dt. 17.11.2000.  
 3) 1(40) 2000/CE-ASM/GH/440 dt 08.12.2000.

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A	B
C	D

With reference to your above cited letters, I am directed to intimate about the above mentioned 3 (three) casual labourers as follows:-

1. Md. Anamul Haque has not been recommended by the Verification Committee and he was not in service also as on 01.08.98.
2. Sri Padma Ram Das also has not been recommended by the Verification Committee though he was present on 04.08.98. He was caught by Police on theft charge and was in jail for 12 days.

Under the above circumstances, it is not advisable to grant temporary status to Md. Anamul Haque and Sri Padma Ram Das.

3. Case of Sri Deba Prasad Borah - As his name was not placed before the Verification Committee, you are requested to get this case examined by the same Verification Committee and forward the report to this office for settlement of the case.

*(A.K. Chelleng)*  
 Asstt General Manager(Admn)

Copy  
 True Copy

-26-  
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BHARAT SANCHAR NIGAM LIMITED  
(A Govt. of India Unit pvt.)  
OFFICE OF THE CHIEF GENERAL MANAGER  
SSGM CIRCLE, GUWAHATI - 781007

No.FST/.../26/Civil/18

Dated at Guwahati, the 18<sup>th</sup> January, 2001.

TO  
The Executive Engineer (HQ)  
Or the Chief Engineer (Civil)  
BSNL, Assam Zone  
Mitra Building, Gubati,  
Guwahati - 781007

RECEIVED  
ON 18/01/2001  
BY  
S/2101

Sub:- Granting of temporary status to casual labourers -  
1. Md. Anamul Haque.  
2. Sri Padma Ram Das.  
3. Sri Deba Prasad Borah.

Ref:- Your office letter No.  
1) 2000/CE-ASM/GH/101 dt. 19.10.2000.  
2) 2000/CE-ASM/GH/269 dt. 17.11.2000.  
3) 2000/CE-ASM/GH/440 dt. 08.12.2000

1	2	3
4	5	6
7	8	9
10	11	12
13	14	15

With reference to your above cited letters, I am directed to intimate about the above mentioned 3(three) casual labourers as follows:-

1. Md. Anamul Haque has not been recommended by the Verification Committee though he was not in service also as on 01.08.98.

2. Sri Padma Ram Das also has not been recommended by the Verification Committee though he was present on 01.08.98. He was caught by Police on theft罪 and was in jail for 12 days.

Under the above circumstances, it is not advisable to grant temporary status to Md. Anamul Haque and Sri Padma Ram Das.

3. Case of Sri Deba Prasad Borah - As his name was not placed before the Verification Committee, you are requested to get this case examined by the same Verification Committee and forward the report to this office for settlement of the case.

(A.K.Chelleng)  
Asstt General Manager (Admin)

Temp. Comm.

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Annexure - G

BHARAT SANCHAR NIGAM LIMITED  
OFFICE OF THE EXECUTIVE ENGINEER ::::: CIVIL DIVISION  
N.C. BORDOLOI ROAD  
GUWAHATI-1.

No. 16(8)92/GHCD/Vol-II/2225

Dated: 13/11/2000

To  
The Executive Engineer (H/Q)  
O/O Chief Engineer (C)  
Bharat Sanchar Nigam Limited  
Guwahati- 781007.

Sub:- Confering TSM to Casual Labour - Md. A. Haque.

Ref:- Your Office Letter No. 1(40)2000/CE-ASM/CH/155  
Dtd. 30/10/2000.

With reference to the above mentioned subject, the clarifications are as follows:-  
Base year taken by screening committee to verify the limit of 240 days as

94-95

95-96

96-97

97 upto 1-8-98.

i.e. prior to 1-8-98 (Cut off date as per CAT order issued) and the official was paid arrear of pay and allowances vide voucher no. 146 dtd. 10/12/98.

Accounts Officer  
Bharat Sanchar Nigam Ltd.,  
Civil Division: Guwahati.

Guwahati

Annexure 6

Date	Name of DRM and address	Father's name and address	Purpose of visit	Attendance												Total working days	Rate of wages	Amount paid	Date with A.C.	Remarks
				1	2	3	4	5	6	7	8	9	10	11	12					
18	Mr. Anand Singh	Mr. A. G. Mehta Villa - Bahiwalla PO - Baranabari PS - Kharabari WT - Durrang Estate	Spicy pickles	P	P	P	P	P	P	P	P	P	P	P	P	20 days	77.50	1550/-	11/8/98	Adjusted in temp. Bar. 41°C
19	- do -	- do -	-	P	Sunday	P	P	P	P	P	P	P	P	P	P	26 days	77.50	2015/-	16/9/98	Adjusted in temp. Bar. 41°C
20	- do -	- do -	-	P	Sunday	P	P	P	P	P	P	P	P	P	P	37 days	77.50	2015/-	15/10/98	Adjusted in temp. Bar. 41°C
21	- do -	- do -	-	P	Sunday	P	P	P	P	P	P	P	P	P	P	26+3	104/-	3016/-	23/10/98	Adjusted in temp. Bar. 41°C
22	- do -	- do -	-	P	Sunday	P	P	P	P	P	P	P	P	P	P	29 days	104/-	3120/-	23/10/98	Adjusted in temp. Bar. 41°C
23	- do -	- do -	-	P	Sunday	P	P	P	P	P	P	P	P	P	P	25+5	104/-	3016/-	13/11/98	Adjusted in temp. Bar. 41°C
24	- do -	- do -	-	P	Sunday	P	P	P	P	P	P	P	P	P	P	29 days	104/-	3016/-	10/12/98	Adjusted in temp. Bar. 41°C
25	- do -	- do -	-	P	Sunday	P	P	P	P	P	P	P	P	P	P	22 days	104/-	2288/-	10/12/98	Adjusted in temp. Bar. 41°C
26	- do -	- do -	-	P	Sunday	P	P	P	P	P	P	P	P	P	P	28 days	104/-	2912/-	16/12/98	Adjusted in temp. Bar. 41°C
27	- do -	- do -	-	P	Sunday	P	P	P	P	P	P	P	P	P	P	28 days	104/-	2912/-	17/12/98	Adjusted in temp. Bar. 41°C

Under Receipt

**BUHARAT SANCHAR NIGAM LIMITED (BSNL)**  
**(A Government Of India Enterprise)**  
**(CIVIL WING)**  
**O/O THE CHIEF ENGINEER (CIVIL), TELECOM CIVIL ASSAM**  
**ZONE, 2nd FLOOR, MITRA BUILDING, ASHRAM ROAD, ULUBARI,**  
**GUWAHATI - 781007**

No. 1 (40) 2000 /CE - ASM/GHI 269

Dated: 17<sup>th</sup> November 2000

To

The Chief General Manager,  
 BSNL, Assam Circle,  
 Guwahati - 781 007.

Sub: - Conferring of TSM to Casual Labourers – Case of Md. Anamul Haque.

Kindly refer to this office even No.103 dated 19<sup>th</sup> October 2000, wherein a list of leftover names of 10 casual labourers were given. At serial No.10 of that list appears the name of Md. Anamul Haque, whose case was not recommended by the scrutiny committee. But since Md. Haque appealed for review of his case on valid ground, apart from filing a Cat Case vide OA no. 302/2000/2212 dated 10-10-2000 against the Department, his case was reviewed by this office.

After review, it is found that due to following reasons his case was not recommended:

1. The Scrutiny Committee found that though concerned AE marked him present on 242 days during the year 1997, but his payment was not made as per minimum wages & scrutiny committee decided to divide the total emolument by minimum wages & arrived of total number of days present during 1997, which is less than 240 days.
2. No documents were submitted before the Scrutiny Committee regarding his presence on 1-8-1998.

But on review it was found that he was paid arrears of pay & allowances vide Voucher No.146 dated 10-12-1998 (refer Annexure A). If the arrear amount is taken into consideration, it is found that he was present on 242 days during one calander year of 1997. Xerox copy of extract of attendance register, submitted by Assistant Engineer, Telecom Civil Sub Division, Dhubri (refer Annexure B), shows that Md. Haque was present on 1-8-1998. Thus it is seen that Md. Anamul Haque, Casual Labourer fulfilled the requisite qualification for conferment of TSM, as per Directorate's circular.

Contd. 2

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As such, I Recommend the name of Md. Anamul Haque, casual labourer engaged in the O/O AE, Telecom Civil Sub Division, Dhubri for conferment of TSM immediately.

Enclo: - Annexure A & B in

8/200 copy

( H. R. DAS )  
CHIEF ENGINEER (C)  
BSNL, ASSAM, ULUBARI,  
GUWAHATI - 781007