

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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✓ O.A/T.A No. 394/01

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SECTION OFFICER (Judl.)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH: GUWAHATI.

ORDERS SHEET

APPLICATION NO.

394 / 2001

Applicant(s) Sri L. C. Das & sons

Respondant(s) H.O.I. & sons

Advocate for the Applicant: A. Deb Roy, A.K. Sarker, A. Chakrabarty,  
D.P. Mandal

Advocate for the Respondant: Railway Counsel

Notes of the Registry

Date

Order of the Tribunal

27.9.01

This application is in form  
but not in the prescribed  
Petition form. It is filed vide  
M. P. No. X C. F.  
for Rs. 50/- deposited vide  
IPO/BD No 66788300.  
Dated 17-9-2001

Dy. Registrar

Mr. A. Chakrabarty, learned counsel for  
the applicant states that he does not want  
to press the application. Accordingly, the  
application is dismissed. This order is passed  
on hearing of Mr. J.L. Sarker, learned Rly.  
counsel.

Member

Vice-Chairman

mb

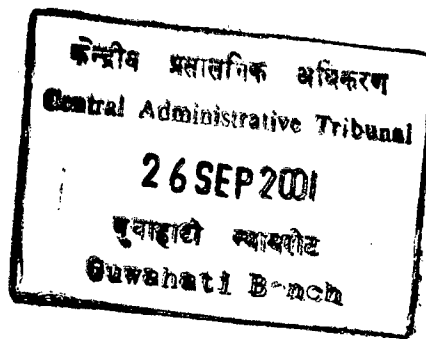
Steps taken  
with ~~envelops~~

26/9/2001

26/9

11/10/2001

Copy of the order has  
been sent to the office  
for issuing the same to  
the L/Advocate for the  
parties  
KS



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL GUWAHATI

BENCH :: GUWAHTI

O.A. 394 OF 2001

Sri L.C. Das & anr.

...Applicants

-Vs-

Union of India and ors.

...Respondents

I N D E X

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Filed by

*(Signature)*  
Advocate  
Y (A.K. Sarkar) 24/9/2001

Advocate

L. Ch. Das.

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

O.A. No. 394 OF 2001

BETWEEN

1. Sri Lakshman Ch. Das,  
Son of Late Rajat Das,  
Resident of Pandu,  
Guwahati-12.
2. Sri Gautam Kr. Roy,  
Son of Sri Pranesh Ch. Roy,  
Resident of Katihar, Bihar.

Applicants

-AND-

1. Union of India,  
represented by the  
General Manager, N.F.  
Rly., Maligaon,  
Guwahati-11.
2. The General Manager (P),  
N.F. Railway. Maligaon,  
Guwahati-11.
3. The General Manager  
(CON), N.F. Rly.  
Maligaon, Guwahati-11.

L. Ch. Das.

Filed by Mr. Jyoti Choudhary  
through D. Chakrabarty 9/2001

4. The Chief Personnel Officer (T) N.F. Rly., Maligaon, Guwahati-11.
5. The Chief Passenger and Traffic Manager, N.F. Railway. Maligaon, Guwahati-11.

**Respondents**

**Details of the Application**

1. Particulars of the Order against which the application is made.

The application is made against the Selection for the post of Traffic Inspector (for short TI) in scale Rs. 6500-10.500/- which has been held not following the normal procedure.

2. **Jurisdiction**

The Applicants declare that the subject matter of the application is within the jurisdiction of the Hon'ble Tribunal.

3. **Limitation**

The Applicants declare that the application is within the period of limitation under section 21 of the Administrative Tribunal Act, 1985.

- 4.1 **Facts of the case**

That the applicants are the citizen of India and as such are entitled to the rights and privileges

L. Ch. Das.

guaranteed by the Constitution of India. The Applicant No.1 is a member of the Scheduled Caste Community.

4.2 That the applicants are working as TI in the Operating Department of N.F. Railways. The applicants have a common cause of action and they pray for the permission to file the common application under Rule 4(5)(a) of the Control Administrative Tribunal Rule, 1987.

4.3 The applicants joined in the N.F. Railways w.e.f. 14.6.94 as Traffic Apprentice in the scale of Rs. 1600-2660 which was revised to Rs.5500-9000/- after the recommendation of 5<sup>th</sup> pay commission. After successfully completing for training for 2 years and qualifying in the written examination, the applicant No.1 was posted as TI, construction, Maligaon and the applicant No.2 was posted as Sectional TI, Kishanganj. Their next promotional scope is in the grade of TI in the scale of Rs.6500-10,500/-. It is stated that the applicants are eligible to be promoted to the next higher grade in the scale of Rs.6500-10,500/-

4.4 That the eligible candidates may be promoted to the grade of TI in the scale of Rs. 6500-10,500/- through the Selection Procedure. The Railways followed Viva-Voce test as the only Selection Procedure for the said promotion candidates in the grade of TI in the scale of Rs.5000-9000/- who have served for at least two years are called for the Selection in order of their seniority as per 3X formula. It is stated that in the year 1999 two eligible candidates were promoted to the post of TI in the scale of Rs.6500 - -10,500/-

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through the Viva-Voce test only. The Selection (Viva-Voce in the year 1999 was held by a Notification Nof.E/254/76 Pt. VII (T) dated 5.4.99 and result of the Selection was declared by a notification dated 5.12.2000.

Copy of the Notification dated 5.4.99 and 5.12.2000 are enclosed as **Annexure - A and B** respectively.

4.5 That the General Manager (P)/P No. by letter No.E/254/76/P/VII(T) dated 4.4.2001 called 11 (eleven) TIs in the scale of Rs.5000-9000/- to keep in readiness to appear in the written test followed by Viva-Voce test for the Selection for the post of TI in scale Rs. 6500/-10,500/-. The Schedule fixed for written test and Viva-Voce was on 6.6.2001 and 22.6.2001 respectively. However, by a Notification dated 4.5.2001 the stated programme was changed to 8.5.2001 for written test and 22.5.2001 for Viva-voce.

4.6 That the applicants beg to state that the procedure of Selection for the post of TI in scale of Rs.6,500-10,500/- has been changed without giving any prior notification in this regard and this is the first time that the respondents have departed from the normal procedure of holding Viva-Voce test only for the aforesaid Selection to the written list followed by a Viva-Voce test. It is also started that the commercial branch of the Railways has been following the procedure of Selection of Inspectorial grade in scale of Rs. 6,500 - 10,500/- by holding viva-voce

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only even uptill now. Some candidates who were called for the said selection filed a representation dated 4.5.2001 to the Chief Passenger and Traffic Manager, N.F. Rly., Maligaon and prayed to pass favourable order to hold viva-voce only for the said selection. However, the said selection was not held on the Scheduled date fixed for.

Copy of the representation dated 4.5.2001 is enclosed as **Annexure- 'C'**.

4.7 That thereafter by a notification No.E/254/76/Pt.VII(T) dated 14.8.2001 the respondent No.2 decided to hold the aforesaid selection by holding a written test on 31.8.2001 followed by a viva-voce on 26.9.2001 and called upon 11 (eleven) candidates for the selection. A prescribed syllabus for the said examination was also circulated dated 14.8.2001. It is stated that the applicant No.2 is the senior most candidate among the 11 (eleven) eligible candidates, who were called for the Selection and the position of the applicant No.1 is 4 in order of seniority.

Copy of the Notification dated 14.8.2001 along with the syllabus for the written examination is enclosed as **Annexure-D**.

4.8 That the applicants beg to state that the question set beyond the syllabus for the written examination. It is also stated that the Railway Board

L. Ch. Das.



by letter No.E(NG)1-2000/PMI/41 dated 24.11.2000 clarified that the existing provision that objective type questions for about 50% of total marks for the written test shall be deemed to have been followed correctly if objection type questions fall in the range of 45% to 50% of total marks for the written test. It is mentioned that the questions set for the written test included/comprised only 24% of objective type questions, which is violative of instructions of the Railway Board.

Copy of the Railway Board's letter dated 24.11.2000 is enclosed as **Annexure-E**.

4.9 That the applicants beg to state that the only question which was set on Rajbhasa (a compulsory question) having mistake which confused the candidates. It is stated that question on Rajbhasa cannot be made compulsory.

4.10 That the result of the written examination for the aforesaid Selection was declared by notification No.E/254/92/Pt.III (T) (Con) Loose dated 18.9.2001 whereby 7 (seven) candidates were declared qualified for appearing before the viva-voce test to be held on 26.9.2001. The applicants names are not in the list of qualified candidates for viva-voce.

Copy of the Notification dated 18.9.2001 is enclosed as **Annexure-F**.

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4.11 That the applicants beg to state that they are the eligible candidates for the promotion to the post of TI in scale of Rs.6,500-10,500/- and they have adequate knowledge of works which they have attained through their experience. It is also stated that in Railway Board's letter No.(EPS/288)-E254/0Pt A@ dated 7.5.1984 there was a clear mention that "in the PNM Meeting held between the NFIR and Rly. Boards on 16/17.9.83 the Federation stated that in the older age group the capacity of the employee to answer written papers get reduced though they adequate knowledge of works attained through experience etc. Thus Junior employee tend to score over their senior in the written test held for the selection post. They therefore, suggested that the qualifying marks prescribed for being eligible to be called for viva-voce test and also overall pass percentage of marks for being empanelled, might be reduced", and accordingly accepted by the administration. The applicants humbly submits that the national seniority marks (15%) might not have been given for consideration of senior candidates. The applicants have filed a representation dated 18.9.2001 to the respondent No.4 and prayed for issuing necessary instruction so that senior most persons should not be deprived in getting due promotion in the next higher grade. But nothing has yet been done nor any communication has been made to the applicants in this regard.

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Copy of the representation dated 18.9.2001 is enclosed as **Annexure-G.**

4.12 That the applicants humbly submit that they are the most eligible candidates for their due promotion to the post of TI in scale of Rs. 6,500 10,500/- and if they are not considered for promotion they will be highly deprived of.

4.13 That the applicants came to know that the whole Selection process would be cancelled on the objection made by the candidates and was expecting for cancellation of the same. But suddenly the result of the written test has been declared on 18.9.2001.

5.1 Grounds for relief with legal provisions :

5.1 For that the written test has been held departing from the normal practice and procedure of viva-voce test only.

5.2 For that the written test has been held without giving any prior notification to the candidates.

5.3 For that questions set for the written test beyond the syllabus.

5.4 For that great discrimination has been made by holding the written test while equally situated employees of the commercial branch are selected for promotion through viva-voce test only.

L. C. Das.

5.5 For that questions set for written test did not include 45% to 55% questions of objective type, which is violative of instructions of Railway Board.

5.6 For that the respondents have acted whimsically and arbitrarily and in violation of Article 14 and 16 of the Constitution of India.

5.7 For that the respondents have failed to consider the case of the senior most candidates for being called for viva-voce test by reducing prescribed qualifying marks, which was proposed to the Rly. Board and was accepted by the administration.

6. **Details of remedy**

The applicants have submitted representation without any result. There is no other remedy under any rule.

7. Matter not pending before any other court.

The applicants declare that they have not filed any other case in any Tribunal or Court on the subject matter.

8. **Relief Sought for :**

Under the facts and circumstances of the case, the applicants pray for the following relief.

8.1 The Selection for the post of TI in scale of Rs.6,500 - 10,500/- be set aside and quashed.

8.2 Fresh Selection for the post of TI in scale of Rs. 6,500 - 10,500/- be held.

L. Ch. Des.

The above reliefs are prayed for on the grounds started on para - 5 above.

9. Interim relief prayed for

During the pendency of this application the applicants prayed for the following relief.

9.1 The result of the Selection test for the post of TI in scale of Rs. 6,500 - 10,500/- may not be declared and be kept abeyance.

10. This application has been filed through advocate.

11. Particulars of this Postal Order

i) IPO No. : 66-788300  
 ii) Date of Issue : 17-9-2001  
 iii) Issued from : From Guwahati  
 iv) Payable of : Guwahati

12. Particulars of enclosures

As stated in the index.

Verification

**VERIFICATION**

I, Sri Lakshman Ch. Das, son of Late Rajat Das, resident of Pandu, Guwahati - 12, working as TI in N.F. Rly. on being authorized by the other applicant do hereby verify that the statements made in para 1,4,6 to 12 are true to my knowledge and those made in para 2,3 & 5 are true to my legal advice. And that I have not suppressed any natural fact.

And I, sign this verification on this 24<sup>th</sup> day of September, 2001.

Guwahati

*Lakshman Ch. Das.*  
**Signature**

H.P. Railway

Office  
General  
Manager  
310

Annex A

Ed.P/254/SPB.TI(7)

Valid on, dated 5-1-99

To : MR(P)/KIR, PPS, DG & TSK  
SR.DIG/KIR, PPS & DG  
IDN/TSK  
DK.GG(c)/P/10

Subj: Selection for the post of TI in  
scale Rs.6500-10,500/-

-0000-

It has been decided to hold Selection(Viva-Voce) only for filling  
a post of 2(two) TIs in scale Rs.6500-10,500/- as under:-

UR 2  
SC 1  
ET 1  
Total 4 posts

The following TI in order of seniority in scale Rs.5500-9000/- may be  
advised to keep in readiness to appear before the Selection at short notice.

1. Mr. Jha (UR), TI/TSK
2. Mr. Borgavari (SR), TI/PPS APN
3. Mr. Chatterjee (UR), TI/KIR
4. Mr. Singh (UR), SI/DG
5. Mr. Bhatnagar (SR), TI/TSK

There is no other TI in SR Community in scale Rs.5500-9000/- who may  
be called to appear before the Selection.

for GENERAL MANAGER(P)

Copy to:-

MR. G.M. He is requested to make available last 3 years AGRe  
of the above mentioned staff before the Committee on the date of  
Selection.

GC-1/4

for GENERAL MANAGER(P)

VEDD. PBR at  
SN-22

After  
Mumbai  
Advocate

Personnel Branch  
Headquarters Office  
Malikar.

No.E/Proceeding/Optg.(T)/TI/99. Dt. 5.12.2000

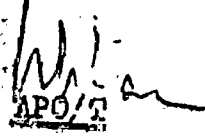
Re:Result of the Selection for the post  
of TI in scale Rs.6500-10500/-

In connection with the above selection, the  
Selection Committee has recommended for empanelment  
of the following candidates for promotion to the  
post of T.I in scale Rs.6500-10500/-.

1. Shri A Jha (UR).
2. Shri J.L.Bergeyay (ST).

CPTM has approved the proceedings on 30.11.2000.

Further necessary action may please be taken.

  
APO/T

Ch.08/PT.

*Attested  
Ankush S.  
Advocate*



AP-~~E~~  
C  
Annexure - C"12

- 14 -

To,  
The Chief Passenger and Traffic Manager,  
N. F. Railway, Maligaon,  
Guwahati-11.

(Through Proper Channel)

Sir,

Sub: Selection for the post of TI in  
scale Rs.6500-10500/-

Ref: GM(P)/PNO's letters No.E/254/76/  
Pt.VII(T) dt. 4-4-2001 & 5-4-1999.

We have the honour to submit the following  
representation before you for your kind and sympathetic  
consideration.

1) That we have been working as TI in scale,  
Rs.5500-9000/- under your kind control.

2) That GM(P)/PNO vide letter No.E/254/76/  
Pt.VIII(T) dt. 5-1-1999, notified to hold selection  
(viva-voce) only for forming a panel of 2(two) TIs  
in scale Rs.6500-10,500/- and called upon 5(five) TIs  
in scale Rs.5500-9000/- to appear before the selection.  
In the selection, S/Shri A. Jha, TI/TSK and J.L. Bergoyari,  
TI/APDJ were empanelled for the promotion to the next  
higher post in scale Rs.6500-10,500/-

3) That it is a matter of travesty of natural  
justice that GM(P)/PNO vide letter No.E/254/76/P/VII(T)  
dt. 4-4-2001, abruptly changed the procedure of selection  
of TIs in scale Rs.6500-10,500/- from the existing  
modified selection (viva-voce) only to written test  
followed by viva-voce test and called upon 11(eleven)  
TIs in scale Rs.5500-9000/- on 6-6-2001 (written test)  
and on 22-6-2001 (viva-voce). Of course, by a subsequent  
notification of even No. dt. 4-5-2001 the stated programme  
has been changed to 8-5-2001(written test) and viva-voce  
on 22-5-2001

4) That the following submissions are made before  
you for your kind adjudication and judicious consideration.

i) The selection for the post of TI in scale  
Rs.6500-10,500/- in the operating Deptt. has  
been made by holding modified selection (viva-voce)  
test only. The procedure has been in vogue to  
dated 5-1-1999 by which J.L. Bergoyari, TI/APDJ  
were empanelled as TI in scale Rs.6500-10,500/-  
vide GM(P)/PNO's letter of even No. dated  
5-4-1999.

ii) It is seen that without prior notification the  
procedure has been changed to hold selection by  
written test followed by viva-voce test in the  
matter of selection of TI in scale Rs.6500-10500/-

iii) If the procedure of selection has been changed  
it has not been notified to us resulting  
unprepared position to appear in the same written  
sufficient studies. The notification for  
programme of written test has been ~~changed~~

Attested  
[Signature]  
[Signature]

[to be ready to  
for appear in  
The said Selection

[date of issue of the  
TI/TSK

[under letter given on  
dated 4.4.2001 to hold the  
said post on 8-1-2001 and  
22-5-2001 respectively

- iv) It will be the first time that written test followed by viva-voce in respect of selection of TI in scale Rs.6500-10,5000/- has been decided without prior notification of change of procedure of selection. Such an abrupt decision may hold up the "bench" of delivery of natural justice to the aspiring staff like us.
- v) It may be mentioned that the commercial branch has been followed the procedure of selection of Inspectorial grade in scale Rs.6500-10,5000/- by holding modified selection (viva-voce) only even up till now. If it is a fact then it may be serious injustice to TIs of Operating Deptt. which calls upon the authority to revert back to the existing procedure of holding modified selection (viva-voce) only.
- 5) In the matters as stated above, we would very humbly request you kindly to look into our grievances sympathetically and to consider the same as prayed for below
- i) Be gracious to call for the papers under reference to review the order of holding written test for selection of TI in scale Rs.6500-10,5000/- to annul the notification of even no. dated 4-4-2001.
  - ii) Be gracious to pass favourable order to hold modified selection (viva-voce) only for forming a panel of TI for promotion to the next higher grade in scale Rs.6500-10,5000/- in the operating Deptt.

Yours faithfully,

P. Premangshu Tyagi, Secy  
TJ/CI/KR

*Handwritten:* 15-01

8/ B.B. Gaudary  
CV9/T/MIS

Lalishman Ch. Das  
TJ/CI/KR

3. Adhis Chandra Das  
TJ/CI/KR
4. Boutan Kr. Ray  
TJ/CI/KR
5. Ashok Kr. Sengupta  
TJ/CI/KR
6. S. Banerjee  
TJ/CI/KR
7. N. Bhattacharya  
TJ/CI/KR

NORTHEAST FRONTIER RAILWAY.OFFICE OF THE  
GENERAL MANAGER (P);  
MALIGAN :: GUWAHATI - 11.

No. E/254/76/Pt. VII (T)

Dated : -08-2001.

GM/CON/MLG,  
DRM (P)/KIR, APDJ, LMG, TSK,  
Dy. COM/Chg/HQ, Dy. CON/C/MLG,  
Sr. DOM/KIR, APDJ, LMG, TSK.Sub: Selection for the post of TI in scale  
Rs.6500-10,500/-.

It has been decided to hold a selection for forming a panel of TI in scale Rs.6500-10500/- for total 6 post with break up of UR - 6, SC - NIL, ST - NIL as per scheduled dates are shown below :-

- 1) Written test on 31-8-2001 (2) Absentee on - 14-9-2001  
3) Viva-voce test on - 26-9-2001 (4) Absentee on - 1-10-2001.

The following candidates in the grade of TI in scale Rs.5500-9000/- are eligible to appear for the said selection as per 3 X formula.

SN	Name	Community	Desig./Stn.	Remarks
1	Sri Gautam Roy,	UR	TI/KIR	
2	Sri Adhir Ch. Das	UR	TI/HQ	
3	Sri P.K. Pegu	ST	TI/TSK	
4	Sri L.C. Das	SC	TI/CON/MLG	
5	Sri P.J. Sirha	UR	TI/HQ/MLG	
6	Sri B.B. Choudhury	UR	TI/HQ/MLG (now VIG/CVO/MLG)	
7	Sri A.K. Singh	UR	TI/KIR	
8	Sri H.P. Sen	UR	TI/LMG	
9	Sri N.R. Chattapadhyay	UR	TI/HQ	
10	Sri S. Basu	UR	TI/APDJ	
11	Sri P.K. Chakraborty	UR	TI/APDJ	

SC/ST candidates must be directed for pre-promotional training for Safety category from 20.8.2001 in ZTC/APDJ.

/ to 24.8.2001

(Contd....2/-)

Attested  
By *[Signature]*  
Date *[Signature]*

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Annexure - 1

: 2 :

Therefore, you are requested to advise all the staff under your control to appear in the written test without fail which will be held on 31-08-2001 at 9-30 hours at COM Office Maligaon.

If anybody is unwilling to appear in the said selection a written declaration may be obtained from the staff and send the same to this office in time.

The prescribed syllabus for the said examination is enclosed herewith.

DA/ as above

*Shm* 14/8/01

( L.B. SINGH )  
AFO (T)

for GENERAL MANAGER (P)/MLG.

Copy to : 1) PA to COM/MLG - He is requested to collect the ACR's of last 3 years and submit the same to the selection Board in time.

2) CHIEF OS/COM's - He is also requested for arranging sitting accommodation during the selection test.  
Office/MLG

3) Principal ZTC/APDJ: Please ensure imparting Training to SC/ST candidates in ZTC/APDJ covering the entire Syllabus prescribed for the written test of TI. (Syllabus enclosed.)

DA/me

*Shm* 14/8/01

..... for GENERAL MANAGER (P)/MLG.

*Chakraborty*  
*Boro*

-18- Annexure 'D' #2

Following syllabus to be followed in the written examination for TI selection in scale Rs.6500-10500/- :-

1. General and subsidiary Rule Book

2. Accidents

- a) Classification of accidents and definition.
- b) Duties of TI in case of accident.
- c) Special measures to deal with cases of sabotage and train wrecking
- d) Cause of accidents and remedial measures.  
Relief arrangements Medical and auxiliary vans, accident relief trains, stabling, ordering, running and inspection.

3. Inspection: -

- a) Various kinds of inspections
- b) Schedule of inspections

4. Working of trains under abnormal circumstances.

5. Line capacity:

- a) Definition
- b) Calculation on single line and double line
- c) Method for improving line capacity

6. Goods train Operation

- a) Kinds of goods trains
- b) Ordering of goods trains
- c) Wagon turn round, definition and calculation Measures to improving the wagon turn round

7. Establishment Rules:

- a) Leave Rules
- b) Pass Rules
- c) Travelling allowance Rules
- d) Hours of employment Regulation
- e) Discipline and appeal Rules - 1968.

8. Rajbhasa (Hindi)

5/2/2007  
C.P.(M)

-19-

N.F.RLY.

Ar EE  
Aaxex me - E 22

NO. RPS-427  
R/254/C/PT.IX

Office of the  
DRM(P)/Katihar  
Dt. 23/3/2001

To  
All Concerned as Maling list  
Secy/NFRMU/KIR, Convenor/NFRMU/KIR  
Secy/AISCTREA/KIR  
Secy/NFROBCFA/KIR.

Sub:- Introduction of objective type  
question for written examination  
to selection posts.

A copy of Railway Board's letter No.R(NG)1-200/PMI/41 dated  
24.11.2000(RBR NO.202/2000) on the above subject which was circulated  
under GM(P)/MLG's No.RPS-427 dt.11.1.2001 is  
R/254/C/PT.XIII(C) dt.27.2.  
forwarded for information and necessary action.

( J.C.Das )  
APO/TFC  
/- DRM(P)/Katihar  
23/3/2001

(Copy of Railway Board's letter No.R(NG)1-2000/PMI/41 dt.24.11.2000)

Sub:-As above.

In terms of the provision contained in Para 219(c) of IREM,  
Vol.I(1989 Edition) any written test held as part of a selection for  
promotion to the highest grade selection post in a category 'A', may  
include objective type questions for about 50% of the total marks.  
However, the figure of 50% for objective type of questions is intended  
to be for guidance and should not be taken as constituting an infle-  
xible percentage.

2. A demand has been raised in the PNM- vide agenda item  
No.33/2000 that the provision for objective type question should be  
extended to all selections for which a written examination is prescribed.  
During the course of discussions in the PNM/NFIR meeting held on  
23rd/24th October/2000, the Federation pointed out that the provision  
regarding objective type questions for about 50% of the total marks  
for the written test are not being interpreted/followed correctly by  
the Railways and, at times, objective type questions for marks below  
50% of the total marks for the written test are included in the question  
paper. It was agreed to issue a suitable clarification on this aspect.

3. It is accordingly clarified that the existing provision that  
objective type questions for about 50% of total marks for the written  
test shall be deemed to have been followed correctly if objective type  
questions fall in the range of 45% to 55% of total marks for the  
written test.

4. Please acknowledge receipt.

Sd/-(M.D.Pilai)  
Joint Director Estt(M)-11  
Railway Board.

New Delhi.

Dt.24.11.2000.

NO.R(NG)1-2000/PMI/41

o/c

26.11.2001  
Attested  
Director of  
Personnel

— 20 —

An F F 3

Annexure - F "

**NORTHEAST FRONTIER RAILWAY**

Office of the  
General Manager(P)  
Maligaon, Guwahati-11.

NO. E/254/92/Pt.III(T)(Con)Loose.

Dated: 13/09/2001.

To :-

DRM(P)/KIR, APDJ, IMG & TSK.  
Sr.DM/KIR, APDJ, IMG.  
DOM/TSK.  
Sr.ARM/NJP, GHY.  
ARM/IDQ, BPD.  
CVO/MLG, STM(C)/MLG, STM(G)/MLG.  
ATM/CC/MLG, ATM/R/MLG, GM(CON)/MLG.  
Principal/ZTC/APDJ.

Sub:- Result of the written examination of candidates who appeared for selection to the post of T.I. in scale B.6500-10500/- held on 14.09.2001 (Absentee written test).

In the written test(absentee) for the above selection held on 14.09.2001, the following candidates have been declared to have been found qualified for appearing before the viva-voce test scheduled to be held on 26.09.2001 for promotion to the post of T.I. in scale B.6500-10500/- :-

1. Sri Bijit Bimal Chowdhary, CVI/TC/MLG.
2. " Adhir Ch. Das, TI/HQ/MLG.
3. " Sekhar Basu, TI/MOV/APDJ.
4. " Nikhil Rn. Chattopadhyay, TI/Plg./APDJ.
5. " Premangshu Jyoti Singh, TI/HQ/MLG.
6. " Ashok Kr. Singh, TI/KIR.
7. " Phanikanta Pogu, TI/WR/TSK.

As such, the result may be notified to the concerned staff with immediate effect. & they may be arranged to appear for appearing in the viva-voce test on the scheduled date.

The controlling officers of the candidates would kindly send their last 3 yrs. ACRs to PA to COM to enable him to place the ACRs to the selection Board at the time of holding the viva-voce test. They are also requested to ensure submission of detailed service particulars of the candidates in the following proforma :-

- (1) Srl. No. (2) Name (3) Designation (4) Present place of posting (5) Dt. of apptt. in initial recruitment grade with desgr. (6) Dt. of promotion to the post holding at present (7) Clearance of SRE/DAR/Via.

( L. E. Singh )  
Asstt. Personnel Officer (T)  
for General Manager (P).

Copy to :-

- (1) PA to COM for information. He is requested to procure the last 3 yrs. ACRs of the above 7 (seven) candidates and place them to the selection board at/before the scheduled date of viva-voce.

for General Manager (P).

*Affected  
Chakrabarti  
Advocate*

— 21 —

Am-6  
6/11/24

To  
The Chief Personnel Officer (T),  
N. F. Railway. Maligaon  
Guwahati - 781011.

Respected Sir,

Sub:- Selection for the post of  
TI in scale of Rs. 6500-10,500/-

With profound respect and most humble submission we the undersigned beg to state the following few times of grievances for drawing your catholic attention and favourable order please.

That Sir, it is observed in the procedure of selection of TIs in Grade of Rs. 6500/- - 10,500/- which was held on 14-9-01 was not correct and proper for not making necessary correction in the seniority list as well as in setting the questions as per extant rules for which reasons (the question beyond syllabus) was an obstacle towards the candidate for which Senior most TIs could not answer properly.

Also vide Rly. Board's letter No. (EPS/288)-E/254/O-PT.A (C) dated 7-5-84 where it was clearly mentioned that "in the PNM Meeting held between the NFIR and Rly. Board on 16/17-9-83, the Federation stated that in the older age group the capacity of the employee to answer written papers get reduced though they have adequate knowledge of works attained through their experience etc. Thus Junior employee tend to score over their senior in the written Test held for the selection post. They therefore, suggested that the qualifying marks prescribed for being eligible to be called for Viva-Voce Test and also overall Pass percentage of marks for being empanelled, might be reduced". and accordingly accepted by Administration.

In this context, it is pointed out an example of a selection for the selection post of CI as held on 03-12-86 on N.F.Rly. where the then honourable OCM sympathetically dealt the case by giving few marks as grace to the failed candidates for qualifying in that very Viva-Voce Test.

In view of above, you are earnestly requested to kindly look into the matter and issue the necessary instructions to take care so that Senior most person should not be deprived in getting their due promotion in Higher Grade as per extant rules and oblige.

A line of reply is also solicited with regards.

Yours faithfully,

Dated :- 18/09/01

1) Lakshman Ch. Das  
TI/CON/MLG.  
2) Gantam Roy, TI/KLR

Copy to GS/NFRMU/PNO for information  
and necessary action please.

Attested  
[Signature]  
[Signature]