

01/10/00
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

CL M D 167/02 order Pg 1-12 INDEX

O.A/T.A No 29.2.192.....

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

E.P/M.A No 167/02.....

1. Orders Sheet..... Pg.....1.....to.....3.....
2. Judgment/Order dtd. 5.6.2003 Pg.....1.....to.....3.....*Followed*
3. Judgment & Order dtd..... Received from H.C/Supreme Court
4. O.A. 2.82/02 Pg.....1.....to.....19.....
5. E.P/M.P. 167/02 Pg.....1.....to.....8.....
6. R.A/C.P. Pg.....1.....to.....
7. W.S. Pg.....1.....to.....3.....
W/S for the M D 167/02 Pg 1-12
8. Rejoinder..... Pg.....1.....to.....
9. Reply..... Pg.....1.....to.....
10. Any other Papers..... Pg.....1.....to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Jud.)

Salita
29.11.17

4.10.2002

BB

On the request made by Mr. A. Deb Roy,
learned Sr. C. G. S. C. four weeks time is

(SEE RULE 42, ^{all})

SENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

Original Application No. 282/02

Mise Petition No. /

Contempt Petition No. /

Review Application No. /

Applicant(s) Chitra Devi

-Vs-

Respondent(s) N. O. I. Tom

Advocate for the Applicant(s) B. Malakar, R. Das.

Advocate for the Respondent(s) CGSC

Notes of the Registry	Date	Order of the Tribunal
	6.9.02	Heard learned counsel for the parties. Application is admitted. Call for records. Returnable by four weeks. List on 4.10.02 for orders.
75576802 8.7.2002 P.D. 1m		Vice-Chairman
steps taken alongwith envelopes 1) NO court building Anukabandhan 2) Copy not yet Searched on Respondents 30/8/02	30/8/02 4.10.2002	On the request of Mr. A. Deb Roy, learned Sr. C. G. S. C. four weeks time is allowed to the respondents to file written statement. List the case on 15.11.2002 for order.
Defects removed ready for admission	15/11	Due to circuit sitting at Shillong, the case is adjourned to 13/12/2002.

Mrs
A. Deb Roy

13.12.2002 Four weeks time allowed to the respondents for filing of written statement. List for orders on 17.1.2003.

Notices prepared
and sent to D Section
228 issuing of the
same to the respondent
through speed post
Vide D.No-2583 to 2584
Dtd. 18.9.02

nkm

Vice-Chairman

17.1.2003. There is no hearing. The case is adjourned to 29.1.2003.

Mr
K

29.1.2003 Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman.

The Hon'ble Mr. S.K. Hajra, Administrative Member.

List again on 27.2.2003
to enable the respondents to file
written statement.

No. Written statement
has been filed

28.1.03.

Mr
Member

Vice-Chairman

No. Written statement
has been filed

26.2.03.

mb

27.2.2003 Written statement has been filed
The applicant may file rejoinder, if any,
within two weeks from today. List the
matter for hearing on 31.3.2003.

26/2/03

W/S class, leave filed
on behalf of the
respondents at 10
to 51

WB
26/2/03.

mb

31/3. Div Spec leave filed not granted today.
The case is adjourned to 9/5/2003.

Mr
Am

Put up again on 5.6.03 for hearing.

S. R.
Member

Vice-Chairman

Memo of appearance
has been filed.

pg

26/2/03.

No rejoinder has
been filed.

28.3.03.

12.6.2003

Copy of the
Judgment has been
sent, to the Office
for issuing the
same to the
applicant as well
as to the L.C.G.S.C.

st

5-6-2003

Heard counsel for the parties.

Hearing concluded. Judgment delivered
in open Court, kept in separate sheets.The application is allowed in
terms of the order. No order as to
costs.

Member

Vice-Chairman

pg

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. / R.A. No. 282. . . of 2002.

5-6-2003.
DATE OF DECISION

Smt. Chitra Devi APPLICANT(S).

Sri B. Malakar ADVOCATE FOR THE
APPLICANT(S).

- VERSUS -

Union of India & Ors. RESPONDENT(S).

Sri A. Deb Roy, Sr.C.G.S.C. ADVOCATE FOR THE
RESPONDENT(S).

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

THE HON'BLE MR R.K.Upadhyay, 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 Ho'ble vice-Chairman



6

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 282 of 2002.

Date of Order : This the 5th Day of June, 2003.

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

The Hon'ble Mr R.K.Upadhyay, Administrative Member.

Smt Chitra Devi,
Wife of Sri Gangaram Biswakarma,
Khalasi (Casual) C.W.C.,
N.I.S.D Jang, Arunachal Pradesh

...Applicant.

By Advocate Sri B.Malakar.

- Versus -

1. Union of India,
represented by the Secretary,
C.W.C., New Delhi.

2. The Executive Engineer,
N E I D -III, C.W.C., Itanagar

...Respondents

By Advocate Sri A.Deb Roy, Sr.C.G.S.C.

O R D E R (ORAL)

CHOWDHURY J.(V.C)

The applicant was engaged as a casual labour under the respondents since 1992. The applicant alongwith 10 others were engaged as casual labourers under the respondents initially from 14.1.92 to 28.2.92 and she was paid consolidated pay of Rs.570/- per month. She was thereafter also engaged from time to time as casual labourer by the respondents. By communication dated 24.2.99 the applicant was advised to submit the employment registration details for taking necessary action. The said communication indicated that the process for conferment of temporary status to casual labourers was considered in accordance with the Department of Personnel and Training Memo dated 10.9.93. The applicant accordingly submitted her employment registration particulars. By its order dated 20.2.99, 50 persons were conferred temporary status but the name of this applicant did not appear in that list. By

order dated 29.11.2000 the applicant was conferred temporary status under the scheme. Again by the impugned order dated 30.4.2001, the earlier order dated 29.11.2000 conferring temporary status to the applicant was cancelled. Hence this application assailing the legitimacy of the order of cancellation.

2. Heard Mr B.Malakar, learned counsel for the applicant and Mr A.Deb Roy, learned Sr.C.G.S.C for the respondents at length. Mr B.Malakar, learned counsel for the applicant submitted that the respondents in a most arbitrary manner and in violation of the rule cancelled the order conferring temporary status on the applicant. The applicant also completed 120 days in a year in terms of the scheme for conferring temporary status. Mr A.Deb Roy, learned Sr.C.G.S.C on the other hand contended that the applicant was engaged as casual labourer purely on temporary basis with effect from 1.7.98 to 6.11.2002. As per the memorandum issued by the Government of India, Department of Personnel and Training dated 10.9.93 such casual labourers were to be engaged through the Employment Exchange. The applicant was not engaged through the Employment Exchange at the time of initial engagement in 1991-92. The applicant was erroneously conferred temporary status which was subsequently reviewed by cancelling the order.

3. We have considered the materials on records and the submissions made by the learned counsel for the parties. On the own showing of the respondents the applicant was engaged as casual worker. As per the communication it appears that the applicant was engaged with effect from 14.1.92 to 28.2.92 on a consolidated pay of Rs.570/- per month. Subsequently her engagement was extended on different spells and by that way she had completed more than 120 days. When

the applicant was engaged and on being satisfied she was conferred with temporary status, it was not justified on the part of the respondents on the purported plea of want of sponsorship of the Employment Exchange for cancellation of the order of conferment of temporary status. The applicant subsequently submitted the employment registration document to the respondents on the advise of the respondents. For the mistakes of the respondents the applicant cannot be faulted. The impugned order dated 30.4.2001 is also flawed on the ground of procedural impropriety. Admittedly the respondents took a conscious decision to confer the applicant the temporary status vide order dated 29.11.2000. The applicant was accordingly conferred with a right to earn a livelihood in view of the status and to be considered for regularisation of service in the light of the scheme. The impugned order of cancellation of the temporary status visited with civil consequences and without following the principles of natural justice. The impugned order is vitiated on that ground also.

For all the reasons stated above the impugned order dated 30.4.2001 is set aside and the application is allowed.

There shall, however, be no order as to costs.



(R.K.UPADHYAYA)
ADMINISTRATIVE MEMBER



(D.N.CHOWDHURY)
VICE CHAIRMAN

संघ अधिकारी बिभाग
Central Administrative Tribunal
30 AUG 2002
গুৱাহাটী বৰাহী
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. No. 282 of 2002.

Smti Chitra Devi ... Applicant
Vs.

The Union of India & ors (C W C)

... Respondents.

I N D E X

<u>Sl. No.</u>	<u>Contents</u>	<u>Annexure</u>	<u>Page No.</u>
1.	Application under Sec. 19		1 to 8
2.	Verification		8
3.	Annexure	I	9
4.	Annexure	II	10
5.	Annexure	iii	11
6.	Annexure	IV	12 to 14
7.	Annexure	V	15 to 16
8.	Annexure	VI	17
9.	Annexure	VII	18
10.	Annexure	VIII	19

Filed by -

Ratul Das.

(Ratul Das)
Advocate.

Filed by Chitra Devi
- Applicant
Through - Ratul Das
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Application Under Section

19 of the Central Administrative
Tribunal Act, 1985.

Date of filing :

Registration No. :

Signature

Registrar.

Smti Chitra Devi
Wife of Sri Gangaram Biswakarma
Khalasi (Casual) C.W.C.
N I S D, Jang, Arunachal Pradesh

... Applicant
Vrs.

1. The Union of India
represented by the Secretary, C.W.C.
New Delhi.
2. The Executive Engineer, N E I D
- III, C.W.C. Itanagar.

... Respondents

1. Particulars of the Applicant :
 - (i) Name : Smti Chitra Devi
 - (ii) Husband's name: Sri Gangaram Biswakarma
 - (iii) Designation and
office which : Casual Khalasi under Asst. Engineer,
employed N I S D/ C.W.C. / Jang.
 - (iv) Address for : As at (iii) above.
service of
notice
2. Particulars of the Respondents :
 - (i) The Union of India, represented by the Secretary,
Central Water Commission, New Delhi
 - (ii) The Executive Engineer, North Eastern Investigation
Division No. (iii) , Itanagar, Arunachal Pradesh.
 - (iii) Office address : As at (i) and (ii) above.
 - (iv) Address for service of notices : As above.

C.DEV)

12

2.

3. Particulars of order against which this application is made.

order No. NEID-iii/Adm. 78/Vol (iii)/

2188-95 dated 30.4.2001 cancelling the

temporary status granted vide Office

Order No. NEID-iii/Adm-78/Vol (iii)/6924-32

dated 29.11.2000.

4. Jurisdiction of the Tribunal :

The applicant declares that the subject matter of the application is within the jurisdiction of this Hon'ble Tribunal.

5. Limitation :

The applicant further declares that the application is within the limitation prescribed under Section 21 of CAT Act.

6. Facts of the case :

(i) That the applicant was engaged as a casual khalasi in the Central Water Commission on 14.1.92. She was posted under Sissiri Investigation Sub-Division, C W C, Dambuk vide office order No. NEID-iii/AGT/Adm-5/Vol-(V)/927-73 dated 29.2.92.

(ii) That since the date of her engagement the applicant has been discharging her duties within due sincerity, her pay was fixed at Rs. 570/- per month and her engagement was up-to 28.2.92.

CD EVI

3.

A copy of the engagement letter is annexed hereto and marked as Annexure - I to this application.

(iii) That on 24.2.99 a letter bearing No. NEID/iii/Adm-78/1071/72 was issued to the applicant by the Respondent No. 2 wherein it was stated that in terms of Department of Personal and Training, New Delhi's OM No. 51016/2/90-Estt (C) dated 10.9.93 granting of temporary status was being considered and as such the applicant was asked to submit the employment registration details for necessary action.

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

(iv) That as per the letter cited above the applicant submitted the employment registration particulars to the Respondent No. 2 for his consideration and it was requested for taking necessary action in the matter.

A copy of the registration particulars is annexed hereto and marked as Annexure - III to this application.

(v) That thereafter the respondent No. 2 vide order No. NEID-iii/Adm-78/923-34 brought out a list of 50 casual Khalasis who were confirmed temporary status under the scheme "grant of temporary status and regularisation of casual labourers and ad hoc worked charged Khalasis in worked charged establishment of Central Water Commission".

CDEV/

The list however did not contain any particulars regarding the date of engagement. Only it was mentioned that they had completed 240 days every year.

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

(vi) That thereafter vide another office order No. NEID-iii/Adm-78/Vol-iii/6924-32 dated 29.11.2000 the applicant was granted temporary status under the Scheme within effect from 17.11.2000. This order was stated to be issued in accordance with letter No. 23/1/98-Estt. dated 29.10.98 and received vide C W C New Delhi's letter No. A-11019/95 Estt. xii(Vol. iii) dated 6.9.2000.

A copy of the said letter is annexed hereto and marked as Annexure V to this application.

(vii) That thereafter, the Respondent No. 2 vide order No. NEID- (iii)/Adm-78(Vol. iii)/2188-95 dated 30.4.2001 cancel the order conferring temporary status to the applicant. The single line order reads :

"The office order No. NEID-III/Adm 78/Vol.III/ 6924-32 dated 29.11.2000 conferring temporary status to Smti Chitra Devi casual Khalasi is hereby cancelled."

A copy of the said office order is annexed hereto and marked as Annexure VI to this application.

(D) Devi

5.

- (viii) That the applicant begs to state that she was conferred temporary status under a Scheme sponsored by the Department on her fulfilling certain conditions as laid down. The conferment order was issued by the Respondent No. 2 not of his own but in terms of letter dated 6.9.2000 received from the Under Secretary, C.W.C. New Delhi. Therefore, the Respondent no. 2 is not without competence to cancel the order conferring temporary status of the applicant. The order is, therefore, illegal and without authority which is required to be set aside by the Hon'ble Tribunal.
- (ix) That thereafter the applicant has been engaged on 59 days basis for the period from 12.7.2002 to 8.9.2002 which implies that she has been again brought to casual status, the engagement was issued vide order No. NEID-iii/Adm-5/3476-78 dated 9.7.2002.
- A copy of the said order is annexed hereto and marked as Annexure VII to this application.
- (x) That thereafter the applicant submitted a representation praying for restraining the temporary status granted to her in view of her fulfilling the requisite criterian. The representation was submitted on 24.6.2002 which has not been considered as yet.
- A copy of the said representation is annexed as Annexure - VIII to this application.

(C) 5(v)

6.

7. Legal Grounds :

The conferment of temporary status is based mainly on the fact of completing 240 days in a particular year by the employee. It is a material fact based on record and this record must have been sent by the field office and based on such information, the order has been issued, there being no scope for interference and even if there was anything wrong in the order, the applicant deserve a notice for that. The applicant however was not issued with any notice in this respect.

8. Relief Sought :

Under the circumstances the applicant prays that -

- (i) The order dated 29.11.2000 conferring temporary status to the applicant be restored retrospectively with all benefits.
- (ii) The order dated 9.7.2002 treating the applicant as casual Khalasi be set aside.
- (iii) Any other relief.

9. Interim Relief :

The applicant prays that pending disposal of the application the order dated 9.7.2002 be suspended.

10. Remedies exhausted :

The applicant declares that she has availed the remedies available to her but to no effect.

(D) EVI

11. Subject matter not pending with any other court.

The applicant further declares that the matter regarding which this application is made is not pending before any court of law, or any other authority or Tribunal.

12. Particulars of the I P O :

- (i) No. of I P O
- (ii) Name of the Post Office
- (iii) Post office which payable.

13. Details of Indiex

- (i) Engagement letter
- (ii) Regarding temporary status
- (iii) Employment registration details
- (iv) Granting of temporary status to similar employees.
- (v) Granting of Temporary status to the applicant.
- (vi) Cancelation of temporary status
- (vii) Engagement as casual Khalasi
- (viii) Representation.

8.

VERIFICATION

I, Smti. Chitra Devi, aged about 35 years, wife of Sri Gangaram Biswakarma, Casual Khalasi, C.W.C., Jang, do hereby verify that the statements made in paragraphs 1, 2, 3, 4, 5, 6 (ii, lv, viii, ix, x), ^{11,12,13} 7, 8, 9, 10, are true to my knowledge and those in paragraphs 6 (i, ii, vi, vii), being matters of records are true to my information which I believe to be true and the rests are my humble submissions before this Hon'ble Tribunal.

And I sign this ~~affidavit~~ verification on this 30 th day of August, 2002.

Chitra Devi
Applicant.

NO. NEID-III/AGT/ADM-5/Vol-V/ 672-73

19

GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
NORTH EASTERN INV.DIVN.NO.III
KRISHNA NAGAR :: AGARTALA
TRIPURA :: 799 001.

DATED/ 29/2/92.

OFFICE ORDER

The following persons are hereby engaged for the period
and their pay name of work are noted against each:-

S.L.	Name & Designation	Pay	Period	Chargeable head.
1.	<u>S/Shri.</u>			
	Md. Jutuboddin Ansary Casual labour.	Rs.570/-	10.2.92 to 28.2.92	Geological Inv. at Sissiri Project.
2.	Mrs. Domang Pertin Casual labour	Rs.570/-	18.12.91 to 28.2.92	K-Building at Sissiri.
3.	Mrs. Chita Devi Biswakarma Casual labour	Rs.570/-	14.1.92 to 28.2.92	-do-
4.	Mrs. Doma Serpani Casual labour.	Rs.570/-	5.2.92 to 28.2.92.	-do-
5.	Balaram Gogoi C/Labour.	Rs.570/-	29.1.92 to 28.2.92	-do-
6.	Juresh Ray, C/Labour	Rs.750/-	8.2.92 to 28.2.92	Topo survey at Sissiri.
7.	Ajoy Kr. Sinha, C/Labour	Rs.570/-	-do-	-do-
8.	Sukumar Roy, C/Labour	Rs.570/-	-do-	-do-
9.	Dillipur Sinha, C/Labour	Rs.570/-	-do-	-do-
10.	Lakman Nath, C/Labour	Rs.570/-	-do-	-do-
11.	Smt. Debu Sarkey, C/Labour	Rs.570/-	1.1.92 to 29.3.92.	K-Building at Sissiri Project

(S.K. HALDAR)
EXECUTIVE ENGINEER

Copy to :-

Assistant Engineer, Sissiri Inv. sub Division, CWC, Dambuk (A.P) with reference to his letter No.SISD/CWC/DBK/C-5/92/1057 dt. 18.2.92, No.SISD/CWC/DBK/L-5/92/1059 dt. 18.2.92 and No.SISD/CWC/DBK/L-5/92/908 dt. 28.1.92 for information. The circumstances under which reports of engagement of Casual labourers

Contd.....2/-

True copy.

Ratul Das

Advocate.

GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
NORTH EASTERN INV.DIVN.III
POST BOX NO. 144, ITANAGAR(AP)

NO. NEID-III/Adm-78/ 1071-72

Date 24/2/99

To,

✓ Smt. Chitra Devi. C/Kh.
W/o Sh. Gangaram Blewakarma
Tawang (A.P.)

Sub : Grant of Temp-Status to Casual Labourers/Khaksi

....

It is being considered to confer temp-status to casual labourers in accordance with the Department of Personnel and Trg. New Delhi's O.M.No.51016/2/90-Estt(C) dt. 10.9.99.

You are hereby advised to submit the Employment Registration details to this office immediately for necessary action.

✓ (A.G. Majumdar)
Executive Engineer

Copy to the Asstt.Ex.Engineer/Asstt.Engineer, CWC, NEISD-I/
MSTLCISD-I & II/NISD, Itanagar/Alipurduar/Tawang.

✓ (A.G. Majumdar)
Executive Engineer

True copy.

Ratul Das
Advocate.

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE DEPUTY COMMISSIONER, TAWANG DISTRICT
TAWANG

EMPLOYMENT CELL REGISTRATION CARD

(To be Renewed after every 6 months)

Registration No.....T.D.G.-1886.....

Aspirant for the post of Group.....1.....

1. Name of Candidate : Santosh Chandra Devi
2. Father's Name : Shri Nar Bahadur Biswas Karan
3. Date of Issue : 13/8/99
4. Registration No. 1886 Renewed upto : 13/8/2002. *Munshi* 13.8.01

Extra Assistant Commissioner (E.A.C.)
Tawang District, Tawang.

Date	Signature of the Renewing Authority	Amarapachal Pradesh

True copy
Ratul Das
Advocate.

GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
NORTH EASTERN DIVISIONAL OFFICE, DIV. NO. III
POST BOX NO. 144, ITANAGAR-791111 (A.P.)

HO. NEDD-III/Adm-70/923-34

Date 20th Feb. 1999.

OFFICE ORDER

In accordance with Ministry of Water Resources, New Delhi's letter No.8/3/95-Estt. (Vol.II) dated 3.7.97 and even number dated 17.10.97 communicated vide Under Secretary, Central Water Commission, New Delhi's letter No. A-11019/1/95-Estt.XII dated 17.7.1997 and even number dated 6.11.97 respectively, the following Casual Khalasis who have continuous been engaged for at least 240 days every year (206 days in offices following five days week) are conferred Temporary Status under the Scheme "Grant of Temporary Status and Regularisation of Casual Labourers and Ad-hoc Work-charged Khalasis in Work-charged Establishment of Central Water Commission, 1997" with immediate effect.

Sl.No.	Name	Father/Husband's Name.
--------	------	------------------------

S/Chri

1.	Mamirul Haque	Late Sabauddin Miah
2.	Bir Bahadur Rana	Late Jangbir Rana.
3.	Mananjay Roy	Shri Birendra Roy.
4.	Birendra Kr. Singh	Shri Shyam Narain Singh,
5.	Prém Bahadur Karkey	Late Ran Bahadur Karkey.
6.	Duleshwar Phukan	Shri Nitya Nath Phukan,
7.	Jayanto Gogoi	Shri Kulanath Gogoi.
8.	Raju Sunar	Shri K.B. Sunar,
9.	Dal Bahadur Chettri	Late K.B. Chettri,
10.	Lalan Ram	Shri Sipahi Ram,
11.	Kabir Panchkoty	Late Bishnu Lal Panchkoty,
12.	Rahmatullah Ansari	Mohd Iliyas Ansari.
13.	Ajit Gogoi	Shri Mihaswar Gogoi,
14.	Dimeshwar Baruah	Late Ghonokanta,
15.	Muhi Gogoi	Shri Khedan Gogoi,
16.	Ratneswar Gogoi	Shri Bogat Gogoi,
17.	Janak Raj	Shri Padam Bdr. Chettri,
18.	Isai Gomang	Shri Matias Gomang,
19.	Purna Kanta Gogoi	Shri Nilakanta Gogoi,
20.	Santosh Roy	Shri Jagdish Ch. Roy,
21.	Smt. Agnes K.E.	Shri Joseph C.J.
22.	Lokan Kelling	Shri Lokan Kami,
23.	Jaggu Roy	Late Heri Das,
24.	Jogeswar Gogoi	Shri Bijuakanta Gogoi,
25.	Sudhir Roy	Shri Chiken Roy,
26.	Jayanto Roy	Shri R.C. Roy,
27.	Ram Thapa	Shri Dhan Bahadur Thapa,
28.	Rajnu Barman	Late Cheku Barman,
29.	Smt. Aleykutty Joseph	Shri P. V. Xavier,
30.	Tika Ram Sunar	Shri Kherga Bahadur Sunar,
31.	Arun Sekhar Dutta	Shri Santi Sekhar Dutta,
32.	Priakash Chaudhary	Late Pareah Chaudhary,
33.	Stephen Dorjee	Late Mangal Singh Dorjee,
34.	Smt. Kumari Dorjee	Shri. Stephen Dorjee
W/O		Contd..... 2/
W/O		
W/O		

True copy.

Ratul Das

Adino Cate

Sl.No.	Name	Father's Name	Husband's Name.
	35. B/Blind		
35.	Miss. Maia Tamang	Sh. Ram Bahadur Tamang	
36.	Bimal Dhadupla	Sh. Bhawarun Dhadupla	
37.	Padam Bahadur Gurung	Sh. Ranbir Gurung	
38.	Chaturman Thapa	Sh. Ran Man Thapa	
39.	Ramen Gogoi	Sh. Dandi Ram Gogoi	
40.	K.S. Limboo	Sh. Shankha Daj Limboo	
41.	Purna Gohain	Sh. Puna Borgohain	
42.	Jayanta Gohain	Sh. Phaniduai Gohain	
43.	Munim Hazarika	Sh. Dabo Hazarika	
44.	Mustafa Kamal	Sh. Habibur Rehman	
45.	Damroo Karmakar	Lt. Jangli Karmakar	
46.	Niranjan Boro	Lt. Keshop Boro	
47.	Bijoy Kr. Das	Sh. Kaka Das	
48.	Jai Bahadur Tamang	Lt. Kali Tamang	
49.	Krishna Kanta Kalita	Sh. Chandra Kanta Kalita	
50.	Thi Keniang	Sh. Tai Ranen-gka	

1. Temporary status would entitle the casual labourers to the following benefits:-

- 3 -

- (vii) Until they are regularized, they would be entitled to Productivity-Linked Bonus/Ad-hoc Bonus only at the rates applicable to casual labourers.
2. No benefits other than those specified above will be admissible to casual labourers with temporary status. However, if any additional benefits are admissible to casual workers working in industrial establishments in view of provisions of Industrial Disputes Act, they shall continue to be admissible to such casual labourers.
3. Despite conferment of temporary status, the services of a casual labourer may be dispensed with by giving a notice of one month in writing. A casual labourer with temporary status can also quit service by giving a written notice of one month. The wages for the notice period will be payable only for the days on which such casual worker is engaged on work.

They will be governed by the Deptt. of Personnel & Training Scheme issued vide their O.M.No.51016/2/90-Estt(C) dated 10.9.1993. For regularization in the work-charged establishment of Central Water Commission, they will be governed by the provisions laid down under para 10 of the Ministry of Water Resources Scheme for grant of Temporary status and regularization of Seasonal Khalasis in the Work-charged Establishment of Central Water Commission issued vide Ministry of Water Resources, New Delhi letter No.8/3/95-Estt.I (Vol.II) dated 20.6.1995 and further partial modification vide para 2 of Ministry of Water Resources letter No.8/3/95-Estt.I (Vol.II) dated 17.10.97.

(A.G.Majumdar)
Executive Engineer.

Copy for favour of information to :-

1. The Chief Engineer (HRM), C.W.C., Sewa Bhawan, R.K.Puram, New Delhi.
2. The Chief Engineer, Brahmaputra & Barak Basin, CWC, Shillong.
3. The Under Secretary, (Estt.XII Section), CWC, R.K.Puram, New Delhi.
4. The Superintending Engineer, NEI Circle, CWC, Shillong.
5. The Pay & Accounts Officer, C.W.C., Sewa Bhawan, R.K.Puram, New Delhi.
6. The Asstt.Ex.Engineer, NEISD-I, CWC, Itanagar. Their joining reports may please be sent to this office early.
7. The Assistant Engineer, NISD, CWC, Tawang.
8. The Assistant Engineer, MSTLCISD-I & II, CWC, Alipurduar (W.B.).
9. Accounts Branch, NEID-III, CWC, Itanagar.
10. Personal File/ Service Book.
11. Persons Concerned through AEE/AE concerned. They are directed to submit their/testimonials in respect of date of birth, educational qualification and status as Scheduled Caste/Scheduled Tribe/Other Backward Class, if applicable immediately through Sub-divisional Officer/Section Head.

original

GRAM : CENTWATER: ITANAGAR.

TELE/FAX -0360-203510

GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
NORTH EASTERN INVESTIGATION DIVISION NO. III
POST BOX NO.144, ITANAGAR (ARUNACHAL PRADESH)

No. NEID-III/Adm-78/Vol-III/ 6924 - 32 Date. 29.11.2000

OFFICE ORDER

In accordance with Ministry of Water Resources, New Delhi's letter No.23/1/98-Estt dated 29.10.1998 received vide Under Secretary, Central Water Commission, New Delhi's letter No. A-11019/95-Estt.XII(Vol-III) dated 6.9.2000, Smt. Chitra Devi W/o Shri Ganga Ram Vishwakarma, R/o Vill Telem (Nepali Basti), P.O. Telem, Thana Junai, Distt. Dhemaji, Assam, Casual Khalasi who has continuously been engaged for at least 240 days every year is conferred Temporary Status under the Scheme "Grant of Temporary Status and Regularisation of Casual Labourers and Ad-hoc Work-charged Khalasis in Work charged Establishment of Central Water Commission, 1997 with effect from 17.11.2000.

1. Temporary status would entitle her to the following benefits

- 1) Wages at daily rates with reference to the minimum of the pay scale for a corresponding regular Group 'D' Officials i.e. Rs.2550-55-2660-60-3200 including DA, HRA and CCA.
 - 2) Benefits of increments at the same rate as applicable to a Group 'D' employee would be taken into account for calculating prorata wages for every one year of service subject to performance of duty for at least 240 days in the year from the date of confirmation of temporary status.
 - 3) Leave entitlement will be on prorata 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. She will also be allowed to carry forward the leave at her credit on her regularisation. She will not be entitled to the benefits of encashment of leave on termination of service for any reason or on her quitting service.
 - 4) Maternity leave to a lady casual labourers as admissible to regular Group 'D' employees will be allowed.
 - 5) 50% of the service rendered under Temporary status would be counted for the purpose of retirement benefits after her regularisation.
 - 6) After rendering three years' continuous service after confirmation of temporary status, she would be treated at par with temporary Group 'D' employees for the purpose of contribution to the General Provident Fund, and would also further be eligible for the grant of Festival advance on the same conditions as are applicable to temporary Group 'D' employees, provided she furnishes two sureties from permanent Government servants.
 - 7) Until she is regularized, she would be entitled to productivity - Linked Bonus/Ad-hoc Bonus only at the rates applicable to casual labourers.
2. No benefits other than those specified above will be admissible to casual labourer with temporary status. However, if any additional benefits are admissible to casual workers working in industrial establishments in view of provisions

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True copy.

Ratul Das
Advocate

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of Industrial Disputes Act, they shall continue to be admissible to such casual labourers.

- 3 Despite conferment of temporary status, her services may be dispensed with by giving a notice of one month in writing. A casual labourer with temporary status can also quit service by giving a written notice of one month. The wages for the notice period will be payable only for the days on which such casual worker is engaged on work.

She will be governed by the Deptt. of Personnel & Training Scheme issued vide their O.M.NO.51016/2/90-Estt(C) dated 10.9.1999 for regularization in the Worchargyed establishment of Central Water Commission.

J. G. Majumdar
(A. G. Majumdar)
Executive Engineer

Copy for favour of information to:-

1. The Chief Engineer, (HRM), Central Water Commission, Sewa Bhawan, R.K.Puram, New Delhi.
2. The Chief Engineer, Brahmaputra Barak Basin, Central Water Commission, Shillong.
3. The Under Secretary, (Estt-XII Section), Central Water Commission, R.K.Puram, New Delhi.
4. The Superintending Engineer, North Eastern Inv.Circle, Central water Commission, Shillong.
5. The Pay & Accounts Officer, Central Water Commission, Sewa Bhawan, R.K.Puram, New Delhi.
6. The Assistant Engineer, Nyukcharang Inv.Sub Division, Central Water Commission, Jang with reference to his Lr.No NISD/CWC/TWG/5/305 dated 08.05.2000.Joining Report of Smt. Chitra Devi may please be sent to this office early. Original certificates i.e. Educational qualificates, Date of Birth and Employment Exchange card alongwith attestedphoto copies of above certificates may be obtained from Smt. Chitr Devi and sent to divisional office for verification and records.
7. Accounts Branch, NEID-III, CWC, Itanagar.
8. Personal file/Service Book of person concerned.
9. Smt.Chitra Devi through Assistant Engineer, NISD,CWC,Jang.

REID-III/ADM-79/(Vol-III)

/ 21.8.8-95

Date. 30.4.2001

SPECIAL ORDER

The Office Order No. REID-III/ADM-79/Vol-III/8924-32
 dated 29.11.2000 conferring temporary status to Smt. Chitra
 Devi, Casual Khalasi is hereby cancelled.

for jo bsefup
 (A. V. Rajumar)
 Executive Engineer

Copy to :-

1. The Superintending Engineer (C), Office of the Chief Engineer Brahmaputra & Barak Basin, C.C. Siliong.
2. The Superintending Engineer, North Eastern Inv. Circle, Central Water Commission, Siliong with reference to his letter No. NSIC/2053/Vol-III/97/C-28 dated 26.1.2001.
3. The Under Secretary (Estt-III), Central Water Commission, New Delhi with reference to his letter No. R-11015/10/99/3-III/201-03 dated 27.2.2001.
4. The Pay & Accounts Officer, Central Water Commission, New Delhi.
5. The Assistant Engineer, Myketheng Inv. sub Division, C.C. Seng, Accounts Branch, REID-III, C.C. Itenayat.
6. Personal file of Smt. Chitra Devi.
7. Smt. Chitra Devi, through Asstt. Engineer, NSIC, C.C. Seng.



True copy.

Ratul Das
Advocate.

Government of India
Central Water Commission
North Eastern Inv. Divn. III
P.B. No. 144: Itanagar-791111

NO. NEID-III/Adm-5/ 3476-78

Date 9.7.2002.

OFFICE ORDER

The following persons are hereby engaged on 59 days basis for the period, Pay and chargeable head shown against each name as under :-

Sl. No.	Name of person	Pay	Period	Ch. Head.
1.	Smt. Chitra Devi, C/Kh.	Rs. 2550-3200 (in scale)	12/7/2002 to 29.9.2002	Guest House at Jang (WRD Project.)
2.	Smt. Meera Jha C/Kh.	Rs. 2550-3200 (in scale)	8/7/2002 to 4/9/2002	Geological Inv. of WRD Project.

(D. K. Tiwary)
Executive Engineer

Copy to :-

1. The Assistant Engineer, NISD, CWC, Jang w.r.to his letter No. NISD/CWC/Jang/5/Vol-IV/02/636 dated 19/6/2002... 2 copies
In case her services are required in future, full justification may be furnished.
2. Jr. Engineer (HQ), (DB), NEID-III, CWC, Itanagar.
3. Accounts Branch, NEID-III, CWC, Itanagar... 2 copies.

True copy.

Ratul Das
Advocate.

29
To : ???

The Executive Engineer,
N E I D-III, C.W.C.
Itanagar.

Sub : Restoring Temporary Status.

Ref : No. NEID-III/AGT/ADM-5/Vol-V/972-73
dated 29.2.1992.

Respected Sir,

I bring the following few lines for favour of kind information and sympathetic consideration and favourable action please.

I am working as a Casual Labour in Central Water Commission since 14.1.1992. I was engaged as a Casual Labour under Sissiri Inv. Sub-Division, CWC, Dambuk on 14.1.1992 vide Office order mentioned under reference. Subsequently I was given chance to serve at Nyukcharong Chu Inv. Sub-Division, and working at Jang.

I am continuously working with periodical break in a service and it is to inform to your kind notice that many Casual Labours were posted as w/c Temporary Status Khalasis vide order dated 29.2.92.

Thereafter I was granted temporary status by the Deptt. But the same has been again withdrawn and I am now reverted to casual Khalasi. No reason has been assigned while withdrawing the order conferring temporary status.

I, therefore, request you to restore my temporary status as has been granted already.

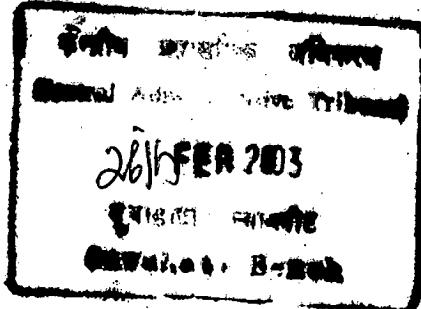
22.11.01.

Jang.

Yours faithfully,

(Chitra Devi)
Casual Khalasi,
NISD/CWC/Jang.

True copy
Ratul Das
Advocate.



2/2/03
(A. DEB ROY)
Sr. C. G. S. C.
C. A. T. Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH AT GUWAHTI

OA No. 282/2002

Smt. CHITRA DEVI
v/s
UNION OF INDIA AND OTHERS

APPLICANT
RESPONDENTS

(Written statements filed on behalf of the Respondents)

I, Dhirendra Kumar Tiwary, son of Shri G.S. Tiwary resident of Chimpur, Itanagar (Arunachal Pradesh) working as Executive Engineer, North Eastern Investigation Division-III, Central Water Commission in the Department, being competent and duly authorised, do hereby solemnly affirm and state as follows:-

1. That the deponent is working as Executive Engineer (Respondent No.2) and he has been authorised to file counter reply on behalf of Respondents and as such he is fully conversant with the facts of the case deposed hereunder.
2. That the copies of OA No.282/2002 (referred to as the application) have been served on the Respondents.

The Respondents have gone through the same and understood the contents thereof.

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3. That the statements made in the application, which are not specifically admitted, are hereby denied by the Respondents.
 4. That before traversing the statements made in various paragraphs of the application, the Respondents submit a brief resume of the facts and circumstances of the case hereunder :-
 - 4.1 The applicant was initially engaged as a casual labourer (on daily wages for casual works) from 14.1.1992 to 28.02.92 vide Office Order No. NEID-III/AGT/ADM-5/Vol-5/972-73 dt. 29.2.92 (on monthly wages of Rs.570/-). Subsequently, she has been engaged as casual labourer/casual khalasi for varying periods during 1992 to 2002 depending upon the type and nature of work (she was engaged intermittently as Casual Labourer/Casual Khalasi w.e.f. 1.7.1998 upto 6.11.2002). The CWPC Manual provides vide clause 27.01 that muster-roll staff can be employed on job of purely casual nature and for a very short duration. It has also been provided further that the vacancies in muster-roll should be filled through the nominees of the nearest employment exchange unless the employment exchange certifies that they are unable to supply the candidates.
 - 4.2 The Government of India in the Ministry of Water Resources introduced a Scheme called "Scheme for Grant of Temporary status and Regularisation of Seasonal Khalasis in the Workcharged Establishment of CWC" w.e.f. 1.6.1997, which has been extended to the casual labourers and adhoc khalasis

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engaged in the workcharged establishment of CWC retrospectively w.e.f. 1.6.1997 mutatis mutandis vide Ministry of Water Resources letter No. 23/1/98-Estt.I, dated 29.10.98 in supersession of their letter No.8/3/95-E(Vol.II), dated 3.7.97 and 17.10.97, which was circulated to the field offices of CWC vide letter dated 6.9.2000 (Vide letter dated 3.7.97 and 17.10.97, it was clarified by the Ministry of Water Resources that for the purpose of Grant of temporary status and regularization of casual labours and adhoc khalasis in the workcharged establishment of CWC these categories of workers will be governed by the Department of Personnel & Training Scheme issued vide their O.M. No.51016/2/90-E(C), dated 10.9.93. However, as stated above, these letters were subsequently superseded by the Ministry vide their letter dated 29.10.98). In view of the Ministry of Water Resources letter dated 3.7.97 and 17.10.97, Temporary Status was conferred vide Order dated 20.2.1999 on 50 casual khalasi. However, since the details in respect of applicant whether applicant's name was duly registered with the employment exchange at the time of initial engagement were not available, she was directed vide **Annexure-II** to the O.A. to submit such details to ascertain whether at the time of her appointment she had already been registered with Employment Exchange. In response to this, the Petitioner submitted a copy of the employment exchange registration card (**Annexure-III** to O.A.), which was issued by the Employment Exchange later on 13.8.99 meaning thereby that she was not engaged through the Employment Exchange at the time of initial engagement in 1991-92. However, this fact

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somehow went up-noticed and she was erroneously conferred with Temporary Status vide Office Order dated 29.11.2000. Subsequently, when the matter was reviewed in April, 2001, it was found that not only the applicant did not fulfill the conditions of the Scheme 1997 for grant of temporary status but she was also not found having been duly sponsored by the Employment Exchange at the time of her initial engagement and as such could not be bestowed temporary status under the scheme and the said order was cancelled on 30.4.2001. Though, the Respondents have only corrected their wrong action by canceling the erroneous order, the applicant has felt aggrieved and approached the Hon'ble CAT with the present O.A.

PARAWISE COMMENTS

5. That with regard to the Statements made in Para 1 to 5 of the application, the Respondents state that these being matter of records and nothing is admitted beyond such records and law.
6. That with regard to Para 6(i) and 6(ii), the Respondents state that the applicant was engaged vide Office Order No.NEID-III/AGT/ADM-5/Vol.V/972-73 dated 29.2.92 (**Annexure-I**) as a casual labourer and not casual Khalasi as mentioned by the applicant in OA, for a period of 14.01.92 to 28.02.92 as per the requirement of works and administrative exigencies.
7. That with regard to Para 6(iii) and 6(iv) Respondents do not offer any comments being matter of records.

8. That with regard Para 6(v), the Respondents state that Respondent No.2 granted temporary status to 50 casual labourers vide office order No. NEID-III/Adm-78/923-34 dated 20.2.99 (**Annexure-IV** of the application) in accordance with the guidelines prevailing at that time and issued by Govt. of India, Department of Personnel & Training vide their O.M. No. 51016/2/90-Estt(C) dated 10.9.1993 (**Annexure II**) as applicable to CWC vide MoWR No. 8/3/95-Estt-1 (Vol.VI) dt. 3rd July,1997 (**Annexure-III**). These 50 casual labourer fulfilled the eligibility and other terms and conditions as per Govt. guidelines prevailing at that time. One of these guidelines envisaged conferring temporary status on all casual labourers who had worked for at least 240 days in a year (206 days in case of offices observing 5 days a week). The Respondents also humbly submit that for the purpose of issue of such an order, it was/is not necessary to mention any more particulars or details than those mentioned in the order.
9. That with regard to Para 6(vi) and Para 6(vii), the Respondents state that the Office Order No. NEID-III/Adm-78/Vol.III/6924-32 dated 29.11.2000 issued by Respondent No.2 conferring upon the applicant temporary status was found to be erroneous in the light of specific guidelines issued by Govt. on the subject of granting temporary status and regularization of ad-hoc Khalasis/Casual labour engaged in the workcharged establishment of Central Water Commission. In fact as per the decision taken by the Government, Ministry of Water Resources vide letter dated 29.10.1998 (**Annexure IV**) the matters regarding grant of temporary status/regularization of the Casual

labour/adhoc Khalasis engaged in the workcharged establishment of the Central Water Commission are governed, with retrospective effect from 01.06.1997, by the provisions contained in the Scheme for grant of temporary status and regularization of Seasonal Khalasis in the workcharged establishment of Central Water Commision-1997 (**Annexure-V**) which came into effect from 1.6.97. As per provisions of the said Scheme, as also extended to Casual labour/adhoc Khalasis of the workcharged establishment of Central Water Commission, only those casual labour/adhoc Khalasis, who were engaged on the date of commencement of the Scheme i.e. 01.06.1997 or any time during the proceeding one year and have rendered a minimum of 120 days continuous service preceding such date, are eligible for consideration for grant of temporary status. The service records (**Annexure-VI**) of the applicant shows that she did not fulfill the said criteria, since neither she was engaged on the commencement date of the Scheme i.e. 01.06.97, nor she has rendered continuous service of 120 days in any of the relevant year 1996/97. As such, the applicant was not eligible for grant of temporary status as per provisions of the said scheme. Moreover, she was also not duly sponsored by the Employment Exchange at the time of her initial engagement. As such, the action taken by Respondent No.2 in canceling the order dated 29.11.2000, under which the applicant was erroneously conferred with temporary status, by subsequent order dated 30.04.2001, was strictly in accordance with the relevant/rules.

10. That with regard to Para 6(viii), Respondents state that under the above mentioned Scheme effective from 1.6.1997 as circulated by CWC letter dt. 30-6-97/4-7-97 and clarified vide letter dated 6th Sep,2000 (**Annexure-VI-A**), the conferment of temporary status upon the applicant vide order dt. 29.11.2000 was in violation of the conditions laid down in the scheme as earlier mentioned under Para 9. Therefore, the Respondent No.2 being the appointing authority, was fully competent to cancel the erroneous order.
11. That with regard Para 6(ix), the Respondent state that the applicant has been engaged for a period from 12.7.2002 to 8.9.2002 on the basis of requirement of work and recommendation of the controlling officer vide NISD No. NISD/CWC/Jang/5/Vol.IV/02/636 dated 19.6.02 (**Annexure VII**). Since her temporary status has already been cancelled vide office order dated 30.4.2001, the stated implication of the order is applicant's own thinking and trying to substitute the directive of the Hon'ble CAT with her own words which may not be entertained.
12. That with regard Para 6(x), the Respondents state that the statement made by the applicant that she submitted a representation on 24.6.2002 praying for retraining the temporary status granted to her is entirely false. The applicant has not made any such representation to her immediate controlling officer as well as to Respondent No.2 as per records and as confirmed by the Assistant Engineer, NISD, CWC, Jang vide letter dated 9.10.2002 (**Annexure VIII**). It

appears to be only a malafide intention of the applicant to mislead the Hon'ble CAT.

13. That with regard Para 7, the Respondents state that facts have already been mentioned in para 9, 10 & 11 in reply of para 6(vi), 6(vii), 6(viii) & 6(ix) above respectively. As per clause 5(i) of the prevailing scheme, a casual labourer must have rendered a minimum continuous service of 120 days for being considered for bestowing with temporary status in the relevant years 1996/97. But the condition is not fulfilled by the applicant. Since the cancellation order dt. 30.4.2001 was issued to rectify an earlier order issued erroneously, in violation of the rules, such cancellation does not require any prior notice be issued to the applicant. As such, the application is devoid of merit and is liable to be rejected.
14. That with regard statement made in para 8(i), 8(ii) & 8(iii), the Respondents state that in view of the facts of the case, as mentioned in Para 4.1, 4.2, 5 to 13 and 16, the applicant is not entitled to any relief whatsoever as prayed for and the application is liable to be dismissed with cost as devoid of any merit.
15. That with regard to the Para 9, the Respondents state that in view of the facts of the case brought out in Para 4 to 13, the interim relief sought has no relevance to the case.
16. That with regard to the statements made in Para 10, the Respondents state that the applicant has not exhausted all remedies available to her.

- 38
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17. That with regard to Para 11, 12 & 13 being matters of record, Respondents do not offer any comments.

PRAYER

In the light of the above, it is respectfully prayed that this Hon'ble Tribunal may be pleased to dismiss the above OA with costs.

Date :

Place :


DEPONENT
THROUGH THE GOVT. COUNSEL

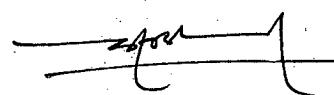
VERIFICATION

I, Dhirendra Kumar Tiwary presently working as Exe. Engineer, NED-III, CWC, Itanagar being duly authorized and competent to swear and sign this verification, do hereby solemnly affirm and state that the statements made in para 6, 7, 10 & 13 are true to my knowledge and belief, those made in Paras 8, 9, 10, 11 & 12 being matter of records, are true to my information derived there from and the rest are my humble submission before this Hon'ble Tribunal. I have not suppressed/concealed any material facts.

And I sign this verification on this the day of
2002 at Guwahati.

Date :

Place :


DEPONENT
THROUGH THE GOVT. COUNSEL

Annexure - I

GRAM: CENTWATER : AGARTALA.

PHONE : 4863.

NO. HEID-111/AGT/ADM-5/Vol-V/ 6/2-73

GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
NORTH EASTERN INV.DIVN.NO.III
KRISHNA NAGAR : AGARTALA
TRIPURA : 799 001.

DATED/ 29/2/92.

OFFICE ORDER

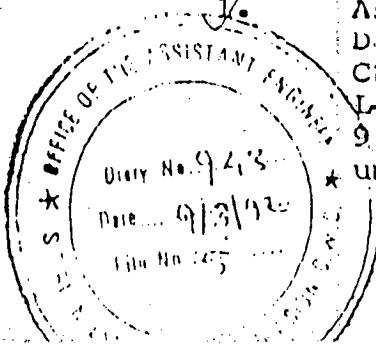
The following persons are hereby engaged for the period and their pay name of work are noted against each:-

S.L.	Name & Designation	Pay	Period	Chargeable head.
1.	S/Shri.			
	Md. Jutuboddin Ansary Casual labour.	Rs.570/-	10.2.92 to 28.2.92	Geological Inv. at Sissiri Project.
+2.	Mrs. Domang Pertin Casual labour	Rs.570/-	18.12.91 to 28.2.92	K-Building at Sissiri.
3.	Mrs. Chita Devi Biswakarma Casual labour	Rs.570/-	14.1.92 to 28.2.92	-do-
4.	Mrs. Doma Serpani Casual labour.	Rs.570/-	5.2.92 to 28.2.92.	-do-
5.	Balaram Gogoi C/Labour.	Rs.570/-	29.1.92 to 28.2.92	-do-
6.	Juresh Ray, C/Labour	Rs.750/-	8.2.92 to 28.2.92	Topo survey at Sissiri.
7.	Ajoy Kr. Sinha, C/Labour	Rs.570/-	-do-	-do-
8.	Sukumar Roy, C/Labour	Rs.570/-	-do-	-do-
9.	Dillipur Sinha, C/Labour	Rs.570/-	-do-	-do-
10.	Lakman Nath, C/Labour	Rs.570/-	-do-	-do-
11.	Smt. Debu Sarkey, C/Labour	Rs.570/-	1.1.92 to 29.3.92.	K-Building at Sissiri Project

(S.K. HALDAR)
EXECUTIVE ENGINEER

Copy to:-

Assistant Engineer, Sissiri Inv. Sub Division, CWC,
Dambuk (A.P) with reference to his letter No.SISD/
CWC/DBK/C-5/92/1057 dt. 18.2.92, No.SISD/CWC/DBK/
L-5/92/1059 dt. 18.2.92 and No.SISD/CWC/DBK/L-5/
92/908 dt. 28.1.92 for information. The circumstances
under which reports of engagement of Casual labourers



A copy of Ministry of Personnel, P.G. & Pensions, Department of Personnel & Training's O.M. No. 51016/2/90-Estt. (C) dated the 10th September, 1993.

OFFICE MEMORANDUM

Subject: Grant of temporary status and regularisation of status to casual to 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.

1. The guidelines in the matter of recruitment of persons on daily-wages 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 delibrrred 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 continous 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 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.

Sd/-

(Y. G. PARANDE)
DIRECTOR

- 52 -

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APPENDIX

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 offices attached and subordinate Officer, on the date of issue of these orders. But it shall be 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 period of service of at least one year, which means that they should have must have been engaged for a period of at least 240 bus 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 the 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 any here within the recruitment unit/territorial circle on the basis of 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.

v) Temporary status would entitle the casual labourers to the following benefits.

5 i) Wages at daily rates with reference to the minimum of the pay scale for a corresponding regular Group 'D' official including DA, HRA and CCA.

ii) Benefits of increments at the same rate as applicable for Group D employees 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 206 days in administrative officers observing 5 days week in the year from the date of conferment of temporary status.

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- iii) Leave entitlement will be on a prorate 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 service for any reasons or on their quitting service.
- iv) Maternity leave to lady casual labourers 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 General Provident Fund, and would also further be eligible for the grant of Festival advances/Flood advance on the same conditions as are applicable to temporary Group D employees, provided they furnish two sureties from permanent Govt. servants of their Department.
- vii) Until they are regularised, they would be entitled to productivity Linked Bonus/Ad-hoc Bonus only at the rates as applicable to casual labourers.

6. No benefits other than those specified above will be admissible to casual labourers with temporary status. However, if any additional benefits are admissible to casual workers working in Industrial Establishments in view of provisions of Industrial Dispute Act, they shall continue to be admissible to such casual labourers.
7. Despite Conferment of temporary status, the services of a casual labourer may be dispensed with by giving a notice of one month in writing. A casual labourer with temporary status can also quit service by giving a written notice of one month. The wages for the notice period will be payable only for the days on which such casual worker is engaged on work.

PROCEDURE FOR FILLING OF A GROUP D POSTS

Two out of every three vacancies in Group D cadres in respective offices where the casual labourers have been working would be filled up as per extant recruitment rules and in accordance with the instructions issued by Department of Personnel & Training from amongst casual workers with temporary status. However, regular Group 'D' staff rendered surplus for any reason will have prior claim for absorption against existing future vacancies. In case of illiterate casual labourers or those who fail to fulfil the minimum qualification prescribed for post regularisation will be considered only against those posts in respect of which literacy or lack of minimum qualification will not be a requisite qualification. They would be allowed age relaxation equivalent to the period for which they have worked continuously as casual labourer.

國立臺灣大學圖書館總館 - 34

9. On regularisation of casual worker with temporary status, no substitute in his place will be appointed as he was not holding any post. Violation of this should be viewed very seriously and attention of the appropriate authorities should be drawn to such cases for suitable disciplinary action against the officers violating these instructions.

the officers violating these instructions.

10. In future, the guidelines as contained in this Department's O.M. No. dated 7.6.88 should be followed strictly in the matter of engagement of casual employees in central Government offices.

11. Department of Personnel & Training will have the power to make amendments or relax any of the provisions in the scheme that may be considered necessary from time to time.

of buildings, which were built in the 19th century, and the 18th century. The latter were built in the 18th century, and the former in the 19th century. The former were built in the 18th century, and the latter in the 19th century.

Annexure-III

-35-

73

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Annexure-PIV(Colby)

No. 8/3/95-Estt. I (Vol. III)

Government of India

Ministry of Water Resources

Shram, Shakti Bhawan,

New Delhi-110 001

Dated 3rd July, 1997.

To

The Chairman,

Central Water Commission,

Sewa Bhawan, R.K. Puram,

New Delhi-110 066

Subject:Grant of temporary status and
regularisation of casual labourers and
ad-hoc Khalasis in the work charged
establishment of Central Water
Commission.

sir,

Vide the Ministry's letter of even number
1997 dated 20.6.1997, a scheme was introduced for
grant of temporary status and regularisation of
seasonal Khalasis in the work charged

establishment of Central Water Commission.

As regards casual labourers and ad-hoc khilasis engaged in the work charged establishment of Central Water Commission, I am directed to say that for grant of temporary status they will be governed by the Department of Personnel & Training scheme issued vide their O.M. No. 51016/2/90-Estt. (C) dated 10.8.1993. For regularisation in the work charged establishment of Central Water Commission they will be governed by the provisions laid down under para 10 of the Ministry of Water Resources Scheme for grant of temporary status and regularisation of seasonal khilasis in the work charged establishment of Central Water Commission issued vide this Ministry's letter of even number dated 20.6.1997.

Yours faithfully

Sd/-

(A.K.Banerji)

Under Secretary to the
Government of India

Copy for Information to:

1. Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training (Shri Harinder Singh, Joint Secretary) North Block, New Delhi
2. Ministry of Law & Justice, Department of Legal Affairs (Shri D.P. Srivastava, JS & I.A) Shastry Bhawan, New Delhi
3. Ministry of Urban Affairs & Employment, Department of Urban Development (Shri Y.P. Singh, Director (Works) Nirman Bhawan, New Delhi)
4. Ministry of Finance, Department of Expenditure (Shri Shyam Sunder, Under Secretary) North Block, New Delhi
5. Shri M.S. Menon, Chief Engineer (HRM), Central Water Commission, Sewa Bhawan, R.K. Puram, New Delhi for Information and Immediate necessary action.

Sd/-

(A.K. Barua)

Under Secretary to the Govt. of India

New Delhi, the 29th Oct., 1998

To

The Chairman,
Central Water Commission,
Sewa Bhawan, R.K. Puram,
New Delhi - 110 066.

Sub : Grant of temporary status and regularisation of casual labourers and adhoc Khalasis engaged in the Workcharged establishment of Central Water Commission - regarding.

Sir,

Vide this Ministry's letter number 8/3/95-Estt. I (Vol. II) dated 20.6.97 a scheme for grant of temporary status and regularisation of Seasonal Khalasis (numbering 2234) in the workcharged establishment of Central Water Commission was introduced with effect from 1.6.1997. The casual labourers (numbering 88) and adhoc Khalasis (numbering 43) engaged by the various divisions of Central Water Commission in its workcharged establishment were kept outside this scheme. Instead, through this Ministry's letter number 8/3/95-Estt. I (Vol. II) dated 3rd July, 1997 and dated 17th October, 1997, it was clarified that for the purpose of grant of temporary status and regularisation of such casual labourers and adhoc Khalasis in the workcharged establishment of Central Water Commission will be governed by the Deptt. of Personnel & Training Scheme issued vide their OM NO. 51016/2/90-Estt(C) dated 10th September, 1993.

The matter has been reviewed in the light of the order dated 10.2.1994 passed by the Central Administrative Tribunal (Principal Bench), New Delhi in O.A. No. 223/92 in the matter of Shri Vinod Kumar & Ors. Vs Union of India & Ors. and other related O.A. NO. 884/92, 1601/92, 2246/92 and 2418/92 and in consultation with the Deptt. of Personnel & Training and it has been decided to extend the Scheme for grant of temporary status and regularisation of Seasonal Khalasis in the workcharged establishment and Central Water Commission "to the casual labourers and adhoc Khalasis engaged in the workcharged establishment of Central Water Commission retrospectively with effect from 1.6.1997, mutatis mutandis.

For the purpose of the said scheme the casual labourer and adhoc Khalasis will be the ones as defined below :

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1. Casual Labourer : Casual labourers are generally unskilled persons engaged in the non-monsoon period for providing additional assistance in surveys, drilling works etc. for investigation of projects. They are paid the minimum wages as prescribed by the Ministry of Labour. A total of 88 persons are employed under this category in the workcharged establishment of the CWC.

2. Adhoc Khalasis : Adhoc Khalasis are generally skilled/semi-skilled persons employed in the workcharged establishment for specific periods depending upon the exigency of the work and for specific works only. They are paid at the minimum of the scale of pay in the lowest grade in the workcharged establishment. A total of 43 persons are employed under category in the workcharged establishment of the CWC.

This supersedes this Ministry's letters NO. 8/3/95-Estt.I(Vol.II) dated 3.7.97 and 17.10.1997.

Central Water Commission are requested to ensure that the strength of casual labourers and adhoc Khalasis is frozen at the present strength as mentioned above and no fresh recruitment shall be made of any casual/adhoc or seasonal employees on regularisation of any casual labour, adhoc Khalasi and seasonal Khalasi with temporary status. It is reiterated that there shall be complete ban on appointment of fresh casual labourers, adhoc Khalasis and Seasonal Khalasis. Any violation of these instructions will be viewed very seriously. Further CWC may also ensure that engagement of adhoc Khalasis and casual employees inspite of grant of temporary status may be resorted to only for the period essentially required for completion of specific work.

It is requested that above provisions regarding extending the benefits of the scheme to casual labourers and adhoc Khalasis working in the workcharged establishment of Central Water Commission may please be brought to the notice of all appointing authorities under Central Water Commission and ensure immediate action for implementation by all concerned may also please be ensured.

Yours faithfully,

(A.K. BARUA)
Under Secretary to the
Government of India
Tel. 3716928

21

No. 8/3/95-Est(I.I)
Government of India
Ministry of Water Resources

Subject : Scheme for grant of temporary status and regularisation of seasonal khalasis in the workcharged establishment of the Central Water Commission, Ministry of Water Resources.

This scheme shall be called "Grant of temporary status and regularisation of seasonal khalasis in the workcharged establishment of the Central Water Commission, 1997."

2. This scheme will come into force with effect from 1.6.1997.

3. This scheme is applicable to the seasonal khalasis in employment on the workcharged establishment of the Central Water Commission on the date of commencement of the scheme and who continue to be so employed and have rendered a minimum of 120 days continuous service or such persons who were engaged any time during the preceding one year and have rendered a minimum of 120 days continuous service in that year.

4. **Definition :** Seasonal khalasis are unskilled persons employed year to year to meet the requirements during the monsoon season for 24 hours' observation of river gauges for the purposes of flood forecasting etc. Generally they are employed during the months from June/July to September/October when the monsoon is very active. They are paid at the minimum in the scale of pay of the post of khalasis in workcharged establishment.

15 (i) Temporary status will be conferred on all those seasonal khalasis engaged on workcharged establishment of the Central Water Commission on the date of commencement of the scheme or any time during the preceding one year and have rendered a minimum of 120 days continuous service preceding such date.

- 22
- (ii) Conferment of temporary status does not automatically imply that such seasonal khalasis would be appointed on the workcharged establishment on regular basis within any fixed time frame. Appointment to workcharged establishment on regular basis will be subject to the provisions of the scheme and to their satisfying the conditions prescribed in the recruitment guidelines and being adjudged fit by the competent selection committee and in their turn as per their seniority maintained under the respective circle/field office.
 - (iii) Conferment of temporary status on the workcharged seasonal khalasis concerned will not involve any change in their duties and responsibilities. The engagement will be on need basis and payment will be made as per clause 6(i) of the scheme. Such temporary employees would enjoy temporary status only for and during the period of their engagement. They may be deployed anywhere within the recruitment unit/territorial circle on the basis of availability of work.

6. Temporary status will entitle the workcharged seasonal khalasis to the following benefits during the period of their engagement:

- (i) Wages at the minimum of the pay scale for a corresponding regular workcharged official including DA, HRA and CCA.
- (ii) Benefits of increments at the same rate as applicable to a workcharged employee would be taken into account for calculating pro-rata wages for every one year (12 months) of service subject to performance of duty for at least 120 days 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 will not be

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68

admissible. They will also be allowed to carry forward the leave at their credit on their regularisation subject to a maximum limit of 240 days. 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) 50% of the service rendered under temporary status would be counted for the purpose of retirement benefits after their regularisation.
- (v) After rendering not less than three years continuous service after conferment of temporary status, the workcharged seasonal khalasis would be treated on par with regular workcharged employees for the purpose of contribution to the General Provident Fund and would also further be eligible for the grant of Festival Advance, Flood Advance on the same conditions as are applicable to regular workcharged employees, provided they furnish two sureties from permanent Government servants of their Department.
- (vi) Until they are regularised, they would be entitled to Productivity Linked Bonus/Ad-hoc bonus only, as admissible under Government of India Rules.

7. No benefits other than those specified above will be admissible to workcharged seasonal khalasis with temporary status. However, if any, additional benefits are admissible to such workers working in Industrial Establishment in view of provisions of Industrial Disputes Act, they shall continue to be admissible to these employees.

8. Temporary status does not debar dispensing with the services of a workcharged seasonal khalasi in case of misconduct after following due procedure as in the case of a regular workcharged employee.

9. Despite conferment of temporary status, the services of the workcharged seasonal khalasis may be dispensed with by giving a notice of one month in writing in the event of there being no work or otherwise. However, such employee with temporary status can also quit service by giving a written notice of one month. The wages for the notice period will be payable only for the days on which such workers is engaged on work.

10. Procedure for filling up of posts in workcharged establishment on regular basis:

- (i) Only those vacancies in regular workcharged posts which are filled by direct recruitment (ii) respective offices will be filled up from such workcharged seasonal khalasis with 'Temporary Status' on seniority-cum-fitness basis, maintained under respective circle/field office. For appointment to workcharged establishment on regular basis, the effective date of seniority will be reckoned from the date of the year from which the seasonal khalasis are continuously being engaged for at least 120 days every year, the eligibility year being the initial year wherein the employee completes the required number of days of service. The seniority of seasonal khalasis will be maintained separately circle-wise.
- (ii) All eligible seasonal khalasis will be considered for empanelment for posts on workcharged establishment by a duly constituted Screening Committee which will assess the suitability of such employees.
- (iii) No such employee shall be considered eligible for appointment to posts in workcharged establishment unless he possess educational and other qualifications and pass such test(s) as prescribed in the Recruitment Rules for the post. In the case of illiterate workcharged seasonal khalasis conferred temporary status or those who fail to fulfil the minimum qualifications prescribed for the post, regularisation will be considered

only against those posts in respect of which literacy or a minimum academic qualification will not be a requisite condition.

- (iv) In order to be eligible, a seasonal khalasi must fulfil the condition of upper age limit as prescribed in the relevant Recruitment Rules. For this purpose he will be allowed age relaxation to the extent of continuous service rendered by him as seasonal khalasi. For determining the date of birth the criteria laid down at Annexure-A shall be observed.
- (v) He should be medically fit for the post for which he is considered for absorption/regularisation. He should be got medically examined at the time of his initial appointment by the competent medical authority.
- (vi) The character and antecedents of such employee shall be verified from the competent authority at the time of his initial appointment.
- (vii) No recruitment in any circle from open market for regular workcharged staff except for compassionate appointments will be done till eligible seasonal khalasis with the requisite qualifications are available in that circle to fill up the posts in question.

11. On regularisation of workcharged seasonal khalasis with temporary status, no recruitment shall be made of any seasonal/casual or ad-hoc employee in his place. There shall be complete ban on appointment of fresh seasonal khalasis, casual labourers and ad-hoc khalasis.

12. Ministry of Water Resources in consultation with appropriate Departments/Ministries of Government of India will have the power to make amendment or relax any of the provisions in the scheme that may be considered necessary from time to time.

Annexure A

Criteria for determining the date of birth for considering the eligibility of a seasonal khalasis for the purpose of his absorption/appointment in a post in workcharged establishment in the Central Water Commission.

In the case of a literate worker, the date of birth mentioned in his Matriculation/School Leaving Certificate is to be accepted as his date of birth and recorded in the Service Roll. In the case of an illiterate worker he is required to produce some documentary evidence, if available e.g. an extract from the Municipal Birth Register, Baptismal Certificate, etc. Where no such proof is available the worker, on entering service, should declare his date of birth which shall not differ from any declaration expressed, implied made for any public purpose before entering into service in Central Water Commission. The declaration should be signed by the person and attested by a witness or if the person is illiterate, his thumb impression should be taken in the presence of literate witness, whose signature should also be taken.

2. When the year and the month of birth are known, but not the exact date the 16th of the month shall be treated as the date of birth. Similarly, when the exact month is not known but the year is only known, the date of birth should be taken as 1st July of the year.

3. When a person entering service is unable to give his date of birth, but gives his age, he should be assumed to have completed the stated age on the date of attestation e.g. if person enters service on 1st April, 1983 and if on that date his age is stated to be 20 years his date of birth should be taken as 1st April, 1963.

4. Where the person concerned is unable to state his age or the age stated by him is obviously incorrect, it should be got assessed by the Medical Officer and the age so assessed entered in his record of service in the manner described above. The date of birth should also be written in words and attested under the signature and stamp of the

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27

Divisional Officer.

5. The date of birth declared by the Government Servant and accepted by the appropriate authority shall not be subjected to any alteration. A change in the date of birth of Government Servant can be made with the sanction of the Ministry of Water Resources, if,

- (a) A request in this regard is made within 5 years of his entry into the Government Service.
- (b) It is clearly established that genuine bonafide mistake has occurred.
- (c) The date of birth so altered would not make him ineligible to appear in any School or University or Public Service Examinations in which he had appeared for entry into the Government Service or the date in which he entered Government Service.

Annexure - VI

17. FINANCIAL YEARWISE DETAILS OF CASUAL ENGAGEMENT OF SMT. CHITRA
DEVI SINCE HER INITIAL APPOINTMENT ON 14.01.92 TILL 06.11.2002.

Financial year	From	Period	To	No. of days	R. Rank
1991-92	14.01.92	28.02.92		46	At Consolidated Pay Rs. 570/- P.M.
	02.03.92	30.03.92		29	-do-
1992-93	01.04.92	28.06.92		89	-do-
	30.06.92	31.08.92		63	-do-
	02.09.92	29.11.92		89	-do-
	01.12.92	27.02.93		89	-do-
1993-94	01.03.93	28.05.93		89	-do-
	31.05.93	27.08.93		89	-do-
	30.08.93	31.08.93		02	-do-
	01.09.93	26.11.93		87	At Consolidated Pay Rs. 750/- P.M.
	29.11.93	25.02.94		89	-do-
	28.02.94	-		01	-do-
1994-95	01.03.94	27.05.94		88	-do-
	30.05.94	26.08.94		89	-do-
	29.08.94	24.11.94		88	-do-
	26.11.94	31.12.94		36	-do-
	01.01.95	22.02.95		53	At Consolidated Pay Rs. 840/- P.M.
	24.02.95	28.02.95		05	-do-
1995-96	01.03.95	23.05.95		84	-do-
	25.05.95	21.08.95		89	-do-
	23.08.95	10.11.95		80	-do-
	12.11.95, & 14.11.95	31.01.96		80	-do-
	01.02.96	10.02.96		10	-do-
	12.02.96	29.02.96		18	At Consolidated Pay Rs. 900/- P.M.
1996-97	01.03.96	09.05.96		70	-do-
	11.05.96	07.08.96		89	-do-
	09.08.96	05.11.96		89	-do-
	07.11.96	03.02.97		89	-do-
	05.02.97	28.02.97		24	-do-

(P.D.M)
29/3

1997-98	01.03.97	31.03.97	31	In scale of Rs. 750-940/- (P.M.)
	01.04.97	01.05.97	31	In scale of Rs. 2550-3200/- (P.M.)
	03.05.97	31.05.97	29	-do-
	02.06.97	28.08.97	88	-do-
	30.08.97	26.11.97	89	-do-
	28.11.97	24.02.98	89	-do-
	26.02.98	28.02.98	03	-do-
1998-99	01.03.98	25.05.98	86	-do-
	27.05.98	21.08.98	87	-do-
	24.08.98	20.11.98	89	-do-
	23.11.98	26.01.99	65	-do-
	29.01.99	19.02.99	22	-do-
	22.02.99	28.02.99	07	-do-
1999-2000	01.03.99	21.05.99	82	-do-
	24.05.99	20.08.99	89	-do-
	23.08.99	19.11.99	89	-do-
	22.11.99	18.02.00	89	-do-
	21.02.00	29.02.00	09	-do-
2000-2001	01.03.00	19.05.00	80	-do-
	22.05.00	17.08.00	88	-do-
	19.08.00	15.11.00	89	-do-
	17.11.00	30.11.00	14	-do- Granted Temp. Sta-
	01.12.00	28.02.01	90	-do- tus w.e.f. 17/11/2000 and withdrawn w.e.f. 30.04.2001.
2001-2002	01.03.01	31.03.01	31	-do-
	01.04.01	30.04.01	30	-do- —
	01.05.01	14.05.01	14	-do-
	16.05.01	13.07.01	59	-do-
	16.07.01	12.09.01	59	-do-
	14.09.01	11.11.01	59	-do-
	13.11.01	10.01.02	59	-do-
	12.01.02	28.02.02	48	-do-
2002-2003	01.03.02	11.03.02	11	-do-
	13.03.02	10.05.02	59	-do-
	13.05.02	10.07.02	59	-do-
	12.07.02	08.09.02	59	-do-
	10.09.02	06.11.02	58	-do-
	8-11-02	7-12-02	30	-do-
	10-12-02	9-1-03	30	As per order dt. 5/12/02 of the Hon'ble CAT
	10-1-03	28-1-03	50	

Certified that the above information have been checked from
Fixed Charged Register and found correct.

(P.C. BIST)
ASSISTANT / D.T (I/C)
NEID-III, CWC, ITANAGAR

19
 NO. A-11019/1/95-E-XII (Vol. III)
 Government of India
 Central Water Commission
 *****3

Most Immediate

30

Room NO. 312, Sewa Bhawan
 R.K. Puram, New Delhi-66.

Dated, the 6th Sept., 2002.

(To)

All Field Chief Engineers of CWC
 All Superintending Engineers/
 Director (Mon. & Appl.) of CWC
 All Executive Engineer of CWC.

Sub:

Grant of Temporary Status and regularisation of
 casual labourers and adhoc Khalasis engaged in
 Workcharged establishment of CWC - regarding

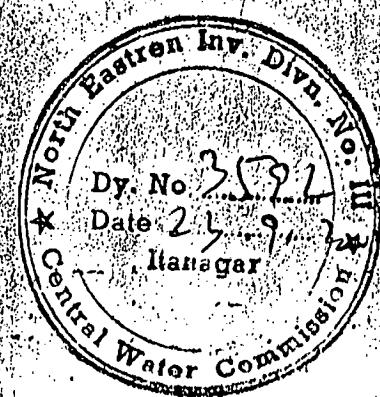
S/

I am to enclose herewith a copy of Ministry of Water Resources letter NO 23/1/98-Estt. I dated 29.10.98 on the above subject and to say that as per the decision contained therein the Scheme for grant of Temporary Status and Regularisation of Seasonal Khalasis in the Workcharged establishment of CWC 1997 issued vide Ministry of Water Resources letter No. 8/3/95-Estt. I (Vol. II), dated 20.6.97 circulated vide CWC's letter No. A-11019/1/95-Estt. XII dated 30.6.97 is hereby extended to the casual labourers and adhoc Khalasis engaged in the workcharged establishment of CWC retrospectively w.e.f. 1.6.97 mutatis mutandis. All concerned are requested to ensure immediate action for implementation for extending the benefits of the said Scheme to Casual Labourers and adhoc Khalasis working under your jurisdiction subject to the fulfilment of conditions contained in the Ministry of Water Resources letter dated 29.10.98, under reference.

The above letter dated 29.10.98 superseads MOWR's letter No. 8/3/95-E. I (Vol. II) dated 3.7.97 circulated vide CWC's letter dated 17.7.97 and MOWR letter No. 8/3/95-E. I (Vol. II) dated 17.10.97 circulated vide CWC letter dated 6.11.97.

This is issued with the approval of Member (RM),
 CWC.

Yours faithfully,

(Daya Chand)
 Under Secretary.

Annexure - VII
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31

Government of India
Central Water Commission
Nyukchrong Inv. Sub-Divn.
D.NO.E-88(I) Jang Bazar line
Po.-Jang Dist-Tawang (A.P.)

No. NISD/CWC/Jang/5/Vol-IV/02/636,

Dated.. 19-6-02

TO

The Executive Engineer
North Eastern Inv. Divn. No. III
Central Water Commission
Itanagar (A.P.)

Sub:

- Regarding extension of Service of Smt. Chitra Devi, Casual Khalasi.

Ref

-EE's letter No. NEID-III/Adm-5/2552-53 dated, 13.5.02.

Sir,

With reference to the above mentioned letter the service of smt. Chitra Devi, C/Khalasi is to be extended for a period of 59 (Fifty nine days) in the interest of Govt. works.

It is therefore requested that an approval in respect of Smt. Chitra Devi, may please be accorded. The Scale, period and chargeable head is below.

Name & Designation	Pay	Period	Ch.head
Smt. Chitra Devi C/Khalasi	Rs 2550-3200 in scale	12-7-02 To 8-9-02.	Guest House at Jang (W.R.D.project)

This is for favour of information and necessary action.

RL-3012

PC II
C/W
4/7
L4P

Yours faithfully.

M. Thomas Varghese
19-6-02
(M. Thomas Varghese)
ASSISTANT ENGINEER
N.I. SUB DIVISION
CENTRAL WATER COMMISSION
JANG-790 104 (A.P.)



Annexure - VIII

-511

P. 01

32

Fax No. 0360/203510.

Government of India
Central Water Commission
Office of the Assistant Engineer
Nyukchong Tn. Sub. Divn.
Er-Jangtse-Lhunpo (A.P.)

No. : NIID/CWC/Jang/TS/5/02/

Dated the 09th Oct' 02.

To :

The Executive Engineer,
North Eastern Inv. Divn.
Central Water Commission
P.B. No. 144, Chilmpu, Itanagar-791111. (A.P)

Sub : -

Regarding Re-Presentation of Smt' Chitra Devi
C/Khalasi.

Sir,

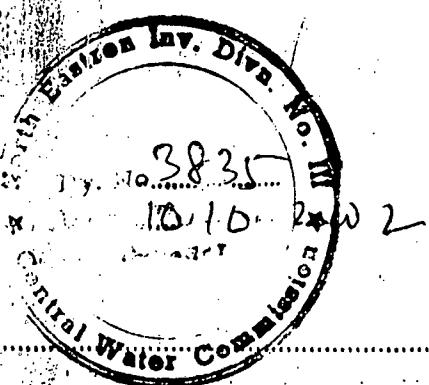
With reference to the Telephone Discussion on 08.10.02 and 09.10.02, It is to inform you that Smt' Chitra Devi C/Khalasi had not been given any Re-Presentation to this office or to the Executive Engineer NIID-III/CWC/Itanagar through this office regarding her appointment as Temp Status Khalasi on 22/11/01, or 24/06/02.

All the office records i.e Diary Register, Despatch register, Concerned files from 2000 to till date were checked. It is found that She given One Re-Presentation dated 6/12/2000 and the same was Diaryd in this office on 7/12/2000, and forwarded the application to the Executive Engineer, NIID-III, CWC, Itanagar vide this office letter No: NIID/CWC/Jang/5/2k/02 dated 10/10/02. Except this no more Re-Presentation received in this office from Smt' Chitra Devi Khalasi (Casual).

This is for favour of information please.

Yours faithfully,

(N. Thomas Varghese)
Assistant Engineer,



To be used for
Reply
N. T. to 09.10.2002
10/10/02
Ass't - Engr. to
NIID