

30/100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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D.A/T.A No. 296/02

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SECTION OFFICER (Judl.)

6/11/17
20.11.17

(SEE RULE 24)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI

ORDER SHEET

Original Application No : 296/02

Misc. Petition No:

Contempt Petition No:

Review Application No:

Applicant (s) Nargam Jot Datta

Respondent (s) N.O.P. Jais

Advocate for the Applicant (s) Begum Roshanara Sultana

Advocate for the Respondent(s) Case A.K. Choudhury

Notes of the Registry	Date	Order of the Tribunal
<p>79576406 19-7-02 10/7/02 mb</p> <p>Step taken with envelops</p>	11.9.02	<p>Heard B.R.A. Sultana, learned counsel for the applicant. Issue notice to show cause as to why the application shall not be admitted. List on 11.10.2002 for admission.</p>
<p>25 10/9/02</p> <p>11.10.02</p> <p>1m</p>	11.10.02	<p>Vice-Chairman</p> <p>Heard Ms. Begum R. Sultana learned counsel for the applicant and also Mr. A.K. Choudhury, learned Addl. C.G.S.C. for the Respondents. Application is admitted. Call for records. Returnable by four weeks. List on 22.11.02 for orders.</p>

Notices prepared and
sent to D. Section 162
issuing of the same to
the respondents through
Regd. post with A.P.D.
Vide D.N.B. 2626 to 2629
Dtd. 19.9.02

Dtd. 18.9.02

lc (W)
Member

(2)

✓ O.A.296 of 2002

22.11.02

On the prayer of Mr. A.K. Choudhury, learned Addl.C.G.S.C. four weeks time is allowed to the respondents to file written statement. List on 20.12.02 for orders.

K I C Shar
Member

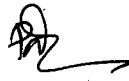
lm

10.12.02

20.12.2002

Written statement has been filed.

W.P.s submitted
Copy the respondent No. 1, 2,
3 and 4.

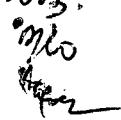


Ms Begum Roshana Sultana, learned counsel for the applicant, submits that she has not received a copy of the written statement. Mr B.C. Pathak, learned Addl. C.G.S.C. appears on behalf of Mr A.K. Choudhury, learned Addl. C.G.S.C. He is requested to furnish a copy of the written statement to the learned counsel for the applicant. List for hearing on 29.1.2003.

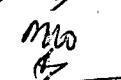
K I C Shar
Member

nkm

29.1.2003. Single bench did not sit today.
The case is adjourned to 2/2/2003.



7/2/2003. Court did not sit today. The case is adjourned to 2/5/2003.



20.5.2003

Heard counsel for the parties. Hearing concluded. Judgment delivered in open Court, kept in separate sheets. The application is disposed of in terms of the order.

No order as to costs.

Copy of the Judgment
has been sent to
The Dy. Secy. for Inter
The case to the
as well as to the
Addl. C.G.S.C. for the
Reply.

pg


Vice-Chairman

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. / R.A. No. of 296 2002

2-5-2003.
DATE OF DECISION

Sri Nayan Jyoti Dutta. APPLICANT(S).

Miss B.R.A.Sultana ADVOCATE FOR THE
APPLICANT(S).

- VERSUS -

Union of India & Ors. RESPONDENT(S).

Sri A.K.Choudhury, Addl.C.G.S.C. ADVOCATE FOR THE
RESPONDENT(S).

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

THE HON'BLE

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

Judgment delivered by Ho'ble Vice-Chairman

L

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CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 296 of 2002.

Date of Order : This the 2nd Day of May, 2003.

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

Shri Nayan Jyoti Dutta,
son of Sri Jiten Dutta,
resident of Dhirenpara (Raghunath Path)
Guwahati, P.O. Dhirenpara,
Dist. Kamrup (Assam)

...Applicant

By Advocate Begum Raushan Ara Sultana.

- Versus -

1. Union of India,
represented by the Chief General Manager,
Assam Telecom Circle,, Ulubari,
Guwahati-7.
2. Bharat Sanchar Nigam Limited (B.S.N.L),
through the Chief General Manager,
Guwahati.
3. The Telecom District Manager (P&A Section),
Kamrup Telecom District,
Ulubari, Guwahati-781007.
4. The Chief Superintendent,
(at present newly designated as
Divisional Engineering Central Telegraph Office,
Panbazar, Guwahati-781001. ...Respondents

By Sri A.K.Choudhury, Addl.C.G.S.C.

O R D E R

CHOWDHURY J.(v.C)

It is also a case for conferment of temporary status. Heard Begum Raushan Ara Sultana, learned counsel appearing for the applicant as well as Mr A.K.Choudhury, learned Addl.C.G.S.C for the respondents at length.

In the light of the order passed by this Tribunal in O.A.205/2002 and more particularly in the light of the order passed in O.A.289/2002, the applicant is directed to make a fresh representation narrating all the facts before the respondents for conferment of temporary status within a month from today. If such representation is made the respondents shall consider the case of this applicant ~~also~~ fairly and in the light of the directions issued in similar cases

and pass appropriate order thereon as per law with expedition preferably within three months from the date of receipt of the representation.

Subject to observation made the application is disposed of. There shall, however, be no order as to costs.

(D.N.CHOWDHURY)
VICE CHAIRMAN

119
X
3 87
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH.

O.A. No. 296 OF 2002.

Shri Nayan Jyoti Dutta

..... Applicant.

- Vs -

Union of India & Ors.

.... Respondents.

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Filed by-

Begum Roushan Ara Sultana
Advocate.

Filed by the applicant
through Advocate—
Begum Farhana
Sultana

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH.

Application Under Section 19 of
the Central Administrative
Tribunal Act, 1985.

Date of Filing :-

Registration No. :-

Signature :-

Registrar :

(2)

1. Shri Nayan Jyoti Dutta
son of Shri Jiten Dutta
resident of Dhirenpara(Raghunath Path)
Guwahati, P.O. Dhirenpara,
District Kamrup, Assam.

..... Applicant.

- Vs -

1. Union of India,
represented by the Chief General Manager,
Assam Telecom Circle, Ulubari,
Guwahati-7.

2. Bharat Sanchar Nigam Limited (B.S.N.L.),
through the Chief General Manager,
Guwahati.

3. The Telecom District Manager (P & A
Section), Kamrup Telecom District,
Ulubari, Guwahati-781007.

4. The Chief Superintendent,
(at present newly designated ~~as~~ as
Divisional Engineering Central Telegraph
Office, Panbazar, Guwahati-781001.

.... Respondents.

contd..3.

(3)

1. PARTICULARS OF THE APPLICANT :

i) Name : SHRI NAYAN JYOTI DUTTA

ii) Father's name & Address : Shri Jiten Dutta,
resident of Dhirenpara
(Raghunath Path), Guwahati
P.O. Dhirenpara
District-Kamrup, Assam.

iii) Designation & Office : Casual Mazdoor Under
which employed-
Establishment of Divisional
Engineer Central Telegraph
Office at Guwahati.

iv) Address for Service of : As at (ii) above.
all notice.

2. PARTICULARS OF THE RESPONDENTS :

i) Name & Designation of the Respondents. : i) The Union of India,
represented by the Chief
General Manager, Assam
Telecom Circle, Assam,
Ulubari, Guwahati-7.

ii) Bharat Sanchar Nigam
Limited, (B.S.N.L.)
Through the Chief General
Manager, Guwahati.

iii) The Telecom District
Manager (P & A-Section),
Kamrup, Telecom District,
Ulubari, Guwahati-7.

contd..4.

Sri Nayan Jyoti Dutta

(4)

iv) The Chief Superintendent,
(at present newly designated as
Divisional Engineer) Central Telegraph
Office, Panbazar, Guwahati-1.

ii) Office address : As above.
of the Respondents

iii) Address for Ser- : As above.
vice of all
notice.

3. PARTICULARS OF THE ORDER AGAINST WHICH THIS APPLICATION IS MADE :-

Illegal disengagement from service and non absorption
inspite of several representation of the applicant.

4. JURISDICTION OF THE TRIBUNAL :

The applicant declare that the subject matter of the application is within the jurisdiction of this Tribunal.

5. LIMITATION :-

That the applicant further declare that the application is made within the limitation prescribed in Section 21 of the Central Administrative Tribunal.

6. FACTS OF THE CASE :-

a) That the applicant is a Citizen of India by birth and a permanent resident of the aforesaid locality. He is a little educated un-employed coming from a poor family in the district of Kamrup, Assam. The applicant while in search

contd..5.

Sri Nayan Jyoti Deka.

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(5)

of his livelihood came to know that there were certain posts for Mazdoors were lying vacant under the Respondent No.4. Having knowledge about it, the applicant approached the Respondent No.4 and submitted application of his absorption in the aforesaid post so that he may earn his livelihood. The applicant is qualified for holding such post.

b) That on being approached as above, the Respondent No.4 allowed him to work and on 13-08-96 the Respondent No.4 engaged the applicant as casual Mazdoor/Labour in the Telegraph Activity Area Under Kamrup SSA as per instruction of the Respondent No.4 vide letter No. PRFC-18/RE dtd. 23-12-92 and No. TTUI/3/95-96 dtd. 18-4-95.

c) That the engagement of the applicant was mentioned and recorded in the forwarding letter of the Respondent No.3 vide No. STA-SI/ CL/96-97/04 dtd. at Guwahati 30-10-96 with a list of 22 numbers of casual Mazdoors/ Labourers to run the smooth functioning of works of different units of Telegraph Activity Area under district Kamrup.

Copy of the letter No. STA-SI/CL/96-97/04
dtd. at Guwahati 30-10-96 of the Respondent
No.4 and the list of Casual Mazdoors/
Labourers wherein the applicant's name
is mentioned and recorded in serial
No.17 are annexed and marked as
Annexure-A1 & A2.

contd..6.

Sri Nayan Jyoti Borthakur

(6)

d) That the applicant respectfully beg to state that he had rendered service very sincerely, honestly and regularly from the date of his engagement during the course of his official duty, while performing his duties the Respondent No.4 has issued a Certificate about his working identification with the nature of the job and the place of his engagement.

Copy of the certificate issued by the Respondent No.4 is annexed herewith and marked as Annexure-B.

e) That the applicant respectfully begs to state that as a part time casual worker to the office of the Respondents he obtained a portion of documentary evidence of working days during the year of 1996- and 1997 i.e. from 1-9-96 to 30-9-97 issued by the competent authority. The rest parts of the working days record are not issued and hence the applicant is not able to annex ~~the~~ complete record. While approaching this Hon'ble Tribunal. It is evident from the working days record that the applicant had rendered service to the interest of the Respondents more regularly and sincerely during the year 1996 and 1997.

Copy of the working days certificate rendered by the applicant in the year 1996 and 1997 are annexed herewith and marked as Annexure-C.

contd..7.

Sri Nayan Jyoti Datta

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(7)

f) That it is a settled law of Service matter that the casual employees/Mazdoors who completed minimum 240 days or more in their service tenure are entitled to get "Temporary Status" of their service and as such the applicant as per record who rendered service from 13-08-1996 till September, 1998 is also entitled to get the same benefit as per provision of prescribed law.

g) That it is a matter of surprised that though the applicant with other similar employees were concerned involved with the Respondents till 1998 but they were not provided any work. The Respondents neither terminated them with any written order nor they gave any job to go their service in continuity. So many Mazdoors apprehending the disengagement/ removal from their service by the Respondents in any forth coming moment approached the Hon'ble Central Administrative Tribunal, Guwahati Bench with various numbers of Original Applications in different times and had derived interim order/relief from the learned Tribunal to go on continuity in their service restraining the Respondents from disengagement of the various Mazdoors of their service. But the present applicant who was working like other labourers in the similar nature and position of job in the department was not able to approach before the Tribunal due to his financial problem at that particular moment and

contd..8.

Sri Nayan Chali Datta

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(8)

surprisingly on 31-09-1998, the applicant was disengaged from service in the pretext of received from a person known to the department and in this regard the Respondents neither gave any written order nor gave any opportunity for show-cause reply to the applicant. The termination of the applicant from his service was very sudden and accidental resulted from a persons's complaint and it was verbally done without affording any reasonable opportunity.

h) That being helpless of his own situation, the applicant approached to the Respondent No.4 describing the service record from the date of the engagement ~~Q.6.~~ till retrenchment and had prayed for continuation of service through a representation letter dtd. 16-10-98.

Copy of the representation dtd.-
16-10-98 is annexed herewith and
Marked as Annexure-D.

i) That thereafter the applicant filed many reminder letters in reference to the representation dated 16-10-98 on 10-01-99, 06-07-99, 11-02-2000, 05-12-2000, 11-7-2001, 12-12-2001 to the Respondent No.4 requesting to consider his case as early as possible.

Copy of the last representation dated 12-12-2001 is annexed and marked as Annexure-E.

j) That the applicant respectfully beg to state that

contd..9.

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(9)

~during the period of two and half years of his engagement the applicant rendered service regularly with full satisfaction to his superiors and without any external difficulties or warranting any complaints from any quarter. He was confidently assured by the Respondents for consideration of his case because of their following silence implication. As a result the applicant has not directly approached the learned Tribunal challenging the action of the Respondents for their silence assurance and the applicant's financial inability to knock the door of the Hon'ble Tribunal striking against the action of the Respondents. But while the valuable time is passing one after another year the applicant has lost faith upon the Respondents due to their practice of delay in consideration of the applicant's case and it causes harm on the applicant's due to wilful time killing of the Respondents in neglecting the applicant's case.

k) That the applicant respectfully begs to state that the Government of India Ministry of Communication, Deptt. of Telecommunication services, New Delhi vide their letter bearing No. 269-4/93-STM-II(Pt)dtd.9-2-2000 sanctioned 672 post for grant of temporary status amongst the existing casual workers and it is also stated in the said letter dtd. 9-2-2000 that all other conditions stipulated in the letter dtd. 12-2-1989 remain unchanged. In this connection it is relevant to mention herein that after received of the sanction letter from the department

contd..10.

Sm' Nayan Jyoti Dutt

(10)

of Telecommunication services the Chief General Manager, Telecom Assam Circle, distributed some of the posts for grant of temporary status amongst the various division /Circle under the CGMT, Assam Telecom Service and the applicant came to know that still some more sanctioned posts are available with the Respondents for conferring benefit of temporary status laid down in the relevant scheme for grant of temporary status and regularization. By operation of law the applicant is entitled to acquire the benefit of the scheme.

Copy of the sanction order dated-
under
9-2-2000/the scheme for grant of
temporary status and Regularization
scheme 1989 is annexed herewith and
marked as Annexure-F.

1) That the applicant beg to state that there were another 21 persons appointed/engaged with the applicant vide order No. STA-51/CL/96-97/04 dtd. 30-10-96. These persons were also engaged as per instruction of Respondent No.1. But few of them are allowed to continue their service by the Respondents. This order of the Respondents has come to the applicant as bolt from the blue and has puzzled the applicant by their discripient action inspite of lot of genuine documents of the applicant in his service record. This sort of action on the part of the Respondent No.4 is wholly illegal, whimsical and arbitrary and abuse of

contd..11.

Sri Nayan Jyoti Deka

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(11)

of the power of administrative law. Although there are approximately lot of posts are lying vacant before the Respondent No. 4, but the applicant is denied to absorb his post and thus deprived from earning his means of livelihood.

m) That the applicant begs to state that he came to know from reliable source that at present there are lots of post lying vacant in the deptt. of Respondent in the category of Telegraphman(I/D) and Telegraphman (O/D) under the Telegraph Activity Area. The applicant who was appointed against the vacancies of Group-D cadre under Guwahati Tele Traffic Division, under the capacity and control of Respondent No.4, was engaged in T.C. Kahilipara as a Telegraphman. But it is a matter of grievance of the applicant that inspite of many post sanctioned by the Govt. of India, posts of that cadre lying vacant under the capacity of the Respondent authority, they have neglected the applicant for re-engagement and absorption against the vacant post.

Copy of the vacancies lying under Telegraph Activity Area of Kamrup district against different categories of designation is annexed herewith and marked as Annexure-G.

contd..12.

Sri Nayan Jyoti Datta

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(12)

n) That this sort of whimsical, illegal arbitrary action on the part of the Respondents No.4 has violated the principles of natural justice, violates the rule of administrative fair play and also the fundamental rights of the applicant guaranteed under Article 14 and 16 of the constitution of India and as such the applicant is entitled to get an appropriate remedy through a direction to the Respondents by this Hon'ble Tribunal to consider his case.

7. RELIEF SOUGHT :

- i) That the applicant therefore prays that he shall be allowed for re-engagement and continue in his post of casual Mazdoor ,
- ii) That the Respondents may be directed to give temporary status of the applicant and the service be regularised in the existing vacancies on priority basis with all consequential service benefit from the date of engagement.
- iii) That the Respondents be directed to pay salary and allowances in appropriate scale from the date of engagement.
- iv) To direct the Respondents to extent the similar benefit as has been granted to the employees under the Department of the post.

(13)

v) Cost of Case.

vi) Any other relief/reliefs to which the applicant is entitled to as it may be deemed fit and proper by this Hon'ble Tribunal.

8. REMEDIES EXHAUSTED :

The applicant further declare that he has no any other alternative remedy except filing this application before this Tribunal.

9. MATTER NOT PENDING WITH ANY OTHER COURT :

The applicant further declare that the matter regarding this application has not been pending before any court of law or Tribunal.

10. PARTICULARS OF D.P.O. :

- i) Number of the I.P.O. 7Q 576406 dt. 18.7.2002
- ii) Name of the issuing post office. H.P.O
- iii) Post office at which payable.

11. DETAILS OF INDEX :

An Index consisting the details of the documents to be relied upon is enclosed.

12. LIST OF ENCLOSERS :

As stated above.

contd.. Verification

pg-14.

Sri Nayan Jyoti Dutt a

(14)

VERIFICATION

I, Shri Nayan Jyoti Dutta, son of J.N.Dutta, resident of Dhirenpara (Raghunath Path), Guwahati, PO. Dhirenpara, Dist. Kamrup, Assam working as Casual Labourer T.C., Kahilipara under the Establishment of Chief Superintendent (Divisional Engineer), Central Telegraph Office, Guwahati do hereby verify that the statements made in paragraphs 1 to 10 above are true to my knowledge and belief and I have not suppressed any materials facts. I verify the statements on this 9th day of September/2002 at Guwahati.

Sri Nayan Jyoti Dutta
Sri Nayan Jyoti Dutta
SIGNATURE.

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ANX - A₁

TO. STA-51/CL/96-97/01 Dated at Guwahati, the 30-10-96

To
The Telecom District Manager,
(P & A Section), Kamrup Telecom District,
Ulubari, Guwahati-781007.

(For attm. of Sri M.C. Baruah, D.E. (P&A) pl.)

Subject- Engagement of Casual Labour.

Reff:- Your letter No.TDM/EST-179/96-97/45 dtd. 25-9-96

A list of Casual Labour engaged in the Telegraph Activity Area under Kamrup SSA is furnished below under enclosed Annexure-I.

In view of the acute shortage of Group-D staff as furnished below, only 21 Casual Labour have been engaged to run the smooth functioning of works of different units of Telegraph activity area under Kamrup SSA (CTO/4 T.Os & 7 T/Cs).

i) T/Man(O/D) & (I/D), Gatekeeper & R.M.(Engg.) = 19 shortage as per sanctioned strength.	
ii) T/Man(O/D) & (I/D) in T.O.Ulubari as per .. = 5 justification but not yet sanctioned.	
iii) R.M.(TFC) as per CGMT/Guwahati letter No.TTUI- 1/3/95-96 dtd. 01x 18-4-95 (Copy enclosed) for 7 Telecom Centres viz, Dimpur, GH Rly. Station, Station, Borjhar Arrival Terminal & Departure Terminal, Kahilipara, Panbazar & Gauhati High Court & 3 T.Os viz; Maligaon, Noonmati & ----- Ulubari. Total = 43	

(iv) Anticipated vacancy after training & posting
of Group-D staff as Phone Mechanics = 64

All the 43 posts of Group-D staff are lying vacant
in this Telegraph activity area under Kamrup SSA.

In this connection, it may be stated that the Casual Mazdoor under Srl No.1 to 6 of Annexure-I have been engaged to meet up the acute shortage of GP-D staff in CTO/TOs & TCs prior to January/93. Now, their engagement have been confirmed w.e.f. 01-01-93 as per instructions contained vide CGMT/Guwahati letter No.RRFC-18/RE dtd. 23-12-92 and No.TTUI-1/3/95-96 dtd. 18-4-95 (Copies enclosed).

Casual Mazdoors under Srl. No.7 to 22 of Annexure-I have been engaged as per instructions of CGMT/Guwahati letter cited above to meet up the requirement of work load due to a paucity of GP-D staff.

Apart from the above vacancies, another 64 posts against the Group-D are likely to be vacant after appointment of qualified staff for Phone Mechanics.

Certified to be true copy
B. R. Sutaria
Advocate.

"Certified that the minimum Casual Mazdoors engaged in CTO/TOs & TCs of this Telegraph activity area under Kamrup SSA are essential for smooth functioning of works of the said units".

Enclosure 1) Annexure-I.

Certified - The A.O. CTO (C.O.)

Chief Superintendent,
C.T.O. Guwahati-781001

Govt. of India,
Department of Telecommunications,
Office of the Chief Superintendent, CTO, Guwahati.

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G.6/1
List of Casual Mazdoors/Labours engaged in Telegraph activity area of Kamrup SSA.

Sl. No.	Name of the Casual Labour	Community.	Date of birth.	Date of engagement	Engaged by	Place of engagement.	Engaged against.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	Sri Dhaniram Debk	OC	24-9-67	01-01-90	C.S.CTO, GH	T/C, Panbazar Parash-cum-W/Man	Engaged as per instructions of the GOVT/GH letter No. RRPC-18/PE dtd. 23-12-92 & No. TTU-1/3/95-3- dtd. 18-4-95.	
2.	" Champak Talukdar	OC	01-3-71	01-05-90	-do-	T.C. Noonmati	-do-	
3.	" Sachin Das	SC	30-4-61	01-02-91	-do-	T.C. Maligaon Night-Guard		
4.	" Kulen Das	SC	01-3-72	01-07-91	-do-	T/C Dispur	-do-	
5.	" Subhash Baman	OC	28-2-67	11-11-91	-do-	T/C Rly. Sta.	-do-	-do-
6.	" Niranjan Malakar	SC	01-11-71	26-02-92	-do-	T/C Rly. Sta. Farash-Cum-W/Man.		-do-
7.	" Sarju Basfore	SC	01-7-63	21-06-93	-do-	T.C. Noonmati -- Safaiwala		-do-
8.	" Santu Chakraborty	OC	01-5-73	01-11-93	-do-	T/C Kahilipara W/Man-cum-Parash		-do-
9.	" Kameswar Kariong	ST	01-10-69	05-11-93	SDE(E) I/D	CTO Guwahati	Electrical Labour	-do-
10.	" Birbal Basfore	SC	08-11-75	01-12-93	C.S.CTO, GH	T.C. Ulubari	Safaiwala.	-do-
11.	" Kiroj Ch: Boro	ST	29-9-73	01-04-94	-do-	T/C Kahilipara Night Guard		-do-
12.	" Sanjoy Boro	ST	25-8-71	15-07-94	-do-	T.C. Assam Sachi-Parash-Cum-W/Man	valaya.	-do-
13.	" Rabia Ch: Boro	ST	31-10-72	03-05-95	-do-	T/C Dispur	-do-	-do-
14.	Shri Kiran Kalita	OC	24-7-70	16-7-95	-do-	T.C. Maligaon	-do-	-do-
15.	Sri Sanjay Shaw	OC	10-2-78	01-03-96	-do-	T/C GH High Court	-do-	-do-
16.	" Ramoni Medhi	OC	24-2-73	01-08-96	-do-	T/C Borjhar Arr/Ter.	-do-	-do-
17.	" Nayan Jyoti Dutta	OC	01-01-75	13-08-96	-do-	T/C Borjhar Dep/Ter.	-do-	-do-
18.	Misc Musfika Sultana	OC	10-12-75	25-08-96	SDE(G), CTO	C.T.O. Guwahati	As Peon of SDE(G)	-do-
19.	Sri Jagat Ch: Brahma	ST	01-01-69	28-08-96	C.S., CTO/GH	T.C. Maligaon	Delivery of Telegrams & Telephone Bills	
20.	" Mohan Kr. Brahma	ST	23-9-77	03-10-96	-do-	T.C. Noonmati	-do-	-do-
21.	" Pradip Bhuyan	OC	31-12-77	07-10-96	-do-	T.C. Ulubari	-do-	-do-
22.	" Pankaj Bora	OC	01-01-77	05-08-96	-do-	T.C. ASSAM Sachivalaya	-do-	30/10/96

27

दूर संचार विभाग

Department of Telecommunications

कार्यालय Office of the Chief Supdt. C.T.O. Gauhati.

17
ANX - B

This is to certify that Sri Nayan Moti Dutta
Son of Sri J.N. Dutta of Nirenpara Guwahati is
working as Part-time worker under this department
and now working at Kahilipara Telecom Centre Guwahati-18

21/11/06
Chief Superintendent
C.T.O. Guwahati.

Chief Superintendent,
Central Telegraph Office
Guwahati - 781 001.

Certified to be true copy.

B.R. Sultana
Advocate

The Part-time Mazdoor engaged by Kishanlal Patel for the month of Sept 19 is furnished below:-

13-9-96 - 13 = 4 hrs N.J. DATA

Kiran Bora

2.9.96 - 13 = 4 hrs

11-9-96 - 9 - 15 = 6 hrs

3-9-96 - 9 - 13 = 4 "

12-9-96 - 9 - 15 = 6 "

4-9-96 - 9 - 13 = 4 "

13-9-96 - 9 - 15 = 6 "

5-9-96 - 9 - 13 = 4 "

14-9-96 - 9 - 15 = 6 "

6-9-96 - 9 - 13 = 4 "

15-9-96 - 9 - 15 = 6 "

7-9-96 - 9 - 13 = 4 "

16-9-96 - 9 - 15 = 6 "

8-9-96 - 9 - 13 = 4 "

17-9-96 - 9 - 15 = 6 "

9-9-96 - 15-21=6 "

18-9-96 - 9 - 15 = 6 "

10-9-96 - 15-21=6 "

19-9-96 - 9 - 15 = 6 "

11-9-96 - 15-21=6 "

20-9-96 - 9 - 15 = 6 "

12-9-96 - 15-21=6 "

21-9-96 - 9 - 15 = 6 "

13-9-96 - 15-21=6 "

22-9-96 - 9 - 15 = 6 "

14-9-96 - 15-21=6 "

23-9-96 - 9 - 15 = 6 "

15-9-96 - 15-21=6 "

24-9-96 - 9 - 15 = 6 "

16-9-96 - 15-21=6 "

25-9-96 - 9 - 15 = 6 "

17-9-96 - 15-21=6 "

26-9-96 - 9 - 15 = 6 "

18-9-96 - 15-21=6 "

27-9-96 - 9 - 15 = 6 "

19-9-96 - 15-21=6 "

28-9-96 - 9 - 15 = 6 "

20-9-96 - 15-21=6 "

29-9-96 - 9 - 15 = 6 "

21-9-96 - 15-21=6 "

30-9-96 - 9 - 15 = 6 "

22-9-96 - 15-21=6 "

Total 102 hrs

23-9-96 - 15-21=6 "

24-9-96 - 15-21=6 "

25-9-96 - 15-21=6 "

G. Total 148

26-9-96 - 15-21=6 "

(+) 102

27-9-96 - 15-21=6 "

250 hrs

28-9-96 - 15-21=6 "

R. 816/-

29-9-96 - 15-21=6 "

Total 148 hrs

Certified to be true copy

B.R. Snetang -

Advocate - for 148 hrs

250 hrs

1. Chief Enq'tt etc (B)

-19-

2. Part-time Mozzles Engaged for Kahlipara Village in
month of Oct-26 in 20 K Baro and A. J. Datta is furnished below

20 K Baro

N. J. Datta

1/10/26	9-1h = 6 hrs	1/10/26	15-21 = 6 hrs
3/10/26	9-1h = 6 " "	3/10/26	15-21 = 6 "
4/10/26	9-1h = 6 "	4/10/26	15-21 = 6 "
5/10/26	9-1h = 6 "	5/10/26	15-21 = 6 "
7/10/26	9-1h = 6 "	7/10/26	15-21 = 6 "
8/10/26	9-1h = 6 "	8/10/26	15-21 = 6 "
9/10/26	9-1h = 6 "	9/10/26	15-21 = 6 "
10/10/26	9-1h = 6 "	10/10/26	15-21 = 6 "
12/10/26	9-1h = 6 "	12/10/26	15-21 = 6 "
14/10/26	9-1h = 6 "	14/10/26	15-21 = 6 "
15/10/26	9-1h = 6 "	15/10/26	15-21 = 6 "
16/10/26	9-1h = 6 "	16/10/26	15-21 = 6 "
17/10/26	9-1h = 6 "	17/10/26	15-21 = 6 "
18/10/26	9-1h = 6 "	18/10/26	15-21 = 6 "
19/10/26	9-1h = 6 "	19/10/26	15-21 = 6 "
20/10/26	9-1h = 6 "	20/10/26	15-21 = 6 "
	96 hrs	20/10/26	15-21 = 6 "
			102 hrs

Total hrs 96

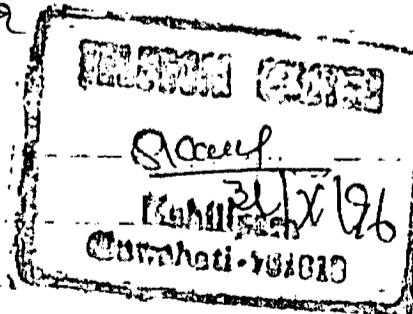
102

198 hrs

Rs. 816/-

Certified to be true Copy

B. R. Sultaq
Advocate



Received

RECEIVED
KALIPARA
Cuttack
10/10/26

The Chief Supdt,
C.T.O. Jharkhand-1

Dated at Kharibpara
/Tc dtd. 30.11.96

following is the Statement of Casual

Labourers employed during the month of NOV
96
Reported on 26 November 96

(1) N. J. Dutta	Date	(2) Kiron Boro
15-21	Nil	01-11-96 - 9-15 = 6 hrs
15-21	6 hrs	02-11-96 - 9-15 = 6 "
15-21	Nil	03-11-96 - - - - -
15-21	6 "	04-11-96 - 9-15 = 6 "
15-21	6 "	05-11-96 - 9-15 = 6 "
15-21	6 "	06-11-96 - 9-15 = 6 "
15-21	6 "	07-11-96 - 9-15 = 6 "
15-21	6 "	08-11-96 - 9-15 = 6 "
15-21	6 "	09-11-96 - 9-15 = 6 "
9-12, 19-21	6 "	10-11-96 - - - - -
15-21	6 "	11-11-96 - 9-15 = 6
15-21	6 "	12-11-96 - 9-15 = 6
15-21	6 "	13-11-96 - 9-15 = 6
15-21	6 "	14-11-96 - 9-15 = 6
15-21	6 "	15-11-96 - 9-15 = 6
15-21	6 "	16-11-96 - 9-15 = 6
15-21	4 "	17-11-96 - 9-13 = 4
15-21	6 "	18-11-96 - 9-15 = 6
15-21	6 "	19-11-96 - 9-15 = 6
15-21	6 "	20-11-96 - 9-15 = 6
15-21	6 "	21-11-96 - 9-15 = 6
15-21	6 "	22-11-96 - 9-15 = 6
15-21	6 "	23-11-96 - 9-15 = 6
17-21	4 "	24-11-96 - 9-18 = 4
15-21	Nil	25-11-96 - - - - -
17-21	6 "	26-11-96 - 9-15 = 6
17-21	6 "	27-11-96 - 9-15 = 6
17-21	6 "	28-11-96 - 9-15 = 6
17-21	6 "	29-11-96 - 9-15 = 6
17-21	6 "	30-11-96 - 9-15 = 6
Total = 158 hrs		Total = 158 hrs
Sd/- N. J. Dutta = 158 hrs		Sd/- Kiron Boro = 158 hrs

verified to be true copy
R. Sircar
Advocate

En. 126

A. M. 20.11.96
20.11.96

Chief Supdt C.T.O, Guwahati-1
dated at Guwahati 11-2-97.

The daily labour engaged in T.C. Kabilipara

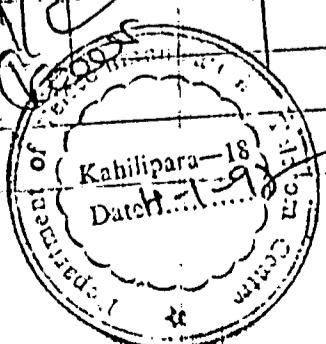
from 1-1-97 to 31-1-97 is furnished below for payment.

N.J. Dutta		Kirati Bocco	
1-1-97	18-21	6	10-1-97 9-97 9-15 6
2-1-97	18-21	6	2-1-97 9-15 6
3-1-97	18-21	6	3-1-97 9-15 6
4-1-97	18-21	6	4-1-97 9-15 6
5-1-97	18-21	6	5-1-97 9-15 6
6-1-97	18-21	6	6-1-97 9-15 6
7-1-97	18-21	6	7-1-97 9-15 6
8-1-97	15-21	6	8-1-97 15-21 6
9-1-97	9-15	6	9-1-97 15-21 6
10-1-97	9-15	6	10-1-97 15-21 6
11-1-97	9-15	6	11-1-97 15-21 6
12-1-97	9-15	6	12-1-97 15-21 6
13-1-97	15-21	6	13-1-97 9-15 6
14-1-97	15-21	6	14-1-97 9-15 6
15-1-97	15-21	6	15-1-97 9-15 6
16-1-97	15-21	6	16-1-97 9-15 6
17-1-97	15-21	6	17-1-97 9-15 6
18-1-97	18-21	6	18-1-97 9-15 6
19-1-97	17-21	6	19-1-97 15-21 6
20-1-97	9-15	6	20-1-97 15-21 6
21-1-97	9-15	6	21-1-97 15-21 6
22-1-97	15-21	6	22-1-97 9-15 6
23-1-97	15-21	6	23-1-97 9-15 6
24-1-97	15-21	6	24-1-97 9-15 6
25-1-97	15-21	6	25-1-97 9-15 6
26-1-97	9-15	6	26-1-97 9-15 6
27-1-97	18-21	6	27-1-97 9-15 6
28-1-97	15-21	6	28-1-97 9-15 6
29-1-97	15-21	6	29-1-97 9-15 6
30-1-97	9-15	6	30-1-97 11-17 6
31-1-97	15-21	6	31-1-97 11-17 6
Total		164	Hours
Total		164	Hours
Certified that the N.J. Dutta			
The part time workers were			
in the building on			
Organized by C.S.C.R.O, G.H.			
Dated 1-1-98			

Total = 164 Hours

Certified that the N.J. Dutta
The part time workers were
in the building on
Organized by C.S.C.R.O, G.H.

Rs. 1312/-



The Chhipbaitr C. T. C. (J. W. H.)
dated at Guwahati the 2-5-97.

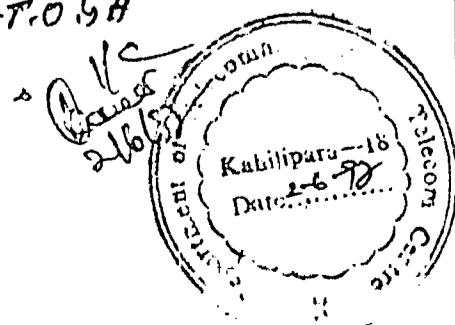
The daily labour engaged in T.C. Kothuli
I/R of Sri Nayanjyoti Deula is furnished below for your

1-5-97	= 15-21	= 6
2-5-97	= 15-21	= 6
3-5-97	= 15-21	= 6
5-5-97	= 9-15	= 6
5-5-97	= 16-21	= 5
6-5-97	= 9-15	= 6
7-5-97	= 9-15	= 6
7-5-97	= 16-21	= 5
8-5-97	= 9-15	= 6
9-5-97	= 9-15	= 6
10-5-97	= 9-15	= 6
11-5-97	= 9-15	= 6
12-5-97	= 18-22	= 4
13-5-97	= 8-15	= 7
14-5-97	= 8-15	= 7
15-5-97	= 8-15	= 7
16-5-97	= 8-15	= 7
17-5-97	= 8-15	= 7
18-5-97	= 9-15	= 6
19-5-97	= 8-15	= 7
20-5-97	= 15-22	= 7
21-5-97	= 15-22	= 7
22-5-97	= 13-17	= 4
23-5-97	= 8-15	= 7
24-5-97	= 15-22	= 7
25-5-97	= 08-75	= 7
26-5-97	= 8-15	= 7
27-5-97	= 8-15	= 7
28-5-97	= 8-15	= 7
29-5-97	= 8-15	= 7
30-5-97	= 8-15	= 7
31-5-97	= 8-15	= 7
<hr/>		
	total	= 196

Certified to be
true copy
B. R. Sutemi
Advocate

Certified that the portion is engaged in T.C.
Kothuli by order of C.S.C.T.O.S.H

Ru. 1568/-



To The Chief Superintendent C. T. O. Guwahati
Dated at Guwahati the 1-7-97

The daily labour engaged in T.C. Babilipara
V.R. of Sri N.J. Datta is furnished below for payment

1-6-97	10-18	= 6
2-6-97	12-19	= 7
3-6-97	14-21	= 7
4-6-97	14-21	= 7
5-6-97	15-22	= 7
6-6-97	16-23	= 7
7-6-97	9-19	= 7
8-6-97	8-15	= 7
9-6-97	8-15	= 7
10-6-97	9-16	= 7
11-6-97	11-18	= 7
12-6-97	10-17	= 7
13-6-97	10-17	= 7
14-6-97	10-17	= 7
15-6-97	11-18	= 7
16-6-97	14-22	= 7
17-6-97	14-21	= 7
18-6-97	14-21	= 7

Certified to

be true copy 19-6-97 14-21 = 7

B.R. Sutaria 20-6-97 14-21 = 7

Advocate 21-6-97 14-21 = 7

22-6-97 12-19 = 7

23-6-97 12-19 = 7

24-6-97 12-19 = 7

25-6-97 12-19 = 7

26-6-97 12-19 = 7

27-6-97 12-19 = 7

28-6-97 12-19 = 7

29-6-97 12-19 = 7

30-6-97 15-22 = 7

Total Hours = 209

certified to be true copy
Worker is engaged in the working of the
work

16/6/97
17/6/97



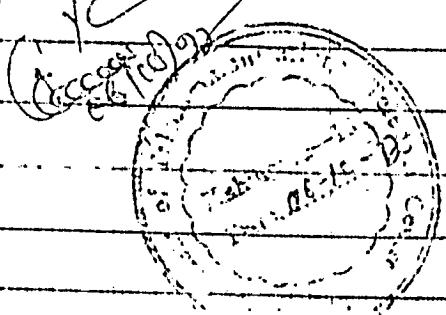
16/6/97

The divisional Engineer C.T.O. Guwahati-1
dated at Guwahati the 08-10-97

The daily labour engaged in T.C. Kohilipura
Guwahati-18 /R of Shri N.T. Datta is furnished
below for payment:

01-09-97	9-16	7
02-09-97	9-16	7
03-09-97	9-16	7
04-09-97	9-16	7
05-09-97	15-22	7
06-09-97	15-22	7
07-09-97	15-22	7
08-09-97	15-22	7
09-09-97	15-22	7
10-09-97	15-22	7
11-09-97	15-22	7
12-09-97	15-22	7
13-09-97	15-22	7
14-09-97	15-22	7
15-09-97	15-22	7
16-09-97	15-22	7
17-09-97	15-22	7
18-09-97	15-22	7
19-09-97	15-22	7
20-09-97	15-22	7
labor fixed to 22-09-97	15-22	7
be done by 23-09-97	15-22	7
B.R. Sutaria - Advocate	15-22	7
24-09-97	15-22	7
25-09-97	15-22	7
26-09-97	15-22	7
27-09-97	9-16	7
28-09-97	9-16	7
29-09-97	9-16	7
30-09-97	9-16	7
Total Hours = 182		

(1656)



To
The Chief Superintendent
Central Telegraph Office
Panbazar, Guwahati-781001.



Dated at Guwahati the 16-10-1998.

Sub:- Prayer for continuation of my service.

Sir,

With due respect, I beg to lay before you the following few lines for favour of your information and necessary action.

That sir, I was working as Casual Labour under your control in the Telecom Centre Kahlipara, Guwahati-10 and appointed me in the resultant vacancies of Grp- D available in Grp- D cadre under Guwahati Police Traffic Division, CTD Guwahati with a provision of regularising me in the Grp- D Cadre in the coming Days.

That sir I had been inducted in the post of Casual labour on 13-08-1996 and was working regularly with satisfaction to my superiors without warranting any complaints from any quarter.

But suddenly and after working for 2 and half year years, I had been disengaged from service on 31-09-1998 in the pretext of received from a person known to the department. I have been shunted from my service without showing any reasons thereof.

That sir, I have come from a poor family and this service only the means of livelihood for me and for my poor family members.

I therefore, request your honour fervently to reengage me in the post so that my family members are not starving.

I am expecting your good order please.

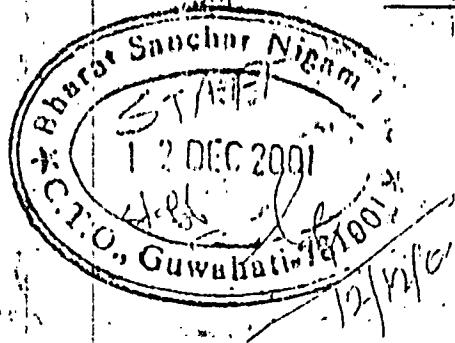
Yours faithfully

Noyenjyoti Dutta
(Noyenjyoti Dutta)

Son of J.N. Dutta, Raghunathpath
Panpara, Guwahati-25
Casual Labour TC Kahlipara
on put off duty.

Verified to be true copy

B. R. Sultan
Advocate



To
The Divisional Engineer
C.T.O. Guwahati

Dated at Guwahati the 12-12-2001.

Sir,

Kindly refer my representations dtd 16-10-98, 10-01-99, 06-07-99, 11-02-2000, 5-12-2000 & 11-07-2001 wherein your honour is requested to kindly consider the case of rehiring me in the service on humanitarian grounds.

I have been tired over writing so many representations for taking necessary action at your end to consider the case. But nothing fruitful is receiving from you and till this date.

I hope you will kindly consider the case properly.

With best regards,

Thanking you sir,

Yours faithfully

Nayanjyoti Dutta
(Nayanjyoti Dutta)
C/L. on put off duty
T.O. Kahlipara, Gh-10

Certified to be true copy.

B. R. Sutaria
Advocate

Govt. of India
Ministry of Communications
Department of Telecom Services :: :

Annexure-9

ANX - F.

g4

Sanchay Bhawan,
New Delhi-110001.
date 9-2-2000.

No.269-4/93-STD- II (Pl.)
To

The Chief General Manager Telecom,
Assam Telecom Circle,
Guwahati.

Sub : Function of posts of Regular Mazdoors for regularisation of Temp. status casual Mazdoors as on 31-3-97 and grant of Temp. status to casual labourers as on 1-8-98 case of Assam Circle.

Sir,

I am directed to invite your attention to this office letter No.269-4/93-STD-II dt.12-2-99 on the above subject and to say that the matter has been considered by the competent authority and decided to further delegate the powers to CRTC, Assam to create posts of Regular Mazdoors, regularising 13 Temp. status Mazdoors who have completed 10 years of service as on 31-3-97 and to grant Temp. status to 672 casual labourers. All other conditions stipulated in the letter dt.12-2-99 remains unchanged.

This issued with the concurrence of Internal Finance Deptt. of Telecom vide their U.O.

No.

Yours faithfully,

Certified to be true Copy. (HAR DAE SINGH)
B.R. Sultan
Advocate Asstt. Director General

BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)
Office of the Divisional Engineer, CTO, Guwahati.

CATEGORY-WISE STAFF STATISTICS OF TELEGRAPH ACTIVITY AREA
UNDER KAMRUP SSA AS ON 31-08-2002.

Sl No.	Designation	Scale of pay	Sanctioned strength.	Working strength	Vacancy
GROUP - A					
01.	Sr. Time Scales	10000-15200	1	1	-
	Total:-		1	1	
GROUP - B					
01.	Accounts Officer	7500-12000	1	1	-
02.	Supdt. Tele-Tfc.	7500-12000	4	3	1
03.	Jr. Telecom Officer	6500-10500	22	2	20
	Total:-		27	6	21
GROUP - C					
01.	Chief T.Ms	6500-10500	1	1	-
02.	Chief S.Ss	6500-10500	1	1	-
03.	Sr. T.Ms	5000-8000	8	4	4
04.	Sr. S.Ss	5000-8000	8	3	5
05.	T.Ms(T)	5000-8000	13	5	8
06.	Sr. T.OA(T)	4000-6000	50	46	4
07.	Sr. T.OA(TG)	4000-6000	52	37	15
08.	Telegraphist	3200-4900	-	4	-
09.	Telegraph Asstt.	3200-4900	7	19	-
10.	Town Inspector(T)	3200-4900	2	-	2
11.	Technician	3200-4000	10	1	9
12.	Sr. Accountant	5000-8000	16	1	-
13.	Telecom Mechanic	3200-4900	16	16	-
14.	Telegraph Overseer	4000-6000	6	2	4
15.	Jamadar (Regular)	3200-4900	2	1	1
16.	Telegraphman(I/D)	3050-4590	36	17	19
17.	Telegraphman(O/D)	3050-4590	71	16	55
18.	Gateman ..	3050-4590	4	2	2
19.	Orderly ..	3050-4590	6	4	2
20.	Record Keeper	2610-3540	2	-	2
21.	Manager	4000-6000	1	1	-
22.	Asstt. Manager	3200-4900	1	1	-
23.	Coupon Clerk	3050-4590	1	1	-
	Total:-		299	123	(13 2-16) = 116

Certified to be true copy

B. R. Sultana
Advocate

P.T.O.

Designation	Scale of pay	Sanctioned strength.	Working strength.	Vacancy
GROUP - D				
01. Regular Mazdoor	2550-3200	8	8	
02. Night Guard	2550-3200	2	1	1
03. S. Jawala	2550-3200	7	5	2
04. Ayan ...	2550-3200	3	3	
05. Femash ..	2550-3200	2	2	
06. Weberman ..	2550-3200	4	4	
07. T.G. Mazdoor		-	2	
08. Casual Labour		-	10	
09. Batterymen	2550-3200	1	1	
10. Cleaner	2550-3200	2	1	1
11. Canteen Staff	..	6	6	
Total:-		35	43	4

SUMMARY

GROUP	Sanctioned Strength.	Working Strength	Vacancy
GROUP - A	1	1	-
GROUP - B	27	6	21
GROUP - C	299	183	116
GROUP - D	35	43	
TOTAL:-	362	233	129

No. STA-23/MS/I

Dated at Guwahati, the 02-09-2002

01. Submitted to the General Manager, BSNL, (Estb. 5000),
Kamrup District, Guwahati-781007.

02. The I/C, Divn., CTO, Guwahati

03. O/C

verified to be true Copy
B. R. Sultana.
Advocate.

Divisional Engineer,
C.T.O. Guwahati-781001.

Mehta

30-

সংস্থা পত্রিকা নথি নং
Central Adm. Law Litigation
DEC 2002
গুৱাহাটী নথি পালিকা
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH :::: GUWAHATI

*Union of India & others - Respondents 38
through -
Nayan Jyoti Dutta - Plaintiff
10.12.02*

In the matter of :

O.A. No. 296 of 2002

Nayan Jyoti Dutta

..... Applicant.
- Vs -

Union of India and others.

..... Respondents.

Written Statements for on behalf of Respondents

Nos. 1, 2, 3 and 4.

Selcom,
I, S.C. Das, Asstt. Director (Legal), Office

of the Chief General Manager, Telecom Assam Telecom Circle,
Ulubari, Guwahati, do hereby solemnly affirm and say as
follows :

1. That I am the Asstt. Director (Legal) in the
Office of the Chief General Manager, Telecom, Assam Telecom
Circle, Guwahati and as such fully acquainted with the
facts and circumstances of the case. I have gone through
a copy of the application and have understood the contents
thereof. Save and except whatever is specifically admitted
in this written statement the other contentions and statements
may be deemed to have been denied. I authorised to file
the written statements on behalf of all the respondents.

2. That the respondents have no comments to the statements made in paragraphs 1, 2, 3, 4, 5 and 6(a) of the application.

3. That with regard to the statements made in paragraph 6(b) of the application the respondents beg to state the applicant was engaged as part time casual mazdoor.

4. That the respondents have no comments to the statements made in paragraph 6(c) of the application.

5. That with regard to the statements made in para 6(d), of the application the respondents beg to state that no any record is available in this office regarding issuance of certificate as mentioned in this para.

6. That with regard to the statements made in para 6(e), of the application the respondents beg to state that the applicant was working as part time casual labour w.e.f. 13.08.96 to 30.09.97.

Photocopy of working particulars of the applicant is enclosed under Annexure - I.

7. That with regard to para 6(f), of the application the respondents beg to offer no comments.

8. That with regard to the statements made in para 6(g), of the application the respondents beg to state that the applicant was not involved till 1998 as stated by him in this para as he was retrenched on the afternoon of 30.09.97 vide this

office letter No. STA-51/CL/96-97/18 dated 30.9.97.

A copy of the letter dated 30.9.97 is annexed herewith and marked as Annexure -II.

9. That with regard to the statements made in para 6(h) of the application the respondents beg to state that no such representation as stated in this para was received by this office.

10. That with regard to the statements made in para 6(i) of the application the respondents beg to state that the reminder letters mentioned in this para were not received by this office.

11. That the respondents have no comments to the statements made in paragraphs 6(j) and 6(k) of the application.

12. That with regard to the statements made in para 6(l) of the application the respondents beg to state that twelve casual labours were re-engaged vide this office letter No. STA-51/CL/98-99/Loose/05 dated 18.11.98.

A copy of letter dated 18.11.98 is annexed hereto and marked as Annexure -III.

13. That the respondents have no comments to the statements made in paragraphs 6(m), 6(n), 7, 8, 9, 10, 11 and 12 of the application.

14. That the applicant is not entitled to any relief sought for in this application and the same is liable to be dismissed with costs.

Verification.....

VERIFICATION

I, S.C. Das, Asstt. Director (Legal), Office of the Chief General Manager Telecom, Assam Telecom Circle, Ulubari, Guwahati, being authorised do hereby solemnly affirm and declare that the statements made in paragraphs 1, 2, 4, 7, 11 + 13 of this written statement are true to my knowledge, those made in paragraph 3, 5, 6, 8, 9 + 10 being matters of record are true to my information and derived therefrom and those made in the rest are humble submission before the Hon'ble Tribunal.

And I sign this verification on this 4th day of December, 2002, at Guwahati.

S.C. Das
7/12/2002
(S.C. Das)
~~Deponent.~~
Assistant Director Telecom (Legal)
কার্যালয়, মুখ্য পর্য উচ্চক কার্যালয়
On the Chief General Manager Telecom
অসম রাজ্যপার পরম্পরাগ, গুৱাহাটী
Assam Telecom Circle.

Office of the Divisional Engineer
C.T.O. Guwahati

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Annexure-I

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u1 (17)

01. Name of Casual Labourer :- Sri Nayan Dibyendu Nath
02. Father's Name :- Sri Dibyendu Nath Dibyendu
03. Educational Qualification:- Read upto Class-IX
04. Date of Engagement :- 13-08-1996
05. Whether working in the :-
job of regular nature or
casual/seasonal nature. Casual Nature
06. Date of sponsorship :- NG
07. Official/Officer who :- Officer
engaged the Casual labourer.
08. Particulars of service : From-13-08-96 to 31-12-96 = 82 days
rendered since engagement on 01-01-97 to 30-09-97 = 195 days

Total No. of days worked :-

Referred/terminated on the date - 30-09-97.

Place:- Guwahati.

Date 11-07-98.

Divisional Engineer,
C.T.O. Guwahati-701001.

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Attested
AK Chakraborty
Add. Central Govt.
Standing Committee

The above particulars are
not correct as per
the record
in my office

Div. Engg. S.P. S.
S.E. 11. S.S.
Date 18/10/98

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BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)
Office of the Divisional Engineer, CTO, Guwahati.

.....
No. DE(CTO)/Court Case/CA-296/2002 Dated at Guwahati,
the 24-10-2002.

The

To

The S.D.E. (Legal),
O/O the G.M. Telecom, KTE,
Ulubari, Guwahati-7.

Sub:- Working and payment particulars i.r.o. Shri N.J.
Dutta, Ex-casual labour.

As desired by you over phone, the working and payment
particulars in respect of Shri N.J.Dutta who filed OA-296/2002
are furnished below :-

Months & years	No. of wkg. days	Allotted wkg. per day	Total hrs.	G/Total wkg. hrs	Paid Amnt. p/h @	Total paid Amnt.
Aug/96	11	6 hrs.	66 hrs.			
	1	5 "	5 "	71 hrs.	Rs. 7.75	Rs. 550.00
Sept/96	23	6 "	138 "			
	2	5 "	10 "	148 "	Rs. 8.00	" 1104.00
Oct/96	17	6 "	102 "	102 "	8.00	" 816.00
Nov/96	25	6 "	150 "			
	2	4 "	8 "	158 "	8.00	" 1264.00
Dec/96	23	6 "	138 "			
	2	4 "	8 "	146 "	8.00	" 1168.00
Jan/97	26	6 "	156 "			
	2	4 "	8 "	164 "	8.00	" 1312.00
Feb/97	25	6 "	150 "			
	2	11 "	22 "	172 "	8.00	" 1376.00
March/97	24	6 "	144 "			
	1	5 "	5 "			
	2	4 "	8 "	157 "	8.00	" 1256.00
April/97	20	6 "	120 "			
	3	5 "	15 "			
	1	4 "	4 "	139 "	8.00	" 1112.00
May/97	16	7 "	112 "			
	11	6 "	66 "			
	2	5 "	10 "			
	2	4 "	8 "	196 "	8.00	" 1568.00
June/97	29	7 "	203 "			
	1	6 "	6 "	209 "	8.00	" 1656.00
July/97	26	7 "	182 "	182 "	8.00	" 1456.00
Aug/97	20	7 "	140 "	140 "	8.00	" 1120.00
Sept/97	26	7 "	182 "	182 "	8.00	" 1456.00

Govt. of India,
Department of Telecommunications,
Office of the Divisional Engineer, C.T.O. Guwahati.

Annexure-11

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No. STA-51/CL/96-97/18 Dated at Guwahati, the 30-09-97

In pursuance of the Vigilance Officer, O/O the CGMT, Assam Circle, Guwahati letter No. Vig/Assam/30(D)/10 dtd. 10-09-97 and the G.M. Telecom, Kamrup Telecom District, Guwahati letter No. GM/Kamrup/CON/96-97 dtd. 11-9-97, the following Casual Labours working in CTO/TOs & T/Cs of Telegraph Activity Area under GMT/Guwahati are hereby retrenched ~~from their present posts~~ with effect from the afternoon of 30-09-97. 10.30 AM

- 1) Sri Dhaniram Deka -
- 2) " Champak Talukdar -
- 3) " Sachin Das -
- 4) " Kulen Das -
- 5) " Subhash Barman -
- 6) " Niranjan Malakar -
- 7) " Sarju Basfore -
- 8) " Santu Chakraborty -
- 9) " Kameswar Kardong -
- 10) " Birbal Basfore -
- 11) " Kiran Ch: Boro -
- 12) " Bijoy Boro -
- 13) " Rabin Ch: Boro -
- 14) Miss Kiran Kalita -
- 15) Sri Sanjay Saw -
- 16) Mrs. H. Das N. /
- 17) Sri Romani Medhi -
- 18) " Nayan Jyoti Dutta -
- 19) " Pankaj Bora -
- 20) " Kusal Medhi -
- 21) " Khargeswar Kalita -
- 22) " Madan Ch: Boro -

Attested
PK Chanda

Gen. Control Room
Standing Committee

30.9.97
(S. TAID)
Divisional Engineer,
C.T.O. Guwahati-781001.

Copy for information & necessary action to:-

- 1) The G.M. Telecom, KTD, Ulubari, Guwahati-781007 for information w.r.t. his letter cited above.
- 2) ~~Casual Labour Department.~~
- 3) All I/CS of T.Os & T/Cs. (for necessary action)
- 4) All SDES, CTO, Guwahati.
- 5) The A.O., CTO, Guwahati.
- 6) The Chief Manager, Deptl. Canteen, CTO, Guwahati.
- 7) The Chief SS (Admn.), CTO, Guwahati.
- 8) The Chief (Acctt), CTO, Guwahati.
- 9) O/C

30.9.97
(M.H. Ansari)
Sub-Divisional Engineer (G),
C.T.O. Guwahati-781001.

(A. K. Nandy)

30.9.97
(Kamal Chandra Deka)

BY HAND

Annexure-III

Govt. of India,
Department of Telecommunications,
Office of the Divisional Engineer, CTO, Guwahati.

STA-51/CL/98-99/Loose/05 Dated at Guwahati, the
18-11-98

Sub:- Re-engagement of Casual Labours.

In accordance with the Legal Advisor (DOT), New Delhi, Letter No. 1130/LA/98 dtd. 09-10-98, CGMT, Assam Circle, Guwahati No. STES-21/160/26 dtd. 16-10-98 and GMT, KTD, Guwahati No. GMT/EST-179/98-99 dtd. 13-11-98, the following Casual Labours are engaged for performing casual nature of job w.e.f. 18-11-98 in the unit mentioned against each.

Sl. No.	Name	Unit of posting
01.	Sri Kameswar Kardong	CTO/Guwahati under SDE (Elec)
02.	" Dhaniram Deka	Dept. Canteen, CTO, Guwahati.
03.	" Kusel Ch. Medhi	" do "
04.	" Bijoy Boro ..	CTO/Guwahati under A.O. TRA
05.	" Niranjan Malakar,	CTO/Guwahati
06.	" Sachin Ch. Das,	" do "
07.	" Champak Talukdar,	" do "
08.	" Subhash Barman,	T/C Rly. Station, Guwahati.
09.	" Santu Chakraborty,	T.O. Assam Sachivalaya.
10.	" Kulen Ch. Das,	T.O. Guwahati High Court.
11.	" Khargeswar Kalita,	T.O. Ulubari.
12.	" Rabin Ch. Boro,	T.O. Assam Sachivalaya,

(B.B. DEB)
Divisional Engineer,
C.T.O. Guwahati-781001.

Copy to:-

01.	The D.E. (Admn), O/O the GMT/KTD, Guwahati-781007 w.r.t. his letter No. GMT/Court-Case/Misc/Mazdaees/ 98-99/7 dtd. 28-10-98.	
02.	The Sr. A.O., CTO, Guwahati.	They are requested to
03.	The SDE (I/R), CTO, Guwahati.	maintain the register
04.	The SDE (Elec), CTO, Guwahati.	for C/L(s) working
05.	The SDE (G), CTO, Guwahati.	under them and atten-
06.	The JTO I/C, T.O. A.S.O.	dance particulars of
07.	The I/C, T.O. Ulubari.	C/Ls may be furnished
08.	The I/C, T/C GH Rly. Station	to the Sr. A.O. & Chief
09.	The I/C, GH High Court.	SS (Admn), CTO, Guwahati
10.	O/C	for every month.

(B.B. DEB)
Divisional Engineer,
C.T.O. Guwahati-781001.

*Attested
by
M. Chakraborty*
Addl. Commr. Genl.
Assam State
Control Board