

30/100

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

4

(DESTRUCTION OF RECORD RULES, 1990)

**INDEX**

O.A./T.A No. 370/2002

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

E.P/M.A No.....

1. Orders Sheet. O.A- 370/2002 .....Pg. 1 .....to 3 .....
2. Judgment/Order dtd. 25/07/2003 .....Pg. 1 .....to 6 Disposed .....
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A. 370/02 .....Pg. 1 .....to 20 .....
5. E.P/M.P. NIL .....Pg. ....to.....
6. R.A/C.P. NIL .....Pg. ....to.....
7. W.S. Filed by the Respondent No. 1, 2, 3 & 4 Pg. 1 .....to 17 .....
8. Rejoinder. Filed by the Applicant Pg. 1 .....to 32 .....
9. Reply.....Pg. ....to.....
10. Any other Papers.....Pg. ....to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendement Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

( SEE RULE - 4 )

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI

ORDER SHEET

Original Application No : 370/02  
Misc. Petition No.                       
Contempt Petition No.                       
Review Application No.                     

Applicant(s) : Nripen Talukli

- Vs. -

Respondent(s) : H.O.D. Toms

Advocate for the Applicant(s) : B.K. Sharma, S. Sarma, Mrs U. Das

Advocate for the Respondent(s) : Case

Notes of the Registry	Date	Order of the Tribunal
<p>This is application in form C. P. for Rs. 50/- deposited vide IP No 76525883 Dated .... 20.11.02</p> <p><i>Dr. Neelam</i></p> <p><i>NS 25/11/02</i></p> <p><i>Steps taken</i></p> <p><i>Notice perused and sent to D/S for issuing the respondents No 1 to 3 for Regel- A/B.</i></p> <p><i>D/O 3389/02 24/12/02</i></p> <p><i>13.3.03</i></p> <p><i>W/S submitted by the respondents Nos. 1, 2, 3 &amp; 4.</i></p>	<p>27.11.2002</p> <p>bb</p> <p><u>3.1.2003</u></p> <p>23.1.2003</p>	<p>Heard Mr.S.Sarma, learned counsel for the applicant. The application is admitted. Call for the record.</p> <p>.. List the case on 3.1.2003 for order.</p> <p><i>[Signature]</i> Vice-Chairman</p> <p>Due to vacation, the case is adjourned to 23/1/2003.</p> <p><i>MS</i></p> <p>Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman. The Hon'ble Mr. S.K. Hajra, Administrative Member.</p> <p>On the prayer of Mr. A.K. Choudhury, learned Addl. C.G.S.C. for the respondents further four weeks time is allowed to the respondents to file written statement. List again on 20.2.2003 for orders.</p> <p><i>[Signature]</i> Vice-Chairman</p> <p><i>[Signature]</i> Member</p>

20.2.2003 Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman.

The Hon'ble Mr. S. Biswas, Administrative Member.

List again on 21.3.2003 to enable the respondents to file written statement.

Member

Vice-Chairman

mb

21.3.2003 Written statement has been filed. The case may now be listed for hearing on 6.5.2003. The applicant may file a rejoinder, if any, within two weeks from today.

Vice-Chairman

mb

6.5.2003 Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman. The Hon'ble Mr. S. Biswas, Member (A).

List the matter on 30.5.03 for hearing before the Single Bench.

Member

Vice-Chairman

mb

30.5.2003 On the prayer of Miss U. Das, learned counsel for the applicant, the case is adjourned. List again on 10.6.03 for hearing.

Vice-Chairman

mb

10.6. Single Bench did not sit today. The case is adjourned to 20.6.2003. mb

13.03.03

Wb Submitted

by the Respondent Nos. 1, 2, 3 & 4.

~~No rejoinder~~

No rejoinder has been filed.

29.5.03

29.5.2003

Rejoinder has been filed by The Learned Advocate for the Applicant at No. 34 to 45.

Notes of the Registry	Date	Orders of the Tribunal
-----------------------	------	------------------------

20.6.2003

The Case is ready for hearing as regard W/S and rejoinder.

*20*  
*17.7.03*

mb

mb

8.7

On the prayer of Mr. B.C. Pathak, learned Addl. C.G.S.C. for the respondents, the case is adjourned. Put up again on 8.7.2003 for hearing.

*[Signature]*  
Vice-Chairman

Case did not get today.  
The case is adjourned to 17.7.2003.

*ms*  
*7*

17.7.03

Present: Hon'ble Mr. N.D. Dayal,  
Member(A).

Heard in part. Learned counsel for the applicant prays for time till next Friday to collect some more informations. Prayer is granted. List on 25-7-03 for hearing.

*[Signature]*  
Member(A)

30.7.03

Heard learned counsel for the parties. Judgment delivered in open Court. Kept in separate sheets. Application is disposed of. No costs.

*[Signature]*  
Member

1.8.2003

Copy of the judgment has been sent to the office for issuing the same to the applicant.

*ms*

*Recd copy*  
*At Chandra*  
*Addl C.G.S.C*  
*1/8/03*

Notes of the Registry

Date

Orders of the Tribunal

0000

30.7.03

0000

30.7.03

0000

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

O.A. / P.A. No. **370, 407 & 408** of 2002.

DATE OF DECISION **25-07-2003**  
.....

**Sri Nripen Tamuli & two others.** .....APPLICANT(S).

By **Sr. Advocate Mr. B.K. Sharma, Mr. S. Sarma & Ms. U. Das** in O.A. 370/2002 &  
**Mr. S. Sarma & Ms. U. Das** in O.A.s 407 & 408/2002.

..... ADVOCATE FOR THE  
APPLICANT(S).

- VERSUS -

**Union of India & Ors.**

.....RESPONDENT(S).

By **Mr. A.K. Choudhuri, Addl. C.G.S.C. in O.A. 407/2002 & A. Deb Roy,**  
**Sr. C.G.S.C. in O.A.s 370 & 408 of 2002.**

..... ADVOCATE FOR THE  
RESPONDENT(S).

THE HON'BLE **MR. N.D. DAYAL, ADMINISTRATIVE MEMBER.**

THE HON'BLE

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

Judgment delivered by Ho'ble **ADMINISTRATIVE MEMBER**

8

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application Nos.370, 407 & 408 of 2002.

Date of Order : This the 25th Day of July, 2003.

THE HON'BLE MR. N. D. DAYAL, ADMINISTRATIVE MEMBER.

1. Sri Nripen Tamuli  
S/o Juddha Ram Tamuli  
P.O: Kamakhya  
Guwahati - 10. Applicant in O.A.370/2002.
2. Shri Sanjeev Kumar Das  
S/o Late Chandrakanta Das  
Resident of Village and post Office Kulhati  
District: Kamrup. Applicant in O.A.407/2002.
3. Shri Rabin Ch.Das  
S/o Late S.N.Das  
Resident of Vill. & P.O: Kulhati  
District: Kamrup. Applicant in O.A. 408/2002.

By Sr.Advocate/ Mr.B.K.Sharma, Mr.S.Sarma & Ms.U.Das in O.A.  
370/2002 & Mr.S.Sarma & Ms.U.Das in O.A.s 407 & 408/2002.

- Versus -

1. Union of India  
Represented by the Secretary  
to the Government of India  
Department of post  
Ministry of Communication  
New Delhi.
2. The Chief post Master General  
Assam Circle, Guwahati-1.
3. The Senior Superintendent of post Offices  
Guwahati Division, Meghdoot Bhawan  
Guwahati - 1. Respondents in O.A.370/2002.
1. Union of India  
Represented by the Secretary  
to the Government of India  
Ministry of Communication  
Department of post  
Dak Bhawan, New Delhi.
2. Bharat Sanchar Nigam Ltd  
Sanchar Bhawan, New Delhi.
2. The Chief post Master General  
Assam Circle, Guwahati-1.
3. The Sr.Superintendent of post Office/s  
Guwahati Division, Meghdoot Bhawan  
Guwahati-1. Respondents in O.A.s407 & 408 of 2002.

By Mr.A.K.Chaudhuri, Addl.C.G.S.C. in O.A.407/2002 &  
Mr.A.Deb Roy, Sr.C.G.S.C. in O.A.s 370 & 408 of 2002.

Contd./2

6

O R D E R.

DAYAL, N.D., MEMBER (ADMN):

Heard Mr.S.Sarma, learned counsel for the applicants in all the above three cases, Mr.A.K.Choudhuri, learned Addl.C.G.S.C. for the respondents in O.A. 407/2002 and also Mr.A.Deb Roy, learned Sr.C.G.S.C. for the respondents in O.A.Nos.370 & 408/2002. The applicants in all the O.A.s have sought common reliefs on similar grounds. They are primarily seeking appointment in the cadre of postal Assistant on compassionate grounds taking into consideration the approval conveyed by the competent authority of the Department of posts. The background of the cases is briefly stated below;

1. The applicants in all three O.A.s applied for compassionate appointment under relaxation of normal rules of recruitment in the Department of posts. The Circle Selection Committee had approved the applicants and placed them on the Waiting List for consideration on availability of vacancy to absorb them in the post of postal Assistant. While the applicant in O.A.370/2002 was approved on 3.10.97, the applicants in O.A.s 407 & 408 of 2002 were approved on 11.11.99. The Department also sought willingness of the applicants in O.A.s 370 & 407 of 2002 for enrolment in the Army Postal Service vide letter dated 18.6.99 making reference to their applications for compassionate appointment wherein it was clarified that the enrolment would be subject to clearance of physical/medical examination to be conducted by the Army Postal Service. If found eligible and selected for enrolment in the Army Postal Service, they would be required to give an undertaking that they would

contd/-2



not claim repatriation from Army Postal Service to Civil Division till their turn came up and vacancy arose against compassionate appointment under relaxation of normal rules. It was also made clear therein that in case the applicants accepted these terms and conditions they could apply in the enclosed form with the further undertaking that if they were found medically unfit by the recruitment office (Army Postal Service) they would not claim appointment in the Department. The learned counsel for the applicants, Mr.S.Sarma stated that both the applicants in O.A.s 370 & 408/2002 placed their willingness with the Department for the Army postal Service.

2. Again all the three applicants were asked by the Department by letter dated 13.3.2001, drawing attention to their approval for compassionate appointment, whether they would like to exercise their willingness to join in other departments within or outside Assam and on receipt of their willingness, other departments would be consulted to consider their case. The learned counsel for the applicants confirmed that all the three applicants submitted their willingness in this regard.

3. All along the Department had been more than once informing the applicants that they were on the Waiting List for compassionate appointment as Postal Assistant and their case would be considered when vacancy became available for the purpose. As observed from letter of 25.7.20001 of Department of posts, New Delhi annexed with the O.A.s the Waiting List of candidates approved for compassionate appointment had been discontinued by letter No.24-1/99-SPB-1 dated 8.2.2001 of the Department of posts and would no longer be operated in view of the clarifications by the

Department of Personnel & Training in its memo dated 24.11.2000 and further in terms of subsequent instructions mentioned in this letter. The practice of circulating names of the deserving candidates to other Ministries/Depts had also been discontinued. In the light of these instructions a further offer was made to the candidates approved for compassionate appointment, and kept on the Waiting List that they may apply for appointment for Gramin Dak Sewak post subject to their fulfilling all required conditions of recruitment and giving an undertaking forfeiting their claims for appointment against regular departmental vacancies except as per their turn in accordance with the policy for absorption of Gramin Dak Sewaks in regular posts. This offer was valid for one year and to be reviewed thereafter. Instructions to implement these orders were issued by the office of the Chief Post Master General, Assam Circle making it clear that the Waiting List was discontinued and dispensed with and extending the offer of Gramin Dak Sewak post in terms of the Govt. orders received. The learned counsel for the applicants contended that the applicants did not wish to apply for the Gramin Dak Sewak posts and had not done so.

4. It has been strenuously argued by the learned counsel for the applicants that the Waiting List is only discontinued and can still be operated. However, Mr. A. Deb Roy, learned Sr. C.G.S.C. emphatically stated that the Waiting List stands discontinued and dispensed with and no longer exists. It was also contended on behalf of the applicants that the Juniors to the applicants have been given compassionate appointment overlooking their claim.

contd/-4

On scrutiny of the relevant pleadings it was found that the appointments were not those of any of the persons on the Waiting List of approved candidates for compassionate appointment, but these were fresh cases in terms of the instructions on the subject. This matter was not pressed further. From the perusal of the Government orders and instructions in this matter on records as well as the action of the Government to make alternative offers to the applicants it cannot be said that the Waiting List of candidates approved for appointment on compassionate grounds is still valid. The learned counsel for the applicants expressed the despair and anxiety of the applicants in not receiving any response from the Department to the willingness given by them for adjustment in other Ministries/Deptt.s as well as in the Army Postal Service. Mr.S.Sarma learned counsel finally stated that in the facts and circumstances of the case the applicants would be satisfied if their request for enrolment in the Army Postal Service could be revived by the Department of Posts. He further requested that the Tribunal may be pleased to issue directions to the Deptt. of Posts to consider their cases for appointment in the Army postal Service and all three applicants would make fresh individual representations in this regard to the Chief Post Master General Assam Circle, Guwahati-1 for further action.

5. It is seen that the letter from the Department seeking willingness for enrolment in the Army Postal Service mentioned that repatriation back to Civil Division would not be permitted

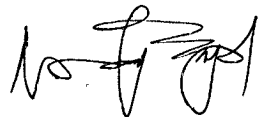
contd/-5

except on turn and when vacancy arose for compassionate appointment and again it said that a further undertaking is necessary to give the commitment that if found medically unfit by the Army Postal Service appointment in the said Department would not be claimed. It is thus noted that the offer did not require appointment on compassionate grounds as a precondition. The Department in fact picked up those approved for compassionate appointment but not appointed and sought to take suitable undertaking from them so that if found eligible and selected for enrolment in the Army Postal Service, they would continue and be retained there in absence of appointment in the Department on compassionate ground and would not claim appointment if medically unfit. In the circumstances discussed in this order and to meet the ends of justice there should be no bar to the applicants seeking revival of their case for enrolment in the Army Postal Service subject to fulfillment of the conditions mentioned in the offer.

6. It is frankly informed by the learned counsel for the applicants that the applicant in O.A. 408/2002 had not received the offer for Army Postal Service, but that his situation was similar to those of other two applicants in so far as approval of compassionate appointment as well as the offer of absorption in other Departments and the offer of Gramin Dak Sewak posts are concerned and as such in equity his case may also be similarly considered. Admittedly, to their credit, there was no objection to this suggestion on behalf of respondents by the learned Sr.C.G.S.C. Accordingly, it is ordered that all the three applicants in these O.A.s may submit fresh representations individually

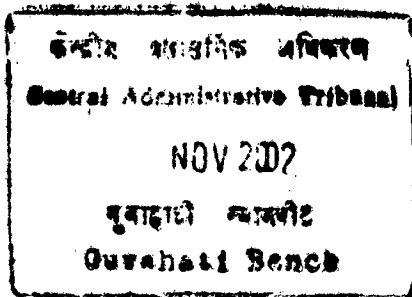
to the Chief Post Master General, Assam Circle, Guwahati seeking consideration of their willingness for enrolment in the Army Postal Service by giving necessary undertakings. If such representations are received, the Chief Post Master General, Assam Circle is directed to take up the matter with the concerned Army Postal Service authority, through proper channel, for enrolment of the applicants as per relevant terms and conditions within one month from the date of receipt of the representations. The Army Postal Service authority will in turn consider their cases on merit subject to fulfillment of terms and conditions applicable. The decision of the Army Postal Service authority shall be conveyed by speaking order to the applicants within three months thereafter.

All the three O.A.s are disposed of subject to the observations made above. No costs.



(N.D.DAYAL)  
ADMINISTRATIVE MEMBER

bb



THE CENTRAL ADMINISTRATIVE TRIBUNAL::GUWAHATI BENCH  
GUWAHATI

O.A. No. 370 of 2002

Nripen Tamuli

... Applicant ...

- Versus -

Union of India & Ors.

... Respondents ...

I N D E X

SL. No.	Particulars of the documents	Page No.
1.	Original Application...	1 to 11
2.	Verification ...	12
3.	Annexure- 1 ...	13
4.	Annexure- 2 ...	14
5.	Annexure- 3 ...	15
6.	Annexure- 4 ...	16
7.	Annexure- 5 ...	17
8.	Annexure- 6 ...	18
9.	Annexure- 7 ...	19
10.	Annexure- 8 ...	20

Filed by :

Advocate

*Asha Das*

THE CENTRAL ADMINISTRATIVE TRIBUNAL::GUWAHATI BENCH  
GUWAHATI

O.A. No. 370 of 2002

**BETWEEN**

Sri Nripen Tamuli,  
son of Juddha Ram Tamuli, P.O.  
Kamakhya, Guwahati-10.

... Applicant

- AND -

1. The Union of India, represented  
by the Secretary to the Government  
of India, Department of Post,  
Ministry of Communication, New  
Delhi.

2. The Chief Post Master General,  
Assam Circle, Guwahati-1.

3. The Senior Superintendent of Post  
Officers, Guwahati Division,  
Meghdoot Bhawan, Guwahati-1.

... Respondents

DETAILS OF APPLICATION

1. PARTICULARS OF THE ORDER AGAINST WHICH THE  
APPLICATION IS MADE :

The present application is directed against the  
action of the Respondents in not considering the case  
of the Applicant for appointment under compassionate  
ground ever after due approval from the competent  
authority for such appointment. This application is  
also directed against the action of the Respondents in  
discriminating the Applicant in the matter of

Filed by  
the applicant through  
Alsha Das  
Advocate  
18/11/02

N. Tamuli

compassionate appointment, whereas persons junior to him have been given appointment ignoring his case.

2. JURISDICTION OF THE TRIBUNAL :

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

3. LIMITATION :

The Applicant further declares that the application is filed within the limitation period prescribed under Section 21 of the Administrative Tribunals Act, 1985.

4. FACTS OF THE CASE :

4.1 That the Applicant is a citizen of India and a permanent resident of Meghalaya and as such she is entitled to all the rights and privileges as guaranteed under the Constitution of India.

4.2 That the father of the Applicant was working as a Group-D employer in the office of the Chief Post Master General, Assam Circle. While on service the father of the Applicant expired on 21.1.96. Immediately after the death of his father the Applicant applied for compassionate appointment under the Postal Department. Pursuant to his application was called for interview before a Selection Committee on 3.10.97. The said Selection Committee after verifying all the records approved the case of the Applicant under relaxation of

N. Tasmuli



normal Recruitment Rules in the cadre of Postal Assistant. To that effect Respondents issued an office order bearing No. Staff/16-Misc(C)/97 dated 4.11.97 indicating the approval as mentioned above.

A copy of the said order dated 4.11.97 is annexed herewith and marked as Annexure-1.

4.3 That after such approval the Applicant was waiting for his appointment as Postal Assistant on compassionate ground but matter was delayed by the Respondents. The Applicant kept on pursuing the matter before the Respondents, but nothing came out in positive. Thereafter the Respondents issued an order bearing No. Staff/16-44/96 dated 4.6.98 indicating the fact that the case of the Applicant was under active consideration and as and when vacancy arises his case will be considered.

A copy of the aforesaid letter dated 4.6.98 is annexed as Annexure-2.

4.4 That the Respondents in the mean time appointed persons on compassionate ground whose cases were approved in the year 1998 to 1999. In fact, the Respondents maintained a list of candidates seeking appointment on compassionate ground whose cases have been approved by the competent authority. It is learnt that the Respondents however appointed persons below the list ignoring the case of the Applicant. On the other hand on enquiry into the matter the Respondents

ATamuli

kept on assuring the Applicant for his appointment. The Respondents issued an order dated 18.6.99 by which the willingness of the applicant was sought for enrollment in Army Postal Service with a condition that he will not claim repatriation from Army Postal Service to Civil Division after his such appointment.

A copy of the said letter dated 18.6.99 is annexed herewith and marked as Annexure-3.

4.5 That the Applicant immediately placed his willingness to work/to enroll himself in the Army Postal Service. However, even after such assurance nothing come out in positive from the Respondents. The Applicant kept on pursuing the matter before the Respondents. As earlier the Respondents issued another order dated 3.7.2000 by which it has been communicated to the Applicant that his case will be considered as and when vacancy arises.

A copy of the said order dated 3.7.2000 is annexed as Annexure-4.

4.6 That the Respondents after repeated persuasion of the Applicant issued an order bearing No. Staff/16-Rlg/88/Part dated 13.3.2001 asking the Applicant his willingness to work under other department within or outside Assam. In reply to the said letter the Applicant placed his willingness through his representation dated 28.3.2001 addressing to the Chief Post Master General, Guwahati.

*Mamuli*

19  
A copy of the said order dated 13.3.2001 and a copy of the representation dated 28.3.2001 are annexed as Annexures 5 and 6 respectively.

4.7 That the Applicant begs to state that even the persons approved for compassionate appointment in the year 1999 have been given appointment ignoring the case of the Applicant whose case was approved in the year 1997 itself. It is noteworthy to mention here that in Assam Circle similarly situated persons like that of the present Applicant have given appointment on compassionate ground but the case of the Applicant ignored without there being any valid reason. Presently, there are 8 vacancies in the cadre of Postal Assistant in Guwahati Division but the authority has not yet filled up those vacancies. On the other hand for want of vacancy the Applicant has been made to wait for his appointment since 1997. It is stated that all over Assam there are 60(sixty) vacancies in the cadre of Postal Assistant including RMS Division and the Respondents can very well accommodate the Applicant against any of such post. However, the Respondents without there being any valid reason kept on lingering the matter only to frustrate the claim of the Applicant.

The Applicant craves leave of this Hon'ble Tribunal for a direction towards the Respondents for production of records in respect of vacancy position in the cadre of Postal Assistant the

ATamuli

time of hearing of this case.

4.8 That the Applicant states that his case was approved by the competent authority vide Annexure-1 order dated 4.11.97 but after such approval nothing has been done so far in this matter. On one hand the Respondents are keeping the hope of appointment alive by issuing various orders seeking his willingness and on the other hand they are assuring him that appointment would be made on availability of vacancy, but in reality persons below him are being given appointment where as the Applicant is still waiting for his turn.

4.9 That in the midst of the aforementioned services of events the Respondents once again issued an order bearing No. B/A-Relaxation/Rlg/77-78 dated 18.12.2001 by which willingness was sought for from the Applicant in respect GDS Post. The Applicant in reply to the aforesaid letter dated 18.12.2001 preferred a representation dated 31.12.2001 expressing the fact that since his case has already been approved for appointment in the cadre of Postal Assistant, he is not willing to work in GDS scheme.

A copy of the said order dated 18.12.2001 and the representation dated 31.12.2001 are annexed as Annexure-7 & 8 respectively.

4.10 That the Applicant begs to state that immediately after the death of his father he applied for

*M. P. S. S. S.*

consideration of his case for compassionate appointment and accordingly the screening committee approved his case for appointment in the cadre of Postal Assistant. Later on the Respondents for the reasons best known to them kept the Applicant waiting for his such appointment only on the count that vacancies are not available. On the other hand cases of persons approved in the year 1999 have been given appointment on compassionate ground. The aforementioned action on the part of the Respondents clearly indicates the vindictive attitude in discriminating the Applicant from his legitimate Respondents being a model employer ought to have maintained a seriation in considering the case on compassionate ground. Although the Respondents vide their letter dated 13.3.2001 mentioned the fact that the name of the Applicant was in the waiting list, but no such list has been published nor same has been communicated to the application.

The Applicant craves leave of this Hon'ble Tribunal for a direction towards the Respondents to produce the list containing the name of the Applicant at the time of hearing of this case.

4.11 That the Applicant begs to state that presently the entire family is eagerly waiting for his employment so that the hard days come to an end. The father of the Applicant was the only earning member and after his death entire family is facing tremendous financial hardships. In these circumstances, the Applicant through this application prays before this Hon'ble

*Masudi*

22

Tribunal for an appropriate direction towards the Respondents to issue necessary order of appointment of the Applicant in the post of Postal Asstt. under relaxation of normal Recruitment Rules taking into consideration the approval made by the Screening Committee.

4.12 That the Applicant in continuation to his prayer for compassionate appointment also begs to highlight the fact that during 1987 to 1989 the Applicant had occasion to serve under the Respondents as substitute in the Kamakhya, S.O., and in that capacity he has completed more than 240 days of continuous service and as such his case is also required to be considered under the scheme provided for grant of temporary status and subsequent Regularisation of such workers. The Respondents under both the counts are duty bound to consider the case of the a for his absorption. The Applicant made several representation to the concerned authorities, but same yielded no result in positive. Having no other alternative the Applicant has come before this Hon'ble Tribunal seeking an appropriate relief.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS :

5.1 For that the Respondents have acted illegally in not considering the case of the Applicant for his appointment in the cadre of Postal Assistant under relaxation of normal Recruitment Rules on compassionate ground.

ATamuli

5.2 For that the Respondents have acted contrary to the provision contained in the scheme provided for compassionate appointment and hence their impugned are liable to be set aside and quashed.

5.3 For that the Respondents have acted illegally in discriminating the case of the Applicant in the matter of compassionate appointment whereas persons whose cases were approved in the year 1999 have been provided with suitable posts ignoring the case of the present Applicant.

5.4 For that the Respondents have acted illegally in not considering the case of the Applicant for grant of temporary status under the scheme and as such appropriate direction need be issued to the Respondents to extend the benefit of the scheme to the present Applicant and to regularize his service thereafter.

5.5 For that in any view of the matter the entire action of the respondent are liable to be set aside and quashed.

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

6. DETAILS OF REMEDIES EXHAUSTED :

The Applicant declares that he has no other alternative and efficacious remedy except by way of filing this application.

*ATashmali*

7. MATTERS NOT PREVIOUSLY FILED OR PENDING BEFORE ANY OTHER COURT :

The Applicant further declares that no other application, writ petition or suit in respect of the subject matter of the instant application is filed before any other Court, Authority or any other Bench of the Hon'ble Tribunal nor any such application, writ petition or suit is pending before any of them.

8. RELIEFS SOUGHT FOR :

Under the facts and circumstances stated above, the Applicant prays that this application be admitted, records be called for and notice be issued to the Respondents to show cause as to why the reliefs sought for in this application should not be granted and upon hearing the parties and on perusal of the records, be pleased to grant the following reliefs :

8.1 To direct the Respondents to issue appropriate order of appointment to the Applicant in the cadre of Postal Assistant on compassionate ground taking into consideration the approval made by the competent authority.

8.2 To direct the Respondents to extend the benefit of the scheme to the present Applicant and to regularise his service thereafter.

8.3 Cost of the application.

8.4 Any other relief/reliefs to which the Applicant is

*NTasunli*



entitled to.

9. INTERIM ORDER PRAYED FOR :

During the pendency of the original application the Applicant prays for an interim order directing the Respondents to accommodate the Applicant in any post commensurating to his educational qualification as well as experience.

10. ....

The application is filed through Advocate.

11. PARTICULARS OF THE I.P.O. :

- i) I.P.O. No. : 76 575833
- ii) Date : 30/10/02
- iii) Payable at : Guwahati.

12. LIST OF ENCLOSURES :

As stated in the Index.

Verification...

NTasuli

4

4'12 8 5 to 12 are true to my knowledge ; those made  
in paragraphs 4'2 - 4'7, 4'9, 4'10 are true to

Naipen ch. Tamili

Deponent

1/6 set

- 13 -

ANNEXURE-1

DEPARTMENT OF POST  
OFFICE OF THE CHIEF POSTMASTER GENERAL: ASSAM CIRCLE:  
GUWAHATI-1

No. Staff/16-Misc/97 dated at Guwahati, 4.11.97

To,

*leg*  
Sri Nripen Tamuly  
S/o late JUDDHA RAM TAMULY  
Ex-Gr.D, O/O CPMG, Guwahati  
at Kamakhya, Guwahati-781 010

Subject :- Appointment under relaxation of normal  
recruitment rules.

You have been approved for appointment under  
under relaxation of normal recruitment rules in the cadre  
of Postal Assistant/Sorting Assistant, by the Circle  
Selection Committee held on 3rd October, 1997.

*Pa*  
(I C SARMA)  
APMG (STAFF)  
O/O CPMG:GUWAHATI-1

*W.D.M.*  
Advocate.

पत्र-संख्या-22  
Corr.-22

- 14 -

ANNEXURE - 2

28

भारतीय डाक विभाग  
DEPARTMENT OF POSTS, INDIA

प्रेषक  
From मुख्य पोस्टमास्टर जनरल का कार्यालय  
असम परिगट न, गुवाहाटी-1  
Chief Postmaster General  
Assam Circle, Guwahati-781001

सेवा में  
To

✓ Smt. Bina Tamuli,  
870 Late Juddha Ram Tamuli,  
Kamakhya temple,  
P.O. Kamakhya,  
Guwahati-10

क्रम संख्या

No. Staff 116-44/96

दिनांक

Dated at

विषय  
Subject

Compassionate appointment-  
Case of Shri Nandipon Tamuli,  
870 Late Juddha Ram Tamuli,  
Ex-Gr-D, C.O. Guwahati.

Madam,

I am directed to inform you  
that appointment of your son cannot  
be made immediately for want of  
vacancy and the same is under active  
consideration.

Yours faithfully

(1. Panigrahy)  
Asst. Postmaster General (Staff)  
O.B. Co. Chief Postmaster General  
Assam Circle, Guwahati - 781001

Attested  
W.D.  
A. D. D.

DEPARTMENT OF POSTS  
OFFICE OF THE CHIEF POSTMASTER GENERAL: ASSAM CIRCLE:GUWAHATI-1

No. Staff/ 32-1/92/Loose

dated at Guwahati the 18/6/99

To,

16-44/96

REGISTERED

Shri Nrisipen Ch. Tamuli,  
S/O Late Juddha Ram Tamuli,  
Kamakhya Tamuli  
P.O. Kamakhya - 781010

Subject :- Deputation to APS

With reference to your application for Compassionate Appointment dated 20-11-96, I am directed to ask your willingness for enrollment for the Army Postal Service. Your selection for enrollment in the Army Postal Service will be subject to clearance of Physical / Medical examination to be conducted by the Army Postal Service.

If you are found eligible and selected for enrollment in the Army Postal Service, you will have to give an undertaking that you will not claim repatriation from Army Postal Service to Civil Division till your turn comes and vacancy arises against Compassionate Appointment under relaxation of normal rules.

If you are willing for enrollment in the Army Postal Service on the above terms and conditions, you may apply in the enclosed form and submit ~~xxx~~ with the undertaking that if you are found medically unfit by the Recruitment Office (A.P.S), you will not claim appointment in the Department, so as to reach this office by 30.6.1999 for taking further necessary action.

Encl:- 1. Application form for enrollment in the Army Postal Service.

2. Declaration form.

(I PANGERNUNGBANG)  
APMG STAFF  
O/O CPMG GUWAHATI-1

Copy to :-

1. Individual file of the candidates concerned.

Approved  
W.D.M.  
Adm. Secy

16 -

ANNEXURE - 4

DEPARTMENT OF POSTS

OFFICE OF THE CHIEF POSTMASTER GENERAL, ASSAM CIRCLE, GUWAHATI-1.

To

Sri Nripen Tamuly  
S/O Late Juddha Ram Tamuly  
EX- Group 'D'  
P.O. Kamakhya  
Guwahati - 781010.

Dated at Guwahati the 03/7/2000  
10

No. Staff/16-44/96

Sub :- Appointment under compassionate ground.

With reference to your representation dtd. 10-4-2000 to the Hon'ble Minister of Communication. I am directed to inform you that your case will be considered as and when vacancy arises and as per your turn.

A.P.M.G. (Staff)  
For Chief Postmaster General  
Assam Circle, Guwahati-1.

.....

Amended  
UDAs  
10-10-00

DEPARTMENT OF POSTS  
OFFICE OF THE CHIEF POSTMASTER GENERAL :: ASSAM CIRCLE  
GUWAHATI - 781001.

No. Staff/16-Rlg/88/Part

Dated Guwahati The 13-3-2007

To  
Shri/Smt. Nripen Tamuly  
S/o Late J. R. Tamuly, Ex-Gov-D  
P.O. Kamakhya  
Guwahati - 781010

Sub:- Appointment on compassionate ground under relaxation of normal rules- case of Sri/Smt. N. Tamuly

Ref:- Your application dated 20-11-96

You were approved on 3-10-97 for appointment on compassionate ground under relaxation of normal recruitment rules as PA and you are in the waiting list since then. You could not be appointed so far due to non-availability of vacancy in this circle.

Therefore, you are asked to express your willingness whether you are agreeable to join in any other department within or outside Assam. On receipt of your willingness, other department will be consulted to consider your case.



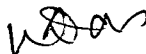
(S. Shyam)  
APMG(Staff)

For Chief Postmaster General,  
Assam Circle, Guwahati-1.

Copy to concerned file.

Staff/16-44/96

Attested



Advocate

To

The Chief Postmaster General,  
Assam Circle, Guwahati-781001

Dated at Guwahati the. 28.13. . 2001.

Sub :- Appointment on compassionate ground under relaxation of normal rules-Case of Shri Nripen Tamuli S/O Late Juddha Ram Tamuly, Ex-Group-D, Chief PMG office, Gauhati.

Ref :- Letter No. staff/16-Rlg/88/part dated 13/3/2001.

Sir,

In reply to your letter cited above, I beg to offer my willingness for my absorption in any department. Because due to untimely death of my father, we all the members of our family have been facing immense sufference due to financial problem. We are passing our days half fed and half clad.

Sir, in the recent past, under your letter No Staff /16-44/ 96 dated 18/6/99, my option was called for as to whether, I was willing for deputation to A.P.S. I gave my willingness But in last 2 years nothing was heard about the fate of my willingness for APS. This time also I am afraid what will be allotted to our luck.

Sir, I fervently request you to consider my case and do me favour giving an employment and save our family from further distress.

Postal Address :-

Nripen Ch. Tamuli  
S/O. Late Juddha Ram Tamuli  
Kamakhya Temple,  
P.O. Kamakhya  
Pin-781010.  
Dist-Kamrup, (Assam)

Yours faithfully,

(Nripen Ch. Tamuli)

S/O. Late Juddha Ram Tamuli  
Ex-Group-D, Kamakhya Temple  
P.O. Kamakhya (Assam)

*Wiser*





ANNEXURE - 7

DEPARTMENT OF POSTS: INDIA  
OFFICE OF THE SR. SUPERINTENDENT OF POST OFFICES, GUWAHATI DIVN.  
MEGHDOOT BHAWAN 3RD FLOOR, GUWAHATI - 781001

No. B/A-Relaxation/Rlg/77-78,

Dated at Guwahati the 18.12.2001.

To / Sri Nripen Ch. Tamuli  
S/o Late Buddha Ram Tamuli  
P.O. Kamakhya, Guwahati - 781010

Sub : Compassionate appointment proposal of candidates approved and wait listed -  
willingness for GDS Post.

A copy of C.O., Guwahati letter No. Staff/16-Rlg/88/Part, dated 14.8.2001 in o/w  
the above mentioned subject enclosed h/w for submission of your willingness/acceptance  
of GDS post to the office of the undersign on or before 31.12.2001.

No application will be accepted after 31.12.2001 at this end.

Encls.

As. Above.

Sr. Superintendent of Post Offices,  
Guwahati Division, Guwahati-781001

Attested  
UDen  
Advocate.

To The Sr. Superintendent post office Buxar Division  
Buxar - 781001

Ref- your letter No. B/A Relaxation /R19/77-78,  
dated - 18/12/2001  
dated Buxar the 31-12-01

Sub- compassionate appointment proposal of candidate  
approved and wait listed willingness for C.D.S. 1A

Sir, with reference to your letter No B/A -  
Relaxation /R19/77-78 dated 18/12/2001.

This is to inform you that I am not willing  
to work in C.D.S. Scheme as I have already  
approved in the post of PA cadre under  
relaxation rule & vide approve letter No. Staff/  
16/-Misc/97 dated-4.11.97

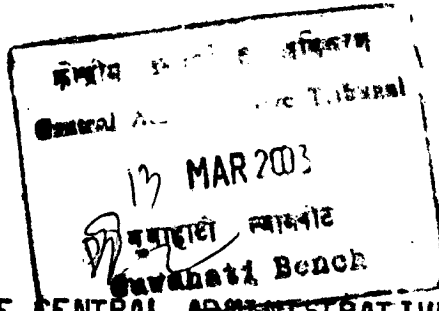
So I request you kindly consider my case  
as and when the vacancy is available under  
your disposal.

Yours faithfully,

Sri Naipen Ch Tomuli  
S/o Late Juddha Ram Tomuli  
P.O. Kaimakhyra, Buxar - 781010



Witnessed  
[Signature]



20

35  
Union of India & Ors. - Respondents  
Through:-  
Anup Kumar Jaiswal

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH::GUWAHATI

In the matter of :-  
O.A. No.370 of 2002  
Shri Nripen Tamuli ... Applicant  
-Versus-  
Union of India & Ors. .. Respondents

Written statements for and on behalf of Respondents  
No.1,2,3 & 4.

I, S. Kamei, Senior Superintendent of Post offices,  
Guwahati Dn. Guwahati-781001, do hereby solemnly affirm and say  
as follows :-

1) That I am the Senior Superintendent of Post offices,  
Guwahati Dn., Guwahati and as such 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 and the applicants should be put to strict proof of whatever  
they claim to the contrary. I am authorised and competent to file  
this written statement on behalf of all the respondents.

2) That the respondents beg to place the brief history of  
the case as follows :-

Sri Nripen Tamuli, son of late Juddha Ram Tamuli, Ex  
Office peon in the office of the Chief Postmaster General, Assam  
Circle, a resident of Kamakhya Hills, Kamrup, Guwahati applied for  
appointment on compassionate ground in Postal Assistant (PA) cadre  
on 20-11-96 to the Chief PMG, Assam Circle, Guwahati (Respondent No.2)  
The case was placed before the Circle Selection Committee for  
consideration and recommendation. The CSC recommended the case of  
the applicant and in pursuance thereof the competent authority  
(Respondent No.2) approved the applicant for appointment in PA cadre  
under relaxation of normal recruitment rules vide No.Staff/16-Misc/97)  
dated 3-10-1997. (A copy of the order is enclosed).

Though the applicant was approved for appointment in PA  
cadre on compassionate ground, he could not be absorbed due to non-  
availability of vacancy. He was kept as a wait listed approved  
candidate along with other similarly situated approved candidates.

Meanwhile the Department of Posts issued a guidelines/instruction vide No.37-16/2001-SPB-I dated 25-7-2001 in pursuance of the clarificatory order No.42012/4/2000-Estt(D) dated 24-11-2000 issued by the Ministry of Personnel and Training, Govt. of India to the effect that the provision of maintaining waiting list of the approved candidates for appointment on compassionate ground has been dispensed with and decision has been taken to consider such wait listed candidates for the vacant posts of Gramin Dak Sewaks (GDS) subject to willingness and suitability of the candidates for such posts (copy of the order dated 24-11-2000 & 25-7-2001 are enclosed).

In pursuance of these orders the office of the Respondent No.2 took steps to discontinue the system of maintaining the waiting list of the approved candidates immediately and issued instructions to all subordinate recruiting units vide No.Staff/16-Rlg/88/part, dtd.14-8-2001 (A copy enclosed). At the same time instruction was also issued to offer the vacant posts of GDS to the non-absorbed approved candidates whose waiting list was dispensed with. The applicant was also one of the unabsorbed candidates and no longer in the waiting list. He was however allotted to the Sr. Superintendent of Post Offices, Guwahati Division vide letter dated 10-10-2001 for taking necessary action to absorb the applicant in the post of GDS on his offering willingness (a copy of the letter dated 10-10-01 is enclosed). The applicant was asked to offer his willingness to be absorbed in a GDS post vide the SSPOs, Guwahati letter No.B/A-Relaxation/Rlg/77-78, dtd.18-12-2001. In response, the applicant replied vide his letter dated 31-12-2001 informed that he was not willing to work in the post of GDS as he was approved in the post of PA cadre (a copy of letter dated 18-12-2001 and 31-12-2001 are enclosed). Since the waiting list of the approved candidates for compassionate appointment has since been discontinued under the Govt's orders and the applicant being not willing to be absorbed in the GDS post, the applicant cannot claim now for appointment in PA cadre as approved earlier. The applicant has filed the present application to seek direction from the Hon'ble Tribunal for absorbing him in Postal Asstt. cadre on compassionate ground, which has no locus-standi now in view of the dispensation and discontinuation of the waiting list of the approved candidates including the applicant and introduction of an alternate scheme for absorbing such candidates in GDS posts.

- 3) That with regard to the statement made in paragraph 1 of the application, the respondents state that the applicant was approved for appointment in PA cadre on compassionate ground vide order No.Staff/16-Misc/97 dated 3-10-97 on recommendation of the Circle Selection Committee. But he could not be appointed and absorbed as approved due to non-availability of vacancy and kept in the waiting list alongwith other similarly situated candidates. The contention of the applicant to the fact that the persons junior to him in the approved list has been given appointment ignoring his case is not true (a copy of the order dated 3-10-97 is enclosed as Annexure-I).
- 4) That with regard to the statement made in paragraph 2, 3, & 4.1 of the application, the respondents offer no comment.
- 5) That with regard to the statement made in paragraph 4.2 of the application, the respondents beg to state that the application of the applicant for compassionate appointment in PA cadre was duly processed and placed before the Circle Selection Committee for recommendation or otherwise. On recommendation of the Circle Selection Committee, the applicant was approved for appointment in Postal Assistant cadre on compassionate ground vide order dated 3-10-97 (Annexure-I) along with 6 other candidates. The application was also informed of his being approved for appointment in the cadre of Postal Assistant by a separate communication No.Staff/16-Misc/97, dtd.4-11-97 (Annexure-I of the application).
- 6) That with regard to the statement made in paragraph 4.3 of the application, the respondents beg to state that the applicant could not immediately be appointed and absorbed after having been approved due to non-availability of vacancy. He was therefore kept in the waiting list along with other similarly situated candidates for absorption in turn on arising of vacancy. In response to the representation received from the mother of the applicant for absorption of the applicant, the respondents intimated the position to the applicant vide letter No.Staff/16-44/96, dtd.4-6-98 (Annexure 2 of the application) to the fact that the applicant's case would be considered as and when vacancy became available.
- 7) That with regard to the statement made in paragraph 4.4 of the application, the respondents beg to state that the contention made by the applicant to the fact that the respondents appointed the persons on compassionate ground whose cases were approved in the year 1998 to 1999 is not true. In fact, the respondents took steps for absorption of the approved candidates in Gramin Dak Sewak (GDS) posts vide order No.Staff/16-Rlg/88/part, dtd.14-8-2001

after dispensing and discontinuing of the waiting list of the approved candidates in pursuance of the instructions/guidelines issued by the Ministry of Personnel and Training, Govt. of India in their No.42012/4/2000-Estt(D) dtd.24-11-2000 circulated vide Postal Directorate No.37-16/2001 - SPB - I dated 25-7-2001. All the appointing authorities at field level were instructed with the list of the candidates who could not be appointed in departmental post as approved, to offer appointment in GDS post. The applicant was allotted to Guwahati Postal Division to offer him appointment in GDS post if he was willing. The Sr. Supdt. of POs, Guwahati called for willingness from the candidates including the applicant for acceptance of GDS post when offered vide No.B/A-Relaxation/Rlg/77-78 dated 18-12-2001. The applicant in reply vide his letter dated 31-12-2001 communicated his unwillingness to work as GDS. In view of this the applicant could not be appointed in GDS post also some of the similarly situated candidates who offered their willingness have been offered and appointed in GDS post as per suitability. Due to non-acceptance of the offer by the applicant some candidates placed below the applicant in the list could not get the appointment in the GDS post on their acceptance of the offer for GDS post. The applicant as a matter of right can not claim appointment in the Postal Asstt. cadre after the system of maintaining a waiting list of the approved candidates has been discontinued vide the Govt. of India, Ministry of Personnel and Training order dated 24-11-2000 mentioned above and consequent introduction of the scheme for absorption of the candidates from such discontinued list in GDS posts vide Department of Posts order dated 25-7-2002 mentioned above. (A copy of the order dated 14-8-2001, dated 24-11-2000 and dated 25-7-2001 are enclosed as Annexure-2,3 and 4 respectively and also a copy of the letter dated 18-12-2001 and 31-12-2001 are enclosed as Annexure-5 and 6 respectively).

8) That with regard to the statement made in paragraph 4.5 of the application, the respondents beg to state that prior to receipt of the order/guidelines of the Ministry and the Department regarding discontinuance of the waiting list of the approved candidates for compassionate appointment, attempt to explore opportunity for appointment of the applicant in a Army Postal Services was also made for which the applicant was asked to submit his willingness to serve in the Army Postal Service vide the letter dated 18-6-99 (Annexure-3 of the application). Due to non-availability of vacancy in APS too, the applicant could not be accommodated. The applicant made a representation on 10-4-2000 to the Hon'ble Minister of Communication, Govt. of India in this regard. A reply was sent to him on 3/10-7-2000 (Annexure-4 of the application) intimating the position of his case.

(24) 39

9) That with regard to the statements made in paragraph 4.6 of the application, the respondents beg to state that other departments were also consulted for absorbing the applicant for which he was asked to intimate his willingness to serve in other departments vide letter dated 13-3-2001 (Annexure-5 of the application). Unfortunately this effort did not also materialise due to inability to absorb the applicant in other department also.

10) That with regard to the statements made in paragraph 4.7 of the application, the respondents beg to state that the contention of the applicant to the fact that the persons approved for compassionate appointment in the year 1999 have been appointed ignoring him who was approved in 1997, is not correct. In fact, some of the candidates approved in 1999 and whose waiting list for appointment in departmental post has been discontinued as in the case of the applicant in pursuance of the Ministry/Department orders dated 24-11-2000 and 25-7-2001 (Annexure-3&4), have been appointed in GDS post on their acceptance of the offer in terms of the order dated 14-8-01 (Annexure-2). The applicant himself missed the opportunity by his refusal to accept the offer for a GDS post vide his letter dated 31-12-01 (Annexure-6). The contention of the applicant to the fact that he may be appointed against any of the 8(eight) vacant posts now available in Guwahati Division is not based on records nor has sanction of the existing rules of recruitment on compassionate ground. As per the scheme for compassionate appointment under Central Govt., compassionate appointment can be made upto a maximum of 5% of the vacancies falling under direct recruitment quota in any group C or D post. The claim of the applicant for absorption in the PA cadre against the present or future vacancies has no locus standi in view of the fact that he is no longer in any waiting list of approved candidates for appointment in PA cadre, since the system of keeping the waiting list has been discontinued w.e.f. 14-8-01 as per the policy framed by the Govt. of India (Annexure-3).

11) That with regard to the statement made in paragraph 4.8 of the application, the respondents beg to state that the applicant is no more in the waiting list for appointment in the PA cadre as the procedure to maintain such list has since been dismantled/ discontinued as explained in the foregoing paragraphs. The respondents on acting by the instructions/guidelines of the Govt. of India/Department, offered to the applicant a post of GDS which the applicant refused. The question of keeping him assured for appointment in PA cadre no longer arises as the wait listed

25  
40

candidates including the applicant have been offered of GDS post consequent to abolition/discontinuance of the waiting list and introducing the scheme of appointment of the then wait listed candidates in GDS post (Annexure-2 and 4) to mitigate the hardships of the affected candidates.

12) That with regard to the statement made in paragraph 4.9 of the application the respondents beg to state that to re-iterate the statements made in the foregoing paragraphs 4.7 and 4.8.

13) That with regard to the statement made in paragraph 4.10 of the application, the respondents beg to state that to re-iterate the facts stated in the foregoing paragraph No.1, 4.3, 4.7 and 4.8 The averment of the applicant to the fact that the respondents were vindictive to him is totally denied. The respondents are bound to follow the rules/guidelines framed by the Govt. of India/Department and acted bonafide accordingly. It is not true that the candidates approved and placed below the name of the applicant in the then waiting list were appointed in the PA cadre bypassing the case of the applicant.

14) That with regard to the statement made in paragraph 4.11 and 4.12 of the application, the respondents beg to state that the grounds narrated by the applicant are irrelevant to the matter and devoid of merit as the claim can not be entertained as per law and circumstances of the fact stated in the foregoing paragraphs.

15) That with regard to the statement made in paragraph 5.1 to 5.5 of the application, the respondents beg to state that the grounds stated by the applicant are not true, hence denied. It is added that the respondents offered to the applicant the post of GDS when he could not be appointed in PA cadre as approved due to non-availability of vacancy after the waiting list of the approved candidates was discontinued in pursuance to the Govt. order. The applicant refused to accept the appointment in GDS post for which the respondents can not be blamed. In view of this and on the circumstances of the fact stated in the foregoing paras, the application is devoid of a merit and hence liable to be dismissed.

16) That the respondents have not comments to the statements made in paragraph 6 and 7 of the application.

17) That with regard to the statement made in paragraph 8.1 to 8.4 of the application, the relief sought for by the applicant, the respondents pray that there is no cause of action and the application is devoid of any merit. Hence the applicant is not entitled to any relief sought for and hence the application is liable to be rejected.



18) That with regard to the statements made in paragraph 9 of the application, the respondents beg to state that grounds stated in the foregoing paragraphs in reply to the averments made by the applicant, the interim relief whatsoever prayed for by the applicant is not justified and permissible by rules and law established. Hence, the application is liable to be dismissed.

19) That the Respondents have no comments to the statement made in paragraph 10, 11 and 12 of the application.

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

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

I, S. Kamei, Senior Superintendent of Post Office, Guwahati Division, Meghdoot Bhawan, Guwahati-781001 being the duly authorised and competent to sign this verification do hereby solemnly affirm and state that the statements made in paragraphs / of the application are true to my knowledge and belief, those made in paragraphs 2<sup>14</sup>/15 + 16 being matter of record are true to my information derived there from and those made in the rest are humble submission before the Hon'ble Tribunal. I have not suppressed any material facts.

AND I sign this verification on this the 10 th day of March 2003, at Guwahati.

*S. Kamei*  
DEPONENT

Annex-1

"A"

37

- 8 -

38

5

## DEPARTMENT OF POST

OFFICE OF THE CHIEF POSTMASTER GENERAL; ASSAM CIRCLE; GUWAHATI-1

No. Staff/ 16 - MISC / 97

dated at Guwahati the 3rd Oct, 1997

A. On the recommendations of the Circle Selection Committee, the Chief Postmaster General, Assam Circle, Guwahati has been pleased to approve appointment of following applicants under relaxation of normal recruitment rules in PA/SA cadre.

It is clarified that the above cases have only been approved for recruitment under relaxation rules by the Circle Selection Committee and the said approval does not confer upon the approved applicants any right for immediate absorption as their appointment will be further subject to availability of vacancies as per the extant rules governing the recruitment under relaxation of normal rules.

Their appointment will further be subject to verification of their eligibility which will be verified by the appointing authorities from the original records vis-a-vis the eligibility criteria. Accordingly the approved applicants will be required to produce original certificates especially certificates of nationality, educational qualification, date of birth etc which will be verified personally by the appointing authorities regarding their genuineness before appointing them.

S1 No.	Name of candidate	Name of deceased official and address	Relationship
1.	Mrs Arati Pujari	Sri M K Pujari, Ex PA Barpeta HO	Wife
2.	Sri Bishnu Malakar	late Mukunda Malakar Ex Gr.D Karimganj	Son
3.	Syed Rafiqul Islam	Syed Abdul Kuddus Ex Postman, Chunari	Son
4.	Md Nazimuddin Ahmed	Md Naushad Ali Ahmed Ex Postman Guwahati GPO	Son
5.	Sri Nripen Tamuly	late J R Tamuly Ex Gr.D CO Guwahati	Son
6.	Miss Sharmila Brahma	late A N Brahma Ex Pman, Dhubri HO	Daughter.
7.	Sri Gunajit Pathak	late H P Pathak Ex Pman, Barpeta	Son

B. Following cases have been referred to the Directorate for consideration :-

1.	Sri Pradip Kr Dutta	late Subrata Dutta Ex MM SRO Dimapur.	Brother
----	---------------------	--	---------

Contd page..... 2

9 (78)

: 2 :

C. The cases of following candidates have been rejected after due consideration by the CSC :-

1. Sri Pradip Lal Dey
2. Shri Rupak Konwar
3. Sri Siddhartha S. Paul
4. Abdur Rahman Khan
5. Md Montaz Ali
6. Miss Sumita Dutta
7. Sri Rajib Kr Brahma
8. Sri Jitumoni Baruah

late Priyalal Dey  
Ex offtg OS, Cachar Dn  
late Dharmeswar Konwar  
Ex Mailpeon, Rajmai.  
late Mrinal Kt Paul  
Ex (PA) Salonibari SOA  
late Abdul Kadar Khan  
Ex Pman, Barpeta  
late Mahboob Ali  
Ex Stg Pman, Guwahati  
late D C Dutta  
Ex PA Dibrugarh  
Tikeswar Brahma  
Ex SPM Dootma SO  
Sri Bharat Ch Baruah  
Ex APM Jorhat HO

Son

Son

Son

Son

Son

Daughter

Son

Son

D. Other cases pertaining to PA/SA cadre have been found to be incomplete and have been referred back to Divisional Heads for expeditious completion.

( I C SARMA )  
APMG [ STAFF ]  
O/O CHIEF PMG, GUWAHATI.

Copy to :-

1-11. All Sr Supdt // Supdt of Post Offices, Assam Circle for information.

( I C SARMA )  
APMG [ STAFF ]  
O/O CPMG, GUWAHATI. - 781001.

Attended  
AKC  
Addl. Control Govt  
Standing Contact

10 Annexure 2 (29) (32)  
Amr-2 41

**DEPARTMENT OF POSTS: INDIA**  
**OFFICE OF THE CHIEF POSTMASTER GENERAL**  
**ASSAM CIRCLE: GUWAHATI-781001**

No.Staff/16-Rlg/88/Part

Dated at Guwahati, the 14<sup>th</sup> Aug, 2001

To

All Divisional Heads in Assam Circle.

Sub:-

Compassionate appointment proposal of candidates approved and wait-  
listed.

1. Directorate in consultation with Department of Personnel and Training has already Issued Instruction for discontinuation of waiting list of candidates approved for compassionate appointment. It was clearly mentioned that the maintenance of waiting list of approved candidates should immediately be discontinued if not already discontinued. In Dte in its letter No.24-1/2001-SPB.I dated 6.7.2001 circulated under this office letter of even number dated 31.7.2001 has directed that in future the committee for considering request for appointment on compassionate ground should take into account the position regarding availability of vacancy for such appointment and it should limit its recommendation for appointment only in a really deserving case against the vacancy meant for appointment on compassionate ground is available within a year and that too within the ceiling of 5% of vacancy falling under direct recruitment quota in any group-C or D posts prescribed in this regard. The practice of circulating names of the deserving applicants to other departments has also been discontinued.

2. In our circle we have got total 27 candidates for PA/SA, 16 candidates for Postman/Mailguard cadre and 47 candidates for Group-D cadre approved between 7.12.93 to 11.11.1999 and they are kept in the waiting list. Since wait-listing of candidates for compassionate appointment has been dispensed with, chance of absorption of these approved candidates in the waiting list against vacancies available within 5% ceiling of direct recruitment quota is remote. This may cause hardship to the approved candidates who have been waiting for quite a long period. In consideration of this aspect Directorate has decided to consider such wait-listed candidates for vacant posts of Gramin Dak Sewak if they are willing and eligible for the post. As per instruction of Dte you are therefore requested to offer GDS vacancies to the dependants of regular employees (group-C or D) who are already approved for appointment on compassionate ground and are still awaiting absorption for want of regular departmental vacancies as on 8.2.2001. Such approved candidates will however be appointed against GDS posts subject to their fulfilling all required conditions of recruitment like educational qualification etc. It will have to be made clear to the approved applicants that with their acceptance of GDS post they would have no further claim for appointment on any special consideration against regular departmental vacancies and that they would have to take their turn as per present departmental policy for GDS, in the matter of their appointment against future departmental vacancies. An undertaking in this regard must be obtained from these candidates before giving any appointment.

Contd

014

3. The list containing names of all the approved candidates is enclosed division-wise. You may take action to ascertain the willingness and choice of stations, if any, from the approved and wait-listed candidates for consideration of their appointment against vacant GDS post and necessary follow-up action may be taken for the above instructions. However, wherever required action to fill up GDS posts is already in progress that action may continue and these posts may not be offered to wait-listed candidates.

4. Offer of GDS posts to wait-listed candidates will be valid for one year and the scheme will be reviewed after one year. In the meantime, action taken report indicating number of GDS posts offered to wait-listed candidates and particulars of beneficiaries may be reported quarterly to this office beginning with quarter ending 30.9.2001, for onward transmission to Directorate.

Encl: AA

(A.N.D. Kachari)  
Chief Postmaster General  
Assam Circle, Guwahati-781001

Copy to :-

The Postmaster General, Assam Region, Dibrugarh-786001 for  
Information.

Chief Postmaster General  
Assam Region, Guwahati-781001

Attended  
Addl. Control  
Dibrugarh Connect

No. 42012/4/2000-Estt.(D)

Government of India

The Ministry of Personnel, PG & Pensions,

Department of Personnel and Training,

New Delhi

Dated: 11 November, 2000

OFFICE MEMORANDUM

Subject: Compassionate appointment proposal of Department of Posts for Relaxation of 5% limit

The undersigned is directed to refer to Department of Posts U.O. No. 24-1/99-SPB-I dt. 24.10.2000 on the above subject and to say that in U.K. Nagpal's case, the Supreme Court has held that as a rule appointments in public service should be made strictly on the basis of open invitation of applications and merits and appointment on compassionate grounds is an exception to the rule. Any such exception should, therefore, be made to the minimum possible extent say one or two per cent or maximum of five per cent and if it exceeds that it will no longer be an exception. Further any relaxation of the 5% limit even as a temporary measure will lead to bulk appointment on compassionate grounds which is bound to result in dilution of standards. As appointment on compassionate ground is not based on merit and it is also not through open competition it would, therefore, adversely affect the efficiency of the administration and hence would not be in public interest.

2. The scheme of compassionate appointment already provides for objective assessment of the financial conditions of the family. There is / was no provision for approving cases in the absence of vacancies for compassionate appointment and keeping them in the Waiting List. The Waiting List for compassionate appointment referred to in our (OM dated 9.10.98) does not refer to cases already approved for such appointment but those waiting for consideration and accommodation for such appointment by the competent authority. The question of consideration and accommodation would arise only if there is vacancy for that purpose. In any case, the competent authority in the office where there is a vacancy, to accommodate the applicant has to decide on the merits of the case. Hence, in the absence of vacancy, no useful purpose would be served by consideration and

13

24

approving and keeping the applicant's case in the Waiting List. Hence, the applicant has to be considered only when there is a vacancy to accommodate and that too by the competent authority in that office. It was, therefore, not correct on the part of the Department of Posts to have prepared a Waiting List of approved cases for appointment on compassionate grounds when there were not sufficient vacancies to accommodate them.

3. Any relaxation of 5% limit, even as a temporary measure, for making appointment on compassionate grounds will have repercussions in other Ministries/ Departments as it will lead to similar demands from them also and thus it will lead to bulk appointments on compassionate grounds in the Government of India at the cost of meritorious candidates who may also be equally deserving ones which will not be in the public interest.

5. Having regard to the above position, even on reconsideration, there is no scope for relaxing the ceiling of 5% even as a temporary measure for making appointments on compassionate grounds. It is, therefore, regretted that the proposal of Department of Posts for the same cannot be agreed to.

*[Signature]*  
(K.K.Jha)  
Director  
Tel. 301 1479

To  
Deptt. of Posts  
Shri A.K. Dash, Director (Staff)  
New Delhi

*[Signature]*  
M. C. Chakraborty  
17.11.57  
12.11.57  
S. (S. N. S.)

Annex-4 1480  
No. 37-16/2001-SPB-I  
Government of India  
Ministry of Communications.  
Department of Posts

30 JUL 2001  
Dak Bhavan, Sansad Marg  
New Delhi-110 001

Dated: 25<sup>th</sup> July, 2001

To

All Pr. CPMsG  
All CPMsG

Subject: Compassionate appointment proposal of candidates approved for the same who have been kept in the wait list prior to this office letter No. 24-1/99-SPB-I dated 8.2.2001. (16/e)

Sir/Madam,

(c) I am directed to attract your attention to this office letter No. 24-1/99-SPB-I dated 8.2.2001 on the above subject in which instructions were issued regarding discontinuation of waiting list of candidates approved for compassionate appointment in consultation with Department of Personnel & Training. It was mentioned in the above letter that as per the clarification given by the Department of Personnel & Training in their O.M. dated 24.11.2000, maintenance of the waiting list of approved candidates for compassionate appointment was to be discontinued immediately if not already discontinued and that the candidates whose names are already in the wait list for appointment on compassionate ground but who could not be appointed due to want of vacancies within 5% limit may be asked to express their willingness for consideration by other Ministries and their names should be circulated to other Ministries subject to their willingness.

(2) The Department of Personnel and Training in their O.M. No. 14014/18/2000-List. (I) dt. 22.6.2001 circulated vide this Office letter No. 24-1/20001-SPB-I dt. 6.7.2001 has directed that in future the Committee for considering request for appointment on compassionate grounds should take into account the position regarding availability of vacancy for such appointment and it should limit its recommendations to appointment on compassionate grounds only in a really deserving case and only if vacancy meant for appointment on compassionate grounds will be available within a year in the concerned administrative Ministry/Department/Office, that too within the ceiling of 5% of vacancies falling under DR quota in any Group 'C' or 'D' post prescribed in this regard. The practice of circulating names of the deserving applicants to other Ministries/Departments has been discontinued. (30/e)

Immate 12  
2097



15

49

32

3 Since wait listing of candidates for compassionate appointment has been dispensed with chance of absorption of the approved candidates kept in the waiting list against vacancies available within 5% ceiling of direct recruitment quota in this Department or elsewhere is remote. This may cause hardship to the approved candidates who have been waiting for some time. In consideration of these aspects, it has been now decided to consider such wait listed candidates for the vacant posts of Gramin Dak Sewaks if they are willing and eligible for the post. Therefore, you are requested to offer GDS vacancies to the dependents of regular employees (Group 'C' or Group 'D') who are already approved for appointment on compassionate grounds and are still waiting absorption for want of regular departmental vacancies as on 8.2.2001. Such approved candidates will, however, be appointed against GDS posts subject to their fulfilling required conditions of recruitment like educational qualifications, etc.. It will have to be made clear to the approved applicants that with their acceptance of the GDS posts, they would have no further claim for appointment on any special consideration against regular departmental vacancies and that they would have to take their turn as per present departmental policy for GDS, in the matter of their appointment against future departmental vacancies. An undertaking in this regard may be obtained from these candidates before giving any appointment.

4 Action may be taken to ascertain the willingness and choice of stations, if any, from the approved and wait listed candidates for consideration of their appointment against GDS posts and necessary follow up action may be taken as per the above instructions. However, wherever recruitment action to fill up GDS posts is already in progress, that action may continue and these posts may not be offered to waitlisted candidates.

5 Offer of GDS posts to waitlisted candidates will be valid for one year and the scheme will be reviewed after one year. In the meantime, action taken report indicating number of GDS posts offered to wait listed candidates and the particulars of beneficiaries may be reported quarterly to this Directorate beginning with quarter ending 30.9.2001.

Yours faithfully,

(A.K. Dash)  
Director (Staff)

Attested  
A.K. Dash  
Director (Staff)

Amma 5 16  
Amma 5

83



DEPARTMENT OF POSTS: INDIA  
OFFICE OF THE SR. SUPERINTENDENT OF POST OFFICES, GUWAHATI DIVN.  
MEGHDOOT BHAWAN 3RD FLOOR, GUWAHATI - 781001.

No. B/A-Relaxation/Rlg/77-78,

Dated at Guwahati the 18.12.2001.

To

All WL Candidates

Sub: Compassionate appointment proposal of candidates approved and wait listed -  
willingness for GDS Post.

A copy of C.O., Guwahati letter No. Staff/16-Rlg-88/Part, dated 14.8.2001 in c/w  
the above mentioned subject enclosed h/w for submission of your willingness/acceptance  
of GDS post to the office of the undersign on or before 31.12.2001.

No application will be accepted after 31.12.2001 at this end.

Encls.

As. Above.

Sr. Superintendent of Post Offices,  
Guwahati Division, Guwahati-781001

Attested  
PK Chakraborty

Asst. Central Govt.  
Standing Counsel

Annex 6

17

91

ANNEXURE - 6

34

To The Sr. Superintendent post office Rumbhat Divn  
Rumbhat - 782001

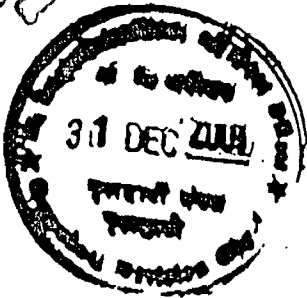
Ref- your letter No. B/A Relaxation /R/19/77-78  
dated - 18/12/2001  
dated Rumbhat the 31-12-01

Sub-: compassionate appointment proposal of emulit  
approved and wait distt'd willingness for C.D.S. 1A

Sir,  
with reference to your letter No. B/A -  
Relaxation /R/19/77-78 dated 18/12/2001.  
This is to inform you that I am not willing  
to work in C.D.S. Scheme as I have already  
approved in the post of PA grade under  
relaxation rule & vide approve letter No. ST/1/  
16/-MISC/97 dated 4-11-97

So I request you kindly consider my case  
as and when the vacancy is available under  
your disposal.

Attested  
H. Chandra  
Joint Control Officer  
Training Centre



Yours faithfully,  
Sd/- Naipom et Tomul  
S/o Late Juddha Ram Tomul  
P.O. Limbdiya Rumbhat - 782010

Attested  
(R.O.)  
Advocate.

34

কেন্দ্রীয় প্রশাসনিক আদালত Central Administrative Tribunal 29th MAY 2003 গুৱাহাটী ন্যায়দণ্ড Guwahati Bench	ROYAL INSURANCE 29th MAY 2003 MAY 2003 ROYAL INSURANCE
---	---

Filed by  
 the applicant through  
 Asha Das,  
 Advocate  
 29/5/03

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

OA NO. 376/02

Sri Nripen Tamuli  
..... Applicant

-VS-

Union of India & Ors.  
..... Respondents

REJOINDER TO THE WRITTEN STATEMENT FILLED BY THE RESPONDENTS

1. That the applicant has received the copy of the written statement and has gone through the same. Save and except the statement which are not specifically admitted hereinbelow, rests may be treated as total denial. The statements which are <sup>not</sup> borne <sup>on</sup> records, the respondents are put to the strictest proof thereof.
2. That with regard to the statement made in para 1 of the W.S. the applicant offers no comment on it.
3. That with regard to the statement made in para 2 of the WS the applicant while denying the contentious made therein begs to state that the applicant applied for appointment on compassionate ground in the Postal Assistant Cadre on 20.11.96. The case of the applicant was placed before the Circle Selection Committee (CSC) for consideration and recommendation. The CSC recommended the case of the applicant. The CPMG, Assam Circle, Guwahati

35 53

approved the name of the applicant for appointment in PA cadre under relaxation of normal recruitment rules and his name appeared at Serial No.5. After that the respondents issued an order dated 18.6.99 by which the willingness of the applicant was sought for enrollment in Army Postal Service to Civil Division after his such appointment. The applicant immediately placed his willingness to enroll himself in the Army Postal Service. The respondents after more than one year issued another order dated 3.7.2000 by which it has been communicated to the applicant that his case would be considered as and when vacancy arises. On 13.3.2001 the respondents issued another order asking the willingness of the applicant to work under any other department within or outside Assam. Immediately the applicant placed his willingness through his representation. When the applicant was waiting for his appointment, he received an order dated 18.12.2001 by which willingness was sought for from him in respect of GDS Post. The applicant in reply to that letter, he preferred representation expressing the fact that since his case had already been approved for appointment in the cadre of Postal Assistant in the year 1997, he was not willing to work in GDS scheme.

The applicant begs to state that in the order dated 14.8.2001 (Annexure-2 to the <sup>WS</sup> instruction is to discontinue the <sup>4</sup> waiting list of approved candidates. Discontinue means stop not cancel. The earlier list is still in existence, but no fresh name can be included in the said list. It is further stated that the wordings of the order is very clear that the approved applicants,

that with their acceptance of GDS post, they would have no further claim for appointment on any special consideration against regular departmental vacancies and they would have to take their turn as per present departmental policy for GDS in the matter of their appointment against future departmental vacancies. That is why there is a specific instruction that in this regard before giving any appointment against GDS post and undertaking must be obtained from the candidates.

4. That with regard to the statement made in para 3 of the W.S. the applicant while denying the contentious made therein begs to state that it is not true that there is no vacancy in PA cadre. The respondents have issued an advertisement showing requirement for the Post of Postal Assistant/Sorting Assistants in the various Postal/RMS Division under Assam Postal circle for the year 2001.

A copy of the said advertisement material is annexed herewith and marked as Annexure-RJ-1.

It is further stated that not only his juniors but also the persons whose names were recommended on 25.2.2003, have also been appointed in the PA/SA cadre. When there is strict instruction to discontinue the waiting list of approved candidates, the Respondents have issued an order bearing no.Staff/16-CSC/2002 dated 25.2.2003 by which 3 names have been approved and acting on that 2 persons from that list have been appointed in the PA/SA cadre. It is further stated that since there is a provision of maintaining list of approved candidate,

the action on the part of the respondents in appointing persons in pick and choose basis, is highly illegal and arbitrary.

A copy of the said order dated 25.2.2003 is annexed herewith and marked as Annexure- RJ-2.

5. That with regard to the statement made in para 4 & 5 of the WS the applicant offers no comment on it.

6. That with regard to the statement made in para 6 of the written statement the applicant while denying the contentious made therein begs to state that there was available vacancy and the respondents have been delaying the matter by issuing varies orders from time to time only with the sole intention to frustrate the claim of the applicant.

7. That with regard to the statement made in para 7 of the written statement the applicant while denying the contentions made therein begs to reiterate and reaffirm the statement made above as well as in the OA. It is further stated that as the appointment in the GDS Post is subject to willingness of the candidate and the post is temporary in nature, the applicant was not willing to work in the GDS post, because his case was approved in the year 1997 and his name was at serial no.5 in the said waiting list.

8. That with regard to the statement made in para 8 of the written statement the applicant while denying the contentions

made therein begs to reiterate and reaffirm the statement made above as well as in the OA.

9. That with regard to the statement made in para 10 to 13 of the written statement, the applicant while denying the contentions made therein begs to reiterate and reaffirm the statements made above as well as in the OA and begs to state that the appointment in GDS Post in subject to willingness of the candidate. The applicant has not missed the opportunity by refusing to accept the offer for GDS post. Since the GDS scheme is a conditional one, non-willing to work as GDS would not any way frustrate the claim of the applicant even on applying the Principle of waiver, and estoppel.

10. That with regard to the statement made in para 14 of the written statement the applicant while denying the contentions made therein begs to reiterate and reaffirm the statement made in the OA and begs to state that the applicant served under the respondents during 1987 to 1989 as a substitute in Kamakhya, SO, on casual basis and in that capacity he has completed more than 240 days of continuous service and as such his case is also required to be considered under the casual Labour (Grant of Temporary Status and regularisation) scheme of Postal Dept. for grant of temporary status and subsequent regularisation. This scheme was subsequently extended to the recruitees 10/9/93, percent to a judgment passed by the Hon'ble Ernakulam bench in OA No.750/94, and to that effect the respondents have issued an order dated 1.11.95.



A copy of the said scheme <sup>(extract)</sup> and some of his service particulars and the order dated 1.11.95 are annexed herewith and marked as Annexure- RJ- 3, RJ- 4 Colly and RJ- 5 respectively.

11. That with regard to the statement made in para 15 of the written statement the applicant while denying the contentions made therein begs to reiterate and reaffirm the statement made above and begs to state that there are valid grounds in the present OA and the Hon'ble Tribunal may be pleased to interfere the matter by allowing the application with cost.

12. That with regard to the statement made in para 16 of the written statement the applicant offers no comment on it.

13. That with regard to the statement made in para 16 of the written statement made in para 17 of the WS the applicant while denying the contentions made therein, begs to state that there is merit in the instant application wherein the Hon'ble Tribunal while entertaining the matter may be pleased to allow the present OA.

14. That with regard to the statement made in para 18 of the WS the applicant while denying the contentions made therein begs to reiterate and reaffirm the statement made above as well as in the OA.

2

15. That with regard to the statement made in para 19 of the written statement the applicant offers no comment on it.

16. That with regard to the statement made in para 20 of the written statement the applicant while denying the contentions made therein begs to rely and refer upon the statement made above as well as in the OA.

41 59

**VERIFICATION**

I, Sri Nripen Tamuli, aged about ..... years, son of late Juddharam Tamuli, resident of Kamakhya Temple, Guwahati, do hereby solemnly affirm and affirm and verify that the statements made in the accompanying application in paragraph 1, 2, 5, 6, 8, 9, 11 to 16 are true to my knowledge; those made in paragraphs 3, 4, 7, 10. .... being matters of records are true to my information derived therefore and the rest are my humble submissions before this Hon'ble Tribunal. I have not suppressed any material fact.

And I sign this verification on this the 29<sup>th</sup> day of May..., 2003.

SIGNATURE  
Sri Nripen Ch Tamuli

# - 9 -

## ANNEXURE - RI - 1 92

### 60

### ADVERTISEMENT MATERIAL

Department of Posts, Government of India, Assam Postal Circle requires Postal Assistants/ Sorting Assistants as indicated below in the scale of Rs. 4000-100-6000 + other allowances as admissible from time to time in the following Postal/RMS Divisions for the year 2001.

There are two categories of recruitment -

(a) for Postal/RMS Divisions.

(b) for deputation to Army Postal Service (APS).

Name of the Division	No. of vacancies								Application to be addressed to
	UR	OBC	SC	ST	ESM	PH	For APS	Total	
Guwahati Postal Dn	4	1	-	1	-	-	UR-1, OBC-1	8	Sr. Supdt of Post Offices, Guwahati Dn, Panbazar, Guwahati
Cachar Postal Dn	2	1	-	1	-	-	-	4	Sr. Supdt of Post Offices, Cachar Dn Trunk Road, Silchar
RMS 'S' Dn	2	-	-	1	-	-	-	3	Supdt RMS, 'S' Divn, Trunk Road, Silchar.
Goalpara Postal Dn	2	1	-	-	-	-	UR-1	4	Supdt of Post Offices, Goalpara Dn, D. K. Road, Dhubri.
Nalbari-Barpeta Dn	2	1	-	-	-	-	-	4	Supdt of Post Offices, Nalbari-Barpeta Dn, P.N.C. Road, Nalbari
Nagaon Postal Dn	3	3	-	-	-	-	UR-1, OBC-1	8	Supdt of Post Offices, Nagaon Dn, HPO Comp, Nagaon.
Darrang Postal Dn	2	-	-	1	-	-	UR-1	1	Supdt. of Post Offices, Darrang Dn Near HPO, Tezpur.
Sivasagar Postal Dn	8	3	-	-	-	-	UR-2	14	Supdt. of Post Offices, Sivasagar Dn., HPO Comp., Jorhat.
Tinisukia Postal Dn	3	2	-	-	-	-	UR-1	6	Supdt of Post Offices, Tinisukia Divn., HPO Comp., Tinisukia
Dibrugarh Postal Dn	5	2	-	-	-	-	UR-1	10	Supdt of Post Offices, Dibrugarh Divn., HPO Bldg, Dibrugarh.

(Vacancies are subject to change)

1. Scale of Pay :- Rs. 4,000-100-6000 + other usual allowances.

2. Age :- Between 18 to 25 years as on 25/09/2002

Upper age limit is relaxable for :

(i) SC/ST by 5 years, OBC by 3 years.

(ii) PH & ESM as admissible.

3. Educational Qualification :-

(i) 10 + 2 standard or 12<sup>th</sup> Class passed from a recognised University/Board of School Education or Board of Secondary Education with English as a compulsory subject (excluding vocational stream).

(ii) Knowledge of local language of the State concerned is an essential qualification. The candidate should have studied the local language as a subject at least upto Matriculation or equivalent level.

Higher qualification with or without passing 10 + 2/12<sup>th</sup> class standard examination, percentage of marks most beneficial to the candidate would be taken into account for the purpose. For ex-servicemen, pass in Matriculation or the equivalent examination. Ex-servicemen, which term includes as ex-servicemen who have obtained the Special Certificate of Indian Army, Navy or Air Force of the Union.

4. Method of selection :-

(i). A merit list of the candidates swill be prepared on the basis of marks obtained by them in aggregate after calculating the same in the manner indicated below. The aggregate will consist of 100 marks only.

Attested

h. Don

Advocate.

Contd. - 2

- (a) Marks obtained by the candidates in 10 + 2/12<sup>th</sup> class examination will be given 40% weightage. For example, if a candidate has obtained say 70% marks in 10 + 2/12<sup>th</sup> class, he would be awarded 40% of 70 i.e. 28 marks for the purpose of preparing of merit list.
- (b) 5 marks each for type writing and computer would be awarded provided the candidate produce certificate and appears lists.
- (c) A merit list of all the candidates on the basis of the above 3 components would be prepared and 5 times the number of vacancies, the candidates would be called for test of objective type as well as for oral interview. The objective type test would consist of 30 questions of one mark each relating to general knowledge and reasoning. This component of selection process would carry 30% weightage. The test will be of one hour duration and reasoning as well as G.K. would carry 15 marks each.

(II) 20% weightage will be given to the performance of the candidate in an oral interview, which would be of 20 marks.

(III) A selection list of the candidates will then be prepared in the descending order of merit by totalling the marks obtained by the candidates in all the components as indicated above.

5. Period of training :-

Selected candidates will undergo Institutional Training & Practical as directed by the Department and for APS candidates as directed by APS Authority.

6. Disqualification :-

No person - (a) who has entered into or contracted a marriage with a person having a spouse living or (b) who having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the said post.

7. How to apply :-

Application in the form as prescribed below and filled in English should be addressed to the concerned Divisional Heads as mentioned above. The cover containing application should be superscribed "APPLICATION FOR RECRUITMENT OF POSTAL ASSTT/SORTING ASSTT 2001". Last date of receipt of application is 25/09/2002

8. Special attention to the applicant :-

- The candidate must apply only for one division mentioned above.
- Employment Exchange Registration No. which should be current at the time of application (photo copy to be attached).
- Community/Caste Certificate in the prescribed form issued by the competent SC/ST/OBC. Certificate in other form signed by officer other than prescribed authority will not be accepted.
- There is no transfer liability anywhere in the country under special or general circumstances.
- Any person appointed to the said post be liable to serve in the Army Postal Services (APS) in India or abroad as and when required.
- The candidates who apply for APS will be selected exclusively.

9. Special attention to the applicants (for deputation to APS) :-

- The vacancies are open only for male.
- The selected candidates will have a liability to serve in the APS for as long as their services are required by APS, upto maximum age of 54 years.
- The candidates will have to fulfil the required medical and physical standards prescribed by the Army Headquarters. The selected candidates will be governed by Army Act/Army Rules during their service in APS. The rank will be Warrant Officer.
- The candidates who have opted for APS should produce a medical certificate indicating that they fulfil the minimum physical standards as prescribed below :-  
 Height - 157 cms (in respect of candidates from Assam, Meghalaya, Mizoram & Hill region of West Bengal, the maximum height is 152 cms.)  
 Weight - 50 Kg.  
 Chest - 77 cms.
- The candidates are free to apply for both Divisional as well as APS vacancies.
- The candidate selected for APS will have to undergo a medical examination under Army.
- During military training if a candidate is found to be 'unlikely to become an efficient soldier', his training will be terminated. Such candidates will not have any right to claim appointment in their civil division.
- Candidates found unfit on medical and physical examination will have no right to claim appointment in the Postal/RMS Division concerned.

44 62

- 11 -

ANNEXURE - RT-2

DEPARTMENT OF POSTS  
OFFICE OF THE CHIEF POSTMASTER GENERAL ASSAM CIRCLE:  
GUWAHATI-781001

No.Staff/16-CSC/2002

Dated at Guwahati the 25.2.03

Consequent upon the recommendations of the Circle Selection Committee, the CPMG, Assam Circle, Guwahati is pleased to approve absorption of the following applicants under relaxation of normal recruitment rules in PA/SA cadre, Postman cadre and Group 'D' cadre against the vacancies of Direct Recruitment quota for 2001 available in the Division shown against each.

The appointment will however, be subject to verification of the eligibility which will be verified personally by the appointing authorities from the original records vis-a vis the eligibility criteria. The appointing authority/divisional heads to whom the approved candidates are allotted, will collect the required documents of the candidates from the concerned divisions.

Cadre	Sl. No	Name of candidates	Name of deceased/Invalid official and relationship with the candidates	Division allotted
(1)	(2)	(3)	(4)	(5)
PA/SA cadre	1 ✓	Smt. Hiramoni Halol	D/O Late Hara kanta Halol, Ex: Postman Guwahati GPO 3-10-78	Guwahati (P) Dn.
	2	Sri Babul Boro	S/O Late Rabindra Boro, Ex.SA (BCR) SRO, Rangia under 'GH' RMS Dn.	Goalpara Dn.
	3 ✓	Miss Lalita Boro	D/O Late Ajit ch. Boro, Ex. SA (BCR) SRO Rangia under 'GH' RMS Dn. /aa	Guwahati (P) Dn.
Postman Cadre	1	Sri Rituparna Rajkhowa	S/O Late Hiteswar Rajkhowa, PA, Tinsukia	Tinsukia Dn.
Group 'D' Cadre	1	Sri Sukanta Roy	S/O Late Suklal Namasudra, Postman, Cachar Dn.	Darrang Dn.
	2	Smt. Ila Harijan	W/O Late Rampiyari Harijan, Gr'D Tinsukia H.O.	Tinsukia

Attested  
[Signature]  
Advocate.

The divisional heads should inform the date of their joining to this office.

The cases of above mentioned candidates were considered by the CSC alongwith those mentioned in the enclosed list and selection was made on the basis of merit of the cases subject to availability of vacancies. The names mentioned in the enclosed list could not be considered as there is no other vacancy in any cadre.

(S.SHYAM)  
A.P.M.G.(Staff)  
For Chief Postmaster General,  
Assam Circle, Guwahati-781001.

Copy for information and necessary action to :-

- 1 The PMG, Dibrugarh
- 3 All SSPOS/SRM/SPOS/SSRM/MMS in Assam Circle & Dibrugarh Region.  
Concerned file.

For Chief Postmaster General,  
Assam Circle, Guwahati-781001.

Attested  
H.D.  
Advocate.

- 64 - 13 -
- (i) NTC Group 'D' officials.
  - (ii) EDAs of the same Division.
  - (iii) Casual labourers (full-time or part-time. For purpose of computation of eligible service, half of the service rendered as a part-time casual labourer should be taken into account. That is, if a part-time casual labourer has served for 480 days in a period of 2 years he will be treated, for purposes of recruitment, to have completed one year of service as full-time casual labourer).
  - (iv) EDAs of other divisions in the same Region.
  - (v) Substitutes (not working in Metropolitan cities).
  - (vi) Direct recruits through employment exchanges.

NOTE.—Substitutes working in Metropolitan Cities will, however, rank above No. (iv) in the list.

[ G.I., Dept. of Posts, Lr. No. 65-24/88-SPB. I, dated the 17th May, 1989. ]

2. **Casual Labourers (Grant of Temporary Status and Regularization) Scheme.**—In compliance with the directions of the Hon'ble Supreme Court a scheme was drawn up by this Department in consultation with the Ministries of Law, Finance and Personnel and the President has been pleased to approve the said scheme. The scheme is as follows:—

1. 'Temporary Status' would be conferred on the casual labourers in employment as on 29-11-1989 and who continue to be currently employed and have rendered continuous service of at least one year; during the year they must have been engaged for a period of 240 days (206 days in the case of offices observing five days week).

2. Such casual workers engaged for full working hours, viz., 8 hours including ½ hour's lunch time will be paid at daily rates on the basis of the minimum of the pay-scale for a regular Group 'D' official including DA, HRA and CCA.

3. Benefit of increment at the same rate as applicable to a Group 'D' employee would be taken into account for calculating per month rate wages, after completion of one year of service from the date of conferment of Temporary Status. Such increment will be taken into account after every one year of service subject to performance of duty for at least 240 days (206 days in establishments observing five days week) in the year.

4. Leave entitlement will be one day for every 10 days' of work. Casual leave or any other kind of leave, except maternity leave, will not be admissible. No encashment of leave is permissible on termination of services for any reason or on the casual labourers quitting service.

5. Maternity leave to lady full time casual labourers will be allowed as admissible to regular Group 'D' employees.

Attested  
Wson  
Scribe.

6. 50% of the service rendered under Temporary Status would be counted for the purpose of retirement benefits after regularization as a regular Group 'D' official.

7. Conferment of Temporary Status does not automatically imply that the casual labourers would be appointed as a regular Group 'D' employees within any fixed time frame. Appointment to Group 'D' vacancies will continue to be done as per the extant recruitment rules, which stipulate preference to eligible ED employees.

8. After rendering three years' continuous service after conferment of temporary status, the casual labourers would be treated at par with temporary Group 'D' employees for the purpose of contribution to General Provident Fund. They would also further be eligible for the grant of Festival Advance/Flood Advance on the same conditions as are applicable to temporary Group 'D' employees, provided they furnish two sureties from permanent Government servants of this Department.

9. Their entitlement to Productivity-Linked Bonus will continue to be at the rate applicable to casual labourers.

10. Temporary status does not debar dispensing with the service of a casual labourer after following the due procedure.

11. If a labourer with temporary status commits a misconduct and the same is proved in an enquiry after giving him reasonable opportunity, his services will be dispensed with.

12. Casual labourers may be regularized in units other than recruiting units also, subject to availability of vacancies.

13. For purpose of appointment as a regular Group 'D' official, the casual labourers will be allowed age relaxation to the extent of service rendered by them as casual labourers.

14. The casual labourers can be deployed anywhere within the recruitment unit/territorial circle on the basis of availability of work.

15. The engagement of the casual labourers will continue to be on daily rates of pay on need basis.

16. The conferment of temporary status has no relation to availability of sanctioned regular Group 'D' posts.

17. No recruitment from open market for Group 'D' posts except compassionate appointments will be done till casual labourers with the requisite qualification are available to fill up the posts in question.

Further action may be taken in regard to the casual labourers by each unit, as per the above-said scheme. This issues with the approval of Ministry of Finance and concurrence of Integrated Finance, vide their Dy. No. 1282-FA/91, dated 10-4-1991.

[ G.I., Dept. of Posts, Lr. No. 45-85 S7-SPB. I, dated the 12th April, 1991. ]



भारतीय डाक विभाग  
DEPARTMENT OF POSTS, INDIA

(देखिए नियम 267, डाक-गार वित्त पुस्तिका का खण्ड I, द्वितीय संस्करण)  
(See Para 267, Post and Telegraphs Financial Handbook, Volume I.)

Charge Report and Receipt Form

प्रमाणित किया जाता है कि  
Certified that the charge of the office of E DDA/Kannadhyr

चाज ..... (नाम) ने .....  
was made over by (name) Gaddhry Ram Jarmuli EDDA

(नाम) को .....  
to (name) Nripen Jarmuli EDDA स्थान  
at (place) Kannadhyr

सारीख ..... को .....  
अपराह्न में

on the (date) 21/3/87 fore noon in accordance with

Vide B-2 D.D. B-2 B-2

Packed on 27/4/87

A.S. 2018, Hrg-W

सं. 812 तारीख 27/4/87

के अनुसार दे दिया S. S. DYN  
from

Gaddhry Ram Jarmuli Sri Nripen Jarmuli

भारमुक्त अधिकारी  
Relieved Officer

भारमुक्त अधिकारी  
Relieving Officer

[ह.प.उ.  
P.T.O.]

213

213

Attested

Advocate.

86

प्रमाणित किया जाता है कि आज के दिन इस कार्यालय की अनेक पुस्तकों के बकाया (स्टॉक पुस्तक और रजिस्ट्रों समेत) और लेखाओं की जांच की और उन्हें ठीक पाया।

\*Certified that the balances of this date of the several books (including Stock Book and Registers) and accounts of the office have been checked and found correct.

प्रमाणित किया जाता है कि निम्नलिखित बकाया मुझे आरम्भक अधिकारी ने सौंप दिया और मैं इसके लिए जिम्मेदार हूँ।

\*Certified that the balances as detailed below were handed over to me by the Relieved Officer and I accept the responsibility for the same.

रु०  
Rs. P.

(अ) नकदी/Cash

(ब) अग्रदाय टिकट/Stamp Imprest

जिसमें ये शामिल हैं :—

Made up of :—

(1) टिकट/Stamps

(2) नकदी/Cash

आरम्भक अधिकारी  
Relieved Officer

आरोग्यकारी अधिकारी  
Relieving Officer

तारीख  
Dated the

19 19

ForWARDED to

N. R. P. N. D. A. T. A. M. V. H. N. S. 3

\*जब प्रमाण-पत्र की आवश्यकता न हो तो इसे काट दिया जाए।  
\*The Certificate when not actually required may be scored through.

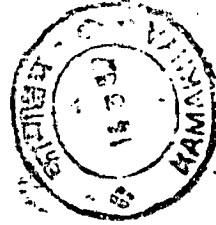
प्रमाण-पत्र :—792/पोस्ट/55—13-3-56—30,00,000.  
MGIPNLK—792/Post/55—13-3-56—30,00,000.

[28-00/68-MI]

Advocate.

प्र.सं.जी.०-६१  
A.C.G.-६१

भारतीय डाक विभाग  
DEPARTMENT OF POSTS, INDIA



3.15 Post Master (देखिए नियम 267, डाक-नार दित्त दृष्टिकोण का खण्ड I, द्वितीय संस्करण)  
(See Rule 267, Posts and Telegraphs Financial Handbook, Volume I, Second Edition)

3.15 Post Master  
Gazetted - 751010

चार्ज की बदली पर चार्ज रिपोर्ट और नकदी और टिकटों की रसीद  
Charge Report and Receipt for cash and stamps on transfer of charge

प्रमाणित किया जाता है कि  
Certified that the charge of the office of **EDDA I K MK**

चार्ज ..... (नाम) ने .....  
was made over by (name) **Mr. P. N. Jamuli.**

(नाम) को ..... स्थान  
to (name) **Goldhyr Ram Jamuli** at (place) **Konark**

तारीख ..... को पूर्वाह्न में  
on the (date) ..... forenoon

14/3/87... forenoon in accordance with  
B/2 A. B. Sharma dt. 27/2/87 from ASD's P. N. - W.  
Sub. D. N. P. N. - 3

सं. तारीख  
No. Dated

**Mr. P. N. Jamuli**

भारतमुक्त अधिकारी  
Relieved Officer

14/3/87

के अनुसार दे दिया :  
from

**Goldhyr Ram Jamuli**

भारतमुक्त अधिकारी  
Relieving Officer  
14/3/87  
[P.T.O.]

Advocate.

50

प्रमाणित किया जाता है कि आज के दिन इस कार्यालय की अनेक पुस्तकों के बकाया (स्टॉक बुक और रजिस्ट्रों समेत) और लेखाओं की जांच की ओर उन्हें ठीक पाया।

\*Certified that the balances of this date of the several books (including Stock Book and Registers) and accounts of the office have been checked and found correct.

प्रमाणित किया जाता है कि निम्नलिखित बकाया गूने भारमुक्त अधिकारी ने सौंप दिए और मैं इसके लिए जिम्मेदार हूँ।

\*Certified that the balances as detailed below were handed over to me by the Relieved Officer and I accept the responsibility for the same.

Rs. 10

(अ) नकदी/Cash

(ब) अप्रदाय टिकट/Stamp Imprest

जिनमें से शामिल है:—

Made up of:—

(1) टिकट/Stamps

(2) नकदी/Cash

भारमुक्त अधिकारी  
Relieved Officer

भारीप्राप्ती अधिकारी  
Relieving Officer

दिनांक

19

Dated the

19

Forwarded to

N. R. Pen. Jamul

को भेजा गया।

\*जब प्रमाण-पत्र की आवश्यकता न हो तब इसे काट दिया जाए।

\*The Certificate when not actually required may be scored through.

संख्या—792/पं.नं. 85—13-3-86—30,00,000.

[28-90/68-M1]

MGIPNLK—792/Post 85—13-3-86—30,00,000.

Em  
N. R. Pen  
J. R. Pen

ए०सी०जी०-61  
A.C.G.-61

- 18 - (41)



भारतीय डाक विभाग  
DEPARTMENT OF POSTS, INDIA

(देखिए नियम 267, डाक-तार वित्त पुस्तिका का खण्ड I, द्वितीय संस्करण)  
(See Rule 267, Posts and Telegraphs Financial Handbook, Volume I, Second Edition)

चार्ज की बदली पर चार्ज रिपोर्ट और नकदी और टिकटों की रसीद  
Charge Report and Receipt for cash and stamps on transfer of charge

प्रमाणित किया जाता है कि  
Certified that the charge of the office of **EDDA**

चार्ज ..... (नाम) ने .....  
was made over by (name) **Joddhya Ram Tamuli**

(नाम) को ..... स्थान  
to (name) **Shri Nripen Tamuli** at (place) **Kank**

तारीख ..... को पूर्वाह्न में  
on the (date) **4/4/87** fore noon in accordance with  
~~after~~

सं० ..... तारीख ..... के अनुसार दे दिया ।  
No. Dated from  
**Vide B-2/P-nam dt 6.4.87**  
**Shri Nripen Tamuli**  
भारतीय डाक अधिकारी  
Relieving Officer  
from **ASD'S Gancher** **4/4/87**  
**P.T.O.**

Noted  
H.D. on  
- 10/10/87

70

\*प्रमाणित किया जाता है कि बाज के दिन इस कार्यालय की अनेक पुस्तकों के वकाया (स्टॉक पुस्तक और रजिस्ट्रों समेत) और लेखाओं की जांच की और उन्हें ठीक पाया।  
 \*Certified that the balances of this date of the several books (including Stock Book and Registers) and accounts of the office have been checked and found correct.

\*प्रमाणित किया जाता है कि निम्नलिखित वकाया मुझे भारमुक्त अधिकारी ने सौंप दिए और मैं इसे लिए जिम्मेदार हूँ।  
 \*Certified that the balances as detailed below were handed over to me by the Relieved Officer and I accept the responsibility for the same.

रु०  
Rs. P.

- (अ) नकदी/Cash
- (ब) अफ़दाय टिकट/Stamp Imprest

जिसमें वे शामिल है :—  
 Made up of :—

- (1) टिकट/Stamps
- (2) नकदी/Cash

भारमुक्त अधिकारी  
 Relieved Officer

भारग्रही अधिकारी  
 Relieving Officer

दिनांक  
 Dated this 19

Forwarded to.....को भेजा गया।

\*यदि प्रमाण-पत्र की आवश्यकता न हो तो इसे काट दिया जाए।  
 \*The Certificate when not actually required may be scored through.

वकाया नं०—792/पोस्ट/85—13-3-86—30,00,000.  
 NO. 792/Post/85—13-3-86—30,00,000.

[28-90/68-M1]

Attest  
 W. D. An  
 Advocate.

- 20 -

ए०सी०जी०-६  
A.C.G-6K

A.C.G. 6X

**Sub-Postmaster**

RECEIVED

~~CONFIDENTIAL~~ Rule

भारतीय डाक विभाग  
DEPARTMENT OF POSTS, INDIA

DEPARTMENT OF POSTS, INDIA

प्रमाण 267, हाक-तार वित्त पुस्तिका का खण्ड I, द्वितीय संस्करण)

See Rule 267, Posts and Telegraphs Financial Handbook, Volume I.  
(Second Edition)

चार्ज को बदलो पर चार्ज रिपोर्ट और नकदी जोर टिकटों की रसीद  
Charge Report and Receipt for cash and stamps on transfer of charge

Charge Report and Receipt for cash and stamps on transfer of charge

प्रमाणित किया जाता है कि

Certified that the charge of the office of **EDDA**

..... (नाम) ने .....  
was made over by (name) Narfen Garmali.

was made over by (name) Noripon Gernali.

(नाम) को to (name) Juddhyn Ram Samuli स्थान at (place) Kametahyn

to (name) Juddlyn Rene Jernigan at (place) at home

जारीब ..... को पूर्वार्द्ध में  
on the (date) 15/6/87 fore noon in accordance with

on the (date) 15/6/87 <sup>fore</sup>~~after~~ noon in accordance with

चं. 02/R No. 6-4-87 ASP's, [unclear] W. Sub DYN  
 No. [unclear] Dated [unclear] के लिए आर दे दिया ।  
 from [unclear]

No. 5211-1-10 Dated 5/19/81 from

See Note N' Comm. for details  
 भारमुक्त अधिकारी  
 Relieved Officer

भारमुक्त अधिकारी  
Relieved Officer

Relieved Officer

भा.स.ग.ही. अधिकारी  
Relieving Officer

Relieving Officer

41

157518 [K. P. O.]

P.T.O.

Attested  
w/son  
advocate.

*W.D.*

54

प्रमाणित किया जाता है कि आज के दिन इस कार्यालय की अनेक पुस्तकों के बकायों  
(स्टॉक पुस्तक और रजिस्ट्रों समेत) और लेखाओं की जांच की गई है और सही ठीक पाया।  
\*Certified that the balances of this date of the several books (including  
Stock Book and Registers) and accounts of the office have been checked  
and found correct.

प्रमाणित किया जाता है कि निम्नलिखित बकाया मुझे सौंपा गया और मैं इसके लिए जिम्मेदार हूँ।  
\*Certified that the balances as detailed below were handed over to me  
by the Relieved Officer and I accept the responsibility for the same.

रु.  
Rs.  
प.  
P.

- (अ) नकदी/Cash
- (ब) अग्रदाय टिकट/Stamp Imprest

जिसमें ये शामिल है —  
Made up of :—

- (1) टिकट/Stamp
- (2) नकदी/Cash

निराश्रित अधिकारी  
Relieved Officer

संस्थापक अधिकारी  
Relieving Officer

तारीख 19  
Dated the 19  
Forwarded to Mr. P. S. Garmali को सौंपा गया।

\*जब प्रमाण-पत्र की आवश्यकता न हो तो इसे काट दिया जाए।  
\*The Certificate when not actually required may be scored through.  
प्रमाण-पत्र—792/पोस्ट/85—13-3-86—30,00,000.  
MGIPNLK—792/Post 85—13-3-86—30,00,000.  
(28-50-65-MI)

Attested  
Advocate.



ए० सी० जी०-61  
A.C.G.-61

भारतीय डाक विभाग  
DEPARTMENT OF POSTS, INDIA

(देखिए नियम 267, डाक-तार वित्त पुस्तिका का खण्ड I, द्वितीय संस्करण)  
(See Rule 267, Posts and Telegraphs Financial Handbook, Volume I,  
Second Edition)

चार्ज की बदली पर चार्ज रिपोर्ट और नकदी और टिकटों की रसीद  
Charge Report and Receipt for cash and stamps on transfer of charge

प्रमाणित किया जाता है कि  
Certified that the charge of the office of E D D A

चार्ज..... (नाम) ने  
was made over by (name) Juddha Ram Tamuli

(नाम) को  
to (name) Nripen Tamuli

स्थान  
at (place) Kank

[तारीख]..... को पूर्वाह्न में  
on the (date) 4/7/87 fore noon in accordance with  
after

B/2 - P. R. B. dt 1/7/87 ASSH. Supdt

हो. तारीख of P.O.s of Kank के अनुसार दे दिया।  
No. Dated W/ sub. on from

Juddha Ram Tamuli Sri Nripen Tamuli

भारतमूक्त अधिकारी  
Relieved Officer

भारतमूक्त अधिकारी  
Relieving Officer

1/7/87  
Post Master  
Kamakhyia,  
Guwahati - 781001  
[P.T.O.]

Attested

Advocate

44

प्रमाणित किया जाता है कि आज के दिन इस कार्यालय की अनेक किस्तें (संलग्न पुस्तकें और रजिस्ट्रों सहित) और लेखाओं की जांच की और उन्हें ठीक पाया।  
 Certified that the balances of this date of the several books (including Stock Book and Registers) and accounts of the office have been checked and found correct.

प्रमाणित किया जाता है कि निम्नलिखित बकाया मुझे भारमुक्त अधिकारी ने सौंप दिया और मैं इसके लिए जिम्मेदार हूँ।  
 Certified that the balances as detailed below were handed over to me by the Relieved Officer and I accept the responsibility for the same.

रु.  
Rs.  
रु.  
P.

(अ) नकदी/Cash

(ब) अमदाव टिकट/Stamp Imprest

जिसे ये शामिल है:—  
 Made up of:—

- (1) टिकट/Stamps
- (2) नकदी/Cash

भारमुक्त अधिकारी  
 Relieved Officer

भारही अधिकारी  
 Relieving Officer

दिनांक 19  
 Dated the 19  
 Forwarded to Gudhiga Ram Laxmi भेजा गया।

\*यह प्रमाण-पत्र की आवश्यकता न हो तो इसे काट दिया जाए।  
 \*The Certificate when not actually required may be scored through.

संख्या—792/नंदा/85—13-3-86—30,00,000.  
 [23-90/63-MI]  
 G.P.N.R.—792/नंदा/85—13-3-86—30,00,000.

After  
 W.A.N.  
 Advoc.

57  
25

- 24 -

ए० सी० जी०-61  
A.C.G.-61

भारतीय डाक विभाग  
DEPARTMENT OF POSTS, INDIA



(देखिए नियम 267 डाक-तार वित्त पुस्तिका का खण्ड I, द्वितीय संस्करण)  
(See Rule 267, Posts and Telegraphs Financial Handbook, Volume I, Second Edition)

चार्ज की बदली पर चार्ज रिपोर्ट और नकदी और टिकटों की रसीद  
Charge Report and Receipt for cash and stamps on transfer of charge  
Sub Post Master, 781010 प्रमाणित किया जाता है कि  
Certified that the charge of the office of E.D.D.A. का

चार्ज .....  
was made over by (name) Nripen Jarmut

(नाम) को .....  
to (name) Guddhyan Ram Jarmut

स्थान Kamakhya  
at (place)

[चार्ज] ..... को पूर्वाह्न में  
..... अपराह्न में  
on the (date) 23/12/87 fore noon in accordance with  
after

नं० B2/P.2 23/12/87 ASPD Sub Dn  
Date from

Sri Nripen Ch Jarmut Guddhyan Ram Jarmut

भारतपूर्व अधिकारी  
Relieved Officer

कार्याही अधिकारी  
Relieving Officer

23/12/01

(176)

23/12/87 P.T.O.

AMLE  
Wan  
Ch...

26

58

- 25

प्रमाणित किया जाता है कि आज के दिन इस कार्यालय की अनेक वस्तुओं के बकाया (Stock Books and Registers) और लेखाओं की जांच की और उन्हें ठीक पाया।  
 Certified that the balances of this date of the several books (including Stock Books and Registers) and accounts of the office have been checked and found correct.

प्रमाणित किया जाता है कि निम्नलिखित बकाया मुझे भारनुक्त अधिकारी ने हस्तान्तरित कर दिया है।  
 Certified that the balances as detailed below were handed over to me by the Relieved Officer and I accept the responsibility for the same.

Rs.

P.

(अ) नकदी/Cash

(ब) अक्षय टिकट/Stamp Impres:

बिस्तर के सामान है:—  
 Made up of:—

- (1) टिकट/Stamps
- (2) नकदी/Cash

भारनुक्त अधिकारी  
 Relieved Officer

भारप्राप्त अधिकारी  
 Relieving Officer

तारीख  
 Dated the

19

G. R. Jamali

Forwarded to

को भेजा गया।

\* जब प्रमाण-पत्र की आवश्यकता न हो तो इसे काट दिया जाए।  
 \*The Certificate when not actually required may be scored through.

प्रमाणपत्र—792/पेस्ट/१५—13-3-86—30,00,000.  
 MGPINX—792/Posts/75—13-3-86—30,00,000.

[25-90/63-MI]

Attester  
 W. S. on  
 Advocate.

59  
72

26 - (150)

ए०सी०जी०-६१  
A.C.G.-61

भारतीय डाक विभाग  
DEPARTMENT OF POSTS, INDIA

(देखिए नियम 267, डाक-तार वित्त पुस्तिका का खण्ड I, द्वितीय संस्करण)  
(See Rule 267, Posts and Telegraphs Financial Handbook, Volume I, Second Edition)

चार्ज की बशली पर चार्ज रिपोर्ट और नकदी और टिकटों की रसीद  
Charge Report and Receipt for cash and stamps on transfer of charge

18/4  
Sub Post Master,  
Kamakhya,  
Guwahati-781010

प्रमाणित किया जाता है कि  
Certified that the charge of the office of

EDDA/Kamakhya

was made over by (name) Guddha Ram Tamuli (नाम) ने

(नाम) को  
to (name) Nripam Tamuli  
तारीख ..... को पूर्व (Nominnee)

स्थान  
at (place) Kamakhya

on the (date) 18/4/88 fore noon in accordance with ASP/BH-421  
after

च०. तारीख  
No. A1/Kamakhya Dated 18/4/88  
Guddha Ram Tamuli  
भारमुक्त अधिकारी  
Relieved Officer  
18/4/88

के अनुसार दे दिया।  
from  
Nripam Tamuli  
भारमुक्त अधिकारी  
Relieving Officer  
18/4/88  
P.T.O.

Advocate.

78

60 -  
- 27 -  
\*प्रमाणित किया जाता है कि आज के दिन इस कार्यालय की अनेक पुस्तकों के बकाया (स्टॉक पुस्तक और रजिस्ट्रों समेत) और लेखाओं की जांच की और ठीक पाया।

\*Certified that the balances of this date of the several books (including Stock Book and Registers) and accounts of the office have been checked and found correct.

\*प्रमाणित किया जाता है कि निम्नलिखित बकाया मुझे भारमुक्त अधिकारी ने सौंप दिया और मैं इनके लिए जिम्मेदार हूँ।

\*Certified that the balances as detailed below were handed over to me by the Relieved Officer and I accept the responsibility for the same.

रु०  
Rs.

प०  
P.

(अ) नकदी/Cash

(ब) अग्रदाय टिकट/Stamp Imprest

जिसमें ये शामिल है:—

Made up of:—

(1) टिकट/Stamps

(2) नकदी/Cash

भारमुक्त अधिकारी  
Relieved Officer

भारीग्रही अधिकारी  
Relieving Officer

तारीख

Dated the

Forwarded to *Secy. Guddeh Ram Tamuli* को भेजा गया।

\*जब प्रमाण-पत्र की आवश्यकता न हो तो इसे काट दिया जाए।

\*The Certificate when not actually required may be scored through.

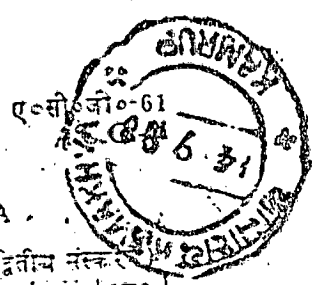
प्रमाण-पत्र—792/पोस्ट्स/85—13-3-86—30.00.000.

MGP/NLK—792, Posts/85—13-3-86—30.00.000.

[28-90/68-MI]

Attested  
V. D. on  
Advocate.

- 28 -



भारतीय डाक विभाग  
DEPARTMENT OF POSTS, INDIA

(संशोधन नियम 267, डाक-तार वित्त, पुस्तिका का भाग 1, द्वितीय संस्करण)  
(See Rule 267, Posts and Telegraphs Financial Handbook, Volume I, Second Edition)

डाक-तार वित्त रिपोर्ट और नकदी और टिकटों की रसीद  
Post and Receipt for cash and stamps on transfer of charge

प्रमाणित किया जाता है कि  
Certified that the charge of the office of **DDA** का

बाद (नाम) से  
was made over by (name) **Sri Nripesh Ch. Tamlu** (नाम) को

to (name) **Sri Guddhyabatu Tamlu** (नाम) को  
(नाम) को

तारीख ..... को अपराह्न में  
on the (date) **14/9/88** after noon in accordance with

सं. No. **A-1/Kank** तारीख Dated **12/9/88**  
**Sri Nripesh Ch. Tamlu**

14-2-88  
Relieved Officer

150

64 West Sub Div  
के अनुसार दे दिया 3  
from **Op's Office**  
**Sub Div 64-3**

भारतवासी अधिकारी  
Relieving Officer  
**Guddhyabatu Tamlu**  
I.P.O.  
**14/9/88**

Attn:  
N.Den  
S. S. S.

80

62-29

प्रमाणित किया जाता है कि आज के दिन इस कार्यालय की अनेक पुस्तकों के वकाना (स्टॉक पुस्तक और रजिस्ट्रों समेत) और लेखाओं की जांच की और उन्हें ठीक पाया।

\*Certified that the balances of this date of the several books (including Stock Book and Registers) and accounts of the office have been checked and found correct.

\*प्रमाणित किया जाता है कि निम्नलिखित वकाना मुझे भारमुक्त अधिकारी ने सौंप दिए और मैं इसके लिए जिम्मेदार हूँ।

\*Certified that the balances as detailed below were handed over to me by the Relieved Officer and I accept the responsibility for the same.

रु० प०  
Rs. P.

(अ) नकदी/Cash

(ब) अग्रदम टिकट/Stamp Imprest

जिसमें ये शामिल है :-

Made up of :-

(1) टिकट/Stamps

(2) नकदी/Cash

भारमुक्त अधिकारी  
Relieved Officer

भारग्राही अधिकारी  
Relieving Officer

तारीख  
Dated the

Forwarded to

18/11/19  
Juddha Karna Tamuly

\*जब प्रमाण-पत्र की आवश्यकता न हो तो इसे काट दिया जाए।

\*The Certificate when not actually required may be scored through.

प्रमाण-पत्र—297/पोस्ट/S6—30-10-87—15,00,000.

[28-96/SS-MI]

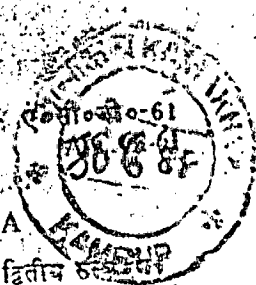
Amended  
1/11/19  
A. K. S. 11/11



63 61

30

11/7/89  
Post Office  
Amalgaon  
731619



भारतीय डाक विभाग  
DEPARTMENT OF POSTS, INDIA

(देखिए नियम-267, डाक-तार वित्त पुस्तिका का खंड 1, द्वितीय संस्करण)  
(See Rule 267, Posts and Telegraphs Financial Handbook, Volume 1, Second Edition)

चार्ज की हस्तांतरण पर, चार्ज रिपोर्ट और नकदी और टिकटों की रसीद  
Charge Report and Receipt for cash and stamps on transfer of charge.

प्रमाणित किया जाता है कि

Certified that the charge of the office of E. D. D. A. Karmali

चार्ज Brijay K. Goswami ने  
was made over by (name)

(नाम) को Nripen Ch. Tamul स्थान  
to (name) at (place) Karmali

तारीख ..... को पूर्वाह्न में  
on the (date) 1.7.89 fore  
after noon in accordance with

सं. A/1 kmk Sol81 तारीख 21.6.89  
No. Dated

B.K. Goswami  
11/7/89  
भारप्रवाही अधिकारी  
Relieved Officer

के अनुसार दे दिया।  
from A.S.P.Os. (Atly. - W)

Sri Nripen Ch. Tamul  
भारप्रवाही अधिकारी  
Relieving Officer  
[हस्ताक्षर]  
(P.T.O.)

Am  
Wen  
Am

69  
- 3L-

82

\*प्रमाणित किया जाता है कि आज के दिन इस कार्यालय की अनेक पुस्तकों के बकाया (स्टॉक पुस्तक और रजिस्ट्रों समेत) और गणनाओं की जांच की और उन्हें ठीक पाया।

\*Certified that the balances of this date of the several books (including Stock Book and Registers) and accounts of the office have been checked and found correct.

\*प्रमाणित किया जाता है कि निम्नलिखित बकाया मुझे भारमुक्त अधिकारी ने सौंप दिए और मैं इसके लिए जिम्मेदार हूँ।

\*Certified that the balances as detailed below were handed over to me by the Relieved Officer and I accept the responsibility for the same.

रु.  
Rs.

प.  
P.

(अ) नकदी/Cash

(ब) अक्षय टिकट/Stamp Imprest

जिसमें ये शामिल है :—

Made up of :—

(1) टिकट/Stamps

(2) नकदी/Cash

भारमुक्त अधिकारी  
Relieved Officer

भारजाही अधिकारी  
Relieving Officer

तारीख : 19  
Dated the 19

Forwarded to ..... को भेजा गया।

\*यदि प्रमाण-पत्र की आवश्यकता न हो तो इसे कट दिया जाए।

\*The Certificate when not actually required may be scored through.

प्रमाणपत्र—297/पोस्ट/86—30-10-87—15,00,000.

[28-90/CS-MI]

10/11/87  
10/11/87

ANNEXURE-35  
EXTRACT.CASUAL LABOURERS (GRANT OF TEMPORARY STATUS AND REGULARISATION )  
SCHEME.

NO.66-52/92-SPB/I

dated 1.11.95.

I am directed to refer to the scheme on the above subject issued by this office vide letter No 45-95/87 SPB-I dated 12.4.91 and 66-9/91-SPB-I dated 30.11.92 as per which full time casual labourers who were in employment as on 29.11.89 were eligible to be conferred "temporary status" on satisfying other eligibility conditions.

The question of extending the benefit of the scheme to those full time casual labourers who were engaged /recruited after 29.11.89 has been considered in the office in the light of the judgement of the CAT Earnakulam Bench delivered on 13.3.95 in O.A. No 750/94 .

It has been decided the full time casual labourers recruited after 29.11.89 and up to 10.9.93 may also be considered for the grant of benefit under the scheme.

This issue with the approval of I.S and F.A. vide Dy. No 2423/95 dated 9.10.95.

Attested  
Advocate.