

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A./T.A No. 128/2002

R.A/C.P No.

E.P/M.A No.

1. Orders Sheet. OA-128/2002Pg. 1to 4
2. Judgment/Order dtd 24/01/2003Pg. 1to 7 Dismissed
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A.....128/02Pg. 1to 31
5. E.P/M.P.....NILPg.to.....
6. R.A/C.P.....NILPg.to.....
7. W.S. Submitted by the RespondentsPg. 1to 15
8. Rejoinder.....Pg.to.....
9. Reply.....Pg.to.....
10. Any other Papers.....Pg.to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

FORM NO. 4
(See Rule 42)
CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH.
GUWAHATI.

ORDER SHEET

Original No. 128 / 2002
Misc. Petition No.
Contempt Petition No.
Review Application No.

Applicant(s) Bona Kanti Das Jom

Respondent(s) N.O.I Jom

Advocate for Applicant(s) G.K. Bhattacharya, B. Chakrabarty
B. Chandray

Advocate for Respondent(s) Railway Counsel

Notes of the Registry

Date

ORDER OF THE TRIBUNAL

This application in form 18.4.02

C. F. for Rs. 50/- deposited

vide IP No. 433/02

Dated 18.4.2002

By Registrar

*Slips issued. Notice
prepared and sent to
A/S for info the
respondent No 1 w/s
by Regd. A/S. do
26/5*

D/No 128/1585

Dtd 1/5/02

*① Service report
are still awaited*

20.5.02

mb

... Heard Mr. B. Chakrabarty, learned
counsel for the applicants.

The application is admitted. Call
for the records. Returnable by four weeks.

Any selection for the post of OS/Gr.II
in the scale of Rs.5500-9000/- in the store
department shall be subject to the outcome
of this application. It is also made clear that
the applicants may participate in the select-
ion without prejudice.

List on 21.5.2002 for orders.

[Signature]
Vice-Chairman

(2)

Notice returned to
No respondent No 3
due to incomplete
addressing
4/6/02

21.5.02

Heard Mr. B. Choudhury,
learned counsel for the applicant
and also Mr. S. Sarma, learned
counsel for the Respondents.

On the prayer of Mr. S. Sarma
learned counsel for the Respondents
further four weeks time is allowed
to file written statement. List
11.6.2002 for orders.

No written statement
has been filed.

30
10.6.02.

K. Ushar
Member

Vice-Chairman

mb

11.6.02

The respondents are yet to
file written statement. List again
on 15.7.2002 to enable the respondent
to file written statement.

K. Ushar
Member

Vice-Chairman

mb

15.7.02

Four weeks further time is
allowed to respondents to file
written statement on the prayer of
learned counsel for the respondents.

List on 19.8.2002 for orders.

K. Ushar
Member

Vice-Chairman

mb

19.8.02

List on 11.9.2002 to enable
the Respondents to file written
statement.

K. Ushar
Member

Vice-Chairman

mb

No w/s has been
filed.

NB
16/8/02

No w/s has been
filed.

30
10.9.02.

(3)
3
O.A. 128/2002

Notes of the Registry

Date

Order of the Tribunal

11.9.02

No written statement so far filed.
The Respondents are allowed four weeks
further time for filing written state-
ment.

List on 9.10.2002 for orders.


Vice-Chairman

mb

9.10.02

The respondents are yet to file
written statement though time allowed.
List again on 20.11.2002 as a last
chance for filing written statement.

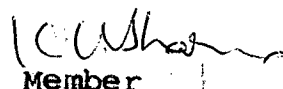

Member


Vice-Chairman

mb

20.11.02

The respondents are yet to file
written statement though the last is
opportunity was given. Post the matter
for hearing on 21.1.2002 accordingly.
The respondents may file written state-
ment, if any, in the meantime.


Member


Vice-Chairman


mb

21.1.2003

Present:- The Hon'ble Mr. Justice D.N.
Chowdhury, Vice-Chairman.
The Hon'ble Mr. S.K. Hajra,
Administrative Member.

Heard in part. Mr. G.K. Bhattacharyya,
learned Sr. counsel for the applicant has
stated that he has received the written
statement only yesterday and he requested
some more time to go through the same.


Accordingly list the matter on 24.1.
2003 for hearing.


Member



Vice-Chairman

bb

No. written statement
has been filed.


8.10.02.

No. written statement
has been filed.


18.11.02.

20/1/03

NO W/S has been
filed.

NS
24/1/03

20-1-03

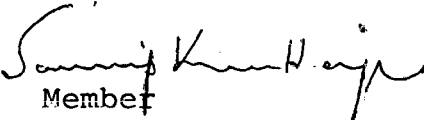
W/S on behalf
of the Respondents has
been submitted.

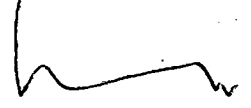


24.1.2003

We have heard learned counsel for the parties. Judgment delivered in open Court, kept in separate sheets.

The application is dismissed in terms of the order. No order as to costs.


Member


Vice-Chairman

7.3.2003

Copy of the judgment
has been sent to the
Office for issuing it
due to the L/Adm.
for the parties.
all

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. / ~~RXX~~ No. 128. of 2002 ~~of~~

DATE OF DECISION 24.1.2003.....
.....

... Sri Bani Kanti Das & 28 Others, APPLICANT(S).

... Mr.G.K.Bhattacharyya & Mr.B.Choudhury ADVOCATE FOR THE
APPLICANT(S).

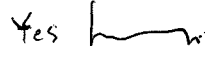

- VERSUS -

... Union of India & Others.. RESPONDENT(S).

... Mr.A.Chakraborty on behalf of Rly.Standing ADVOCATE FOR THE
Counsel. RESPONDENT(S).

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

THE HON'BLE MR S.K.HAJRA, ADMINISTRATIVE MEMBER.

1. Whether Reporters of local papers may be allowed to see the judgment ? Yes 
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ? NO 
4. Whether the judgment is to be circulated to the other Benches ?

Judgment delivered by Ho'ble Vice-Chairman.

X

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No.128 of 2002.

Date of Order : This the 24th Day of January, 2003.

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

THE HON'BLE MR. S. K. HAJRA, ADMINISTRATIV MEMBER.

1. Sri Bana Kanti Das
S/O Late Manmathanath Das.
2. Sri Mono Ranhan Dey
S/O Late Brajabashi Dey
3. Sri Khokan Ch.Dey
S/O Late Krishna Ch. Dey
4. Sri Purna Nath Sangma
S/O Late J.N.Sangma.
5. Sri Anup Dev
S/O Late Ashit Baran Deb.
6. Sri Uddhaben Das
S/O Late Hiru Ram Das.
7. Santi Ranjan Roy
S/O Late Chandra Kanta.
8. Sri Atul Ch. Das
S/O Late Purna Ram Das.
9. Shymal Dastidar
S/O Late Shribendu Dastidar
10. Sri S.Kamarupi
S/O Late S.Akkayya.
11. Sri Nripendra Nath Singha
S/O Late Bhadu Singh.
12. Himanghu Sekhar Paul
S/O Late Harendra Kr.Paul
13. Sri Lekharu Ram Boro
S/O Late Kandura Boro.
14. Sri Manmath Das
S/O M.Rana Das.
15. Sri Binapani Rabha
S/O Khagen Ch.Rabha.
16. Sri Nimay Ch. Dey
S/O Late Moni Gopal Dey.
17. Harmohan Baruah
S/O Late Phano Ram Baruah.
18. Sri Hirendra Kr. Das
S/O Late Phanindra Nath Das.
19. Sri Subhash Chandra Bose
S/O Late Tarani Kanta Bose.
20. Nirmal Kr. Dey
S/O Late Gopal Ch. Dey.

21. Parimal Ch. Dey
S/O Late Monomohan Dey
22. Manik Ch. Baruah
S/O Late Harakumar Baruah.
23. Sri Narayan Ch. Dey
S/O Late Suresh Ch. Dey.
24. Sushil Kr. Das
S/O Late R.L. Das.
25. Sri Rabin Paul
S/O Late P. Paul.
26. Sri Monoj Kr. Gupta
S/O Late J.L. Gupta.
27. Sri Santi Ram Das
S/O Late M. Das.
28. Sri Dinesh Ch. Kalita
S/O Late Umeshwar kalita.
29. Sri Madhab Ch. Rajbongshi
S/O Late Saru Ram Rajbongshi. . . . Applicants.

By Sr. Advocate Mr. G.K. Bhattacharyya & Mr. B. Choudhury.

- Versus -

1. The Union of India
(Represented by the General Manager
N.F. Railway, Maligaon, Guwahati-11.)
2. General Manager (Personnel)
N.F. Railway, Maligaon
Guwahati-11.
3. General Manager (Control)
N.F. Railway, Maligaon
Guwahati-11.
4. Controller of Stores
N.F. Railway, Maligaon
Guwahati-11.
5. Deputy Controller of Stores
N.F. Railway, Pandu
Guwahati. . . . Respondents..

By Mr. A. Chakraborty on behalf of Rly. Standing Counsel.

O R D E R

CHOWDHURY J. (V.C.):

This application under section 19 of the Administrative Tribunals Act, 1985, has arisen and is directed against the action of the respondents in not decentralising the post of Office Superintendent, Grade-I

Contd./3

and Grade-II in the Store Department and also for a direction to promote the persons in the above posts unit-wise from Feeder posts. The applicants also prayed for quashing of the impugned notifications dated 1.4.2002 and 5.4.2002 (Annexure-VII & VIII) respectively. The facts relevant for the purpose of adjudication of the proceeding are set out herein below :-

1. The applicants are 29 in number and are Head Clerks (G) posted in the office of the Deputy Controller of Stores, Pandu, Respondent No.5. These applicants have a common grievance as regard their promotion to the next higher posts of Office Superintendent, Grade-II (G) and they have presented the same in a single^{application,} (with our leave). It was interalia pleaded that in the Store Department it has 11 units under the Deputy Controller of Stores at different places and at the N.F.Railway headquarter the office of the Controller of Stores is located which controls and supervises all the 11 units. In the office of the Store Department the post of Head Clerk, the post of Office Superintendent, Grade-I, Office Superintendent Grade-II and the Chief Office Superintendent (G) (Gazetted) are available. It was also pleaded that initially all the posts of Office Superintendent Grade-I and Office Superintendent Grade-II in all the departments were centralised post and as such the posts were filled up by the candidates holding a selection on the basis of the common seniority list of the feeder post of the department. However, the arrangement had ^{created} difficulties

Contd./A

to the staffs of the units as regard their promotion as such the registered trade unions of the employees of the departments made representations before the authority to decentralise all the non-gazetted posts of the units so that the posts in the rank of Office Superintendent Grade-I and the Office Superintendent Grade-II falling vacant in the units may be filled up unit wise. The authorities thereafter decentralised such posts in all other departments like Commercial department, Operating department, Engineering department, Electrical department, S & T department. The grievance of these applicants are that the respondents treated the Store department discriminatorily and did not consider it for decentralisation and the posts of Office Superintendent Grade-I and Office Superintendent Grade-II were kept as centralised. The applicants submitted representations since, it was of no avail, the applicants now moved this O.A. assailing the action of the respondents as arbitrary and discriminatory. The applicants also assailed the decision of the respondents to hold selection test to fill up 45 vacancies of Office Superintendent Grade-II in the Store department and the steps taken for filling up the posts by process of selection vide notification dated 1.4.2002 and 5.4.2002. The said notifications are also challenged as illegal and arbitrary.

2. The respondents submitted its written statement contesting the claim of the applicants. In the written statement the respondents stated that due to administrative exigency some departments were divisionalised and these were placed under divisional control. It was, however, decided not to decentralised the

Store department since in its view the Store department was responsible to control the management of stores for the entire N.F. Railway which included purchase, distribution to the departments, disposal of surplus stores, scraps etc by sales or by transfer to other Railways. Considering the logistics the authority after taking into confidence the registered trade unions took a decision not to decentralise the higher grade posts in Store department. This decision was taken keeping into mind the promotional interest of the staff of the department and also the administrative exigencies of the situation.

3. We have heard Mr.G.K.Bhattacharyya, learned Sr. counsel appearing for the applicants. Mr.Bhattacharyya contended that though, the area of centralisation belongs to the administrative domain, the authority is to act lawfully. The discretion is to be exercised by taking into consideration the relevant consideration without being guided by extraneous consideration. The respondents in its own wisdom already took the decision to decentralise the most of the departments, however, without any just cause kept outside the Store department from the purview of decentralisation, contended Mr.G.K.Bhattacharyya, learned Sr. counsel. Mr.A.Chakraborty, learned counsel appearing on behalf of the Railway Standing counsel contended that the authority, while taking the policy decision, acted fairly and took into confidence the trade unions before taking the decision. In the matter of decentralisation the Railway authority basically took into consideration its administrative efficiency and accordingly they took the necessary steps. As regard the

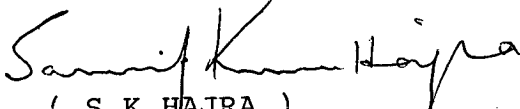
Store department the Railway authority took into consideration all the aspects of the matter and thereafter the matter was discussed in the Joint Meeting held between the administration as well as the trade unions. The unions as to once mentioned the decentralisation of the cadre of the Store department. It also mentioned the delay in holding selection/suitability test. The Railway authority put forwarded its own version and thereafter the decision was taken on 9.10.2001. Mr.A.Chakraborty, learned counsel contended that even in the matter of taking policy decision the administration considered all the relevant aspects of the matter and in consultation with the trade unions representing employees interest the decision was taken lawfully. At any rate, the policy decision cannot be said to be unlawful, arbitrary in the facts and circumstances of the case, contended Mr.Chakraborty.


4. We have given our anxious consideration on the matter. It is the Railway authority who is to manage its own affairs and conduct the administration. The authority, no doubt, decentralised some of the departments as commercial department, operating department, electrical department etc. It is for the authority to do the balancing act and come to a decision in the area of administration. We have also perused the minutes of the discussion held on 9.10.2001, that was placed before us, which indicated that the Railway authority also took into consideration the views of the employees as regard the promotional benefits. At the same time, the Railway

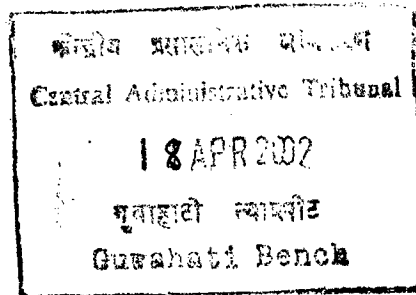
authority made it clear that the selections were continued to be held at regular intervals. The posts which could not be filled up were lying vacant due to non availability of suitable tests. It was also made clear that Chief Office Superintendent and Office Superintendent Grade-II were the only selection posts where staff were required to appear in the written test as well as in viva-voce test. The avenue of promotion would be restricted if the posts were decentralised. These were the matter the Railway authority took into consideration and thereafter it took its decision not to decentralise the Store department. The decision making process in the facts and circumstances of the case cannot be said to be unlawful requiring our interference. The authority is within their domain to arrange its affairs and allow the free rein to play in the Joints.

On consideration of all the aspects of the matter we do not find any illegality in the impugned action of the respondents requiring our intervention. The application is accordingly dismissed.

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


(S.K.HAJRA)
ADMINISTRATIVE MEMBER


(D.N.CHOWDHURY)
VICE CHAIRMAN



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH
AT GUWAHATI.

(An application U/s.19 of the Administrative Tribunal
Act, 1985).

ORIGINAL APPLICATION NO. 128 OF 2002

Sri Bana Kanti Das & Ors. Applicants.

Versus

The Union of India & Ors. Respondents.

INDEX

Sl. No.	Particulars	Page No.
1.	Body of the application	1 to 17
2.	Verification	18
3.	Annexure - I	19
4.	Annexure - IA	20
5.	Annexure - II	21 to 22
6.	Annexure - III	23
7.	Annexure - IV	24
8.	Annexure - V	25 to 26
9.	Annexure - VI	27
10.	Annexure - VII	28 to 29
11.	Annexure - VIII	30 to 31.

Filed by -

Siksum Choudhury
Advocate.

- 1 -

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH

(An application U/s. 19 of the Administrative Tribunal Act, 1985)

ORIGINAL APPLICATION NO. 128 OF 2002

1. Sri Bana Kanti Das,
son of Late Manmathanath Das.
2. Sri Mono Ranjan Dey,
son of Late Brajabashi Dey.
3. Sri Khokan Ch.Dey,
son of Late Krishna Ch. Dey.
4. Sri Purna Nath Sangma,
son of Late J.N.Sangma.
5. Sri Anup Deb,
son of Late Ashit Baran Deb.
6. Sri Uddhaben Das,
son of Late Hiru Ram Das.
7. Santi Ranjan Roy,
son of Late Chandra Kanta.

Bana Kanti Das.

Filed by the applicant's
through Bikram Choudhury
Adv.
18.4.02.

18

8. Sri Atul Ch. Das,
son of Late Purna Ram Das.
9. Shyamal Dastidar,
son of Late Shribendu Dastidar.
10. Sri Nripendra Nath Singha,
Late Bhadu Singh.
11. Sri S.Kamarupi,
son of Late S.Akkayya.
12. Himangshu Sekhar Paul,
son of Late Harendra Kr. Paul.
13. Sri Lekharu Ram Boro,
son of Late Kandura Boro.
14. Sri Manmath Das,
M. Rana Das.
15. Sri Binapani Rabha,
son of Khagen Ch. Rabha.
16. Sri Nimai Ch. Dey,
son of Late Moni Gopal Dey.

Contd.../-

-/"**ptuoc

Cedest

17. Harmohan Baruah,

son of Late Phano Ram Baruah.

18. Sri Hirendra Kr. Das,

son of Late Phanindra Nath As.

19. Sri Subhash Chandra Bose,

son of Late Tarani Kanta Bose.

20. Nirmal Kr. Dey,

son of Late Gopal Ch. Dey.

21. Parimal Ch. Dey,

son of Late Monomohan Dey.

22. Manik Ch. Baruah,

son of Late Harakumar Baruah.

23. Sri Narayan Ch. Dey,

son of Late Suresh Ch. Dey.

24. Sushil Kr. Das,

son of Late R. L. Das.

25. Sri Rabin Paul,

son of Late P. Paul.

Contd.../-

Colas

18

- 4 -

26. Sri Monoj Kr. Gupta,
son of Late J.L.Gupta.

27. Sri Santi Ram Das,
son of Late M.Das.

28. Sri Dinesh Ch. Kalita,
son of Late Umeshwar Kalita.

29. Sri Madhab Ch. Rajbongshi,
son of Late Saru Ram Rajbongshi.

(All are working as Head Clerks in the
Office of the Deputy Controller of
Stores, N.F. Railway, Pandu).

...APPLICANTS

-VERSUS-

1. The Union of India,
(Represented by the General Manager,
N.F.Railway, Maligaon, Guwahati-11)

2. General Manager (personnel),
N.F.Railway, Maligaon,
Guwahati-11.

Contd.../-

Cada

3. General Manager (Control),
N.F.Railway, Maligaon,
Guwahati-11.

4. Controller of Stores,
N.F.Railway, Maligaon,
Guwahati-11.

5. Deputy Controller of Stores,
N.F.Railway, Pandu,
Guwahati.

.....RESPONDENTS

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

1. Notification No. E/254/III93(H) P.III dtd. 1.4.2002 issued by the General Manager, (P), Maligaon holding a selection test for filling up the post of Office Superintendent, Grade-III in Stores department and issuing call letters to the candidates as per seniority list.

2. Order No. E/S/254/Pt.XXV dtd. 5.4.2002 issued by the Deputy Controller of Stores, Pandu to the Respondent No. 3 requesting for sparing the applicants to appear in the test to be held as per above notification dtd. 1.4.2002.

Contd.../-

Coelax

3. Illegal and arbitrary action of the authorities in not decentralising the post of Office Superintendent, Grade-I and Grade-II in the Store department though all such posts in other departments have since been decentralised for being filled up unit-wise.

2. JURISDICTION

The applicants declares that the subject matter of the order against which he wants redressal is within the jurisdiction of this Tribunal.

3. LIMITATION.

The applicants further declares that the application is within the limitation prescribed in Section 21 of the Administrative Tribunals Act, 1985.

4. FACTS OF THE CASE

1. That the applicants before the Hon'ble Tribunal are at present working as Head Clerks (G) and are posted in the office of the Deputy Controller of Stores, Pandu (Respondent No.5) and all the applicants have a common grievance as regard their promotion to the next higher posts of Office Superintendent, Grade-II (G) and as such they have a common cause of action and

Contd.../-

La Lak

as such they have appeared before the Tribunal in a single petition which may kindly be allowed by the Hon'ble Tribunal for the ends of justice.

He

2. That the applicants beg to state that the ^{Stores} Store department has 11 units under the Deputy Controller of Stores at different places and at the N.F. Railway headquarter the office of the Controller of Stores is located which controls and supervises all the 11 units. In the said offices of the Store department, above the post of Head Clerk the post of Office Superintendent, Grade-I, Office Superintendent Grade-II and the Chief Office Superintendent (G) (Gazetted) are there.

A copy of the notification dtd. 29.6.2000 showing the strength of the Store department is annexed herewith and marked as ANNEXURE-I.

3. That initially all the posts of Office Superintendent Grade-I and Office Superintendent Grade-II in all the departments were centralised post and as such the post were filled up by the candidates holding a selection on the basis of the common seniority list of the feeder post of the department. However, this arrangement had created difficulties to the staffs of

Contd.../-

Adopt

the units as regard their promotion and as such the registered trade unions of the employees of the departments made representation before the authority to de-centralise all the non-gazetted posts of the units so that the posts in the rank of office Superintendent Grade-I and Office Superintendent Grade-II falling vacant in the units may be filled up unitwise. Pursuant to the representations so made and perceiving the grievance of the unit staffs as regard the filling of the posts of Office Superintendent Grade-I and Office Superintendent Grade-II, the authorities have since decentralised such posts in all other departments like Commercial department, Operating department, Engineering department, Electrical department, S & T Department. However, so far as the Store department is concerned, the post upto the level of Head Clerks have been decentralised and the posts of Office Superintendent Grade-I and Office Superintendent Grade-II have been kept as centralised posts.

A copy of the aforesaid order dtd. 22.2.2002 for decentralisation of the posts of Office Superintendent Grade-I and Electrical department is annexed herewith and marked as ANNEXURE-I(A).

Contd.../-

Co. Secy

4. That, as such, when the posts in the rank of Office Superintendent Grade-I and Office Superintendent Grade II in the Store department were being maintained as centralised posts to be filled up on the basis of common gradation list of the department and on the other hand similar posts in other department have been decentralised for being filled up unitwise, the employees of the Store department made representations before the Respondent No. 4 though their registered recognized Union and on 26.5.2000 a representation was also made before the Respondent No. 2 praying for decentralisation of the post of Office Superintendent like other departments. However, the authorities did not take any action on the representation nor did give any reply to the representations.

Copies of the said representations are annexed herewith and marked as ANNEXURES-II & III respectively.

5. That the applicants state that the posts of Office Superintendent Grade-I and Office Superintendent Grade-II are filled up by selection test from the candidates from the feeder posts and the selection comprises of written test and viva-voce. The call letters to the candidates are issued 3 times more than the number of vacancies and since a common gradation list is

Contd.../-

Adesh

maintained for the Store Department, call letters are issued in accordance with the seniority position in the common gradation list. As a result of which sometimes the employees of the unit in which vacancy has fallen may not be in the zone of consideration in view of his position in the common seniority list of the store department. Further there are instances where persons selected for the said post did not go on transfer to the unit and the post was converted and retained with the original place of posting of the promotee.

6. That as stated the authorities did not reply to the representations made by the Unions in this regard and instead issued notification No. E/254/III/93(S) dtd. 17/19.7.2000 whereby a selection test was held for filling up the posts of Office Superintendent Grade-II and the Secretary of the N.F. Railway Mazdoor Union, Pandu made a representation to the Respondent No. 2 making a request to the effect that before the authorities held the selection, the issue of decentralisation may first be considered. The applicants also filed a representation before the Controller of Stores (Respondent No. 4) against the above notification holding selection and made a prayer for holding of selection till decentralisation of posts of Office Superintendent Grade-I and Office Superintendent Grade-II were done. Accordingly in consideration of the representations, the selection test was postponed/stopped.

Contd.../-



A copy of the aforesaid representation dtd. 25.7.2000 and 31.7.2000 are annexed herewith and marked as ANNEXURES-IV & V respectively.

7. That, thereafter, again to the surprise of the applicants the Respondent No. 2 issued notification No. E/254/III/93 (S) Pt.III dtd. 2/3.4.2001 again for holding a selection test for filling up the post of Office Superintendent Grade-II on 12.5.2001 and pursuant to the same Respondent No. 5 issued letter No. E/S/254/Pt.XXP dtd. 9.4.2001 to the Respondent no. 3 requesting for release of the candidates to appear in the test. Thereafter by letter No..E/S/254/Pt.XXP dtd. 1.5.2001 issued by the Respondent No.5, the date of written test was deferred to 19.5.2001.

Copy of the aforesaid letter dated 9.4.2001 is annexed herewith and marked as ANNEXURE-VI.

8. That having come to know about holding of the selection again before deciding the issue of decentralisation of the posts, the applicants again made representation before the authorities through their Unions and again the selection test was postponed/ stopped by the authorities.

Contd.../-

Coler

9. That, to the great surprise of the applicants, the office of the Respondent no. 2 has now again issued notification No. E/254/III/93 (S) P.III dtd. 1.4.2002 deciding to hold a selection test to fill up 45 vacancies of Office Superintendent Grade-II in the Store department and the date of the written test and viva-voce are fixed on 20.4.2002 and 16.5.2002 respectively. Along with the notification the syllabus for the test has also been enclosed which contains subjects about which the unit staffs were not aware of e.g. computerisation of stores in headquarters. Accordingly, the Respondent No. 5 has issued letter No. E/S/254/Pt.XXV dtd 5.4.2002 to the Respondent no. 3 requesting to spare the candidates falling in the zone of consideration as per the common gradation list to appear in the selection.

Copies of the notification dated 1.4.2002 and letter dtd. 5.4.2002 are annexed herewith and marked as ANNEXURES-VII & VIII respectively.

10. That the applicants state that in consideration of their representations in earlier two occasions, the authorities postponed the selection test for the post of Office Superintendent Grade-II and it was assured that the matter would be looked into. However,

Contd.../-

Reddy

the authorities did not give any written reply to the representations. After issuance of the impugned notification dtd. 1.4.2002 holding selection on 20.4.2002, the applicants approached the authorities through their Union but they have come to know this time the selection test must be held and since the test is scheduled for a short date on 20.4.2002, the applicants are approaching the Hon'ble Tribunal having no other alternative remedy and this Hon'ble Tribunal may be pleased to protect the due interest of the applicants passing an interim order for the ends of justice.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS:

I. For that the action of the authorities in not decentralising the posts of Office Superintendent Grade-I and Office Superintendent Grade-II in the store department though the posts of same rank have been decentralised in other departments, is illegal; arbitrary and discriminatory and as such the said posts are liable to be filled up unitwise after being decentralised.

II. For that, the impugned notification dtd. 1.4.2002 issued by the Respondent No. 2 for holding selection for the posts of Grade-II is illegal and arbitrary in as much as the authorities ought to have taken a decision on the issue of decentralisation of the

Contd.../-

Cooper

28

said posts raised by the employees for the last over 2 years and as such the same being not done the impugned notification is illegal and arbitrary and the same is liable to be quashed and set aside.

III. For that due to non-decentralisation of the posts in the rank of Office Superintendent Grade-I and Office Superintendent Grade-II in the Store department only has done a great prejudice to the promotional right of the employees of the Store department and as such the authorities ought to have taken a logical decision at par with other department and that not having been done, the impugned notification is illegal and arbitrary.

IV. Fore that, it appears that the authorities in the Railway Department have already taken a policy decision to decentralise non-gazetted posts in the rank of Office Superintendent Grade-I and Office Superintendent Grade-II in the other departments and as such the employees of the Store department cannot be discriminated against without a valid reason to the effect and that not having been done the action of the authorities in issuing impugned notification is without justifiable reason and the same is liable to be quashed and set aside.

Contd.../-

Agreed

V. For that, in earlier two occasions the selection to the posts of Office Superintendent Grade-II had been scheduled and thereafter postponed or the representations made in this regard and as such, the action of the authorities in issuing the impugned notification again for holding the test, without giving a decision on the issue and without giving any reply to the representations is illegal, arbitrary and the same is not sustainable in law.

VI. For that, in any view of the matter the impugned action and notification of the authorities are bad in law and are liable to be set aside.

6. DETAILS OF REMEDY EXHAUSTED

The applicants had earlier made representations through their registered Unions but no action has been taken in this regard.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING
WITH ANY OTHER COURT

That applicants further declares that they have not previously filed any application/writ petition or suit regarding the matter in respect of which this application has been made before any court of law or any

Contd.../-

Adesh

other authority or any other Bench of this Hon'ble Tribunal and no such application/writ application or suit is pending.

8.

PRAYER

It is, therefore, prayed that Your Lordships would be pleased to admit this application, call for the entire records of the case, ask the respondents to show cause as to why a direction shall not be issued directing the respondents to decentralise the posts of Office Superintendent Grade-I and Office Superintendent Grade-II in the Store department and to give promotion to the said posts unit-wise from the Feeder posts and as to why the impugned notification dtd. 1.4.2002 (Annexure-VII) and letter dtd. 5.4.2002 (Annexure-VIII) shall not be quashed and set aside and after hearing the parties and perusing the causes shown, if any, be pleased to direct the authorities to decentralise the posts of Office Superintendent Grade-I and Office Superintendent Grade-II in the Store department and to

Contd.../-

Calder

give promotion to the said posts unit-wise from the feeder post and to quash and set aside the impugned notification dtd. 1.4.2002 (Annexure-VII) and letter dtd. 5.4.2002 (Annexure-VIII) and/or pass any other order/orders as Your Lordships deemed fit and proper so as to grant adequate relief to the e applicant.

And for this act of kindness, the applicants as in duty bound shall ever pray.

9. INTERIM ORDER :

It is, therefore prayed that pending disposal of the application, the Hon'ble Tribunal may be pleased to pass an interim order staying the operation of the Notification dtd. 1.4.2002 (Annexure-VII) and letter dtd. 5.4.2002 (Annexure-VIII) and/or pass such interim order as may be deem fit and proper.

10. DOES NOT ARISE.

11. POSTAL ORDER NO. 56433542 DATED 18.4.82 OF GUWAHATI POST OFFICE IS ANNEXED.

12. LIST OF ENCLOSURE :

As stated in index.

Contd.../-

Debat

32

VERIFICATION

I, Shri Bani Kanta Das, son of Late Manmathanath Das, aged about 49 years, presently serving as Head Clerk in the Office of the Deputy Controller of Stores, N.F. Railway, Pandu is one of the applicants in the original application and others have authorized me to sign this verification on their behalf also and as such, I do hereby, verify that the statements made in paragraphs No. 1, 2, 3, 4, 5, 6, 8 and 10 are true to my personal knowledge and the statements made in paragraphs No. 7 and 9, are believed to be true on legal advice and that I have not suppressed any material fact.

Place : 18-4-02

Date : Guwahati

Bani Kanta Das

Signature of the applicant

Contd.../-

Collet

MEMORANDUM

ANNEXURE - I

In supersession this office memo of even No. Dt. 13/02/2000, the distribution of post of clerk/G cadre of stores deptt. as allotted by COS are pinpointed and redistributed provisionally as under. This is as a result of restructuring of cadre as on 10/05/98 in terms of Rly Board's letter No. PC-V/98/1/11/18(A) dated 10/05/98 circulated under CPO's circular No. RP-2 dated 26/05/98 and Rly. Bd's letter No. PC-V/178 (PC-V/98/1/11/12) dt. 25/5/99 and GM(P)'s circular No. E/205/97-PtV dt. 17/6/99.

03/15th
27. COS/MLG
N.F.R.

R.No - 7E/373 dt 4.7.24

N.F.R.LY - MEMORANDUM

REVISED SANCTION STRENGTH OF STORES DEPTT. (MINISTRIAL CADRE) w.e.f. 10/05/1998:

Office/ Depot	Chief OS (G) Rs. 7450- 11500/-		OS/I(G) Rs. 6500- 10500/-		OS/II(G) Rs. 5500- 9000/-		Head Clerk (G) Rs. 5000-8000/-		Senior Clerk/ SVC Rs. 4500-7000/-		Junior Clerk/ MC/TK Rs. 3050-4590/-		Total		
	P	T	P	T	P	T	P	(10% Upgraded Post)	T	P	T	P	T	P	T
1. COS/MLG	4	—	13	—	27	—	47	+ 6	—	59	—	29	—	185	—
2. DY.COS/PNO	3	—	9	—	17	—	37	+ 5	1	50	1	24	—	145	3
3. DCOS/NJP	2	—	4	—	7	—	15	+ 2	—	18	—	11	—	59	—
4. DCOS/NBQ	1	—	4	—	9	1	18	+ 2	3	24	4	16	2	74	10
5. DCOS/DBRT	1	—	3	—	5	—	11	+ 2	—	13	—	8	—	43	—
6. DCOS/D/SGUJ	—	—	1	—	2	—	3	—	—	5	—	3	—	14	—
7. DCOS/D/MLDT	—	—	1	—	1	—	3	—	—	5	—	4	—	14	—
8. ACOS/KIR	1	—	1	—	5	—	10	+ 2	—	11	—	7	—	37	—
9. ACOS/BLST	—	—	2	1	3	2	10	+ 2	1	8+14 (Sup)	—	2+3 (Sup)	—	27+17 (Sup)	4
10. AM(P&SYKGN)	—	—	1	—	2	—	4	+ 1	—	5	—	3	—	16	—
11. ACOS/D/LMG	—	—	—	—	—	1	—	—	1	—	2	—	1	—	5
12. DSK/TDH	—	—	—	—	—	—	1	—	—	1	—	1	—	3	—
TOTAL	12	—	39	1	73	4	159	+ 22	6	199+14 (Sup)	7	108 + 3 (Sup)	4	617+17(Sup)	22

This has the approval of CCS.

for General Manager (P)
N.F. Railway, Maligaon.

No. E/41/204/Restructuring/Ministrial (S)

Dated : 29-06-2000

Copy forwarded for information & necessary action to:-

- 1) FA & CAO/MLG
- 2) COS/MLG
- 3) Dy.COS/IC/MLG
- 4) Dy.COS/PNO
- 5) DCOS/NJP
- 6) DCOS/DBRT
- 7) DCOS/NBQ
- 8) DCOS/D/SGUJ
- 9) DCOS/D/MLDT
- 10) ACOS/KIR
- 11) ACOS/BLST
- 12) AM(P & SYKGN)
- 13) ACOS/D/LMG
- 14) DSK/TDH
- 15) DAO/KIR
- 16) AAO/NJP
- 17) AAO/BLST
- 18) WAO/DBRT
- 19) WAO/NBQ
- 20) GS/NFREUPNO
- 21) GS/NFRMUPNO
- 22) GS/AISCTREAMLG
- 23) E/BILL(Stores)/P.Branch.

N.B.

- (1) As regards the added responsibility of Chief OS in stores department the chief OS will have to be given important section and will be associated with development of skill of staff.
- (2) 9 (Nine) excess Head Clerk/G of BLST should be transferred with post temporarily to unit where there are necessities of increasing the staff strength in this grade i.e. Head Clerk as per the revised distribution.
- (3) For NJP control unit variation within the units may be permitted temporarily.

Attested by
Bhondhury
Adv.

For General Manager (P)

MEMORANDUM

It has been decided in consultation with both the recognised unions to decentralise the posts of Office Super. Gr. in scale Rs. 6500-10,500/- of Electrical Deptt. w.e.f. 1/4/2000 which is presently controlled centrally by CEE/MLG.

vacancies after decentralisation are to be filled by the respective Units immediately.

The existing sanctioned strength and distribution of posts of OS/I (6500-10500) and revised distribution as per prescribed percentage in different Units are shown in the enclosed memorandum.

The adjudgement of posts as per revised distribution in the new seniority units after decentralisation will be made by the controlling Officers of the new seniority units as and when fall vacant due to retirement/transfer/promotion.

5. Option from willing OS/I (6500-10500/-) for their retention in the same unit/Division or for their transfer to other units/Divisions may be obtained on or before 15/3/2000 and the same should be forwarded to HQ in a bunch addressed to APO/Elec. & S&T/MLG through special messenger to reach by 22/3/2000. Option will be entertained as per availability of vacancy as per seniority of the optees. If no option is received from staff, it will be assumed that they are willing to be remain in the same unit/Division.

This issues with the approval of competent authority.

APO/S&T and Elec.

For General Manager(P)/MLG

Dated : 22/02/2000.

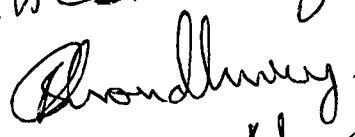
No. E/266/12(Elec)

Copy forwarded for information and necessary action to :-

1. CEE/MLG, Dy. CEE/HQ, Dy. CEE/PS
2. CEO/IP, 3. DPM(P)/KIR, APDJ, LMG, TSK
4. Sr. DDE/TSK, LMG 5. DEE/W/NBQ, DEE/DBWS, GHY, MLG, APDJ and KIR. 6. PA & CAO/MLG 7. DAOs/KIR, APDJ, LMG, TSK
8. SAO/DBS, W/AC/DBWS. 9. Genl. Secy/NFREU & NFRMU (with 10 spare copies) 10. Bill Clerk/ CEO's Office.

11) DPM/DBWS, GHY, NMG

For General Manager(P)/MLG

Attested by

 Shri. S. S. S. S.

-21-

Annexure - II

To
The Controller of Stores
N.F. Railway, Maligaon

(Through Proper Channel)

Sub:- Decentralisation of posts of
OS-II and OS-I.

With due respect I beg to place before you the following for favour of your kind and sympathetic consideration.

That the higher grade posts in almost all departments both indoor and outdoor have been decentralised but unfortunately in the store department the position is other wise.

Ministrial staff in various department have been decentralised as under:-

- 1) Commercial department :- Up to C/OS the post have been decentralised unit wise.
- 2) Operating department :- -do-
- 3) Personnel department :- -do-
- 4) Engg. department :- -do-
(CE's office stands as a separate units & Dy.COS/Pr/Line also stands as a separate unit although both the offices are situated in the Hqrs. complex).
- 5) Electrical department :- Post upto OS/II have been decentralised.
- 6) S&T department :- -do-
(with a single post of OS/I, TSK/division has been declared as a separate unit.)
- 7) Stores department :- Posts upto H/C have been decentralised and post of COS, OS/I and OS/II have been kept centralised.

Due to posts of COS, OS/I and OS/II being not decentralised in the stores department, the selection for OS/II are not timely held and such posts are allow to continue vacant for unreasonable period.

Contd....2/-

Attested by
R. S. D. S. S.
Adv

That for holding selection for OS/II, inter-re seniority of H/C of different depots are required to be prepared by collecting such lists from various depots which is time consuming for which the process is delayed.

It is further stated that the staff selected are required to move on promotion from respective places which creates problems for the staff and also for the administration.

The selection since are being conducted at the Hrs. level- the question papers are set only in reference to the COS's office type of working and not on the pattern followed in the depot which may be ascertained from various selection result that minimum numbers of candidates came successful in the selection held earlier from depot side.

The N.E. Railway, systems covering areas belonging to the different states medium for education are in different languages for which the staff find it extremely difficult to move out of a particular station where his wards having their academic carrier built.

The Dy.COS/PNO's units has a sanction strength of 147 ministerial staff and as such deserves to be declared as an independent seniority unit for ministerial staff upto COS.

In view of the above position I will request your good office to consider my appeal and declare the post of ministerial staff decentralised up to COS unit. Which will be helpful both to the Railway administration and staff as well.

Thanking you,

Yours faithfully,

Copy to: 1. General Manager (P)/N.E./MLG
2. General Secretary/NFRMU
3. General Secretary/N.E.REU.

for information
and necessary action
please.

Yours faithfully,

37

DU/NP/AVC

26.5.2000

To
The General Manager(2),
H. F. Railway,
MALIGAOH.

Dear Sir,

Sub:- Decentralisation of the posts of
Office Supt/II under Controller
of stores, H.F.Railway, Maligaon.

In the considered opinion of the Union, the posts of Office Supt/II may be decentralised at the earliest. It may be pointed out that in almost all other Departments even the posts upto Office Supt/CTs have been decentralised. This will not only obviate the sufferings of the concerned employees who are promoted as Office Supt./G.II but will help the Administration to man the posts.

It is therefore requested that necessary exercise may please be initiated at the earliest with an intimation to the Union.

Thanking you,

Yours faithfully,

(A.K. Deb Choudhury)

Copy to the Divisional Secretaries, NYPEU.

Decentralised.
26.5.2000

Attested by,
Choudhury

MU/C/EP8

25-7-2000

To
The General Manager (P),
N. F. Railway, Maligaon,
Guwahati-781 011.

Dear Sir,

Subj - Selection for the post of OS/Gr.II in
scale Rs.5500-9000/-in the store dep'tt.

Ref:- Your notification No.E/254/III/93(S)
dated 17/12-7-2000.

.....

This union like to draw your attention to the subject.

That after a gap of more than 2 years the above selection has been called for by advising staff to keep themselves ready and in addition syllabus also circulated.

Meanwhile, this union already placed it's demand for de-centralisation of posts of OS/Gr.II & I in the Store Dep. & sent vide agenda item-3 of ensuing 27th Zonal Gily. PNR agenda.

As the staff are pressing much for de-centralisation, the same may please be considered first before holding the selection.

Thanking you,

Yours faithfully,

(K.C. Roy Karmakar)
for General Secretary,
N. F. Railway Mazdoor Union,
Pandu.

Copy forwarded to Branch Secretary/NFRMU/PNO - for information
please.

for General Secretary,
N. F. Railway Mazdoor Union,
Pandu.

Attested by
[Signature]
Adv.

-25-

AMVER-2

To
The Controller of Stores,
N.F. Railway, Maligaon.

Date : 29/07/2000.

31

Through proper channel.

(for kind attention of Shri S.K. Sen/COS.)

Sir,

Sub :- Decentralisation of posts of OS-II & OS-I.

Ref :- The appeal submitted and forwarded to by
Dy.COS/Pandu vide his No. E/P/Misc/99/Pt.III
dated 18.1.2000.

An appeal was preferred to your good office on the above
subject for your kind and sympathetic consideration. (copy of the
appeal enclosed).

But it is noticed with great regret that without deciding
the appeal, the selection for the post of OS-II has been called by
General Manager(P)/N.F.Railway, Maligaon vide his No. E/254/III/93(S)
Pt.III dated 17/19-07-2000.

In this context it may please be noted that in the similar
cases where decentralisation was effected the ~~options were given~~
to the staff so that they could decide their unit for advancement and
particularly in the following cadres- the decentralisation was effected
first and the existing vacancies were filled up subsequently.

Such categories are -

- (i) OS-I in the Electrical Deptt. The posts of OS-I were
declared unit control with effect from 1.4.2000 without
filling up the vacancies as on 1.4.2000.
- (ii) the Posts of Chief Controller where decentralised in
1999- alongwith the existing posts be filled up after
decentralisation.

You may kindly look into the matter and ^{defer} holding the
selection till the posts of OS-II & OS-I are decentralised.

Thanking you,

Yours faithfully,

Encls: As above (21) Dinesh Ch. Kalita

11. Anup Deb (24) R. K. Me (1) Lekharam Ram Bar MR
 12. Bana Kanti Deb (24) H. S. Paul (2) Memomilk Dan H/c
 13. Nirmal Kr Dey (24) Saiten Kr Dey (3) Hirendra Kr Sen
 14. Rakheswar Kalita (24) Binapani Khatun (4) Mono Ranjan Dey H/c/Chk
 15. Ushel Kr Das (27) G. K. Mishra (5) Nima Ch Dey HE
 16. Manik Ch. Bhandi (28) Nilima Bala H (6) Subash Ch. Bose HE
 17. Purnan Ch. Roy (29) Trianga Barmah (7) Khokan Ch Dey
 18. Parnimal Ch. Dey (30) Gobinda Ch Dey (8) S. Kamareja
 19. Sontokam Dey (31) Anup Khatun (9) Nripendra Nath. Singh
 20. P. N. Sargma (32) Anup Khatun (10) Narayan Ch. Dey
- COPY TO GM(P)/Maligaon N.F. Railway for information and necessary
action please. S. R. Ray
- For kind atten. of Shri Nagar ()

Encls: As above.

- (5) Mono Ranjan Dey H/c/Chk (1) Lekharam Bar
- (6) Subash Ch. Bose H/c (2) Hirendra Kr Sen
- (7) Khokan Ch Dey (3) Memomilk Dan H/c
- (8) S. Kamareja (4) Nima Ch Dey HE

Attested by
Bhandhu

9. Nripendra Nath Singh - He -26-

10. Narayan Ph. Day - He

11. Anup Deb. - He

12. Bana Kanti Das. - He

13. Nirmal Kr. Das - He

14. Kanchan Das - Kalia - He

15. Sushil Kr. Das - He

16. Manik Ch. Prasad - He

17. Manik Ch. Prasad - He

18. Anirban Ch. Das - He

19. Sonti Kim Das - He

20. P. N. Sanyal - He

21. Dinesh Ch. Kalia - He

22. R. N. Das - He

23. A. S. Das - He

24. Sankar Kumar Das - He

25. Uday Chandra Das - He

(26) Binapani Rabha - He

(27) Geetika Mishra - He

(28) Nilima Bhowmik - He

(29) Trisanga Bhowmik - He

(30) Gobinda Ch. Das - He

(31) Kanchan Das - He

(32) Anup Kumar - He

(33) P. K. Acharya - He

(34) S. R. Roy - He/Bh. K. M.

(35) Md. Mokibur Rahman - He

- 27 -

ANNEXURE - VI

Office of the
Dy. Controller of Stores
N. F. Railway ::: Pandu
Dated 9 - 4 - 2001.

No. E/S/254/Pt.XXV.

To

GM/Con/Maligaon,
ACOS(D)/NGC,
Chief OS/PNO,
DSS/PNO,
DSK/I(F)/GHY.

Sub :- Selection of OS/II(G) in scale Rs.5500-9000/-

Ref :- GM(P)/MLG's XKR No. E/254/III/93(S)Pt.III dated 2/3-4-2001.

GM(P)/MLG vide his above quoted XKR has informed that the written test for selection of OS/II will be held on 12.5.2001, ~~absentee written test on 12.5.2001~~ and viva-voce on 4.6.2001 at COS/MLG's office at 10.00 hrs.

The following Head Clerk(G) ^{as} listed may be spared and directed to appear in the said test on a stipulated date & time.

Sl. No.	Name	Place of working
01.	Sri Bana Kanti Das	PNO
02.	" Nirmal Kr. Dey	-do-
03.	" M.R. Dey	-do-
04.	" H.S. Paul	-do-
05.	Smt. Nilima Bailung	NGC
06.	Sri Dinesh Ch. Kalita	PNO
07.	" Santi Rn. Roy	GM/Con/MLG.
08.	" Shymal Dastidar	PNO
09.	" Gobinda Ch. Das	NGC
10.	" Khokan Ch. Dey	PNO
11.	" Nimai Ch. Dey	-do-
12.	" M.K. Gupta	-do-
13.	" Narayan Ch. Dey	-do-
14.	" Rabin Paul	-do-
15.	Smt. Mopi Hazarika(SC)	-do-
16.	Sri U.C. Das (SC)	-do-
17.	" Atul Ch. Das (SC)	-do-
18.	" S. Kamraju (SC)	-do-
19.	" Harmohan Baruah (SC)	-do-
20.	Smt. Sabita Das (SC)	GHY.
21.	Sri L.R. Boro (ST)	PNO
22.	" Purna Nath Sangma (ST)	-do-

N.B:- 1) Sri Lakheswar Kalita, HC retired from service (2) B.C.Nath, HC, expired (3) B. Baishya and Housong Sangma not working under Dy.COS/PNO.

Copy for information and necessary action to :-

1) GM(P)/MLG (2) COS/MLG (3) Staff concerned.

Attested by
Bhadracharya

Dy. COS/PNO. 10/4/01

Dy. COS/PNO. 10/4/01

N. F. Railway

Office of the
General Manager (P)
Maligaon

NOTIFICATION

No. E/254/III/93(S) P.III

Dt. April 1, 2002.

To
 COS/MLG, COS(CON)/MLG
 DY.COS/IC/MLG, DY.COS/PNO, DY.COS/EC Railway, Hajipur
 DCOS/NJP, DCOS/NBQ, DCOS/DBRT, DCOS/D/MLDT, DCOS/D/SGUJ
 ACOS/BLST, KIR, ACOS/D/LMG, ACOS/D/NGC, AM(P&S)/KGN,
 DSK/GHY, DSK/TDH, DACOS/APDJ, DACOS/KIR, DACOS/LMG, DACOS/TSK
 N.F.RAILWAY.

Sub:- Selection for the post of OS Grade II in Scale Rs. 5500-9000/- in Stores
 Department.

It has been decided to filling up the following vacancies in the category of Office Supdt
 Gr.II Rs. 5500-9000/- in Stores Department by holding positive act of selection i.e. written test
 followed by viva-voce. The details in connection with the above selection are as under:

No. of Vacancies

S.No.	Category	Scale	Total No of Vacancies	Break-up of vacancies
1.	Office Supdt. Gr.II	Rs. 5500-9000/-	45	UR-37 SC-04 ST-04

Dates of Selection

Category	Scale	Date of Written Test	Date of Absentee Written Test	Date of Viva-voce Test
Office Supdt.- Gr.II	Rs. 5500-9000/-	20.04.2002	04.05.2002	16.05.2002.

Venue and Time

Venue	Time
COS/MLG's	10.00 Hrs.

The following eligible candidates as per seniority may please be spared and directed to appear in the selection accordingly in the above mentioned dates. The candidates who will qualify in the written test will be eligible to appear in the viva-voce test.



Attested by.
 @Brouhmy

-23-

43

**SYALABUS FOR THE POST OF OS-II (STORES OF STORES DEPTT.)
IN SCALE OF RS. 1600-2660/- -(Rs) 5500-9000/- (RPS).**

STORES:-

1. Organization of Stores Branch.
2. Working system of COS and other officers of the stores branch.
3. Indenting suits checking, procedure & criteria or determining A.A.C.
4. Types of the tender, Inviting tenders & applying criteria for its acceptance, constitution of tender committee, Late and delays in submitting tenders.
5. Policy & rules regarding purchase & system of direct procurement of materials through C.O.S.
6. Procedure of procurements through centralized agencies such as, D.G.D & D. D.L. W. etc.
7. Contracts.
8. Earnest Money and security deposit & its returns acceptance & bond.
9. Powers of C.O.S. and its officers.
10. Procedure for extension of delivery period & penalty on expiry of the period.
11. Local purchase of stores and to follow the criteria.
12. Procedure of emergency purchase, procedure of purchase on proprietorship basis.
13. Mode of payment.
14. Emergency purchase.
15. Surplus/Lost stores survey Board for surplus/Last items.
16. Procedure of the sale of Railway materials and the policy relating then to.
17. Store Budget non-adjustment purchase, Budget Grant, Store verification, Audit Note/audit Para.
18. Computerization of stores in the Head quarters. /
19. Registration of Firm.
20. Maintenance of record and disposal of all records.

Establishment: -

1. Pass rules (2) Leave Rules (3) Railway Service, Discipline and appeal Rule.
 4. Railway service conduct Rule. (4) Settlement does admissible to Rely.
- Employee. Official language policy and official language rules (Question for 10 marks on Rastra Bhasha).

-30-

ANNEXURE - VIII

47

Dy. Controller of Stores
N.F. Railway, Pandu

No.: E/S/254/Pt.XV

Dated:- 05.04.2002

To
GM/Con/MLG
ACOS/D/NGC
Chief OS/G/PNO
CDMS/PNO
CDMS/GHY

Sub:- Selection for the post of OS
Grade-II in scale Rs.5500-9000/-
in Stores Department.

Ref:- GM/p/MLG's Notification No.
E/254/III/93(S) Pt.III dt.01.04.02.

GM(P)/MLG vide his above quoted notification has informed that the written test for selection of OS/II will be held on 20-04-02, Absentee written test, on 04-05-02 and viva voce on 16-5-02 in COS/MLG's office at 10.00 hrs.

The following Head Clerks(G) as listed may be spared and directed to appear in the said test on a stipulated date and time.

6		
Sl. No.	Name	Place of working
1)	Shri Bana Kanti Das	PNO
2)	Shri Nirmal Kr. Dey	PNO
3)	Shri M.R. Dey	PNO
4)	Shri H.S. Paul	PNO
5)	Smt. Nilima Bailung	NGC
6)	Shri Dinesh Ch. Kalita	PNO
7)	Shri Santi Rn. Roy	GM/Con/MLG
8)	Shri Shymal Dastidar	PNO
9)	Shri Gobinda Ch. Das	NGC
10)	Shri Khokan Ch. Dey	PNO
11)	Shri Mimai Ch. Dey	PNO
12)	Shri M.K. Gupta	PNO
13)	Shri Narayan Ch. Dey	PNO
14)	Shri Rabin Paul	PNO

Contd...2/-

Attested by
[Signature]

(2)

Sl. No.	Name	Place of working
15)	Shri Sushil Kr. Das	PNO
16)	Shri Madan Ch. Rajbanshi	PNO
17)	Shri Hirendra Kr. Das	PNO
18)	Md. Makibor Rohman	PNO
19)	Shri Sailen Kr. Das	PNO
20)	Shri P.K. Acharjee	PNO
21)	Shri S.C. Bose	PNO
22)	Smt. Moni Hazarika(SC)	PNO
23)	Shri Udhav Ch. Das(SC)	PNO
24)	Shri Atul Ch. Das (SC)	PNO
25)	Shri S. Kamraju (SC)	PNO
26)	Shri Hormohan Barua (SC)	PNO
27)	Smt. Sabita Das (SC)	PNO
28)	Shri L.R. Boro (ST)	PNO
29)	Shri Purna Nath Sangma(ST)	PNO
30)	Shri Dharani Nath Dolay(ST)	NGC
31)	Smt. Bina Pani Rava(ST)	PNO

All the above candidates may be informed that if any of them is unwilling to appear in the written test, he/she should inform the same immediately.

The candidates will be allowed to appear in the absent in the written test to cater to the need of the absentee due to sickness covered by certificate from the Rly. Medical authority. Non-intimation/Late intimation of the 1st written test, administrative failure to intimate and spare the candidates for the selection. The reasons like absence due to attend wedding and similar functions over which the candidates have control will not be entertained.


Dy. COS/PNO

Copy forwarded for information to:-

- 1) GM(P)/MLG
- 2) COS/MLG
- 3) ACOS/PNO He will arrange the pre promotion training for SC and ST candidates before appearing written test.
- 4) Staff Concerend. The syllabas of the above examination is enclosed.


Dy. COS/PNO

JAN 2003
In The Central Administrative Tribunal
গুৱাহাটী বেন্চ
Guwahati Bench :: Guwahati.

O.A. NO. 128/2002

Sri Bona Kanta Das & Ors

- Vs. -

Union Of India & Ors.

In the matter of :

Written Statement on behalf of
the respondents.

The respondents in the above case most respectfully beg to state as under :

1. That the respondents have gone through the original application and have understood the contents thereof.
2. That the respondents do not admit any statement except those which are specifically admitted in this written statement. Statements not admitted are denied.
3. That in reply to the statements in para 4.1 to 4.5 it is stated that the Zonal Head Quarter is at Maligaon and entire N.F. Railway system is controlled from Head Quarter. For efficient managerial purpose the policy is that works of some departments are divisionalised and these are placed under divisional control under the charge of an Officer of not below the rank Junior Administrative Grade (for short JAG). The decision of centralisation or decentralisation of works are policy decisions on

46
Joint Personnel Officer
M. D. Das / Maligaon
Guwahati-78
Filed by Mr. Respondents
through D. Chakrabarti
20/1/2003

33
47
Personnel Officer/A
D. Rly. / Maligne
Gachhol-99

administrative interest considering the nature of the works of the departments.

The Stores Department is responsible to control the management of stores for the entire N.F.Rly. This includes purchase, distribution to the different user departments of the Railway, disposal of surplus stores, scraps etc by sales or by transfer to other Railways.

Apart from the purchase of stores from open market by tender system and other methods, there are stipulated ^{100%} from which purchases are to be made. Similarly for disposal of surplus/scraps close co-ordination with other Zonal Railways or purchasing bodies are required. As the efficiency of the running of the trains are very closely connected with efficiency of stores management including quality of the materials, timely issue to the indenting departments and maintaining the stock ^{quantity} ~~quality~~ to the required maximum/minimum level it is the policy that the stores management is controlled centrally by the Head Quarter. As such the function of this department has not been decentralised and the Division has no role in this matter. The promotional interest of the staffs of the Department have also been carefully kept in mind while formulating the policy of keeping the Department as centrally controlled as explained above. There are 11 units in the Stores Department and these units are geographically situated in places depending on the necessity of the nature and quantity of stores item. The establishment matters of the staffs of the units are also centrally controlled by

34
48
Chief Personnel Officer
S. P. R. V. / Maligao
Guzahat-33

Head Quarter under the control of Chief Personnel Officer. There is a common seniority list of the employees of the units and the promotions is regulated on the basis of the common seniority list as per the rule of selection/non-selection post. There is no scope of discrimination.

It is further stated that General Manager (P) by letter No. E/176/4(S) dated 7.8.2000 replied the union in response to their letter dated 25.6.2000. Subsequently also, after holding joint meeting with both the recognized unions on the issue, a reply by letter No.E/176/4 (S) dated 22.10.2001 was given to the General Secretary of both the Unions.

4. That in reply to the statements in para 4.6 to 4.9 it is stated that the issue of decentralisation of higher grade ministerial posts of Stores Department, N.F. Railway has been discussed with the recognised trade unions of this Railway on a number of occasions and after that the administration has taken a considered decision not to decentralise the higher grade posts in Stores Department in the best interest of the staff after joint meeting with both the recognised unions held on 9.10.2001. It is also stated that Railway Administration found that it would not be appropriate to decentralise the higher grade posts/cadres in respect of Stores Department as this would seriously affect the interest and promotional prospects of the employees of smaller units. As such, the Administration decided to go ahead with the selection for filling up the vacancies in the grade of Office

35
29
Chief Personnel Officer/A
G. D. Bly. / Mallikarjuna
Gandhinagar-09

Superintendent Gr.II which were lying vacant for a long time.

It is mentioned that the selection has been finalised and a provisional panel has also been published by Memorandum No. E/245/III/93(S) Pt.II dated 17.5.2002. The empanelled staffs have joined as Office Superintendent Gr.II in scale Rs.5500-9000/- provisionally.

It may also be mentioned that in the said selection, eligible staff from almost all the depots/units of the Stores Department, who have been called, have appeared in the selection excepting a few who have expressed unconditionally in writing that they were not willing to appear in the selection. No staff of the other units have been aggrieved and represented for decentralisation of the higher grade ministerial posts in the Stores Department, except for a few staff of Pandu Stores Department only, where the applicants are working.

5. That in reply to para 4.10 it is stated that a few staff of the Pandu Stores Depot represented through the recognised union for decentralisation of the cadre of the Office Superintendent Gr.II and the administration had to postpone the said selection and discussed with the recognised trade unions on this issue. The Administration finally discussed the issue jointly with the two recognised trade unions on 9.10.2001 and issued a minutes of the said joint meeting endorsing a copy also to the unions. The unions were also advised the decision taken by the

administration after the Joint Meeting by letter no.
E/176/4(S) dated 22.10.2001.

6. That in the facts and circumstances of the
case the application deserves to be dismissed with cost.

Verification

I, A.K. Nigam....., working
as Chief Personnel Officer/A....., N.F.Rly, Maligaon, do
hereby verify that, the statements made in the paragraphs 1
to 6 are true to my knowledge.

Guwahati

/2003



Signature

Chief Personnel Officer/A
N.F.Rly, Maligaon
Guwahati

MEMORANDUM

ANNEXURE - I

In supersession this office memo of even No. Dt. 13/02/2000, the distribution of post of clerk/G cadre of stores dept. as allotted by COS are pinpointed and redistributed provisionally as under. This is as a result of restructuring of cadre as on 10/05/98 in terms of Rly Board's letter No. PC-V/98/1/1/12(A) dated 10/05/98 circulated under CPO's circular No. RP-2 dated 26/05/98 and Rly. Bd's letter No. PC-V/178 (PC-V/98/1/1/12) dt. 25/5/99 and GM(P)'s circular No. E/205/97-PV dt. 17/6/99.

02/25th
27. COS/MLG
N.F.R.

R.No- 75/373 dt 4.7.24

N.F. RLY - MEMORANDUM

REVISED SANCTION STRENGTH OF STORES DEPT. (MINISTRIAL CADRE) w.e.f. 10/05/1998:

Office/ Depot	Chief OS (G) Rs. 7450- 11500/-		OS/I (G) Rs. 6500- 10500/-		OS/II (G) Rs. 5500- 9000/-		Head. Clerk (G) Rs. 3000-8000/-		Senior Clerk/ SVC Rs. 4500-7000/-		Junior Clerk/ MC/TK Rs. 3050-4590/-		Total	
	P	T	P	T	P	T	P (10% Upgraded Post)	T	P	T	P	T	P	T
1. COS/MLG	4	—	13	—	27	—	47 + 6	—	59	—	29	—	185	—
2. DY. COS/PNO	3	—	9	—	17	—	37 + 5 (AS)	1	50	1	24	1	145	3
3. DCOS/NJP	2	—	4	—	7	—	15 + 2	—	18	—	11	—	59	—
4. DCOS/NSQ	1	—	4	—	9	1	18 + 2	3	24	4	16	2	74	10
5. DCOS/DBRT	1	—	3	—	5	—	11 + 2	—	13	—	8	—	43	—
6. DCOS/D/SGUJ	—	—	1	—	2	—	3	—	5	—	3	—	14	—
7. DCOS/D/MLDT	—	—	1	—	1	—	5	—	5	—	4	—	14	—
8. ACOS/KIR	1	—	1	—	5	—	10 + 2	—	11	—	7	—	37	—
9. ACOS/BLST	—	—	2	1	3	2	10 + 2	1	8+14 (Sup)	—	2-3 (Sup)	—	27+17 (Sup)	4
10. AM/P & SYKGN	—	—	1	—	2	—	4 + 1	—	5	—	3	—	16	—
11. ACOS/D/LMG	—	—	—	—	—	1	—	—	—	2	—	—	—	5
12. DSK/IDH	—	—	—	—	—	—	1	—	1	—	1	—	3	—
TOTAL	12	—	39	1	73	4	159 + 22	6	199+14 (Sup)	7	108 + 3 (Sup)	—	617 + 17 (Sup)	22

This has the approval of COS.

for General Manager (P)
N.F. Railway, Maligaon.

Dated: 06-2000

No. 54/2000/Restructuring/Ministrial (S)

Copy forwarded for information & necessary action to:-

1) FA & CAO/MLG (2) COS/MLG (3) Dy. COS/IC/MLG (4) Dy. COS/PNO (5) DCOS/NJP (6) DCOS/DBRT (7) DCOS/NSQ (8) DCOS/D/SGUJ (9) DCOS/D/MLDT (10) ACOS/KIR (11) ACOS/BLST (12) AM/P & SYKGN (13) ACOS/D/LMG (14) DSK/IDH (15) DAO/KIR (16) AM/NJP (17) AAO/BLST (18) WAO/DBRT (19) WAO/NSQ (20) GS/NFERU/PNO (21) GS/NFERM/PNO (22) GS/AISCTREAMLG (23) E/BILL (Stores) P Branch.

- (1) As regards the added responsibility of Chief OS in stores department the chief OS will have to be given important section and will be associated with development of skill of staff.
- (2) 9 (Nine) excess Head Clerk/G of BLST should be transferred with post temporarily to unit where there are necessities of increasing the staff strength in this grade i.e. Head Clerk as per the revised distribution.
- (3) For NJP control unit variation within the units may be permitted temporarily.

For General Manager (P)

Annexure - II
~~SN-31~~
52

7

No.E/170/4 (8)

Dt. 7-08-2000.

To : 1) The General Secretary,
N.F.Rly. Employees Union/PHO.
Gumhati-12.

→ *Sanjay*
7/8/2000

2) The General Secretary,
N.F.Rly. Sadoor Union/PHO.
Gumhati-12.

→ *Sanjay*
7/8/2000

Subj:- De-centralisation of the
promotion of Ministerial
Staff of Stores Department.

SN-31 // Ref:- 1) OS/NFPHU/PHO's letter
No.EU/NF/AVC dt.26-5-2000.

SN-26 // II) OS/NFPHU/PHO's letter
No.NU/C/AVC/Stores dt.
25-1-2000.

been
This item has been raised in the Agenda for 87th
Qrly. PHM Meeting to be held between N.F.Rly. Admn.
and N.F.Rly. Member Union at Zonal level.

This issue is under process. The Unions will
be intimated on finalisation of this issue.

APD/Stores
for General Manager (P)/MLG.

Copy to:-

- 1) OS/N.F.Rly/MLG for information please.
- 2) GPO/IR/MLG for information. This disposes item No.3
of the Statement send under his Note No.E/301/Statement/
EU/Pt.1 dt.15-6-2000 and item No.1 of the Statement
send under his note No.E/301/Statement/NU/Pt.1 dt.
8-6-2000.

28
for General Manager (P)/MLG.
N.F. Railway.

2 *7/10* *Recd*
7/8

5077

8

Annexure - III
59

No. 57254/12

Date: 22/10/2001

The General Secy/INR/200
The General Secretary/INR/200
New Delhi-110012

2299/10/2001

Sub: Demarcation of the post of
Chief of staff and staff in Armed
Dept.

Ref: (1) Your letter No. 50/75/INR
dated 2/12/2000, and
(2) ME/C/SEC/Secy dated 22/1/2001.

Dear Sir,

In reference to your above mentioned letter
it is to inform you that the joint meeting was held on
2/12/2000 between the Administration and both the mem-
bered States in which the decision was taken that the
above mentioned ministerial posts in Armed Dept. will
be controlled. A minutes on this item has been drawn
which will be served to you shortly.

With regards,

Yours faithfully,

(S. CHANDRASEKHAR)
ME/INR
for GENERAL SECRETARY (P)
INR/INR

Copied to 2. 50,75/INR
S. ME/INR

22/10/2001

22/10/2001

for GENERAL SECRETARY (P)
INR/INR

22/10/01

Minutes of the meeting between the Administration & both
the Unions viz. NFIMU, NFREU on 09-10-2001.

The Officials present in the meeting

S1. No. Officials/Admn.	S1. No. Officials/NFREU	S1 No. Officials/NFIMU
1. COS/H.P.Rly/HQ.	1. Sri S. Chatterjee	1. Sri Rakhal Dasgupta.
2. OM/H.P.Rly/HQ.	2. Sri John Das.	2. Sri K.C. Roy Karmakar.
3. DY.COS/IC/HQ.	3. Sri A. Bhownick,	3. Sri Biru Chatterjee.
4. DY.CPO/HQ		4. Sri Kanai Dutta.
5. APO/Mech. & Stores		5. Sri Pradip Deb.
		6. Sri Subir Roy.
		7. Sri K.L. Chanda.
		8. Sri N.C. Baishya
		9. Sri B. Mazumdar.

ITEM PIRM ITEM NO. 88/3.

Decentralisation of the Cadre of Chief OS/OS-I/
OS-II in Store Dept.

- 1.0. The matter was discussed in the meeting in detail. Both the Unions proposed decentralization of the cadre so that the delay in holding selection/ suitability test & subsequent filling up of the vacancies can be minimised. Further, they stated that it will be easy to finalise the selection if the posts are controlled by the concerned Divisions/ Depots.

The Administrative side stated that till now, the selections were continued to be held at regular intervals. The posts which could not be filled up are lying vacant due to non availability of suitable candidates after holding selections or suitability tests. Moreover, in the ministerial cadre, Chief OS and OS/II are the only selection posts whose staff are required to appear in the written test as well as in viva-voce test. The avenue of promotion will be restricted if the posts are decentralized. Moreover, difficulty will be faced in holding selections. Even sufficient Nos. of eligible candidates will not be available in many units. For holding selections for the post of Chief OS & OS/II, the JA grade officers are required to be nominated from Stores Department.

Therefore, the members of the selection boards will have to move, physically from Head Quarters, as in the Stores Department JA grade officers are available only at HQ. (except one at Pandu) Number of Selection proceedings will also increase substantially. In case candidates do not turn out successful, it will not be possible to fill up vacancies in smaller units. Even prospects of promotion are more in a centralized system.

(Contd.../2)

Further, as per percentage of distribution, there would be no post of Chief OS in some units. Therefore, the staff of these units will have no AVC for Chief OS if the posts are decentralized.

- 2.0. Both the Unions stated that they do not agree with the administrative staff view of the reasons above views. But this was not accepted by the administration in view of the reasons mentioned in Para 1.0 above.

ITEM PHM Item No. 2775 - Avenue of Promotion of Tailor-cum-Store Officers posted in Divisions.

1. Both the Unions mentioned that four posts of Tailor-cum-Store officers in four divisions should be merged together. Percentage distribution should be done accordingly as per restructuring rules, and higher grade posts should be kept floating.

- 1.1 It was pointed out by the administration that since posts of same grade and designation are already existing in both existing Factory NIP separate restructuring as per percentage distribution for only 4 posts in divisions is not possible. Apart from the feasibility this will effect promotional avenue of the posts of NCI for the persons working in divisions.

- 2.0 However, Union representatives pointed out that as the work of the posts of Gr. II & III is not much different, many posts of Gr. II worked out against the 4 additional posts of divisions may be kept floating for the persons working in Divisions.

- 2.1. After deliberations it was agreed by the Admin. that keeping the interest of staff in mind, post of Gr. II worked out against the 4 additional posts of Divisions may be operated on as is where is basis for the persons working in Divisions.

ITEM PHM Item No. 2830 - Review of the Posts of DSK/III at BLST.

NFPMU stated that 2 posts of DSK/II were transferred from BLST to MLDT and one post of DSK/II was transferred from BLST to COS/MLD, in the year Jan/1993. The Union wanted to know whether these 3 posts were taken into account only for the purpose of restructuring as on 01-03-1993.

It was assured that the position in this regard will be examined by Personnel Branch.

Subin Kally
(REP. NFPMU)

[Signature]
(REP. NFPMU)

[Signature]
(DY. COS/MLD)

[Signature]
(DY. COS/IC)

At the meeting requested the Administration to discuss the proposed restructuring of the units and discuss the same to the members of the Union.

Further, as per percentage of distribution, there would be no post of Chief OS in some units. Therefore, the staff of these units will have no AVC for Chief OS as the posts are decentralized.

2.0. Both the Unions stated that they do not agree with the Administration's view of the restructuring above views. But this was not accepted by the administration in view of the reasons mentioned in Para 1.0 above.

ITEM PNM Item No. 2775 - Avenue of Promotion of Tailor-made-stops officers posted in Divisions.

1. Both the Unions mentioned that four posts of Tailor-made-stops officers in four divisions should be merged together. Percentage distribution should be done accordingly as per restructuring rules, and higher grade posts should be kept floating.

1.1 It was pointed out by the administration that since posts of some grade and designation are already existing in both Casting Factory NTP separate restructuring as per percentage distribution for only 4 posts in division is not possible. Apart from the feasibility this will effect promotional avenue for the posts of NTP for the persons working in divisions.

2.0 However, Union representatives pointed out that as the work of the posts of Gr. II & III is not much different, more posts of Gr. II worked out against the 4 additional posts of divisions may be kept floating for the persons working in Divisions.

2.1. After deliberations it was agreed by the Admin. that keeping the interest of staff in mind, one post of Gr. II worked out against the 4 additional posts of divisions may be operated on as is where is basis for the persons working in Divisions.

ITEM PNM Item No. 2830 - Revision of the Posts of DSK/III at BLST.

NFMU stated that 2 posts of DSK/II were transferred from BLST to MLDT and one post of DSK/II was transferred from BLST to COS/MLD, in the year Jan/1992. The Union wanted to know whether these 3 posts were taken into account for the purpose of restructuring as on 01-03-1993.

It was agreed that the position in this regard will be decided by Personnel Branch.

Subin Chatterjee
(REP. NFMU)
Subin Chatterjee
(REP. NFMU)
Subin Chatterjee
(REP. NFMU)
Subin Chatterjee
(REP. NFMU)
Subin Chatterjee
(REP. NFMU)

57 102
for Dy. COS/IC SN 80
Minutes of the meeting between the Administration & both
the Unions viz. NFIMU, NPREU on 09-10-2001.

The Officials present in the meeting

S1. No.	Officials/Admn.	S1. No.	Officials/NPREU	S1 No.	Officials/NFIMU
1.	COS/M.P.Rly/HQ.	1.	Sri S. Chatterjee	1.	Sri Rakhal Dasgupta.
2.	GM/M.P.Rly/HQ.	2.	Sri J. m Das.	2.	Sri K. Karmaker.
3.	DY.COS/IC/HQ.	3.	Sri A. Bhownick.	3.	Sri Biru Chatterjee.
4.	DY.CPO/HQ			4.	Sri Kamal Dutta.
5.	APD/Mech. & Stores			5.	Sri Pradip Deb.
				6.	Sri Subir Roy.
				7.	Sri K.L. Chanda.
				8.	Sri N.C. Baishya
				9.	Sri B. Mazumder.

ITEM PIM ITEM NO. 88/3.

Decentralization of the Cadre of Chief OS/OS-I/
OS-II in Store Deptt.

1.0. The matter was discussed in the meeting in detail. Both the Unions proposed decentralization of the cadre so that the delay in holding selection/ suitability test & subsequent filling up of the vacancies can be minimised. Further, they stated that it will be easy to finalise the selection if the posts are controlled by the concerned Divisions/ Depots.

The Administrative side stated that till now, the selections were continued to be held at regular intervals. The posts which could not be filled up are lying vacant due to non availability of suitable candidates after holding selection or suitability tests. Moreover, in the ministerial cadre, Chief OS and OS/II are the only selection posts where staff are required to appear in the written test as well as in viva-voce test. The avenue of promotion will be restricted if the posts are decentralised. Moreover, difficulty will be faced in holding selections. Even sufficient Nos. of eligible candidates will not be available in many units. For holding selections for the post of Chief OS & OS/II, the JA grade officers are required to be nominated from Stores Department.

Therefore, the members of the selection boards will have to move, physically from Head Quarters, as in the Stores Department JA grade officers are available only at HQ. (except one at Pandu) Number of Selection proceedings will also increase substantially. In case candidates do not turn out successful, it will not be possible to fill up vacancies in smaller units. Even prospects of promotion are more in a centralized system.

(Contd. 1/2)

07/0

13
Annexure - V
SN-408
58


MEMORANDUM

The following Head Clerks(G) in Scale Rs. 5000/- - 8000/- of Stores department **on being found suitable for promotion to the posts of OS.Gr-II (G) in scale Rs. 5500/- Rs. 9000/-**, in the selection held on 20.4.2002 (W/test), 04.05.2002 (absentee Written test) and viva-voce test on 16.05.2002, have been **provisionally empanelled** for promotion for the post of OS.Gr.-II (G) in scale Rs.5500/- Rs. 9000/-

Name	Present Place of Working	Remarks
Shri N.C. Ghosh	NJP	
Shri D. Modak	NBQ	
Shri Nagen Kalita	COS	
Smti. Chayanika Roy	COS	
Smti. Nupur Sengupta	COS	
Shri Jagdish Kakati	COS	
Shri Mrinal Sarma	COS	
Shri Ananta Kr. Barua	COS	
Shri Gajen Bordoloi	COS	
Shri Narayan Ch. Das (SC)	COS	
Smti Kiran kumari Bordoloi	COS	
Shri D. Kar Chowdhury	NBQ	
Shri Kanak Basumatary (ST)	COS	
Shri Soneswar Barman(ST)	COS	Empanelled in relaxed standard and hence his seniority has been level down
Shri A.C.Baroi (SC)	NBQ	Empanelled in relaxed standard and hence his seniority has been level down
Shri Ajodhya Rabidas(SC)	MLDT	Approved for promotion to the post of OS Gr.II on ad hoc basis for 6 months as "the best amongst the failed candidate" . His performance will be adjudged on completion of 6 months as per extant rules.

The result is provisional subject to outcome of the application O.A No.128/2002 pending before the Hon'ble CAT/Guwahati.

This provisional panel has been approved by the Competent Authority.


 For General Manager(P)
 N.F.Railway, Maligaon

Contd. P/2

57

14

P/2

No. E/245/ III/93(S)Pt-III

Dt. 17.5.2002

Copy forwarded for information & necessary action.

1. FA&CAO/MLG 2. COS/MLG 3. CMM/MLG 4. Dy COS/IC/MLG
5. DCOS/NJP 6. DCOS/D/MLDT 7. DCOS/NBQ 8. DCOS/DBRT
9. Staff Concerned 10. P/Case 11. GS/NFRMU/PNO
12. GS/NFREU/PNO 13. GS/AISCTREA/MLG 14. Dy COS/PNO
15. DCOS/D/SGUJ 16. ACOS/BLST 17. ACOS/KIR 18. ACOS/D/LMG
19. AM(P&S)/KGN 20. COS/CON/MLG 21. DACOS/TSK,APDJ, LMG & KIR

For General Manager(P)
N.F.Railway:Maligaon.

DCOS/MLG
DCOS/NJP
DCOS/DBRT
Dy COS/PH
15-APJ

15
N.F.Railway

Annexure - ~~41~~ 41
SA-410
60
Office of the
General Manager(Personnel)
NF Railway, Maligaon.

MEMORANDUM

The following Head Clerk (G) in scale Rs.5000-8000/- of Stores Department, who have been duly empanelled for promotion to the post of Office Supdt.Gr.II in scale Rs.5500-9000/- in Stores Department, vide this office memorandum no. E/254/III/93(S)Pt-III dt. 17.5.2002, are hereby promoted to officiate as Office Supdt. Gr. II in scale Rs. 5500-9000/ and posted in the office / Depot mentioned against each with immediate effect.

S.No	Name	Present Place of Posting	Place of Posting as OS.II
1	N.C. Ghosh	NJP	NJP
2	D. Modak	NBQ	NBQ
3	Nagen Kalita	COS	COS
4	Smti. Chayanika Roy	COS	COS
5	Smti. Nupur Sengupta	COS	COS
6	Jagadish Kakati	COS	COS
7	Mrinal Sarma	COS	COS
8	Ananta Kr. Barua	COS	COS
9	Gajen Bordoloi	COS	COS
10	Narayan Ch. Das (SC)	COS	COS
11	Smti Kiran kumari Bordoloi	COS	COS
12	D. Kar Chowdhury	NBQ	NBQ
13	Kanak Basumatary (ST)	COS	COS
14	Soneswar Barman(ST).	COS	COS
15	A.C.Baroi (SC)	NBQ	NBQ

Shri Ajodhya Rabidas (SC) Head Clerk (G) working under DCOS/D/MLDT in scale Rs. 5000-8000/- has been approved for promotion as OS. II (G) in scale Rs. 5500-9000/- **on ad hoc basis for 6(six) months under the scheme of " Best amongst the failed candidate's" and posted as OS Gr.II under ACOS/KIR.** His performance will be reviewed on completion of 6(six) months by as per extant procedure in vogue

The staff concerned are entitled to opt for their pay fixed after their annual increment in the substantive grade if so, desires which will be entertained within a period of one month from the date of issue of this order

This promotion order is provisional subject to the outcome of the OA No.128/2002 pending before the Hon'ble CAT/Guwahati.

This issues with the approval of the Competent Authority.


For General Manager (P)
NF Railway, Maligaon.


61

No.E/254/III/93(S)pt-III

Dt. May 20, 2002

Copy forwarded for information & necessary action:-

1. FA&CAO/MLG
2. COS/MLG
3. CMM/MLG
4. Dy.COS/IC/MLG
5. DCOS/NJP
6. DCOS/D/MLDT
7. DCOS/NBQ
8. DCOS/DBRT
9. Staff Concerned
10. P/case.
11. GS/NFRMU/PNO
12. GS/NFREU/PNO
13. GS/AISCTREA/MLG
14. Dy.COS/PNO
15. DCOS/D/SGUJ
16. ACOS/BLST
17. ACOS/KIR
18. ACOS/D/LMG
19. AM(P&S)/KGN
20. COS/CON/MLG.
21. DACOS/TSK, APDJ, LMC & KIR.


For General Manager(P),
N.F. Railway, Maligaon.