

FROM No. 4  
(SEE RULE 42 )

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDER SHEET

Original Application No: \_\_\_\_\_ /

Mise Petition No: \_\_\_\_\_ /

Contempt Petition No: \_\_\_\_\_ 53/03 / (OA 87/02)

Review Application No: \_\_\_\_\_ /

Applicants: - Sri Bishesh Saikia

Respondents: - Sri S. Ghosh & Ors.

Advocate for the Applicants: - Adv. Mrs. S. Seal

Advocate for the Respondents: - C.G.S.C.

Notes of the Registry	Date	Order of the Tribunal
This contempt petition has been filed by the applicant within a prayer for under Section 12 of the Administrative Tribunals Act, 1985 for initiation of a contempt proceeding against the alleged Complainants for non-compliance of the judgment and order dated 8/11/02 which was passed in O.A. No 87/2002.	18.11.03	present : The Hon'ble Mrs Lakshmi Swaminathan, Vice-Chairman. The Hon'ble Mr S.K.Naik, Admn. Member.  At the request of Mr S.Nath, learned counsel on behalf of the petitioner list on 21.11.2003 for hearing.
Laid before Hon'ble Court for orders.	pg	<u>B. Seal</u> Member Vice-Chairman
15.12.03	21.11.03	Heard counsel for the parties. Order passed separately.
copy of the judgment has been sent to the office for issuing the same to the applicant as well as to the respondent by post.	pg	<u>B. Seal</u> Member Vice-Chairman

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Contempt Petition No. 53 of 2003 (In O.A.87/2002)

Date of Order : This the 21st Day of November, 2003.

The Hon'ble Mrs Lakshmi Swaminathan, Vice-Chairman.

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

Shri Bhabesh Saikia,  
Belder/Wheelman under  
Executive Engineer, Postal Civil Division,  
Shillong, Meghalaya. ...Applicant

By Advocate Sri I.Hussain.

- Versus -

1. Sri S.Ghosh,  
Secretary to the Govt. of India,  
Ministry of Communication,  
Dept. of Posts,  
New Delhi-110001.

2. Sri P.K.Chatterjee,  
Chief Post Master General,  
N.E.Circle,  
Shillong-793001.

3. Sri A.K.Gangopadhyay,  
Superintending Engineer,  
Postal Civil division,  
Yogayog Bhaban,  
Kolkata-700012.

4. Sri R.K.Gangopadhyay,  
Executive Engineer,  
Postal Civil Division,  
Shillong-793001.

...Respondents

None for the respondents.

O R D E R (ORAL)

MRS LAKSHMI SWAMINATHAN (V.C)

We have heard Sri I.Hussain, learned counsel for the petitioner in C.P.53/2003 (O.A.87/2002). The learned counsel has alleged that the respondents have wilfully disobeyed the orders of the Tribunal dated 8.11.2002 in O.A.87/2002.

2. The learned counsel for petitioner has drawn our attention to the letter dated 25.6.2003, issued by the respondents as well as the inter-Departmental letter issued by the Executive Engineer, Postal Civil Division, Shillong

to the Superintending Engineer, Postal Civil Circle, Kolkata dated 7-1-2003. He has also referred to other letters placed at Annexures 5 and 6. In the aforesaid letters dated 17-4-2003, reference has been made to the orders of the Tribunal dated 8-11-2002 and the concerned officer has indeed recommended the appointment of the petitioner against one of the vacant posts, which will also cater to the Departmental requirements of Group D staff. It is also relevant to mention that in the letter issued by respondents dated 15-6-2003, on the representation made by the petitioner in terms of the Tribunal order dated 8-7-2002, they have clearly stated that at the moment there is no clear cut vacancy of Group D and it will be considered as and when vacancy arise.

3. After careful perusal of the Annexures to the Contempt Petition, we are unable to agree with the contentions of the learned counsel that the respondents have wilfully acted in any disobedience or are not implementing the Tribunal's orders. On the contrary, the above facts show that there is no justification to proceed in the matter or to issue any notice to the respondents on the Contempt Petition. Accordingly CP 53/2003 is dismissed.

Naik

(S.K.Naik)

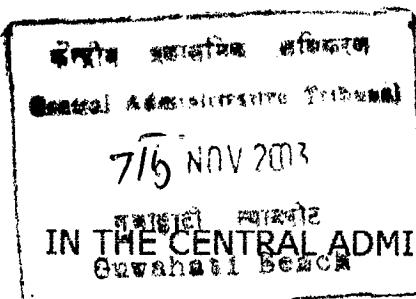
Member (A)

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)

Vice-Chairman (J)

/vikas/



GUWAHATI BENCH, GUWAHATI.

Filed by  
Rohini Saikia  
Advocate

6-11-03

Contempt Petition No. 53 /2003

in O.A. No. 87 of 2002

In the Matter of :-

Sri Bhabesh Saikia

... Petitioner

-Versus-

Sri S. Ghosh

& Ors.

... Respondents  
Alleged Contemnners

-And-

In the Matter of :-

An application under Section 17 of the  
Administrative Tribunals Act, 1985  
praying for initiation of a contempt  
proceeding against the alleged  
contemnners for non compliance of the  
Judgment and order dated 8.11.2002  
passed in O.A. No. 87 of 2002.

-And-

In the Matter of :-

Shri Bhabesh Saikia,  
Son of Suren Saikia,

5

-2-

Resident of Oakland (P & T Colony),

P.O. Oakland, Shillong.

Presently working as

Belder/Wheelman under

Executive Engineer,

Postal Civil Division,

Shillong, Meghalaya.

... Petitioner.

-Versus-

1. Sri S. Ghosh

Secretary to the Govt. of India,

Ministry of Communication,

Dept. of Posts,

New Delhi - 110 001

2. Sri P.K. Chatterjee,

Chief Post Master General,

N.E. Circle,

Shillong - 793 001.

3. Sri A.K. Gangopadhyay,

Superintending Engineer,

Postal Civil Circle,

Yogayog Bhaban,

Kolkata - 700 012.

4. Sri R.K. Gangopadhyay,  
Executive Engineer,  
Postal Civil Division,  
Shillong - 793 001.

... Respondents  
Alleged Contemnors

The humble petitioner abovenamed;

**MOST RESPECTFULLY SHEWETH :-**

1. That, the petitioner states that he was initially engaged as Belder/Wheelman through contract labour under the respondent No.4 as daily wage basis and he is continuing as such till date.
2. That in the meantime, two nos. of regular vacancies of Belder/Wheelman fell vacant and as such prayed to the respondents for granting temporary status as Belder/Wheelman or in any other grade IV post.
3. That, the petitioner states that as on action was taken to appoint him against the existing Grade IV vacancy he approached this Hon'ble Tribunal vide O.A. No. 87 of 2002 with a prayer for direction to the respondents to grant him temporary status and then to regularise him in service.
4. That the petitioner states that this Hon'ble Tribunal vide an order dated 19.3.02 was pleased to admit the application and further ordered to maintain status-quo as on that day

as regards service of the applicant/petitioner. Thereafter, the application was heard finally and this Hon'ble Tribunal was pleased to dispose of the same vide an order dated 8.11.2002 directing the Applicant/petitioner to submit a representation to the authority narrating all the facts and also directed the authority to consider the same sympathetically against any future vacancy as per norms, considering the service rendered.

The copy of order dated 8.11.2002 in  
O.A. No. 87 of 2002 is annexed as  
Annexure No.1.

5. That, the petitioner states that, he submitted a representation dated 15.11.2002 alongwith a copy of order of this Tribunal to the respondent no.4 (with copies to respondent no.2 and 3) with a prayer of regularisation of his service as per order of the Hon'ble Tribunal.

The copy of representation dated  
15.11.02 of the petitioner is annexed as  
Annexure No.2.

6. That the petitioner states that in the meantime another Grade IV post fell vacant under the respondent no.4 after promotion of Sri Vicky Singh, Peon (Group-D) to the post of Clerk Gr.II vide an order dated 7.11.02 of the respondent no.3.

The copy of Promotion order dated 7.11.02 is annexed as Annexure No.3.

7. That, the petitioner state that on receipt of the representation alongwith the copy of order in original application, the respondent no.3 wrote a letter dated 28.11.02 to the respondent no.4 for a detail report as regards regularisation of the service of the petitioner. Accordingly the respondent no.4 sent a letter dated 7.1.03 to the respondent no.3 giving a detail report regarding regularisation of service of the petitioner. In the said letter the respondent no.4 also stated that there is acute shortage of Group 'D' staff under him and atleast one office peon and one chowkidar are necessary. Moreover, the posts are lying vacant after promotion of earlier incumbents. Accordingly the respondent no.4 requested the respondent no.3 to regularise and give appointment to the petitioner against the vacant post to cater the immediate need of the department and also to implement the order of the Tribunal.

The typed copy of letter dated 7.1.03 of the respondent no.4 written to the respondent no.3 is annexed as Annexure No.4.

8. That, the petitioner states that as per his information there were several inter-office correspondence favouring and approval of regularisation of service of the petitioner in Grade IV post. In <sup>one</sup> such letter, the respondent no.4 sent a letter dated 17.4.03 <sup>and</sup> requested the respondent no.3 to offer an appointment to the petitioner considering the immense problem for day to day functioning of the office.

The typed copy of letter dated 17.4.03 of the respondent no.4 to the respondent no.3 for appointment of the petitioner is annexed as Annexure No.5.

9. That the petitioner states that the respondent no.4 by another letter dated 3.5.2003 requested the respondent no.2 <sup>for appointment of the petitioner and</sup> informed him about necessary approval of the Screening Committee for appointment of the petitioner against any of the Group 'D' posts and also informed him about steps taken by the respondent no.3 for appointment of the petitioner against the vacant post as they are facing immense problem in day to day functioning of the office.

The copy of letter dated 3.5.2003 of the respondent no.4 written to the respondent no.2 is annexed as Annexure No.6.

10. That the petitioner states that when all formalities for regular appointment of the petitioner were complete including approval of the Screening Committee, the respondent no.4 vide a letter dated 25.6.03 intimated the petitioner as follows :-

"This is to intimate you that your request cannot be acceded to at this moment since there is no clear cut vacancy for Group 'D' post. However, your case may be considered when such potentiality will be cropped up. This is as per CAT, Guwahati Bench's order dated 8.11.02."

The copy of letter dated 25.6.03 of the respondent no.4 rejecting petitioner's prayer for regularisation in service is annexed as Annexure No.7.

11. That the petitioner submits that he has been rendering service to the respondents on casual basis and although there are clear vacancies of Group 'D' post under them as reflected in various departmental correspondences the petitioner's prayer has been rejected taking a false plea of non availability of clear vacancy. This view is contrary to the view expressed by the respondents in their departmental correspondences which are reflected in the Annexures appended herewith this petition.

12. That the petitioner submits that this Hon'ble Tribunal vide its order directed the respondents to consider the case of the petitioner against the vacancies and they ought to have regularised the service of the petitioner against any of the vacancies in terms of the order of this Hon'ble Tribunal. But the respondents have deliberately and willfully violated the order dated 8.11.02 in O.A. No. 87 of 2002 and as such they are liable for contempt of court.
13. That the petitioner submit that as per Hon'ble Tribunal's direction the case of the petitioner ought to have been considered sympathetically and to appoint him against the existing vacancies which has due approval of the screening committee. The respondents cannot reject the prayer of the petitioner taking a new plea and violate the order of this Hon'ble Tribunal. Because of violation of the order of this Hon'ble Tribunal it is a fit case for initiation of contempt proceeding against the respondents/alleged contemners and therefore this Hon'ble Tribunal may be pleased to initiate a contempt proceeding against them and impose punishment in accordance with law and further be pleased to pass any other order or orders as deemed fit and proper in the facts and circumstances as stated above.
14. That this application is made bonafide and for ends of justice.

Under the facts and circumstances stated above, the Hon'ble Tribunal be pleased to initiate contempt proceeding against the alleged contemners for wilful non compliance of the order dated 8.11.2002 passed in O.A. No. 87/2002 and further be pleased to impose punishment upon the alleged contemners in accordance with law and further be pleased to pass any such other order or orders as deem fit and proper by the Hon'ble Tribunal.

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

Affidavit...

AFFIDAVIT

I, Sri Bhabesh Saikia, son of Shri Suren Saikia, aged about 33 years, resident of Oakland, Shillong P & T Colony, P.O. Oakland, Meghalaya do hereby solemnly declare as follows :-

1. That I am the petitioner in the above contempt petition and as such well acquainted with the facts and circumstances of the case and also competent to sign this affidavit.
2. That the statement made in paragraphs 1-5 are true to my knowledge and belief and I have not suppressed any material fact.
3. That this Affidavit is made for the purpose of filing contempt petition before the Hon'ble Central Administrative Tribunal, Guwahati Bench in the matter of non compliance of Hon'ble Tribunal's Order dated 8.11.2002 passed in O.A. No. 87/2002.

*Bhabesh Saikia*

Identified by :-

*Babu Seal*

Advocate

DEPONENT

DRAFT CHARGE

Laid down before the Hon'ble Central Administrative  
Tribunal, Guwahati for initiating a Contempt Proceeding  
against the contemners for wilful disobedience and  
deliberate non-compliance of order of the Hon'ble Tribunal  
dated 8.11.2002 passed in O.A. No.87/2002.

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 87 of 2002

Date of Order: This the 8th Day of November 2002.

HON'BLE MR.JUSTICE D.N.CHOUDHURY, VICE-CHAIRMAN

1. Sri Bhabesh Saikia,  
Son of Suren Saikia,  
Resident of Oakland,  
(P&T colony)  
P.O. Oakland, Shillong.

Presently working as Belder/Whealman,  
through Contract Labour under Postal Civil Division,  
Shillong, Meghalaya. Applicant:

By Advocate Mr. I-Hussain, Mrs. S.Seal.

-Vs-

1. The Union of India,  
represented by the Secretary to the Govt.of India,  
Ministry of communication, Department of Posts,  
New Delhi-110001.

2. The Chief Post Master, General, N.E.Circle,  
Shillong-793001.

3. The Superintendent Engineer,  
Postal Civil Circle,  
Yogayog Bhaban,  
Kolkata-700012.

4. The Executive Engineer,  
Postal Civil Division,  
Shillong-793001.

5. The Assistant Engineer, Postal Civil Sub Division,  
Shillong, Meghalaya. Respondents.

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

Q B D E R.

D.N.CHOUDHURY, V.C. (J):

By this application the applicant has sought for direction from the Respondents for absorbing him in suitable post under the Respondents. The applicant claimed to have worked under the Respondents as on daily wage

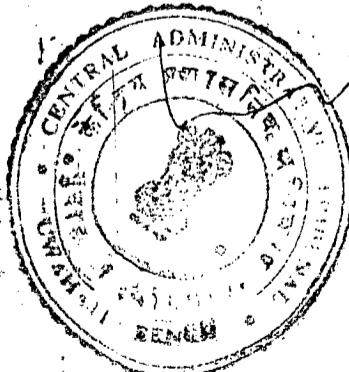
contd/-



basis with effect from 16th April, 2001. The applicant was engaged through contract labour. The applicant claimed for his regular absorption or for conferment of temporary status under the Respondents. On the strength of the required service rendered for the department. The Respondents in its written statement contested the claim of the applicant and also stated that since the applicant was working as Contract labour, the applicant is/was not entitled for conferment of temporary status.

2. We have heard Mr.I.Hussain learned counsel appearing on behalf of the applicant and Mr.A.Deb Roy, Sr.C.G.S.C. for the Respondents at length. From the materials on records it is difficult for the Tribunal to issue directions on the respondents to grant temporary status to the applicant. The applicant is/was not engaged by the Government department even as Casual Mazdoor, the applicant was engaged as contract labour. For the fitness of things however, I am of the view that the authority need to consider the case of the applicant sympathetically, taking into consideration the services so far rendered against any future vacancy. Mr.A.Deb Roy, Sr.C.G.S.C. also stated that the matter may be left to the department to consider the case of the applicant, in the circumstances for engagement under the department directly against any future vacancy in accordance with the Establishment. In the facts and circumstances of the case I am of the opinion that ends of justice will be met if a direction is issued on the applicant to submit a representation before the authority narrating all the facts and if such representation is preferred, the authority should consider the same sympathetically against any

contd/-



-3-

future vacancy as per the norms, keeping in the services services rendered by the applicant.

3. Subject to the observations made above the application is disposed of. There shall however, no order as to costs.

Sd/ VICE CHAIRMAN



Certified to be true Copy  
Kamini Ghoshal

25/11/03

Section Officer (J)

C.A.T. GUWAHATI BANCH  
Guwahati-781005

TO  
THE EXECUTIVE ENGINEER  
POSTAL CIVIL DIVISION  
SHILLONG---793001

Dated Shillong the 15<sup>th</sup> Nov. 2002

Sub:----Prayer for regularisation of casual labour.

Sir,

With due respect I would like to state the following for your kind consideration and sympathetic order.

That sir, I was serving as contract labour since 16.4.2001 under you and continuing as such till date. I filed O.A. No. 87/2002 in Central Administrative Tribunal for regularisation of my service. Hon'ble Tribunal was pleased to admit my application and passed final order on 8.11.2002 directing the respondents to consider me for regularisation in any Grade-IV post against any available vacancy.

That sir, as to my information, under you two grade-IV posts are lying vacant, one due to promotion of Sri Vicky Singh,(Office Peon), Postal Civil Division and another is Office Chowkidar in Postal Civil Sub Division, Shillong.

That sir, my regularisation could be considered by your excellent self against any of these available posts as per the Hon'ble Tribunal's Order.

That sir, now again I fervently request you to consider my case and regularise my service for which act of your kind consideration, I shall remain ever grateful to you.

Thanking you,  
Yours faithfully

(SRI BHABESH SAIKIA)  
S/o Sri Suren Saikia  
Postal Civil Division  
Shillong

Copy to:-

1. The Chief Postmaster General, NE Circle, Shillong, 793001
2. The Superintending Engineer, Postal Civil Circle, Yogayog Bhawan, Kolkata, 700012

- 16 -

Anx- NO.3

DEPARTMENT OF POSTS  
 OFFICE OF THE SUPERINTENDING ENGINEER  
 POSTAL CIVIL CIRCLE  
 KOLKATA

OFFICE ORDER

On the basis of the result of Departmental Examination and as recommended by the Departmental Promotion Committee, the following Peon (Gr. II) are hereby promoted to the post of Works Clerk Gr. II in the scale of Rs. 3,050-75-3,950-80-4590/- with effect from the date they join their new assignment on promotion. The names are indicated in order of merit and they are posted in the offices shown below:-

Sl. No.	Name	From	To	Remarks
1.	Shri Tarak Chandra Maji	PCC, Kolkata	PCD-I, Kol (A/cs. Sec.)	In the existing vacancy
2.	Shri Dulal Biswas	PCC, Kolkata	PCD, Kol (Corrs. Sec.)	- do -
3.	Shri Ananta Kumar Pal	PCSD, Burdwan under PCD-II, Kolkata	PCD-II, Kol (A/cs. Sec.)	- do -
4.	Shri Samar Kumar Modak	PCD-II, Kolkata	PCSD, Shillong	- do -
5.	Shri Madhab Ch. Ghosh	PCSD-III, Kolkata under PCD-II, Kolkata	PCD, Shillong (A/cs. Sec.)	- do -
6.	Shri Santi Ranjan Mandi	PCSD, Siliguri under PCD-II Kolkata	PCSD, Siliguri under PCD-II Kolkata	- do -
	Shri Vicky Singh	PCD, Shillong	PCD, Shillong (Corrs. Sec.)	- do -

Superintending Engineer  
 Postal Civil Circle  
 Kolkata

Contd. .... 2

: 2 :

No. 21(4)96/SE(P)/Kol/ 1255

Dated : 2 /11/02

Copy to :-

- (1-2) The Chief Postmaster General, W.B. Circle, Kolkata / N.E. Circle, Shillong.
- (3) The Chief Engineer(C), Postal South & East Zone, Bangalore.
- (4) The Superintending Engineer(C), HQ, Postal Directorate, New Delhi.
- (5) The Executive Engineer, Postal Civil Divn.-I/II, Kolkata / Shillong / Guwahati / Electrical Division, Kolkata. The officials may be released immediately to join their new assignment.
- (6-13) The Assistant Engineer, Postal Civil Sub-Divn. III, Kolkata / Siliguri / Shillong / Burdwan.
- (14) The Director of Accounts (P), Kolkata.
- (15-21) The officials concerned.

*S. K. M.*  
Superintending Engineer

Annexure No.4

DEPARTMENT OF POST :: INDIA  
OFFICE OF THE EXECUTIVE ENGINEER :: POSTAL CIVIL DIVISION ::  
SHILLONG - 793 001.  
No.16(20)2001/SHCD/1918      Dated at Shillong the 7.1.03

To,

Shri A.K. Ganguly,  
Superintending Engineer,  
Postal Civil Circle,  
Yogyog Bhavan (4<sup>th</sup> Floor),  
Kolkata - 700012

Sub : Request for regularisation of casual/contract labour Case  
of Sri Bhabesh Saikia.

Ref: Your No.16(31)02/SE(P)/EOL/1341 dtd. 28.11.2002

As desired by you alongwith the above cited letter,  
detailed report is furnished below :-

- 1) Regulating water supply in Postal colonies at Shillong viz. at Banasree and Oakland is being executed by contractor engaged by department time to time as required on contract basis as the service is essential since the original supply is from Telecom/BSNL authority. Shri B. Saikia is one of such staff engaged by the agency for Oakland P & T Colony.
- 2) Working for long time, Shri B. Saikia has filed the Case O.A. No.87 of 2002 in CAT Guwahati for regular absorption of for conferment temporary status by the department.
- 3) The case was defended by the department i.e. by the Postal Civil Division, Shillong through Shri Arunesh Deb Roy Sr. Central Govt. Standing Counsel, CAT Guwahati and the

-2-

Judgment was pronounced by Vice Chairman CAT Guwahati on 8.11.02 (copy enclosed for ready reference).

It can be seen from the judgment that Vice Chairman CAT Guwahati has given direction to the Respondent/department that it is difficult for the Tribunal to grant temporary status to the applicant as the applicant is not engaged by the department even as the casual mazdoors. He also gave the direction that applicant's case may be sympathetically considered by the department for regularisation. Keeping in view the service rendered by him against any future vacancy.

4) In this office letter No.12(4)02/SHPCED/957 dt.29.10.02 you have already been requested by this office that considering the acute shortage of Group 'D' staff in Postal Civil Division, Shillong, it is very much essential to post 2(two) Nos. Group 'D'. One in the post of office peon and other in the capacity of office chowkidar prior to give effect of promotion order which have already been issued by you and implemented. It is very relevant to mention that consequent upon the promotion of Shri Vicky Singh Group 'D' to WC Gr-II, both the posts are lying vacant creating immense problem in day-to-day functioning of this division.

Clubbing all the above, I would request you to regularise and give the appointment to Shri B. Saikia against any of the vacant post which will cater immediate requirement of Group 'D'

staff by which the judgment of CAT, Guwahati will also be honoured.

I am also requesting CPMG, N.E. Circle, Shillong on the same line in response to their letter No. Staff/13-37/2000 dt. 10<sup>th</sup> December, 2002.

Hope that, the cause of Shri B. Saikia will be considered by you sympathetically in the light of above and do the needful for his regularisation/appointment.

Enclo :- One Judgment of CAT/Guwahati in 2 pages.

/  
Executive Engineer  
Postal Division  
Shillong.

Copy to :-

1. Shri P.K. Chatterjee, CPMG, N.E. Circle, Shillong w.r.t. his above cited letter dtd. 10<sup>th</sup> December, 2002. As this office is facing acute shortage of Group 'C' and Group 'D' staff, it is very much essential to sympathetically consider his case which will also honour the judgment pronounced by CAT Guwahati dtd. 8.11.02 in O.A. Case No.87 of 2002. It is further requested that you can give your comments to SE, PCC, Kolkata in the line of regularisation/appointment considering the present staff position of this division and merit of the case.

Enclo : One Judgment of CAT Guwahti dt. 8.11.02.

2. The Assistant Director (Vigilance) O/o the CPMG, N.E. Circle, Shillong for information and necessary action please.

Enclo : One copy of Judgment of CAT/Guwahati dt.8.11.02.

Sd/- illegible

7.1.03

Executive Engineer  
Postal Division  
Shillong

Annexure No.5

(National Emblem)

India Post

R.K. Gangopadhyay,  
Executive Engineer ©

Postal Civil Division,  
Shillong.

D.O. No. 16(20)2001/SHCD/      Dated

Dear Shri Gangopadhyay,

I am writing this letter to you in connection with the request of regularisation of casual/contract labour for the case of Sri B. Saikia in this connection I am enclosing herewith a copy of letter received from CPMG, N.E. Circle, Shillong bearing No. Staff/13-37/2000 dated 11.04.03 which is self explanatory.

In view of the above, I would request you to issue appointment offer in favour of Sri B. Saikia against 4 Nos. posts of group 'D' in your Circle already cleared by the Screening Committee.

Considering the immense problem as already explained to you time to time in day to day functioning, appointment offer may please be given in favour of Shri B. Saikia either in the post of office chowkidar or in the post of office peon. Both of these are essentially required due to the present situation.

An early measure may please be taken from your end to end the present .... situation being faced by this division.

With deep regards,

Yours Sincerely,

Sd/- illegible  
17.4.03

R.K. Gangopadhyay,  
Executive Engineer ©  
Postal Civil Division,  
Shillong.

Enclo : As abovenamed;

To,

Shri A.K. Gangopadhyay,  
Superintending Engineer,  
Postal Civil Circle,  
Yogayog Bhavan (4<sup>th</sup> Floor),  
Kolkata – 700 012

Copy to :-

1. Sri P.K. Chatterjee, Chief Postmaster General, N.E. Circle, Shillong. This is with reference to his above cited letter.

R.K. Gangopadhyay,  
Executive Engineer ©  
Postal Civil Division,  
Shillong.

R. K. Gangopadhyay  
Executive Engineer (C)  
D. O. No. — 16(20)2001/SHCD/ 136

Dated - 3/5/2003

ANX. NO. 6

Dear Shri Chatterjee

I am writing this letter to you in connection with the request of regularization of casual/contract labour for the case of Sri B. Saikia. In this connection please recall our earlier discussion in presence of AD(Staff) Sri B.R. Halder. Accordingly letter was issued vide this office letter No: 16(20)2001/SHCD/2263 dtd.25.3.03, reply of which was also received vide your No: Staff/13-37/2001 dtd.11.4.03. It is presumed that the above letter was issued under your directive only. This office accordingly reacted and sent a D.O. letter to Sri A.K. Gangopadhyay, SE, PCC, Kolkata vide Do No: 16(20)2001/SHCD/82 dtd.21.04.03 to issue necessary appointment offer in favour of Sri B. Saikia against 4 Nos. of post of Group 'D' in Postal Civil Circle, Kolkata for which clearance by the screening committee has already been received. During my last tour to Kolkata, the matter was also discussed with SE, PCC, Kolkata and considering the urgency, he was kind enough to issue the appointment offer in favour of Sri B. Saikia since concurrence has already been given by you.

Now I am in receipt of another letter from your end bearing No: Staff/13-37/2000 dtd.1.05.03 which is not only confusing but misleading. Since SE, PCC, Kolkata is empowered for transfer/posting and recruitment of Group 'C' and 'D' category staff within his circle question of diversion of one post to your circle does not arise which can be cleared up from his end only. As the concurrence has already been given by you vide your letter dt.11.4.03. Therefore, I request SE, PCC, Kolkata to ignore this letter and take necessary positive measure for the issue of appointment in favour of Sri B. Saikia against 4 Nos of group 'D' post lying in this circle for which clearance has already been obtained from the screening committee.

This is for your kind information please.

With deep regards.

Yours Sincerely,

To

Sri P.K. Chatterjee  
Chief Postmaster General  
N.E. Circle  
Shillong.

(R.K.GANGOPADHYAY)  
Executive Engineer  
Postal Civil Division  
Shillong.

Copy to:-

1. Sri A.K. Gangopadhyay, Superintending Engineer, Postal Civil Circle, Kolkata. Considering the immense problem as already explained to you time to time in day today functioning, appointment offer may please be given in favour of Sri B. Saikia either in the post of office Chowkidar or in the post of Office Peon as both of these are essentially required due to the present situation. An early measure may please be taken from your end so that the present crisis being faced by this division can be overcome.

(R.K.GANGOPADHYAY)  
Executive Engineer  
Postal Civil Division  
Shillong.

MN/

DEPARTMENT OF POST :: INDIA ::  
OFFICE OF THE EXECUTIVE ENGINEER :: POSTAL  
CIVIL DIVISION ::  
SHILLONG – 793001.

No: 16(20)/2001/SHCD/ 392

Dated at Shillong the, 25.6.03.

To

Sri Bhabesh Saikia  
S/o Suren Saikia  
C/o Postal Civil Sub-Division  
Shillong.

Sub :- Prayer for regularisation of casual/contract labour.

Ref :- Your Application No. Nil dtd. 20.11.02 addressed to SE,PCC, Kolkata and copy endorsed to this office and others.

This is to intimate you that your request can not be acceded to at this moment since there is no clear cut vacancy for group 'D' post. However, your case may be considered when such potentiality will be cropped up. This is as per CAT, Guwahati Bench's order dt.08.11.02.

*Handwritten signature*  
25.6.03  
(R.K.GANGOPADHYAY)  
Executive Engineer  
Postal Civil Division,  
Shillong.