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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

MP-14/2004 ordersheet pg-1
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 R.A/C.P No.
 E.P/M.A No. 78/03

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SECTION OFFICER (Judl.)

10

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

ORDER SHEET

Original No. 140/2002
Misc. Petition No.
Contempt Petition No.
Review Application No.

Applicant(s) Kanti Kumar Das Sons

Respondent(s) N.O.P. Sons

Advocate for Applicant(s) Mr. Sambeswar Das
Mr. G. Patthak

Advocate for Respondent(s) Railway Counsel

Notes of the Registry	Date	ORDER OF THE TRIBUNAL
<p>76574469</p> <p>30.4.2002</p> <p>3/5/02</p> <p>Steps taken</p> <p>Notice prepared and sent to S/S for info the Respondent No 1 to 3 to Regt A/D.</p> <p>15/3 to 15/5</p> <p>Dtd 27/5/02</p> <p>Service report are BHII awaited</p> <p>3/6/02</p>	<p>6.5.02</p> <p>mb</p> <p>4.6.02</p> <p>lm</p> <p>11.7.02</p> <p>mb</p>	<p>Heard Mr. S. Das, learned counsel for the applicant.</p> <p>The application is admitted. Call for the records.</p> <p>List on 4/6/2002 for orders.</p> <p>Member</p> <p>Vice-Chairman</p> <p>List on 28.6.02 for Orders.</p> <p>Member</p> <p>Vice-Chairman</p> <p>Mr. J.L.Sarkar, learned counsel appearing on behalf of the Respondents prays for four weeks time to file written statement. Prayer is allowed. List the case on 14.8.02 for written statement.</p> <p>Member</p> <p>Vice-Chairman</p>

2

No. wts. has been
filed.

30
13.8.02

14.8.02

On the prayer of learned
counsel for the Respondents four
weeks further time is allowed to
the Respondents to file written
statement

List on 12.9.2002 for orders.

No. written statement
has been filed.

30
11.9.02

12.9.02

Again prayer has been made on behalf
of the respondents by Mr S. Sarma, learned
counsel seeking some more time to file
written statement. prayer allowed.

List on 10.10.02 for order.


No. written statement
has been filed.

30
9.10.02

pg

10.10.02

Mr. S. Sengupta, learned counsel
appearing on behalf of Mr. B.K. Sharma,
learned Sr. counsel for the Railway,
prays for time for filing written state-
ment. Prayer is allowed. List again on
18.11.2002 for orders.


Member

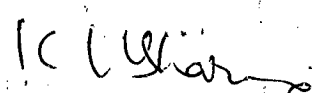

Vice-Chairman

mb

18.11.02

On the prayer of Mr. S. Sengupta,
learned counsel for the respondents
further four weeks time is allowed to
the respondents to file written statement

List on 17.12.2002 for orders.


Member


Vice-Chairman

mb

Note of the Registry Date Order of the Tribunal

18.3.2003

Heard Mr.A.Dasgupta, learned counsel for the applicant.

put ~~the~~ up the matter before the Division Bench on 10.4.2003.

[Signature]
Vice-Chairman

bb

CO 141

DW/Secn Bench did not sit today. The case is adjourned to 21/5/2003.

M/S
[Signature]

21.5.2003

Heard learned counsel for the parties. Hearing concluded. Judgment delivered in open Court, kept in separate sheets. The application is disposed of in terms of the order. No order ~~was~~ to costs.

[Signature]
Member

[Signature]
Vice-Chairman

bb

The case is ready for hearing as regard W/S and rejoinder filed by the parties.

[Signature]
9.4.03

30.5.2003

Copy of the judgment has been sent to the office for issue. The same to the L/Adv for the parties.

[Signature]

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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. / XXX. No.140 of 2002~~xxx~~

DATE OF DECISION 21.5.2003.....
.....

... . Sri. Kanti Kumar Das & 75 Others. APPLICANT(S).

. . . Mr.S.Das & Mr,G,Pathak. ADVOCATE FOR THE
APPLICANT(S).

- VERSUS -

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


. . . Mr.S.Sarma, Railway Standing counsel. ADVOCATE FOR THE
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 ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the judgment is to be circulated to the other Benches ?

Judgment delivered by Ho'ble Vice-Chairman.



A

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No: 140 of 2002.

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

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

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

1. Sri Kanti Kumar Das
S/o Sri Tulsi Chandra Das
2. Sri Dilip Chandra Dey
S/o Late Karuna Sankar Dey
3. Sri Bhabatosh Acherjee
S/o Hari Mohan Acherjee
4. Sri Banerwar Chakraborty
S/o Manindra Chakraborty
5. L. Appa Rao
S/o Sri L. Ram Loo'
6. Sri Sentu Aich
S/o Late Satindra Kr. Aich
7. Sri Rabi Malakar
S/o Manindra Malakar
8. Sri Prem Las
S/o Late Babin Lal
9. Sri Babul Chandra Dey
S/o Jatindra Ch. Dey
10. Sri Nishan Basfor
S/o Ram Prasad Basfor
11. Sri Binal Bhattacharjee
S/o Sudhir Kr. Bhattacharjee
12. Sri Nitai Das
S/o Sri Abhimanya Das
13. Sri Sushil Kumar Dey
S/o Sri Birendra Kumar Dey
14. Sri Haradhan Dey
S/o Umesh Chandra Dey
15. Sri Monalal Chakraborty
S/o Late Nishi Las Chakraborty
16. Sri Biswanath Kumar Dey
S/o Prasanna Kumar Dey
17. Sri Uddab Das
S/o Navadeep Das
18. Sri Narayan Kuri
S/o Tarani Kuri
19. Sri Kartik Malakar
S/o Late Jatindra Malakar
20. Sri Pijush Kanti Deb
S/o Late Prakash Chandra Deb
21. Sri Sajal Kanti Dey
S/o Jatindra Mohan Dey.

22. Sri Pravir Kumar Dhar
S/o Bhupendra Dhar
23. Sri Rama Rao
S/o Late Kar Rlaiya
24. Sri Lakhmi Narasaiya
S/o T. Narayan.
25. Sri Haradhan Debnath
S/o Krishnalal Debnath
26. Sri Gauranga Mazumdar
S/o Manoranjan Mazumdar
27. Sri Swapan Kumar Deb
S/o Manoranjan Deb
28. Sir Anil Chakraborty
S/o Mahendra Chakraborty
29. Sri Tapan Kumar Ghose
S/o Surendra Ghose
30. Sri Harilal Bhagat
S/o Kapildeo Bhagat
31. Sri Bindaram Biswas
S/o Nilamani Biswas
32. Sri Amulya Rishi
S/o Rabindra Rishi
33. Sri Rameswar Kathar
S/o Late Sital Kathar
34. Sri Babul Talukdar
S/o Debendra Talukdar
35. Sri Gauranga Dey
S/o Kailash Dey
36. Sri Sadhu Tati
S/o Krishna Tati
37. Sri Niranjan Dutta
S/o Pran Krishna
38. Sri Dulal Das
S/o Kalipada Das
39. Sri Khokan Ch. Dey
S/o Nagendra Dey
40. Sri Babul Deka
S/o Digambar Deka
41. Sri Ranjit Tati
S/o Kamdhan Tati
42. Sri Babul Dey
S/o Prafulla Dey
43. Sri Gopal Kaya
S/o Arma Kaya
44. Sri Narayan Chandra Dey
S/o Late Hari Mohan Dey
45. Sri Lalit Mohan Paul
S/o Jogeswar Paul

46. Sri Shiba Prasad Shyam
S/o Kanailal Shyam
47. Sri Sajal Dutta
S/o Amulya Ranjan Dutta
48. Sri Sushil Choudhury
S/o Ramani Choudhury
49. Sri Paltan Mandal
S/o Surendra Mandal
50. Sri Gopal Orang
S/o Janki Orang
51. Sri Ranjit Debnath
S/o Srimanta Debnath
52. Sri Kageswar Bora
S/o Jonaram Bora
53. Sri Gopal Ch. Das
S/o Kamini Kr. Das
54. Sri Sugrib Tati
S/o Santo Tati
55. Sri Lila Tati
S/o Cheroo Tati
56. Sri Chunnilal
S/o Ram Chandra
57. Sri Madhab Tati
S/o Jogli Tati
58. Sri Putul Tati
S/o Raghmani Tati
59. Sri Bagai Tati
S/o Bablu Tati
60. Sri Judhisthir Nath
S/o Dhirendra Nath
61. Sri Durga Paul
S/o Jagabandhu Paul
62. Sri Sibendra Chakraborty
S/o Jitendra Chakraborty
63. Sri Parimal Chandra Dey
S/o Satish Ch. Dey
64. Sri Ajit Kumar Deb
S/o Kalachand Deb
65. Sri Durgush Thakur
S/o Kamal Thakur
66. Sri Gopal Sarma
S/o Indramani Sharma
67. Sri Lakhan Debnath
S/o Hargobinda Sarkar
68. Sri Swapan Sarkar
S/o Late Jogendra Sarkar

69. Sri Dulal Sarkar
S/o Late Jogesh Sarkar
70. Sri Puneswar Phukan
S/o Late Akaman Phukan
71. Sri Maran Mazumdar
S/o Prafulla Mazumdar
72. Sri Kartik Gore
S/o Dasarath Gore
73. Sri Subhash Chandra Debnath
S/o Late Nirod Ch. Debnath
74. Sri Jiban Chandra Sarkar
S/o Late Sachin Sarkar
75. Sri Minash Ali
S/o Rajib Ali
76. Sri Minash Ali
S/o Gobinda Dey.

All the applicants are resident of Lumding in the District of Nagaon, Assam.

. . . . Applicants.

By Advocates Mr.Sarbanda Das, Mr.G.Pathak.

- Versus -

1. Union of India
Represented by the Secretary to the
Government of India in the
Department of Railways
Rail Bhawan, Raisina Road
New Delhi - 110 001.
2. The General Manager (Personnel)
North-East Frontier Railway
Maligaon, Guwahati - 781 011.
3. Senior Divisional Railway Manager (P)
Lumding, District:- Nagaon
Assam.

. . . Respondents.

By Mr.S.Sarma, Railway Standing counsel.

O R D E R

CHOWDHURY J.(V.C.):

The applicants are 76 in number who claimed that they rendered services under the respondents as casual labourer and were subsequently retrenched. The applicants claimed that Railway Board introduced a scheme for absorption of such workers. The policy was introduced to absorb the casual labourers who were discharged before 1.1.1981 which included open line and project line casual labourers. These

applicants claimed that they also moved the authority for providing the benefits of the Railway Board Circular, 1987. But in the Live-Register/Supplementary Live Register prepared by the authority the name of the applicants were not included. According to the applicants, their case was not properly considered.

2. The respondents in the written statement denied and disputed the claim of the applicants and submitted that these applicants submitted representations at a belated stage, therefore the authority did not consider it fit to entertain their representations. In the written statement the respondents submitted that the authority considered the cases of all the persons those who filed applications in time and pursuant thereto 194 name of casual workers were registered. Since the applicants did not apply in time their case could not be considered.

3. We have heard Mr.S.Das, learned counsel for the applicants and also Mr.S.Sarma, learned Standing counsel for the Railways.

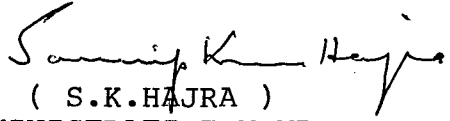
4. We have given our anxious consideration on the matter. The issue raised in this application requires further evaluation of facts on verification of the records. Considering the facts and circumstances of the case, we are of the opinion that ends of justice will be met, if a direction is issued to the applicants to submit individual representations before the General Manager (P), N.F.Railway, Maligaon, Guwahati-11. Accordingly, the applicants are directed to submit individual representations before the aforesaid authority within a period of one month from the receipt of the order. If such applications are made, the authority shall consider their case as per law and pass appropriate order. It is expected that the authority shall

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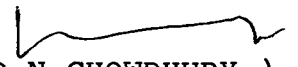
consider it expeditiously and preferably within a period of six months from the receipt of the individual representations.

Subject to the observations made above, the application stands disposed of.

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



(S.K.HAJRA)
ADMINISTRATIVE MEMBER



(D.N.CHOWDHURY)
VICE CHAIRMAN

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6/5/02

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH

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

O. A. NO. 140 /2002.

Shri Kanti Kumar Das and Others.

..... Applicants.

- Versus -

Union of India and Others.

.... Respondents.

I N D E X

<u>Sl.No.</u>	<u>Description of Documents.</u>	<u>Anne- xure.</u>	<u>P a g e s</u>
1)	Application		01 - 16
2)	List of Applicants along with the date of engagement and date of discharge.	'A'	17 - 21
3)	Type Copy of the Circular No. RECT-884 E/57/O Pt. XII(C) dated 4.12.98 issued by the General Manager(P), N.F. Railway, Maligaon.	'B'	22 - 23
4)	Type Copy of the Circular No. E(NG)II/98/CL/32 dtd. 9.10.98 issued by the Railway Board, New Delhi.	'C'	24 - 25
5)	Type Copy of the Circular No. E/41/CL(E)/Pt-II, dated 8.9.2000 issued by the General Manager(P), N.F. Railway, Maligaon.	'D'	26 - 27

(Contd.....)

I N D E X

<u>Sl.No.</u>	<u>Description of Documents.</u>	<u>Anne- xure.</u>	<u>Pages</u>
6)	Type Copy of the Circular HO:RECT-914 <hr/> No.E/57/O P.XII(C) Dated 15.3.2001 issued by the General Manager (P), N.F. Railway, Maligaon.	'E'	28 - 30
7)	Type Copy of the Representation dated 19-5-2000 submitted by the Applicant's Association before the Respondent No.3, Divisional Rly.Manager Lunding.	'F'	31 - 32
8)	Type Copy of the Representation dated 9-2-2001 submitted by the Applicant's Association before the Respondent No.3, Divisional Rly.Manager, Lunding.	'G'	33
9)	Type Copy of the Representation dated 21-06-01 submitted by the Applicant's Association before the Respondent No.2, The General Manager(Personnel), N.F.Rly., Maligaon, Guwahati-11.	'H'	34 - 35
10)	Type Copy of the Representation dated 2-8-2001 submitted by the Applicant's Association before the Hon'ble Minister of Railways (Rail Mantralaya) Railway Board, New Delhi.	'I'	36 - 37

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Signature of Applicant.

(Contd.....)

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For use in Tribunal's Office :

Date of Filing :

Date of Receipt by Post. :

Registration No. :

Signature of the Registrar

Filed by :-

Sarbeswar Das and
Advocates *G. Pattak*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :::: GUWAHATI.
GUWAHATI BENCH :: GUWAHATI.

O. A. NO. 140 /2002.

A) PARTICULARS OF THE APPLICANTS :

- 1) Sri Kanti Kumar Das,
Son of Sri Tulsi Chandra Das.
- 2) Sri Dilip Chandra Dey
Son of Late Karuna Sankar Dey.
- 3) Sri Bhabatosh Acherjee,
Son of Hari Mohan Acherjee.
- 4) Sri Banerwar Chakraborty,
Son of Manindra Chakraborty.
- 5) Sri L. Appa Rao,
Son of Sri L. Ram Loo.
- 6) Sri Sentu Aich,
Son of Late Satindra Kr. Aich.
- 7) Sri Rabi Malakar,
Son of Manindra Malakar.
- 8) Sri Prem Lal,
Son of Late Babin Lal.
- 9) Sri Babul Chandra Dey,
Son of Jatindra Ch. Dey.
- 10) Sri Nishan Basfor,
Son of Ram Prasad Basfor.
- 11) Sri Binal Bhattacharjee,
Son of Sudhir Kr. Bhattacharjee.
- 12) Sri Nitai Das,
Son of Sri Abhimanya Das.

(Contd.....P/2.)

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Filed by -
G. N. B. Das
Advocate
Nisargan Datta

- 13) Sri Sushil Kumar Dey,
Son of Sri Birendra Kumar Dey.
- 14) Sri Haradhan Dey,
Son of Umesh Chandra Dey.
- 15) Sri Monalal Chakraborty,
Son of Late Nishi Lal Chakraborty.
- 16) Sri Biswanath Kumar Dey,
Son of Prasanna Kumar Dey.
- 17) Sri Uddhab Das,
Son of Navadeep Das.
- 18) Sri Narayan Kuri,
Son of Tarani Kuri.
- 19) Sri Kaṭtik Malakar,
Son of Late Jatindra Malakar.
- 20) Sri Pijush Kanti Deb,
Son of Late Prakash Ch. Deb.
- 21) Sri Sajal Kanti Dey,
Son of Jatindra Mohan Dey.
- 22) Sri Prabir Kumar Dhar,
Son of Bhupendra Dhar.
- 23) Sri Rama Rao,
Son of Late Kar Rlaiya.
- 24) Sri Lakhmi Norasaiya,
Son of T. Narayan.
- 25) Sri Haradhan Debnath,
Son of Krishnalal Debnath.
- 26) Sri Gauranga Mazumdar,
Son of Manoranjan Mazumda-r.
- 27) Sri Swapan Kumar Deb,
Son of Manoranjan Deb.

- 28) Sri Anil Chakraborty,
Son of Mahendra Chakraborty.
- 29) Sri Tapan Kumar Ghose,
Son of Surendra Ghose.
- 30) Sri Harilal Bhagat,
Son of Kapildeo Bhagat.
- 31) Sri Bindaram Biswas,
Son of Nilmani Biswas.
- 32) Sri Amulya Rishi
Son of Rabindra Rishi
- 33) Sri Rameswar Kathar,
Son of Late Sital Kathar.
- 34) Sri Babul Talukdar,
Son of Debendra Talukdar.
- 35) Sri Gauranga Dey,
Son of Kailash Dey.
- 36) Sri Sadhu Tati,
Son of Krishna Tati.
- 37) Sri Niranjan Dutta,
Son of Pran ~~Kxxx~~ Krishna.
- 38) Sri Dulal Das,
Son of Kalipada Das
- 39) Sri Khokan Ch. Dey,
Son of Nagendra Dey.
- 40) Sri Babul Deka,
Son of Digambar Deka.
- 41) Sri Ranjit Tati,
Son of Kamdhan Tati.

(Contd.....P/4.)

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Nirangana

19
N. Narayan Sella

- 42) Sri Babul Dey,
Son of Prafulla Dey.
- 43) Sri Gopal Kaya,
Son of Arma Kaya.
- 44) Sri Narayan Chandra Dey,
Son of Late Hari Mohan Dey.
- 45) Sri Lalit Mohan Paul,
Son of Jogeswar Paul.
- 46) Sri Shiba Prasad Shyam,
Son of Kanailal Shyam.
- 47) Sri Sajal Dutta,
Son of Amulya Ranjan Dutta.
- 48) Sri Sushil Choudhury,
Son of Ramani Choudhury.
- 49) Sri Paltan Mandal,
Son of Surendra Mandal.
- 50) Sri Gopal Orang,
Son of Janki Orang.
- 51) Sri Ranjit Debnath,
Son of Srimanta Debnath.
- 52) Sri Kageswar Bora,
Son of Jonaram Bora.
- 53) Sri Gopal Ch. Das,
Son of Kamini Kr. Das.
- 54) Sri Sugrib Tati,
Son of Santo Tati.
- 55) Sri Lila Tati,
Son of Cheroo Tati.
- 56) Sri Chunnilal,
Son of Ram Chandra.

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Nilangar Datta

- 57) Sri Madhab Tati,
Son of Jogli Tati.
- 58) Sri Putul Tati,
Son of Raghmani Tati.
- 59) Sri Bagai Tati,
Son of Balbu Tati.
- 60) Sri Judhisthir Nath,
Son of Dharendra Nath.
- 61) Sri Durga Paul,
Son of Jagabandhu Paul.
- 62) Sri Sibendra Chakraborty,
Son of Sri Jitendra Chakraborty.
- 63) Sri Parimal Chandra Dey,
Son of Satish Ch. Dey.
- 64) Sri Ajit Kumar Deb,
Son of Kalachand Deb.
- 65) Sri Durgush Thakur,
Son of Kamal Thakur.
- 66) Sri Gopal Sharma
Son of Indramani Sharma.
- 67) Sri Lakhan Debnath,
Son of Hargobinda Sarkar.
- 68) Sri Swapan Sarkar,
Son of Late Jogesh Sarkar.
- 69) Sri Dulal Sarkar,
Son of Late Jogesh Sarkar.
- 70) Sri Puneswar Phukan,
Son of Late Akaman Phukan.

(Contd.....P/6.)

- 71) Sri Maran Mazumdar,
Son of Prafulla Mazumdar.
- 72) Sri Kartik Gore,
Son of Dasarath Gore.
- 73) Sri Subal Chandra Debnath,
Son of Late Nirod Ch. Debnath.
- 74) Sri Jiban Chandra Sarkar,
Son of Late Sachin Sarkar.
- 75) Sri Minash Ali,
Son of Rajib Ali.

- 76) Sri Santoo Dey,
Son of Gobinda Dey.

*All the petitioners are resident of Lumding
in the district of Nagaon, Assam.....* Applicants.

B) PARTICULARS OF RESPONDENTS :

- 1) Union of India,
Represented by the Secretary to the
Government of India in the
Department of Railways,
Rail Bhawan, Raisina Road,
New Delhi - 110 001.
- 2) The General Manager (Personnel),
North-East Frontier Railway,
Maligaon, Guwahati - 781 001.
- 3) Senior Divisional Railway Manager (P),
Lumding, District Nagaon,
A s s a m.

..... Respondents.

(Contd.....P/7.)

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C) PARTICULARS OF THE ORDERS FOR WHICH THE APPLICATION IS MADE :

- a) Order No.E(NG)II/98/CL/32, New Delhi,
Dated 09-10-98 issued by Respondent No.1.
- b) Order No.RECT-884, E/57/0 Pt.XII(C),
Dated 04-12-98, issued by Respondent No.2.
- c) Order No.E/41/CL(E)/Pt-II, Maligaon,
Dated 8-9-2000 issued by the Respondent No.2.
- d) Order No.RECT-914 No.-E/57/0 P.XII(C),
issued by Respondent No.2.

All these orders are in connection to the absorption of Ex-Casual Labourers of Railways.

D) JURISDICTION OF TRIBUNAL :

This application is within the jurisdiction of this Hon'ble Tribunal.

E) LIMITATION :

This application is within the period of limitation.

F) DEPARTMENTAL REMEDIES IF EXHAUSTED :

The applicants sent several representations to the respondents for their absorption in service.

G) FACTS OF THE CASE :

- 1) That, the Government of India in Ministry of Railways came to realise that railway workers who have put on their services as casual workers for several years

(Contd.....P/8.)

were not regularised at all which made the service condition most uncertain in the absence of a proper scheme with guidelines for absorption of such casual workers so the railway authorities decided to make a scheme for that purpose. So, the Railway Board which is the highest authority in Railway Administration made a scheme for that purpose. So, the Railway Board which is the highest authority in Railway Administration made a scheme with guidelines for making a list of Ex-Casual Labourers all over India (Division-wise) in a Register called Live-Register and Supplementary Live Register so that there is a proper screening of such Casual workers for the purpose of regularisation.

- 2) The Railway Board's decision was sent to all the Divisional Offices inviting applications from Ex-Casual Labourers for inclusion of their names in the Live Register / Supplementary Live Register in respective offices. Accordingly all the offices were required to put-up the copies of the Circular in the Notice Boards of all offices. It was also required to publish this information in Local News Papers so that everybody is informed of this special opportunity introduced by the Railway Board.

Unfortunately the news about the new facility for the Ex-Casual Labours / Workers was not properly circulated in Lunding Division and it was not put up in the Notice Board of all offices and there was no

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~~the~~ report about it in any local News Papers for which many genuine candidates could not send in their applications with necessary particulars. Yet many workers on the basis of verbal information of the new policy and facility approached the authorities concerned with applications and particulars. But, the authorities concerned did not accept the applications but assured that inquiries will be made from the work-sites where they last worked and then only on receipt of records from the work-sites, their cases will be considered.

That, it is learnt that reports were sent from the work-sites in favour of the workmen. Even then their names were not included in the Live-Register/Supplementary Live Register and so the workmen were deprived of any benefit under the new scheme.

It is pertinent to state that the officials of Lunding Division arbitrarily and whimsically prepared a list of their own without any basis and from that list 194 workers were ~~absorption~~ absorbed excluding many more genuine candidates including the present applicants. But, the present applicants persistently kept on demanding their own absorption like the 194 similarly situated workmen given the benefit, of absorption. Then the officers came out with an assurance that an inquiry will be made from the officers on the work-sites where they last worked and on receipt of reports from the concerned officials of the respective work-sites a list will be prepared. It is learnt that

(Contd.....P/10.)

the officials concerned of the work-site sent reports in favour of the applicants. The applicants reliably learnt that the names of the applicants have been figured in the lists of Ex-Casual labourers prepared by the concerned officials in respective work-sites. Even then none of the applicants have been absorbed as yet.

That, the present applicants were Ex-Casual employees who worked within the jurisdiction of Luming Division in different work-sites. Since at the relevant time of issuance of this said circular/scheme they were scattered over a vast area for the maintenance of their livelihood and there were communication gaps among themselves as well as with the respective offices where they worked earlier. It was not possible for them to know the purpose of the scheme, because the scheme was not given proper publicity and it was not notified in the offices concerned which obstructed the applicants from getting proper information. Even when they got the information, they applied but their applications were neither received nor considered by the officers concerned.

That, the applicants along with other Ex-Casual workers under Northeast Frontier Railway, Luming Division formed an organisation under the name and style of "Casual Labour Organisation, Luming" to ventilate their grievances before the authority.

(Contd.....P/11.)

25
Neeaganatha

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were not considered for absorption in service. This is * the grievances of the present applicants and they sent several representations to the authorities concerned, but did not get any relief so they have been compelled to file this present application before this Hon'ble Tribunal for a direction to the Respondents to absorb them, because similarly placed other Ex-Casual Workers in different divisions all over the Country have been absorbed. The present applicants have been deprived of this benefit. So, the present applicants' prayer is to give the benefits to them which have been given to other Ex-Casual employees in different places.

H) GROUND FOR RELIEF WITH LEGAL PROVISIONS :

- 1) For that the Railway Board the Respondent No.1 created some legal rights for the absorption of the applicants as Ex-Casual Labour which was a policy decision of the Central Government in the Department of Railways. But the applicants were denied this opportunity and valuable right, for which the applicants have filed the present application for redressal of their grievances.
- 2) For that the circulars / notices / orders issued by the Railway Board from time to time were not properly circulated by putting up in the Notice Board of different offices all over the areas covered by the North East Frontier Railways particularly in Luding Division. And there was no information of it published in the local News Papers. This was against the right to

(Contd.....P/13.)

Nilgagan Datta

information which is now considered as a fundamental right by the Hon'ble Supreme Court of India and as such there was a violation of legal rights of the applicants who could not submit their applications immediately after the declaration of the scheme.

- 3) For that the Respondent No.3 arbitrarily and whimsically prepared the Live Register and Supplementary Live Register of Ex-Casual Labourer without following any norms and procedures. This offended the right to equality and right to equal opportunities in public services as guaranteed under Article 14 and 16 of the Constitution of India.
- 4) For that, Respondent No.3 acted illegally and against the legal provisions by allowing 194 equally not similarly situated employees to enjoy the benefits of the new policy of regularisation and absorption in employment and at the same time denying the same benefit to the present applicants. This is not only arbitrary and unfair, unknown to the Constitution of India, but at the same time against the right to life which is guaranteed under Article 21 of the Constitution of India. This is so, because right to comfortable and decent living is now considered by the Hon'ble Supreme Court of India as a right included in the right to life.
- 5) For that looked at from any point of view, the impugned action of the Respondents is illegal and can not be sustained in law.

(Contd.....P/14.)

Mullanganhatta

I) DETAILS OF REMEDIES EXHAUSTED :

The applicants sent several representations to the authorities concerned both individually and through their organisation . But there was no positive response in respect of many of the representations.

J) MATTER NOT PENDING BEFORE ANY COURT / TRIBUNAL :

The applicants declare that they have not filed any application before any Court / Tribunal concerning the subject matter of the application.

K) RELIEF SOUGHT :

The applicants pray for the following reliefs :-

- a) The names of the applicants be included in the Live Register / Supplementary Live Register of Ex-Casual workers.
- b) Direction be given to the Respondents to absorb the applicants in the same way as was been done with regard in 194 similarly situated Ex-Casual Workers.
- c) Any other Order or Direction to the Respondents as this Hon'ble Tribunal may deem fit and proper.
- d) A suitable amount commensurate with the expenditure involved in this case.
- e) Interim Order, if any, an Order may be passed directing the Respondents not to absorbed any Ex-Casual Workmen without considering the cases of the present ~~applications~~ applicants.

(Contd.....P/15.)

Neelamgan sutta

K)

f) The application is submitted through the Lawyer of the applicants.

L) PARTICULARS OF THE POSTAL ORDER :

a) Number of Postal Orders: 76574469

b) The name of issuing Post Office: Head P.O. Guvahati

c) Date of Issue: 30-4-02

M) LIST OF ENCLOSURES :

As per Index.

N) The applicants crave leave to file this application jointly as the cause of action is common to all.

VERIFICATION

I, Shri Niranjana Dutta, Son of Late Pran
Krishna Dutta, aged about 37 Years by faith Hindu,
Resident of Luming in the District of Nagaon,

Assam, do hereby solemnly declare and affirm that
I am one of the applicants of this petition and
I have been duly authorised by all the applicants
to sign this Verification on behalf of them and
the contents of this application in Paragraph (A)
to (M) are true to the best of my knowledge,
information and belief and I have not suppressed any
material before this Hon'ble Tribunal

And I sign this Verification today on this

2nd day of May, /2002 at Guwahati.

Date : _____

Place : Guwahati.

Prepared in my Office:

(Advocate)

Niranjana Dutta

Deponent

32

Niranjan Dutta

STATEMENT OF EX-CASUAL LABOURER WHO WORKED IN THE
RAILWAY DEPARTMENT UNDER LUMDING DIVISION BUT NOT
REGULARISED IN THE RAILWAY DEPARTMENT THROUGH
SCREENING

Sl.	Name of Ex-Casual Labour and Father's Name	Date of Engage-ment	Date of Dischar-ge.	Place of Working
1)	Sri Kanti Kumar Das S/O Sri Tulsi Ch. Das.	19-6-81	31-03-82	LCW/LMG
2)	Mr. Dilip Ch. Dey S/O.Lt.Karuna Sankar Dey.	15-06-79	22-09-79	FCW/Haflong
3)	Mr. Bhabatosh Acherjee S/O. Hari Mohan Acherjee.	20-12-72	07-05-74	SSE/PWI/H/ LMG
4)	Mr. Baneshwar Chakraborty. S/O.Manindra Chakraborty.	26-06-76	15-09-76	SSE/P.WAY/ HILL/LMG.
5)	Mr. L. Appa Rao S/O. Sri L. Ram Loo,	14-04-85	28-05-86	W/S / LMG.
6)	Mr. Sentu Aich, S/O Lt.Satindra Kr.Aich.	21-12-85	13-03-86	W/S / LMG.
7)	Mr. Rabi Malakar, S/O Manindra Malakar.	14-12-84	27-05-86	W/S / LMG.
8)	Mr. Prem Lal, S/O Late Babin	18-07-78	15-09-78	CTR / LMG.
9)	Mr. Babul Ch. Dey S/O. Jatindra Ch.Dey.	17-01-76	15-12-76	SE/W/DMV
10)	Mr. Nishan Basfor S/O Ram Prasad Basfor	25-01-75	31-08-75	BRIDGE Bandarkhal
11)	Mr. Bimal Bhattacharjee S/O.Sudhir Kr.Bhattacharjee	12-03-72	22-01-76	BRIDGE/LMG
12)	Sri Nitai Das S/O.Sri Abhimanya Das.	20-06-76	15-10-77.	PWI/HJI
13)	Sri Susil Kr. Dey, S/O. Sri Birendra Kr.Dey.	02-05-77.	15-02-78	IOW / CPK
14)	Mr. Haradhan Dey S/O. Umesh Ch.Dey.	29-06-81	15-10-81	PWI/NOG
15)	Mr. Monalal Chakraborty S/O.Lt.Nishilal Chakraborty	31-03-75	14-05-75	SSE/PWI DPU
16)	Mr.Biswanath Kr.Dey, S/O.Prasanna Kr.Dey.	25-04-75	15-07-75	SSE/PWI DPU
17)	Mr. Udhab Das, S/O Navadeep Das	19/06/77.	25-06-77.	SSE/PWI DPU

(Contd.....)

~~Attested to the true~~
Attested
9/13
Advocate

Sl.	Name of Ex-Casual Labour and Father's Name	Date of Engagement.	Date of Dis-charge	Place of Working
18)	Mr. Narayan Kuri, S/O. Tarani Kuri,	08-08-76	15-09-76	IOW/Haflong
19)	Mr. Kartik Malakar S/O.Lt.Jatindra Malakar.	08-11-76	15-12-76	IOW/GID
20)	Mr. Pijush Kanti Deb, S/O.Lt.Prakash Ch.Deb.	11-09-82	20-10-82	SSE/SIG Mariyani
21)	Mr.Sajal Kanti Dey, S/O. Jatindra Mohan Dey.	05-06-78 07-08-78 04-01-79	04-07-78 06-09-78 03-02-79	S/dT New Gauhati
22)	Mr. Prabir Kr.Dhar S/O. Bhupendra Dhar	16-04-75	01-05-75	SSE/PWAY DPU
23)	Mr. Rama Rao S/O Late KarRLAIYA	24-08-85	27-06-86	W/S/LMG
24)	Mr. Lakhmi Norasaiya S/O T. Narayan	18-12-84	27-05-86	W/S/LMG
25)	Mr. Haradhan Debnath S/O. Krishna Lal Debnath.	18-11-77.	15-05-78	SSE/PWAY DPU
26)	Mr. Gouranga Mazumdar S/O. Monoranjan	03-08-78	15-10-78	SSE/PWAY DPU
27.)	Mr. Swapan Kr. Deb S/O. Monoranjan Deb.	19-07-73	15-11-73	SSE/P WAY DCA HJO
28)	Mr. Anil Chakraborty S/O. Mahendra.	19-03-76	15-06-76	SSE/P WAY DPU
29)	Mr. Tapan Kr. Ghose S/O. Surendra Ghose.	18-03-75	15-04-75	SSE/P WAY DPU
30)	Mr. Harilal Bhagat S/O. Kapildeo Bhagat	28-11-75	03-03-76	SSE/P WAY DPU
31)	Mr. Bindaram Biswas S/O. Nilmoni Biswas	06-12-77.	17-12-77.	SSE/P WAY DPU
32)	Mr. Amulya Rishi S/O. Rabindra Rishi	29-11-74	15-12-74	SSE/P WAY DPU
33)	Mr. Rameswar Kalhar S/O Lt. Sital Kalhar.	18-12-75	15-06-76	SSE/P WAM DPU
34)	Mr. Babul Talukdar S/O. Debendra Talukda-r.	16-09-70	15-02-71	SSE/ FWI DPU
35)	Mr. Gouranga Dey, S/O. Kailash Dey.	10-08-76	15-09-76	SSE/P WAY DPU

Narayan Kuri

Attested
~~certified to be true~~
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Sl. No.	Name of Ex-Casual Labour and Father's Name	Date of Engagement	Date of Dis-charge	Place of Working
36)	Mr. Sadhu Tati S/O. Krishna Tati	16-12-75	15-03-76	<u>SSE/P WAY</u> DPU
37)	Mr. Niranjana Dutta S/O Pran Krishna Dutta.	19-11-77	15-10-78	<u>SSE/P WAY</u> DPU
38)	Mr. Dulal Das S/O. Kalipada Das	17-10-75	13-05-76	<u>SSE/P WAY</u> BXP
39)	Mr. Khokan Ch. Dey. S/O. Nagendra Dey.	17-12-75	15-08-76	<u>SSE/P WAY</u> BXP
40)	Mr. Babul Deka S/O. Digambar Deka.	26-11-74	24-05-75	<u>SSE/P WAY</u> BXP
41)	Mr. Ranjit Tati, S/O. Kamdhan Tati.	16-12-75	15-03-76	<u>SSE/P WAY</u> BXP
42)	Mr. Babul Dey S/O. Prafulla Dey.	17-12-75	15-05-76	<u>SSE/P WAY</u> BXP
43)	Mr. Gopal Kaya S/O. Arma Kaya.	17-12-75	15-08-76	<u>SSE/ P WAY</u> BXP
44)	Mr. Narayan Ch. Dey, S/O. Lt. Hari Mohan Dey.	16-06-72	15-11-76	<u>SSE/P WAY</u> DPU
45)	Mr. Lalit Mohan Paul, S/O. Jogeswar Paul.	03-03-74	07-05-74	<u>SSE/P WAY</u> DPU
46)	Mr. Shiba Prasad Shyam S/O. Kanailal Shyam.	17-12-75	15-08-76	<u>SSE/P WAY</u> BXP
47)	Mr. Sajal Dutta, S/O. Amulya Rn. Dutta.	27-11-75	15-08-76	<u>SSE/ P.WAY</u> DPU
48)	Mr. Susil Choudhury, S/O. Ramani Choudhury.	18-06-76	15-09-76	<u>SSE/P.WAY</u> DPU
49)	Mr. Paltan Mandal, S/O. Surendra Mandal.	17-12-75	16-10-77.	<u>SSE/P WAY</u> BXP
50)	Mr. Gopal Orang, S/O. Janki Orang.	15-03-83	15-05-83	<u>SSE/P WAY</u> BXP
51)	Mr. Ranjit Debnath, S/O. Sree Manta Debnath.	18-08-75	15-10-75	<u>SSE/P WAY</u> BXP
52)	Mr. Kageswar Bora S/O. Jonaram Bora.	18-11-77.	15-10-78	<u>SSE/P WAY</u> DPU
53)	Mr. Gopal Ch. Das S/O. Kamini Kr. Das.	19-08-75 30-12-76	15-12-75 15-02-77.	<u>SSE/P WAY</u> BXP
54)	Mr. Sugrib Tati, S/O. Santo Tati.	16-12-75	15-03-76	<u>SE /P WAY</u> BXP
55)	Mr. Lila Tati, S/O. Cheroo Tati.	16-12-75	15-06-76	<u>SE/P WAY</u> BXP

Niranjan Dutta

Attested
~~Cent. Asst. Secy to Govt.~~

g/b
 Advocate

(Contd.....)

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Sl. No.	Name of Ex-Casual Labour and Father's Name.	Date of Engagement	Date of Discharge	Place of Working
56)	Mr. Chunnilal S/O. Ramchandra.	06-11-73	18-05-73	<u>SSE/P WAY</u> BXP
57)	Mr. Madhab Tati S/O. Jogli Tati.	10-12-75	15-03-76	<u>SE/P WAY</u> BXP.
58)	Mr. Putul Tati S/O. Ragumani Tati.	22-01-75	15-08-75	<u>SE/P WAY</u> BXP
59)	Mr. Bagai Tati S/O. Balbu Tati.	17-01-75	15-08-75	<u>SE/P WAY</u> BXP
60)	Mr. Judhishtir Nath S/O. Dharendra Nath.	05-10-75	15-05-76	<u>SE/P WAY</u> BXP
61)	Mr. Durga Paul S/O. Jagabandhu Paul.	28-1-78	17-02-78	<u>SSE/P WAY</u> BXP
62)	Mr. Sibendra Chakraborty, S/O. Sri Jitendra Chakraborty.	16-08-81	15-11-81	<u>SSE/P WAY</u> DFU
63)	Mr. Parimal Ch. Dey. S/O. Satish Ch. Dey.	29-07-77 01-10-77	15-09-77 15-10-77.	IOW/Maibong
64)	Mr. Ajit Kr. Deb, S/O. Kalachand Deb.	28-01-78 03-03-78	17-02-78 15-04-78	PWI/DFU
65)	Mr. Durgesh Thakur S/O. Kamal Thakur.	18-12-75	23-03-76	PWI/DFU
66)	Mr. Gopal Sharma S/O. Indramoni Sharma	24-06-77.	15-10-77.	PWI/DFU
67)	Mr. Lakhan Debnath S/O. Hargobinda Debnath.	24-06-77.	15-10-77.	PWI/DFU
68)	Mr. Swapan Sarkar, S/O. Lt. Jogesh Sarkar.	17-10-75	28-03-76	PWI/DFU
69)	Mr. Dulal Sarkar S/O. Lt. Jogesh Sarkar.	18-10-75	01-03-76	PWI/DFU
70)	Mr. Puneswar Phukan S/O Lt. Akaman Phukan	11-11-77.	25-11-77.	PWI/DFU
71)	Mr. Maran Mazumdar S/O. Prafulla Mazumdar	28-02-78 17-01-83	22-06-78 15-01-84	Bridge/ Rangapara
72)	Mr. Kartik Gore S/O. Dasarath Gore.	16-07-77.	16-10-77.	PWI/BXP

Niranjan Datta

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~~Continued to page 36~~
 Attested
 [Signature]
 Addressee

Sl. NO.	Name of Ex-Casual Labour and Father's Name	Date of Engagement	Date of Dis-charge	Place of Working
73)	Mr. Subal Ch. Debnath S/O. Lt. Nirod Ch. Debnath.	04-12-78	08-12-78	PWI / DPU
74)	Mr. Jiban Chandra Sarkar S/O. Lt. Sachin Sarkar.	04-02-78	10-12-78	PWI / DPU
75)	Mr. Minash Ali S/O. Rajib Ali.	22-07-77	15-10-78	SSE/PWI/DPU
76)	Mr. Santoo Dey, S/O. Gobinda Dey.	19-07-73	15-09-75	<u>SE/P WAY</u> BXP

--:oOo:--

Attested
~~certified to be true~~
 g/B
 Advocate

Northeast Frontier Railway

Office of the
General Manager (P)
Maligaon, Guwahati - 11

Dated 4.12.98.

RECT-884

E/57/O Pt.XII(C)

To
GM(Con), Maligaon
All PHODs, All DRMs & All DAOs,
All controlling Officers of Non-Divisionalised Offices,
The GS/NFREU, NFRMU & AISCTREA.

Sub:- Screening of Casual Labour borne on the
Live/Supplementary Live. Casual Labour
register.

A copy of Railway Board's letter No.E(NG)II/98/CL/32 dated 09.10.98 on the above mentioned subject is forwarded for information and necessary action. It is clarified that screening of ex-casual labour borne on the live/supplementary live Casual Labour Register against vacancies in the various departments would not be a matter of course and automatic but this process has to be decided based on justification regarding filling up of vacancies in a particular department. Proposals for appointment of ex-casual labour from these registers would continue to be sent to HQ for obtaining GM's approval and only after the approval is conveyed to the division, they would take further necessary action regarding appointment of such ex.Casual Labour against vacancies by screening them according to seniority. For any further clarifications of any doubts reference to HQ must invariably be made. Board's earlier letters mentioned in the margin on their present letter were circulated as under :-

Board's letter No.& date	CPOs Circular No. & date.
1. E(NG)II/84/CL/41 date 02.03.87	1. E/57/II(C) dated 13.03.87 (DRMs only)
2. E(NG)II/84/CL/41 date 21.10.87	2. DO No.E/57/II(C) dated 11.11.87
3. E(NG)II/78/CL/2 date 21.02.84	3. Rect.686.E/57/O Pt.X(C) dated 16.03.84
4. E(NG)II/78/CL/2 date 02.11.84	4. Rect.706.E/ 57/OPLX(C) dated 10.01.85
5. E(NG)II/78/CL/2 date 25.04.86	5. Rect.732 E/ 57Pt.XI(C) dated 21.05.86

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Advocate

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Niranjan Datta

Board's letter No.& date	CPOs Circular No.& date.
6. E(NG)II/78/CL/38 date 12.06.87.	6. E/57/0 Pt.XI(C) dated 9.7.87.
7. E(NG)II/79/CL/2 date 03.03.82	7. Rect.644/E/57/ dated 8.4.82 Opt.IX(C)
8. E(NG)II/88/CL/18 date 01.11.88	8. Rect.766/E/57/ dated 11 Pt.II(C) 25.11.88

DY. CPO/IR
 For General Manager (P)
 NF Railway, Maligaon

Attested
~~Certified to be true~~
 g/b
 Asstt Secy

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS:::
(RAILWAY BOARD)

RBE NO. 232/98

39

NO.E(NG)II/98/CL/32

New Delhi, dt. 09.10.98

The General Manager (P)s
All Indian Railways & Production Units etc.
(As per standard list)

Sub.: Screening of casual labour borne on the live/
supplementary live casual labour register.

As the Railways are aware, the extant instructions require that Casual Labour Live Registers should be maintained for Open line casual labour (unit-wise) and for the Project casual labour (Division-wise) for each Department in each Division. The copies of these live registers are to be invariably maintained in the Divisional Office and up-dated every year.

Ref :-

Board's letters
No.E(NG)II/
84/CL/41 dt.
2-3-87 and
21-10-87,

Board's
letters No.
E(NG)II/63/
CL/13 dt.
16-9-63
E(NG)II/78/
CL/2 dt.
21-2-84, &
12-11-84
E(NG)II/78/
CL/2 dt.
25-4-86
E(NG)II/37/
CL/38 dt.
12-6-87
E(NG)II/78/
CL/2 dt.
8-12-88.

Board's
letters No.
E(NG)II/78/
CL/18 dt.
21-2-84
E(NG)II/79/
CL/2 dt.
3-3-82
E(NG)II/88/
CL/18 dt.
1-10-88.

- 1.1 Similarly Supplementary Casual Labour Live Registers are to be maintained Division-wise separately for both Open line and Project casual labour who were discharged prior to 1.1.81 for want of work or due to completion of work and not re-engaged thereafter and who had applied by 31.3.87 for the purpose and were found eligible for the purpose by a Committee of Officers on each Division.
- 2. Now that the Casual Labour on roll have been absorbed under the special drive during the period from 1.5.96 to 31.3.96, further, vacancies in the different departments of a Division/Unit may be filled up by screening the casual labour borne on the Live register(s) and after exhausting them, by screening those borne on the Supplementary live register of the Division/Unit.
- 2.1 In case of the casual labour borne on casual labour live registers, the regularisation will continue to be as per their ~~turn~~ turn according to seniority based on the number of days put in by them as casual labour.
- 2.2. However, in case of the casual labour borne on supplementary live register, the extant instructions which stipulate that the persons borne on Supplementary live register will be considered for regularisation based on the service after re-engagement after 1.1.81 (it may be noted that after such re-employment they would have

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in any case appeared in the live register as well) have now lost relevance. The same are, therefore, modified to provide that the regularisation of casual labour borne in casual labour supplementary live register will be considered in accordance with the number of days put in by them prior to 1.1.81, those falling in this category being placed en bloc below any who may have rendered service after re-engagement after 1.1.81.

3. Board desire that the Notices of screening alongwith the Lists of persons to be screened out of the persons borne on the Live Register and/or Supplementary Live Register as the case may be (the total no. of persons on the List being equal to the no. of vacancies required to be filled up by the screening), shall be issued under the signature of an officer of the Personnel Branch of the Division concerned. In addition to displaying the Notice alongwith the List, on the Notice Board(s), etc. he will also send a letter under his signature enclosing a copy of the Notice and the List to each of the individuals concerned by Registered Post A/D advising that in case the individual does not turn up, his name will be deleted from the Casual Labour Live Register/Supplementary Casual Labour Registers as the case may be, and that thereafter he would have no further claim for consideration for absorption by screening in Group 'D', so that there is no difficulty in taking action for deletion of the names, of those who do not turn up.

Sd/- Illegible,
(Devika Chhikara)
Director Establishment (N)

-::oOo::-

Attested
~~Co-attested to certificate~~
CJB
Advocate

N.F. RailwayOffice of the
General Manager/Personal
Maligaon, Dtd. 8-9-2000.

No. E/41/CL(E)/Pt-II.

To
DRM/LMG and others,Sub:- Regularisation and screening of Casual Labour
borne on Live/Suppl. Live Casual Labour Register.

Attention is invited to the instruction contained in Railway Board's letter circulated under GM(P)'s No. Rectt/628. E/57/0/Pt. IX (C) dtd. 17.7.81 and Rectt/884./57/0/Pt. XXI(C) dt. 4.12.98. On the above subject and it is clarified that screening of Ex-Casual Labour borne in Live/Suppl. Live Casual Labour Register against the vacancies of various department would not be a matter of course and automatic. Instructions stipulated therein should be followed strictly before screening test is held.

In addition to all such instructions issued locally from GM(P) MLG and in addition to the existing system of check, the following system has been evolved which should be adhered to positively.

- (a) At the time of screening, concerned divisions should nominate one Office of P/Branch of at least Asstt. Scale alongwith the list of casual labourers of the Divisions to verify it from the concerned executive of HQ level. After verification both the officers should be prepare a confirmed list of the Casual Labourers of the Divin. and it should be signed by both of them. This verified list should be considered for further proceeding of screening.
- (b) [Whenever there is a correspondence from any of the executives conveying fresh inclusion of names in the list of Ex-Casual Labour, same should be immediately verified from the concerned executives, before it is given cognizance by the P/Branch of the concerned divin. In this regard it is also stated that whenever there is any recommendations from the executive conveying fresh inclusion of name in the list of Casual Labour, it must be ensured that this has the personal approval of the GM (according to current instructions).
- (c) Whenever fresh appointees report to any of the field units alongwith the appointment letter, it must be verified ~~that~~ and cross-checked by the controlling officers of the field unit with the authority, who issued ~~by~~ the appointment

(Contd.....)

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True Copy9/13
Advocate

Niranjan Datta

letter, regarding genuineness of the letter and candidate so appointed before induction.

All concerned are requested to have a thorough review of all the candidates (Ex-Casual Labourer) who are under consideration for screening/appointment presently, before they are actually absorbed in Group-'D' category.

In addition to above, further efforts may be made to do away laguna, if any, in the system of screening/appointment of Ex-Casual Labourers to avoid fraudulent appointment.

Sd/- (B.K.Singh)
Dy.CPO/HQ/Maligaon
for General Manager (P)
N.F. Rly. Maligaon.

No.E/Rectt/208/0/Pt-VII.

Luding, dtd. 15-09-2000.

Copy forwarded for information and necessary action to :-

- 1) Sr. DPO, DPO, APOs, APO/GHY, AM/BPB, All BMs.
- 2) All Cadre sec. Incharges.
- 3) E/Rectt.

Sd/-

for Divl. Rly. Manager (P)
N.F.Rly, Luding.

Attested
~~Certified to contain~~
gk
Advocate

NORTHEAST FRONTIER RAILWAY

OFFICE OF THE
GENERAL MANAGER (P)
Gauhati-11.

Niranjan Dutta

HO : RECT-914
NO.E/57/O P.XII(C)

Dated 15-3-2001

To

GM/MIG, GM(CON)/MLG, AGM/MLG,
All PH&Ds, All DRMs and ADRMs, DAOs,
WAO/NDQ, D&WS, Dy.CME/NDQ, D&WS,
All Area Manager, All Sr.DRQs and DPOs,
All Sr.DME(D), DEN/D&RT, MIG,
WM(EWS)/DNGN, All AENs, OSD/RNY,
Sr. AM/GHY & NJP.
The GS/NFREU/NFRMU, AISCTREA & NEROBCEA/MIG.

Sub : Absorption in the Railways of ex-casual labour borne as the live/supplementary Live casual labour registers.

A copy of Rly.Bd's letter No.E(NG)II-99/CL/19 dt.20.2.2001 (RBE No.42/2001) on the above subject is forwarded for information and necessary action. Bd's earlier letter dt. 9.10.90, ~~ext~~ 4.12.90 and 25.7.91 and dated 1.6.99 as referred to in their present letter were circulated as under :-

<u>Rly.Bd's No. and date</u>	<u>GM(P)/MLG's No. and date.</u>
1. E(NG)1-95/BM1/1 dt.1.6.99 E(NG)II/90/CL/32 dt.9.10.90.	RECT-884/E/57/O Pt.XII(C) dt. 4.12.90
2. E(NG)II-90/RR-1/107 dt.4.10.90	RECT-893/E/227/144 P.X(C) 'B' dt. 19.8.99.
3. E(NG)II/91/CL/71 dt.25.7.91	RECT-810/E/227/144 P.X(C) dt. 21.08. 91
4. E(NG)II/91/MR-1/21 dt.16.9.91	Kept in CPO's confd.Sco. Not circulated to all concerned.
5. E(NG)I-95/RM-1/1 dt.1.6.99.	RECT-091/E/227/144 P.X(C) dt.8.6.99.

Sd/- Illegible
14/03/01.

for GENERAL MANAGER (P)/MIG.

(Contd.....)

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GB
Advocate

Sub:- Absorption in the Railways of ex-casual labour borne on The live/supplementary live casual labour registers.

In terms of the instructions contained in Board's letter No.E(NG)II/98/CL/32, dated 9.10.98, the ex-casual labour borne on live casual labour registers, will first be considered for absorption on the Railways strictly as per their turn according to seniority based on the total number of days put in by them as casual labour. Thereafter, the ex-casual labour borne on supplementary live casual labour register will be considered in accordance with the number of days put in by them prior to 1-1-81, those falling in this category being placed enbloc below any ex-casual labour who may have rendered service on re-engagement after 1.1.81, and his name is, therefore, borne on live casual labour register.

2. In terms of the instructions contained in Board's letter No.E(NG)II-98/RR-1/107 dated 4.12.98, minimum educational qualification for direct-recruitment to Group 'D' posts in scale Rs.2610-3500 has been laid down as Class-VIII passed. Further in terms of Ministry of Railway's letter No.E(NG)II/91/CL/71 dated 25.7.91, age relaxation to the extent of service put in as casual labour/substitute, subject to upper age limit of 40 years in the case of general candidates and 45 years in the case of SC/ST candidates not being exceeded, may also be granted in the case of casual labour substitutes for recruitment against group 'C' and 'D' posts. The OBC candidates will also get age relaxation, upto the upper age limit of 43 years, as has been granted to the serving OBC Railway employees vide Board's letter No.E(NG)I-95/FMI/1 dt. 1.6.99.

3. Both the Federations have been requesting for relaxation of the minimum educational qualification and age in the case of ex-casual labour borne on the Live/Supplementary Live Casual Labour Registers, - while considering them for absorption against group 'D' vacancies.

(Contd.....)

Attested by
 9/12

Naveen Kumar Datta

To,

The Divisional Railway Manager,
N.F. Railway, Lumding.

Respected Sir,

Sub.:— Appointment of Ex-Casual Labour.

- Ref.: 1) Rly. Board's letter No.E/M9/11/84/
CL/41 dt. 2.3.87.
- 2) Rly. Board's letter No.E/M9/11/98/
CL/32 dt. 9.10.98.
- 3) GM(P)/MLG's letter No.E/41/CL(E)-
Pt.II dated 8.12.98.

In, on behalf of the Casual Labour Organisation of Lumding Division, beg pardon to state that on the strength of the above Rly. Board's circular and instructions some of the Ex.Casual Labourers were screened and appointed time to time and very recently on 3rd, 4th, 5th November/1999 a screening test of 194 Ex Casual Labourers were conducted by DRM(P)/Lumding and appointed themselves.

But in this connection I like to bring to your kind notice that though we the Ex Casual Labourers shown in the attached list submitted our applications for appointment in regular cadre along with valid discharged certificates time to time and gave interview individually to DPO/Lumding, APO/PC/Lumding with discharged certificate for consideration of our case. But with no effect.

How sad it is that where the applications were submitted, the dealer concern did not acknowledge even. Finding no other alternative applications were sent to DPO/LMG by Regd.post. One case is placed before you as a token of example. Application of Sri Kanti Kr.Das Ex.Casual Labourer dt.07.04/1983, 10.07.85, 16.03.87, 10.11.89, 01.10.98, 05.03.99 and 11.01.2000 along with discharged letter, photo copies enclosed in his application of 11.02.2000 addressed to DRM/LMG - he pointed out that four Ex Casual Labourers originally worked with him as CL and these four Ex-Casual Labourers were appointed and working at present except Sri Kanti Kumar Das, Ex. C.L.

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GPB
Advocate

(Contd.....)

In this connection it is further stated that whenever we attended office we were told that our names have not been included in live-Register. Then we prayed to include our names in the Live Register as per the genuineness of discharged letter and Master Sheets available with the Subordinates. But no action has been taken in respect of inclusion of our names in the Live-Register. We think that due to our 'GARIBI' our names were not included in the Live Register/Suppl.Register.

In the above circumstances, most ferfently we pray to your highness kindly intervne into the matter personally so that we the genuine C/Labourers may ~~not~~ not be deprived of being appointed.

At last, we, the Ex-casual labourers wer taking shelter under the shadow of thy justice for absorption in regular cadre.

Yours faithfully,

Dated 19 - 5 - 2000.

Sd/- ARUP MAZUMDER,
Secretary,
Casual Labour Orgn.,
Lumding Division,
Loco Running Council,
P.O. Lumding Dt. Nagaon,
Assam.

Copy to :-

- 1) Smt. Momata Banerjee,
Hon'ble Minister for Railways,
Govt.of India, New Delhi.
- 2) GM(P)/MLG, N.F. Railway.
- 3) Shri Ra-jen Gohain (Nagaon-10),
Hon'ble M.P.
- 4) Com. Basudev Achariya,
Hon'ble M.P., New Delhi.
- 5) Secretary, AIREC/Lumding Division.

Sd/- Arup Kr. Mazumder,
(ARUP MAZUMDER)
Secretary.

Attested

g/B

To,
The Divisional Rly. Manager,
N.F. Railway, Luming.

Sir,

Sub:- Appointment of Ex-Casual Labourers.

Most respectfully, I, on behalf of the Ex-Casual Labour Organisation beg pardon to state that a memorandum on the above subject have been submitted to Ex-DRM dated 19.5.2000 with a list of Ex-Casual Labourers awaiting appointment but with no effect (Photo copy enclosed).

In this connection, we met with Dy. CPO/MLG who advised to meet with DRM/Luming as the instruction has already been sent to the Divisional authority, Luming - photo copy of the Dy.CPO/MLG's circular addressed to DRM/LMG is enclosed herewith for your ready reference.

In the above circumstances, most respectfully I pray to your highness kindly to intervene into the matter for early appointment of the Ex-casual Labourers who are awaiting for screening and oblige thereby.

DA/- 1) Memorandum submitted
to Ex-DRM dt. 19.5.200
& relevant documents.

2) Dy.CPO/MLG's circular.

Yours faithfully,

Dated: 9-2-2001

Sd/- Arup Kr. Mazumder
Secretary,
Ex-Casual Labour Organisation,
Luming,
C/O Loco Running Staff
Association, Luming
P.O. Luming, Dt. Nagaon,
Assam.

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True Copy

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Advocate

To
The General Manager,
N.F.Rly. Maligaon,
Guwahati-11.

Respected Sir,

Sub:- Memorandum on absorption of Ex-Casual
Labour In N.F.Railway.

I, on behalf of the Ex-Casual Labours, who are awaiting absorption bring to your kind notice the following facts for your sympathetic consideration and necessary action please.

That Sir, in terms of Rly.Boards letter No.E(N-9)11/84/CL/41 dated 2/3/87 and 21/10/87 Railway Board directive all General Managers of Indian Railways vide No.E/N/9/11/98/CL/32 dated 9/10/98 para No.1.1 to maintain Supplimentary casual labours live register Divisionwise separately for both open line and Project Casual Labours who were discharged prior to 1.1.81 and after 1.1.81 for want of work and who had not been re-engaged and applied by 31/3/87.

In this connection it is stated that the Rly authority DRM(P)/LMG did not circulate the circular through notice Board of all important Rly stations of Lumding Division and through News Paper to apply to the Railway by 31/3/87 for inclusion their names in the supplementary live Registered. The Ex-Casual labour loosing their work were spread out in different places for their livelihood by means. The then DPO/Lumding prepared Live/Supplimentary live registered whimsically where most of the genuine Casual Labours were deprived;

It is so pain full that the Casual Labours who residing at Lumding, heard the news and submitted their applications repeatedly within the target dated of 31.3.87 but was not considered. As for example copies of Shri Kanti Kumar Das, Ex-Casual labour applied for time to time copies are enclosed herewith for kind perusal please.

The DRM(P)/Lumding absorbed some Casual Labours in the year 1991 when maximum genuine Casual Labours were not favoured.

(Contd.....)

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g/B
Advocate

Continued

In the year 1999 when we approached the DRM/P/Lumding they denied verbally to us that there were no Ex-Casual labour awaiting in Live/Supplimentary live Registers; The DRM(P)/Lumding did not receive our applications also. But no regular pressure by our Organisation and one Organisation of the Railway(AIREC) a list of Ex-Casual Labours were published containing 194 Ex-Casual Labours and they have already been regularised through screening held on 3/11/99 and 5/11/99 in DRM(P)/Lumding's office.

We the Casual Labours Organisation, Lumding Branch requested the Sr.DPO/Lumding to collect the names of Ex-Casual Labour Sinprdomate Wise as per Master Roll duly certified by the respective departmental Gazetted Officer to ensure genuineness. But the Sr.DPO/Lumding whimsically prepared the list of 194 Ex-Casual Labours leaving maximum number of genuine Ex-C.L. Thereafter we the Ex-Casual Labours submitted individual application again with a true copy of Casual Labours certificate and C.L.Card issued by the authority of controlling unit for appointment.

We requested Branch Officers, under whom we work to take necessary action and to certify our genuineness.

The respective Branch Officers Engineering and Mechanical Deptt. Collected the names from the subordinate Offices who are awaiting absorption and their names exists in the Master Roll and in the Register maintained in Subordinate offices and the sent to Sr.DPO/Lumding duly certified for necessary action. As per extent rule in the year 2000.

But Sr.DPO/Lumding stated that as our names were not entitled in the live/supplementary live registered maintained in personnel branch will not be considered for screening.

The General Manager(P)/Maligaon vide his L/No.RECT-314-
No.E-57/0/Pt.XII(c) Dated 15.3.2001 has circulated Rly.Boards
L/No.E/N-G/11-99/CL/19 dtd. 28/2/2001 for absorption of
ex-casual labour who borne in Live/Supplimentary Live Registered.

In the above circumstances I, on behalf of the Casual Labour Organisation Lumding Division requesting you to consider our cases and kindly absorb us through screening as per turn under which 194 have been regularised in 1999 so that we may live hand to mouth with our children, otherwise we shall die for hardship and thereby obliged.

Dated:
21-06-01.

Yours faithfully,
Sd/- Sri Baneshwar Chakraborty.
Secretary, Casual Labour Organi-
sation :: Lumding Division.

Attested
[Signature]

To,
Shri Nitesh Kumar,
Hon'ble Minister of Railways,
(Rail Mantralaya) Railway Board,
New Delhi-

Respected Sir,

Sub:- Appointment of Ex-Casual Labour
in N.F. Railway.

I, on behalf of the Ex-Casual Labours, who are awaiting absorption bring to your kind notice the following facts for your sympathetic consideration and necessary action please.

That Sir, in terms of Rly. Boards letter No.E(N-9)11/84/CL/41 dated 2/3/87 and 21/10/87 Railway Board directed all General Managers of Indian Railways vide No.E/N-9/11/98/CL/32 dated 9/10/98 to maintain casual labours live register Divisionwise separately for both open line and Project Casual Labours who were discharged prior to 1.1.81 and after 1.1.81 and who had not been engaged and applied by 31/3/87.

In this connection it is stated that the Rly authority DRM(P)/LMG did not circulate the circular through notice Board of all important Rly stations of Lumding Division and their names in the live Register. So many casual labour did not apply by 31/3/87, as they did not know about the matter.

It is so pain full that the Casual Labourers who are working at Lumding, heard the news and many of them submitted their applications within 31.1.87, but the office did not acknowledge even many applications were not received in the office of the DRM(P)/Lumding. Their names were not included in the Live Register.

The DRM (P) / Lumding absorbed some Casual Labours in the year 1991, but maximum Casual Labourers were not favoured.

(Contd.....)

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Advocate

Therefore, they applied several times to include their names in the live register. But on regular pressure by our Organisation a list of Ex-Casual Labourers was Published containing 194 Ex casual Labours and they have already been regularised through screening held on 3/11/99 to 5/11/99 in DRM(P)/Lunding's office. Many genuine Casual labours were not favour for screening.

The photo copies of the relevant documents and all correspondences are enclosed herewith. The memorandum submitted to General Manager dated : 21/6/2000 is enclosed herewith which is self explanatory may kindly be seen.

May I, therefore, pray and hope that you would be kind enough to look into the matter sympathetically and your consideration may help them and they ~~may~~ may be absorbed on your kind intervention on the matter.

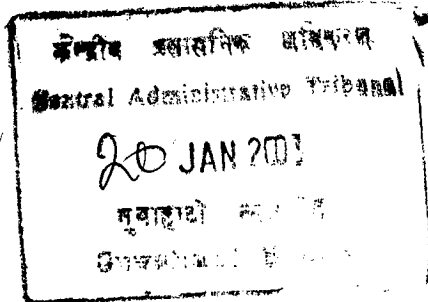
Yours faithfully,

Dated
2/8/2001.

Sd/- Baneshwar Chakraborty,
Secretary,
Casual labour Organisation
Lunding,
C/O Loco Running Staff Association
Loco colony Lunding,
P.O. Lunding, PIN-782447.
Dist.Nagaon, Assam.

Attested

CB



Filed by the Respondents
through
Advocate
For B.K.Sharma
Divisional Personnel Officer S.E. Ry
N.F. Railway, Luming 20/1/03

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. No....140..of 2002

BETWEEN

Shri K.K.Das

..... Petitioner.

-VS-

Union of India & Ors.

..... Respondent.

WRITTEN STATEMENT ON BEHALF OF THE RESPONDENTS

1. That the respondents have received the copy of the OA filed by the applicants and have gone through the same. Save and except the statement which are not specially admitted herein below, rests may be treated as total denial. The statements which are not borne out of records are denial, and the applicant is put to the strictest proof thereof.

2. That the answering respondents instead of replying to each paragraph of the OA beg to file a consolidated reply firstly on factual aspect and secondly on the point of law which are as follows.

2(a).That the Railway Board vide letter No.E(NG)II-78/CL/2 dated 4.3.87 issued an instruction to provide an opportunity to the project casual Labour and open line casual worker discharged (before 1.1.81) for want of work or due to completion of work and not reengaged there after. The aforesaid opportunity was an one time measure and to that effect applications from such casual workers were invited within a stipulated time frame i.e. within

(39)

Sub

Divisional Personnel Officer
N.F. Railway, Lunding

31.3.87 for considering inclusion of there names in the live Casual Labour register so that proper screening could be done for their regularisation.

Accordingly various notices were issued by the concerned authority and in response to such notifications good number of applications were received within the aforesaid target dated i.e. 31.3.87. Those applications were scrutinised by a three member verification committee and the names of 194 Casual Workers were included in the live Register rejecting the fake and ineligible applications. The present applicants never submitted such applications within the target date i.e. 31.3.87 and therefore, their cases were not considered by the said verification committee into the live register. From the enclosures submitted by the applicants reveal the fact that only in the year 2000 they submitted representations for such consideration since the Railway Board have not given any relaxation in respect of the aforesaid target date, the question of considering the cases of the applicants does not arise. Under this factual aspect of the matter the OA deserves to be dismissed with cost.

Copies of the order dated 13.3.87 enclosing the Railway Board's letter dated 4.3.87, 22.3.87 notice dated 13.3.87 are enclosed as Annexure-R1, R2, R3 & R4 respectively.

2(b).That as stated above the Railway Board issued the notification dated 4.3.87 and pursuant to that 194 names have been registered but the present applicants never made any such

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Divisional Personnel Officer
N.F. Railway, Lunding

application within the stipulated timeframe and as such after a long lapse of time about 15 to 16 years now they are stopped from making any such claim as has been made in this application.

Taking into consideration the relief sought for by the applicants and the statements made, under the head facts of the case there is no indication regarding explanation of delay in approaching this Hon'ble Tribunal and thus the application deserves to be dismissed as barred by limitation.

This application is also liable to be dismissed for non joinder of necessary parties and for suppression of material facts before this Hon'ble Tribunal.

(41)

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VERIFICATION

I, Sri Sowindra Narayan Roy son
of Late Swush Chandre Roy resident of Lumding,
at present working as Divisional personnel officer N.F.Rly, Lumding. do hereby
solemnly affirm and verify that the statements made in para-
graphs 1 are true to my
knowledge and those made in paragraphs 2 are
true to my information deprived from records and the rests are
my humble submission before the Hon'ble Tribunal.

And I sign on this the Verification on this the ... day
of December of 2002.

Sowindra Narayan Roy.

Deponent.

*Divisional Personnel Officer
N.F. Railway, Lumding*

DRM/LMC 02/51 (42) 138

ANNEXURE - R 1

N. F. RAILWAY.

Office of the
General Manager (Personnel)
Maligaon, Guwahati-11.

Dated 13.3.1987.



No. E/NG/PT. XI (C).

To

All DRMs,
Dy. CE/Br. Line/PNO,
XEN/PNO, DSTE/MW/PNO,

3/19/87

200/280
19/3

18/3

Sub:- Casual labour- maintenance of Live Casual Labour Register.

A copy of Rly. Board's letter No. E(NG)II-78/CL/2 dated 4.3.87 is attached herewith for your guidance. The following action may please be taken immediately. Copies of Notices as attached may be arranged to be exhibited in all the subordinate offices where the casual labourers are dealt with. Suitable publicity may be given to the same by exhibiting the Notice in the sub-divisional offices as well as in the Divisional office, Important Rly. Stations etc., as considered necessary.

The applications received should be compiled at the end of the specified period and statements prepared separately for Open Line Casual labour & Project Casual Labour indicating the name, service particulars showing the period and place of working and whether the application is complete in all respects. A copy of the statement should be sent to this office for further instructions. The statements should reach this office positively within the second week of April/87.

Encl:- As above.

[Signature]

for GENERAL MANAGER (P).

Copy to CE, CSTE, CEE with 20 copies of Notice.

Encl:- As above.

[Signature]

for GENERAL MANAGER (P).

Attended

Adv

Copy of Rly. Board's letter No.E(NG)II-78/CL/2 dated 4.5.1987 addressed to the General Managers, All Indian Railways & others.

Sub:- Casual labour- maintenance of Live Casual Labour Register.

Attention of the Railway Administrations is invited to instructions contained in this Ministry's letter of even number dated 25.4.1986.

2. So far as project Casual labour are concerned, instructions were issued in the Ministry's letter No.E(NG)II-84/CL/41 dated 11.9.1986, regarding grant of temporary status and preparation of revised seniority list. In the Ministry's letter of the same number dated 2.3.1987, instructions have now been issued to provide an opportunity to project casual labour discharged before 1.1.1981 for want of work or due to completion of work and not re-engaged thereafter, to claim the benefit of the scheme contained in this Ministry's letter of 11.9.1986 cited above.
3. Ministry of Railways desire that opportunity may be given to open line casual labour also who were discharged before 1.1.1981 for want of work or completion of work, for considering inclusion of their names in the Live Casual Labour Register. For this purpose the instructions contained in this Ministry's letter No.E(NG)II-84/CL/41 dated 2.3.87 will apply mutatis mutandis. The last date for receipt of applications complete in all respects in the manner indicated in the said letter of 2.3.1987, will be 31. March, 1987. Representations alongwith documentary proof and details as mentioned in the said letter of 2.3.1987, reaching the concerned Divisional Office after 31.3.1987 or those which are incomplete and also those not made with reference to these instructions, will not be considered. The cases of such open line casual labour will, however, be considered only in the seniority unit of the Establishment in which they were initially engaged.
4. Suitable publicity to these instructions may be given by the Railway Administrations.

Sd/- (M. KUJUR)
DEPUTY DIRECTOR ESTABLISHMENT (N)
RAILWAY BOARD.

Attended

Adv.

- 7 -

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252

ANNEXURE - R2

N. F. Railway

DRM(P)'s Office
Lunding

Dt. 22-3-87

NO. E/57/II(C) LME/CL.CELL

- All Divisional Officers,
- All Asstt. Officers of LMG Division
- All Way & Works Subordinates of Engg. Deptt.
- All Subordinates of S&T Deptt,
- All Subordinates of Elect. & Medical Deptts.
- All SS/SM under LMG Division.
- and others.

Sub :- Casual Labour- Maintenance of live casual register both for openline and project.

In terms of Railway Board's letter No.E(NG)II-78/CL/2 dated 4-3-87 endorsed under GM(P)/MLG's No.E/57/O Pt.IX(C) and E/57/II(C) dt. 13-3-87 applications from both openline and project discharged casual labour are invited as per enclosed proforma separately for project and openline casual labour for maintenance of live openline and project casual labour register who were discharged prior to 1-1-81 for want of further productive works etc.

You are therefore requested to circulate the instructions given in the enclosed form and also exhibit the same in the notice board for wide publicity. The last date of receipt of applications is 31-3-87.

This should be treated as MOST URGENT

Encl :- 2 forms each in duplicate for openline & project separately.

Man

for Divisional Rly. Manager (P)
N.F. Rly. : Lunding .

Copy to Secy., NFR&U and NFRMU/of all Branches of this Div. for information and necessary action please.

Man

for Divisional Rly. Manager (P)
N.F. Rly. : Lunding .

Attended

l
Adv.

No. E/57/11(C)

Dated 13-3-1987.

NOTICE TO PROJECT CASUAL LABOURERS.

The Casual Labourers who had worked in N.F. Railway as Project Casual Labourers before 1-1-81 and were discharged for want of further work or due to completion of work, are hereby given an opportunity to apply, if they so wish, to be considered for inclusion in the seniority list of Project Casual labour in pursuance to directions given by the Hon'ble Supreme Court in the case of Inder Pal Yadav & Others Vs. Union of India & Others.

1. They should submit their written representation with adequate documentary proof in this regard so as to reach the concerned Railway Divisional Manager's Office on or before 31-3-87.
2. The application should be sent by Registered Post to the Divisional Railway Manager of the Division in the Territorial Jurisdiction of which the person was initially engaged as Project Casual Labourer. A Copy thereof should also be sent to the Divisional Railway Manager of the Division in the Territorial Jurisdiction of the office from which the person was last discharged. A copy should also be marked to the PWI/IOW etc. , under whom they worked.
3. The applications reaching after 31-3-87 or those which are incomplete will not be considered.
4. The application should contain the following particulars and documents mentioned below :-
 1. Name :-
 2. Father's name :-
 3. Date of birth :-
 4. Permanent Address :-
 5. Present address :-
 6. Educational Qualifications :-
 7. Personal marks of identification :-
 8. Office, department & place in which initially engaged & Date :-
 9. Office, department & place from which finally discharged :-
 10. Date of discharge and reasons for the same :-
 11. Whether employed at present, and if so, details :-
 12. Two attested copy of Casual labour Card or any other proof of his casual labour service, should accompany the application :-
 13. An attested copy of Phytograph and attested LTI ion :- Should also accompany the application :-
 14. Any other relevant information :-

Attested
Aew

Sd/-
for GENERAL MANAGER(P),
N.F. Railway.

No. E/57/0/Pt. XI(C).

Dated 13.3.1987.

NOTICE TO OPEN LINE CASUAL LABOURERS.

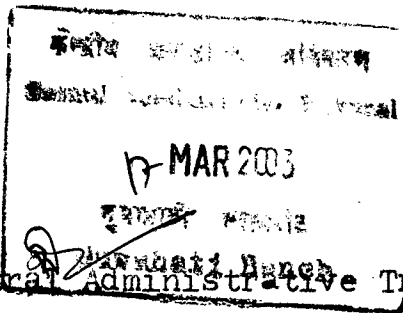
The casual labourers who had worked in N.F. Railway as Open line Casual Labourers before 1.1.81 and were discharged for want of further work or due to completion of work, are hereby given an opportunity to apply, if they so wish, to be considered for inclusion of their names in the Live Casual Labour Register.

1. They should submit their written representation with adequate documentary ~~proof~~ proof in this regard so as to reach the concerned Railway Divisional Manager's office on or before 31.3.87.
2. The application should be sent by Registered post to the Divisional Railway Manager of the Division in the territorial jurisdiction of which the person was initially engaged as open line casual labourer. A copy thereof should also be sent to the Divisional Railway Manager of the division in the territorial jurisdiction of the office from which the person was last discharged. A copy should also be marked to the PWI/IOW etc., under ~~which~~ whom they worked.
3. The applications reaching after 31.3.87 or those which are incomplete will not be considered.
4. The application should contain the following particulars and documents mentioned below :-
 1. Name -
 2. Father's name -
 3. Date of birth -
 4. Permanent address -
 5. Present address -
 6. Educational qualifications -
 7. Personal marks of identification -
 8. Office, department & place in which initially engaged and date.
 9. Office, department & place from which finally discharged.
 10. Date of discharge and reasons for the same -
 11. Whether employed at present, and if so, details -
 12. Two attested copies of Casual Labour card or any other proof of his casual labour service, should accompany the application.
 13. An attested copy of photograph and attested - LTI should also accompany the application.
 14. Any other relevant information -

sd/
for GENERAL MANAGER (P),
N.F.Rly., Maligaon.

dn/23387.

Attested
Adv.



Before the Central Administrative Tribunal
Guwahati Bench.

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Filed by:

Sambeswar Das
Advocate

O. A. NO. 140/2002

Sri K.K. Das & Others. ... Applicants.

- Versus -

Union of India & ors. ... Respondents.

Rejoinder on behalf of the applications in reply
to the Written Statement of Respondent.

1. The applicants received a copy of the written statement filed by the Respondent and understood the contents thereof, save and except the statements which are not specifically admitted herein before ; rests may be treated as total denial. The statements which are not supported by material on record shall also be considered as denied by the applicants.

2. That, before controverting the statements made in the W/S, the applicants, for the sake of clarification would like to state that Indian Railway requires to engage large number of casual employees for the purpose maintenance of their work or to undertake different project. The worker so engaged either in maintenance of work or in project work are called as open line worker and project worker, The casual

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workers are being engaged and disengaged from time to time. In order to absorb these people who had worked as a casual employee in the Railway establishment, the Railway board frame schemes for their absorption in regular substantive post or for their regularisation. Different circulars are being issued from time to time by the Railway board in order to instruct the different authorities to absorb ex-casual labour or to regularise the existing casual employees. For the purpose of absorption of ex-casual employees the concerned Railway authority are to maintain two kinds of register, namely live register and supplementary live register. Basically it was evolved that the casual labourers who were dis-engaged prior to 1.1.81 would be engaged from time to time subject to availability of regular substantive post earmarked in this regard in a fixed quota as declared from time to time. The authority concerned was directed from time to time by Railway authority to prepare live register or supplementary live register particularly on the basis of the available record to indicate the name of the employees and the other particulars like their engagement, disengagement, place of work etc.

On the basis of available substantive vacancy to be filled up by the ex-casual labourers

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as stated above the Railway Board issued different circulars directing the authority concerned under whom the vacancies occurred for the purpose of absorption by the ex-casual labourers after compliance of due formalities as laid down therein. The casual labourers who were disengaged since long back cannot get themselves confined in their place of work. They are destined to scatter or to move from one place to other for the purpose of their maintenance of livelihood. So it was incumbent on the part of the authority concerned who are entrusted with the duties to absorb the casual employees in their establishment on the basis of the vacancies apportioned in this regard to make a wide publicity in order to ensure the notice to the effect that the absorption of these ex-casual employees will be considered by the concerned establishment. It is essential for the purpose of appearance of the ex-casual employees before the concerned authorities for their absorption. Different relaxations of the conditions of recruitment are also stipulated in various notifications issued in this regard. (Copies of some relevant notifications enclosed with the application).

That the applicants were engaged in Lunding Division of N.F. Railway. They were disengaged since long back in the decade of seventies or eighties. These applicants are not available in the place of work.

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In the year 1998 In pursuance with the scheme of regularisation as stated above some vacancies were to be filled up by the ex-casual labourers, were notified. The applicants were not aware of this fact. They were also not aware whether their names are figured in the concerned live register or the supplimentary live register. Due to their unawareness, arising out of the circumstances beyond their control, the applicants could not appear before the authority concerned to press their absorption in accordance with the scheme framed in these behalf in the existing vacancies. However after coming to known they approached the authority concerned and asserted their right of absorption in regular substantive post in accordance with the scheme and the notification notifying the vacancies to be filled up by the Lunding Division of N.F.Railway by the ex-casual labours, but unfortunately, their demands were not considered. They approached the higher authorities, but, their grievanc~~es~~ remained unheeded. They have no other alternative but to file this application in this court.

3. That the statement made in para 2(a) and 2(b) of the written statement has no relevance in the instant case. The basic issue before this Hon'ble Tribunal is whether or not the applicants were engaged as casual employees either in open line or in project in the Lunding Division and they were disengaged prior to 1.1.81. If it can be established that the

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applicants were engaged as casual employees and they were disengaged on or before the stipulated date then they are entitled to be considered for regularisation. Maintenance of live register or supplementary live register is a part of internal management for the purpose of implementation of the scheme by Railway authority. Defects, if any, not including the name of the applicants in these registers will not stand in the way of the applicant's right to be considered for their absorption in regular post. Any office memorandum which envisage the procedure of implementation shall not create hindrance to the substantial right of the applicants. In fact the applicants are not aware whether their names duly figured in the live register or supplementary live register. That apart, the contention raised by the Railway authority as to negate the substantial right of the applicants by setting of a plea that the applicants names do not figure in the concerned register and they have not made any effort to be included in the live register has no relevancy in this case. Large number of ex-casual employees whose names are not included in this register were absorbed in the regular vacancies, notwithstanding the facts that their names were not included in the concerned register. The plea set up in this para has no subsistence at all and the same is not tenable in the eye of law. It is also pertinent to mention here that the authority has already absorbed 194 ex-casual labourers in the Lunding Division and

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all of them applied/ approached the authority almost in the same period after the year 1998 along with the applicants and their period of engagements were also in most cases after 1.1.81.

A list of ex-casual labourers, who have already been absorbed by the Railway authority is annexed herewith and marked as Annexure - A.

In the premises stated above it is therefore prayed that the Hon'ble Tribunal shall be pleased to allow the prayer of the applicants and appropriate direction may be passed to the Respondent to absorb the applicants in regular substantive post and/ or pass any other order/ orders as the Hon'ble ^{Tribunal} deem fit and proper.

And for this the applicants as in duty bound shall ever pray.

VERIFICATION7/-

VERIFICATION:

I, Sri Niranjan Dutta, son of Late Pran Krishna Dutta, aged about 37 years by caste Hindu resident of Luding in the district of Nagaon, Assam, do hereby affirm and declare as under :-

That I am one the applicants of this petition and I have been duly authorised by all the applicants to sign this verification on behalf of them and the contents of this petition in paragraph 1,2 & 3 are true to the best of my knowledge, information and belief and I have not suppressed any material before this Hon'ble Tribunal.

And I sign this verification today on this th day of March, 2003 at Guwahati.

Date :-

Place :- Guwahati

Niranjan Dutta

DEPONENT.

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Annexure - A

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Interpolated seniority list of Ex-CL/CPC of Open Line and retrenched CL of Construction Organisation and CL/CPC worked under FCW(IOW/FCW/LMG). Reference Dy. CPO/IR/MLG's L/No. E/41/CL(E) dtd 9.6.98 and Dy. CPO/CON/MLG's D.O. L/No. E/283/CON/CL(2) dtd 29.5.98 and GA(P)/MLG's L/No. E/41/CL(E) Pt. II dtd 8.12.98 and SEN/FCW/MLG's L/No. W/FCW/MLG/D-14(B) Pt. I dtd 11.7.95.

S/NO.	Name	Father's name	Engage under	Date of birth	Date of Engagement	Date of discharge	Total working days
1	2	3	4	5	6	7	8
1.	Najrul Islam	Najir Hussain	PWI/NOG	29.6.59	29.6.77	26.5.83	2156
2.	Padmeswar Patar	Hanumath Patar	-do-	27.3.55	20.5.55	15.10.82	1608
3.	Sankar Roy	Talabir Roy	-do-	29.6.57	29.6.77	15.10.81	1568
4.	Binode Behari Sarkar	G.C. Sarkar	IOW/FCW/LMG		3.6.74	16.10.90	1359
5.	Chandan Majumder	S.N. Majumder	-do-		16.5.77	20.10.86	1161
6.	Suresh Das	Umesh Das	PWI/NOG	29.9.49	29.5.81	7.8.84	1134
7.	Sukh Ram Kalita	P.R. Kalita	IOW/FCW/LMG		10.8.83	17.10.90	1031
8.	Dilip Saikia	B. Saikia	-do-		28.5.93	17.10.90	1130
9.	Suren Ch. Talukdar	H.C. Talukdar	-do-		29.5.83	17.10.90	1127
10.	Guneswar Das	M.C. Das	-do-		5.6.83	16.10.90	1124
11.	Devakanta Das	G.K. Das	-do-		10.6.83	18.10.90	1118
12.	Bonsidar Hukan	K.R. Hukan	-do-		7.7.83	17.10.90	1101
13.	Miss Lily Sarania (SC)	W/O P.	XEN/CON/SHTT	21.1.62	9.11.82	31.7.85	1024
14.	Jogen Ch. Deka	Danda Ram Deka	IOW/FCW/LMG		25.5.84	18.10.90	1005
15.	Swapan Kr. Dey (No. 3)	B.P. Dey	-do-		12.5.84	17.10.90	998
16.	Gopal Azherjee	S.C. Azherjee	-do-		26.5.83	16.10.90	991
17.	Haraj Kumar	Meheswar Kumar	-do-		30.5.84	18.10.90	978
18.	Chandra Kr. Sarkar	Sukumar Sarkar	PWI/NOG	20.5.60	15.10.78	18.4.81	912
19.	Guen Mohan Mandal	H.B. Mondal	IOW/FCW/LMG		27.6.75	20.10.81	861
20.	Govul Ch. Dutta	K.C. Dutta	IOW/FCW/LMG		22.5.85	18.10.90	937
21.	Swapan Kr. Dey (No. 1)	M.K. Dey	-do-		17.8.78	20.10.85	776
22.	Golap Das	Rupran	XEN/CON/SHTT	1.1.62	28.9.83	13.10.85	775
23.	Kamal Khaklary (ST)	B.	-do-	1.1.57	30.9.83	13.10.85	774
24.	Dineswar Gogoi	P. Gogoi	IOW/LMG		9.8.85	17.10.90	768
25.	Deban Das (SC)	Kamran	XEN/SHTT	16.10.58	7.10.83	13.10.85	766
26.	Ananda Das	Narayan	-do-	16.12.64	12.10.83	15.10.85	761
27.	Udai Daimary (ST)	B. Daimary	-do-	1.7.56	17.10.83	13.10.85	756

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1	2	3	4	5	6	7	8
28	Birendra Kalita.	B.R. Kalita.	IOW/FCW/LMG.		13.7.86.	16.10.90.	600
29	Durganath Phukan.	S.K. Phukan.	-do-		6.6.83.	20.10.86.	556
30	Ram Chandra.	Rachika.	XEN/CON/CD.	3.4.64.	12.5.82.	31.10.83.	538
31	Moran Ch. Das.	Kali Charan Das.	PWI/NOG.	12.7.37.	2.6.81.	15.10.82.	500
32	Bishnu Pada Das.	Monoranjan Das.	-do-	2.11.58.	2.6.81.	15.10.82.	500
33	Ranjit Kr. Dey.	Rukumini Ch. Dey.	-do-	20.11.60.	2.6.81.	15.10.82.	500
34	Sitlalal Putatunda.	Makhan Lal Putatunda.	IOW/FCW/LMG.		18.7.86.	17.10.90.	474
35	Siren Phukan.	G.C. Phukan.	-do-		25.5.84.	19.10.86.	444
36	Bishnu Pada Dey.	Mahim.	PWI/H/LMG.		24.10.81.	31.3.83.	443
37	Azimul Haque.	B.B. Haque.	XEN/CON/SHTT.	1.1.59.	6.12.83.	25.8.84.	456
38	Uttam Bardhan.	B.R. Bardhan.	IOW/FCW/LMG.		8.10.84.	31.10.85.	
39	Pratap Ch. Das.	S.C. Das.	-do-		24.5.83.	18.10.85.	435
40	Cheni Ram Basumatary (ST).	Ruhiran.	XEN/CON/SHTT.	25.6.62.	25.5.83.	25.5.86.	431
41	Siren Borar.	Nandeswar.	-do-		4.10.84.	13.10.85.	404
42	Hareswar Basumatary (ST).	Posuran.	-do-	30.7.59.	8.10.84.	13.10.85.	400
43	Dipak Barua.	S. Barua.	-do-	17.10.63.	11.10.84.	31.10.85.	395
44	Parimal Acherjee.	B.K. Acherjee.	IOW/FCW/LMG.		12.6.84.	20.10.86.	390
45	Ram Bahadur Whujal.	R.S. Whujal.	-do-		14.6.84.	20.10.86.	381
46	Sibhas Ch. Das.	Pratulla Kr. Das.	IOW/MBG.	1.1.53.	26.7.83.	18.10.85.	378
47	Ehupen Bhuyan.		XEN/CON/SHTT.	30.9.62.	1.1.77.	15.5.83.	362
48	Siren Barua.	Hemadhar.	-do-	20.7.63.	2.11.84.	30.9.85.	333
49	Prabhu Bhuyan.	Ghana Bhuyan.	-do-	31.10.66.	2.11.84.	30.9.85.	333
50	Ehogeswar Bora.	Khargeswar.	-do-	9.6.60.	5.11.84.	30.9.85.	330
51	Mitin Baha.	Dhirendra.	-do-	9.11.62.	6.11.84.	30.9.85.	327
52	Dilal Mahanta.	M.K. Mahanta.	-do-	31.12.59.	14.11.84.	30.9.85.	322
53	S/Sisir Kr. Singh.	Kobinda.	XEN/CON/SHTT.	31.7.64.	14.11.84.	30.9.85.	321
54	Debo Kanta Rajkhowa.	Rabiman Rajkhowa.	-do-	30.5.60.	10.10.84.	31.7.85.	295
55	Rashpa Kanta Bora.	Puniram.	-do-	30.6.60.	10.10.84.	31.7.85.	295
56	Hinbeswar Hazarika.	Rindra Kumar Hazarika.	-do-	1.3.65.	10.10.84.	31.7.85.	295
57	Panjan Kr. Bhuyan.	Biyaram.	-do-	31.5.62.	11.10.84.	31.7.85.	291
58	Ajit Gogoi.	Chandra.	-do-	1.4.60.	12.10.84.	31.7.85.	292
59	Nityananda Bhuyan.	Chandra.	-do-	31.5.65.	19.10.84.	31.7.85.	286

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1	2	3	4	5	6	7	8
60	Prafulla Kalita	Sewran	XEN/CON/SHTT	8.1.61	20.10.84	31.7.85	285
61	Swapn Kr. Das	Ananta Kr. Das	XEN/C/CD	16.6.59	10.7.81	5.4.82	272
62	Hiren Das (SC)	Mhanidhar	XEN/C/SHTT	26.5.64	4.10.84	31.3.85	272
63	Naren Bora, II	Sonaram	-do-	1.4.55	1.5.85	31.7.85	271
64	Pushpa Barthakur	Pacma	-do-	1.2.63	3.11.84	31.7.85	270
65	Mohendra Bora	Ehadram	-do-	1.1.61	4.11.84	31.7.85	269
66	Pradip Bora	Niron Ch. Bora	-do-	28.8.63	5.11.84	31.7.85	269
67	Tanun Bora	Priyaram	-do-	1.3.64	5.11.84	31.7.85	269
68	Uctan Das (SC)	Tikhar	-do-	16.11.64	5.11.84	31.7.85	269
69	Bhudneswar Bora	Dineswar	-do-	1.4.65	5.11.84	31.7.85	269
70	Naba Krishna Manta	Lilaram	-do-	3.3.57	5.11.84	31.7.85	269
71	N. Kul Ch. Das	Tanun Ch. Das	-do-	7.3.61	19.1.84	13.10.85	268
72	Miss Jibu Bora	Dinbeswar	-do-	1.4.65	9.10.84	31.3.85	267
73	Kaliram Bhuyan	Khomen	-do-	9.3.60	1.5.84	31.7.85	260
74	Manik Hazarika	S. Hazarika	-do-	31.7.66	14.11.84	31.7.85	260
75	Bidhan Rajkhowa	Gita Hazarika	-do-	21.3.62	16.11.84	31.7.85	257
76	Manik Saikia	Aghono	-do-	31.12.58	19.10.84	31.3.85	256
77	Sachindranath Sarma	S. N. Sarma	IOW/FCJ/MLG	20.9.61	1.5.85	31.7.85	255
78	Naljan Rava	Iethuram	XEN/C/J/MLG	30.9.61	28.5.81	20.10.86	249
79	Ajit Hazarika	Knargeswar	XEN/SHTT	1.1.60	26.10.84	1.7.85	249
80	Iswarwar Borah	Ehogeswar	-do-	5.6.65	26.11.84	31.7.85	248
81	Pradip Kr. Singh (OBC)	Daijalal	XEN/CON/GS/MLG	13.1.59	28.11.84	31.7.85	245
82	Noren Bora, III	Manendra	XEN/CON/SHTT	4.2.62	2.11.84	31.3.85	242
83	Pradip Saikia	Kamal Kt.	-do-	6.2.63	1.5.85	31.7.85	241
84	Krishna Kr. Singh	Jatindra	XEN/CON/GJ/MLG	19.10.61	2.11.84	31.8.85	239
85	Satish Ch. Roy (SC)	Satish Ch. Roy			2.5.85	31.7.85	238
85	Samiran Ch. Roy (SC)	Satish Ch. Roy	XEN/CON/GJ/MLG	13.1.58	5.11.84	30.6.85	238
86	Mani Ram Panika	Matilal Panika	IOW/MLG	16.1.55	16.1.77	24.6.83	228

	1	2	3	4	5	6	7	8
87	Manoj Rava (ST)	Metor	XEN/CON/GJ/MLG	14.1.60	12.11.84	1.7.85		232
88	Sankar Debnath	B.C. Debnath	-CO-	27.12.65	12.11.84	1.7.85		232
89	Ratul Ch. Dey	Sukendar	-CO-	3.1.62	30.11.84	17.7.85		230
90	Tarini Das (SC)	Lakhiram	-CO-	30.7.61	1.12.84	17.7.85		229
91	Nabesh Rava (ST)	Pratap Rava	-CO-	24.3.55	17.11.84	1.7.85		227
92	Md. Faijur Rahman	Jafar Ali	-CO-	13.12.59	4.12.84	17.7.85		226
93	Dilip Chowdhury	Ratnewwar	-CO-	4.8.64	1.12.84	1.7.85		218
94	Anil Ch. Das	Upendra	PAI/H/LMG	26.6.55	27.9.81	26.4.92		212
95	Ratan Kr. Dey	Gunendra	PAI/BXP	16.3.58	27.7.83	26.2.84		209
96	Shantoo Malakar	Upendra Malakar	PAI/DMP	4.3.56	25.6.77	15.7.81		208
97	Kumadas Panica	Kuarsingh Das Panica	-CO-	4.10.57	25.6.77	15.7.81		208
98	Kamala Kt. Saikia		XEN/CON/SITT	1.12.62	16.1.85	31.7.85		197
99	Hareswar Das	Ananda Ram	-CO-	8.4.62	18.1.85	31.7.85		195
100	Prabin Barkakati	Hem Kt. Barkakati	-CO-	24.1.60	5.11.84	13.5.85		190
101	Lakeswar Nath	Bnumidhar	-CO-	31.7.62	1.12.85	31.7.85		182
102	Dwijendra Mohan Deka	Nabin Ch. Deka	XEN/CON/CD	31.6.59	1.1.83	30.6.83		181
103	Anil Seal	H.C. Seal	IOH/FCW/LMG	1.1.57	13.7.86	16.10.90		181
104	Vimal Upadhyay	P. Upadhyay	XEN/CON/SHTT	1.1.57	9.10.84	31.3.85		174
105	S.S. Purakayasta	P. Purakayasta	XEN/CON/G-I	24.12.60	8.1.85	30.6.85		176
106	Paresh Ch. Kumer	Jatindra Kumar	-CO-	31.4.60	9.1.85	1.7.85		174
107	Lakhinarayan Bora	Nandi Ram Bora	XEN/CON/SHTT	25.11.62	9.10.84	31.3.85		174
108	Biren Ch. Das	Pratap Das	XEN/CON/CS	1.1.63	9.1.85	30.6.85		173
109	Nilmoni Bora	Hangsachar Bora	XEN/CON/SHTT	29.9.59	11.10.84	31.3.85		172
110	Padma Kt. Sarma	Sibeswar Sarma	-CO-	1.2.61	11.10.84	31.3.85		172
111	Khangeswar Barman	Anth Barman	XEN/CON/CG	15.1.59	11.1.85	1.7.85		172
112	Jogesh Ch. Das	Sankar Sandi Ram Das	XEN/CON/GJ	31.8.60	11.1.85	1.7.85		172
113	Basheb Ch. Thakuria	Lohit Thakuria	-CO-	13.12.60	11.1.85	30.6.85		172
114	Sarhin Nath Das	Krishna Das	-CO-	13.12.60	11.1.85	30.6.85		172
115	Jiban Ch. Dey	Dhirendra Ch. Dey	IOH/MBG	25.4.51	25.4.69	15.8.83		170
116	Ajit Bhownick	Monoran Bhownick	PAI/NOG	1.1.69	27.4.81	14.10.81		170
117	Dipak Ch. Das	Gajen Das	XEN/CON/SHTT	9.2.61	16.2.85	31.7.85		166

1	2	3	4	5	6	7	8
118	Hiren Kalita.	Pitambar Kalita.	XEN/CON/SHTT.	21.8.63.	16.2.85.	31.7.85.	166
119	Biswanath Chakraborty.	Tapasi Ram Chakra- borty.	PWI/NOG.	6.1.61.	16.5.82.	15.10.82.	152
120	Kamandi Rava(ST).	Nani Rava.	XEN/CON/SHTT.	6.3.58.	2.2.85.	1.7.85.	152
121	Jiban Sutrachar.	Lal Mohan.	PWI/LFG.	26.11.58.	19.5.83.	15.10.83.	151
122	Golap Ch. Nath.	Tularam Nath.	XEN/CON/SHTT.	30.11.60.	15.11.84.	14.4.85.	151
123	Parimal Biswas. (SC).	N. Biswas.	-do-	31.4.58.	6.11.84.	31.3.85.	147
124	Sanku Laxman Thapa.	R.B. Thapa.	IOW/FCW/LMG.		26.5.83.	20.10.83.	147
125	Maya Pasulate.	S.C. Pasulate.	-do-		27.5.83.	20.10.83.	147
126	Ram Ranjan Acherjee.	S.R. Acherjee.	-do-		28.5.83.	20.10.83.	146
127	Chandra Kati Jadav.	J. Yadav.	-do-		28.5.83.	20.10.83.	145
128	Rama Kr. Charasia.	B.N. Charasia.	XEN/CON/GJ.	3.2.57.	13.2.85.	1.7.85.	140
129	Lakhi Pada Bora.	Owran Bora.	XEN/CON/SHTT.	11.11.61.	15.11.84.	1.4.85.	138
130	Bijoy Krishna Majumder.	S.B. Majumder.	IOW/FCW/LMG.		23.6.83.	8.6.84.	136
131	Basanta Kanti Das.	N.K. Das.	-do-		7.6.73.	20.10.83.	136
132	Swapn Kr. Das.	Motilal Das.	PWI/NOG.	1.1.60.	2.6.81.	15.10.81.	135
133	Ananta Behari Chetri.	H.B. Chetri.	IOW/FCW/LMG.		9.6.83.	20.10.83.	134
134	Achir Das.	N.C. Das.	-do-		9.6.83.	19.10.86.	133
135	Sirjoman Swain.	D. Swain.	XEN/CON/GJ.		25.2.85.	1.7.85.	127
136	Abhijit Gupta.	S.K. Gupta.	IOW/FCW/LMG.		15.6.83.	20.10.83.	127
137	Rabi Malakar.	B.K. Malakar.	-do-		16.7.86.	7.7.89.	127
138	Ben Mahanta.	Deba Kt. Mahanta.	XEN/CON/SHTT.	31.12.60.	30.11.84.	1.4.85.	123
139	Bhabeswar Talukdar.	L. Talukdar.	IOW/FCW/LMG.		20.6.85.	17.10.86.	120
140	Ashis Chakraborty.	G.K. Chakraborty.	IOW/T/JTG.	1.11.60.	24.1.83.	15.5.83.	112
141	Sikhendra Das.	Hare Krishna Das.	IOW/MBG.	21.2.58.	2.8.77.	15.8.83.	110
142	Dipak Prasad.	N. Prasad.	IOW/FCW/LMG.		3.7.86.	20.10.86.	110
143	Bimal Basak.	S. Basak.	-do-		9.7.86.	20.10.86.	104
144	H.N. Deka.	G.C. Deka.	-do-		11.7.85.	20.10.86.	102
145	Pijush Kanti Nag.	S.C. Nag.	-do-		12.7.86.	20.10.86.	101
146	Subrata Kr. Deb.	K.C. Deb.	-do-		12.7.86.	20.10.86.	101
147	Sambhu Mahato.	R.B. Mahato.	IOW/FCW/LMG.		15.7.86.	20.10.86.	98
148	Arna Kt. Bora.	Manic Ch. Bora.	XEN/CON/SHTT.		14.1.85.	14.4.85.	91
149	Gopal Ch. Barua.	Fuhiran Barua.	-do-	31.9.60.	14.1.85.	14.4.85.	91
150	Harakanta Saikia.	Kaliram Saikia.	-do-	31.1.65.	14.1.85.	14.4.85.	91

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1	2	3	4	5	6	7	8
151.	Saala Krishna Thapa.	Sekh Bahadur Thapa.	FNI/NOG.	1.12.55.	26.7.81.	15.10.81.	81
152.	Swapan Sarkar.	Nani Gopal Sarkar.	-co-	16.6.56.	27.7.82.	15.10.82.	80
153.	Jatindra Das.	Jamini Mohan Das.	ICW/MBG.		2.9.77.	15.5.83.	71
154.	Smbu Majumder.	Satish.	FNI/BXP.	16.2.50.	7.3.83.	16.5.83.	72 71
155.	Kandra Mura.	Matha.	-co-	16.1.42.	8.3.83.	16.5.83.	70
156.	Nanda Kumi.	Kachnufa.	-co-	15.10.44.	8.3.83.	16.5.83.	70
157.	Monoranjan Das.	Paynee.	FNI/BXP.	17.3.48.	8.3.83.	16.5.83.	70
158.	Krishna Chowdhury.	Kenti.	-co-	16.11.48.	8.3.83.	16.5.83.	70
159.	Petoo Bhukan.	Tahiram.	-co-	16.2.50.	8.3.83.	16.5.83.	70
160.	Ramsbit Roy.	Dhanu Roy.	XEN/CON/SITP.	25.5.64.	25.5.85.	31.7.85.	68
161.	Sarbananda Rajbangshi.	B.Rajbangshi.	ICW/FCW/LMG.		8.6.83.	9.8.83.	63
162.	Swapan Dey.	Girish Dey.	ICW/MBG.		21.8.82.	15.10.82.	56
163.	Balut Ch. Barman.	Laloo Ram Barman.	FNI/NOG.		29.8.81.	15-10.81.	47
164.	Miss P. Rahaman.				13.2.85.	31.3.85.	47
165.	Ratneswar Chowdhury.	G. Chowdhury.	ICW/FCW/LMG.		11.6.83.	25.7.83.	45
166.	Satya Poda Dhar.	Ramani Mohan Dhar.	ICW/MBG.	1.10.59.	2.7.83.	15.8.83.	39
167.	Mahesh Ch. Das.	T.R. Das.	ICW/FCW/LMG.		14.6.83.	4.7.83.	21

List of Retrenched skilled Casual Labour.

1.	Bahadur Patar (ST).	R.K. PATAR.	XEN/CON/SITP.	22.2.83.	5.10.85.	945
2.	Miss Lina Mahanta.	Phatik Mahanta.	-co-	16.6.84.	30.9.85.	318
3.	Kamal Ch. Bora.	P.R. Bora.	-co-	14.3.83.	10.7.85.	793
4.	Suren Saikia.	T. Saikia.	-co-	1.10.83.	5.10.85.	764
5.	Dipankar Goswami.	B.J. Goswami.	-co-	8.10.84.	30.9.85.	356
6.	Hitimbar Goswami.	B.K. Goswami.	-co-	14.10.83.	30.9.85.	344

As on 25/3/79
for DRM(P)/LMG.

As on 25/3/79
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