

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 61/2003

R.A/C.P No.

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SECTION OFFICER (Judl.)

(RULE - 4)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDER SHEET

Original Application No. 61/03
Misc. Petition No. /
Contempt Petition No. /
Review Application No. /

Applicant (S) Banni Senh

- Vs. -

Respondent (s) H.O.T Joms

Advocate for the applicant (s) A. Chakrabarty

Advocate for the respondent (s) CAFC J.L. Sarkar
Railway Counsel

Notes of the Registry	Date	Order of the Tribunal
<p>Application is in time but not in time Condensation Petition is filed / not filed for Rs. 50/- vide IPO/B No. <u>76606801</u> Dated <u>28.11.02</u></p> <p><i>Steps taken along with envelops.</i></p> <p><i>mb</i></p>	<p>1.4.2003</p> <p>23.4.2003</p>	<p>Heard Mr. A. Chakrabarty, learned counsel for the applicant. List on 23.4.2003 to enable Mr. J.L. Sarkar, learned standing counsel for the railway to obtain necessary instructions on the matter.</p> <p>Heard Mr. A. Chakraborty, learned counsel for the applicant. The Railway Standing counsel was to take obtain instruction on the matter. Mr. S. Sengupta, learned Standing counsel for the Railway stated that he is yet to obtain instruction. List the case again on 13.5. 2003.</p>

Vice-Chairman

Vice-Chairman

13.5.2003

Heard Mr. A. Chakrabarty, learned counsel for the applicant and also Mr. S. Sarma, learned counsel for the respondents.

Put up again on 20.6.2003 to enable the respondents to file written statement.


Vice-Chairman

mb

20.6.2003

Heard Mr. A. Chakrabarty, learned counsel for the applicant and also Mr. J.L. Sarkar, learned standing counsel for the railway.

Mr. J.L. Sarkar, learned standing counsel prayed for time to obtain necessary instructions on the matter. Prayer is allowed. List again on 18.7.2003 for admission.


Vice-Chairman

mb

18.7.2003

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

List again on 22.8.2003 for admission.


Vice-Chairman

mb


22.8.2003

No written statement so far filed by the respondents. List again on 26.9.03 to enable the respondents to file written statement.



Vice-Chairman

mb


No. Written Statement
has been filed.


19.6.03.


No. Wks has been
filed.


17.7.03

No. Written Statement
has been filed.


21.8.03

No. Wks has been
filed.


25.9.03.

(3)

3

O.A. 61/2003.

Office Note	Date	Tribunal's Order
No. written statement has been filed. 22/30.10.03.	26.9.2003	No written statement so far filed. On the prayer of Mr. S. Sarma, learned counsel for the applicant Respondents four weeks time is allowed to file written statement. List on 31.10.2003 for admission. Vice-Chairman
No. writs has been filed. 22/16.12.03.	31.10.2003	put up the matter on 28.12.2003 enabling the respondents to file reply. Mr. J.L. Sarkar, learned Standing counsel for the Railways is requested to obtain instruction on the matter so that the matter can be disposed of at the earliest Kist Vice-Chairman
	28.12-03	on Bench today. Adjudged on 17.12-03. 870 bn
The case relates to Division Bench matter. Place before the Divm. Bench for Admission on 20.1.04. 19.1.04.	17.12.2003	List on 20.1.2004 for orders. Vice-Chairman

O.A.No.61/2003

Office Note	Date	Tribunal's Order
	20.1.2004	<p>Present: Hon'ble Shri Bharat Bhusan, Member (J) Hon'ble Shri K.V. Prahladan, Member (A).</p> <p>Heard Me A. Chakraborty, learned counsel for the applicant and Mr J.L. Sarkar, learned counsel for the respondents. The learned counsel for the respondents seeks for time for filing written statement. Already too many adjournments have been granted. Order reserved.</p> <p><i>KV Prahlada</i> Member (A)</p> <p><i>[Signature]</i> Member (J)</p> <p>nkm</p>
	21.1.2004	<p>Judgment pronounced. The application is allowed as per order kept in separate sheets. No order as to costs.</p> <p><i>KV Prahlada</i> Member (A)</p> <p><i>[Signature]</i> Member (J)</p> <p>nkm</p>

17-2-04

copy of the Judgment has been sent to the office for review to the applicant as well as to the Dy. Standing Counsel.

V

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A./RXX.No. 1111 61 of 2003

DATE OF DECISION 21.1.2004

.....Shri Bansi Sah

.....APPLICANT(S).

.....Mr A. Chakraborty

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

-VERSUS-

.....The Union of India and others

.....RESPONDENT(S)

.....Mr J.L. Sarkar, Railway Counsel

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

THE HON'BLE MR. BHARAT BHUSAN, JUDICIAL MEMBER

THE HON'BLE MR K.V. PRAHLADAN, 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 Hon'ble Member (J)

X

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.61 of 2003

Date of decision: This the 21st day of January 2004

The Hon'ble Shri Bharat Bhushan, Judicial Member

The Hon'ble Shri K.V. Prahladan, Administrative Member

Shri Bansi Sah

Working as Emergency Peon attached to the
Dy. CE/CON/Katihar.

.....Applicant

By Advocate Mr A. Chakraborty.

- versus -

1. The Union of India represented by the
General Manager (CON),
N.F. Railway,
Maligaon, Guwahati.

2. The General Manager (CON)
N.F. Railway/CON.,
Maligaon, Guwahati.

3. The Deputy Chief Engineer (CON)
Katihar Division,
Katihar.

.....Respondents

By Advocate Mr J.L. Sarkar, Railway Counsel.

.....

O R D E R

BHARAT BHUSAN, MEMBER (J)

The applicant was appointed as Emergency Peon in the scale of pay of Rs.2550-3200 attached to the Deputy Chief Engineer/CON/Katihar with effect from 26.12.2001 vide appointment letter dated 26.12.2001 (Annexure-A). The appointment letter reads as under:

"Shri Bansi Sah
S/o Shri MOhan Sah.

Sub: Engagement of Emergency Peon attached to
Shri B.P. Singh, Dy.CE/CON/KTR.

You are hereby engaged as substitute
Emergency Peon on Pay Rs.2550/- in scale Rs.2550-
3200/- attached to Shri S.P. Singh, Dy.CE/CON/KTR
subject to the following terms and conditions.

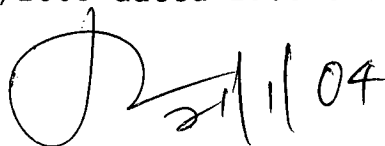
D 21/1/04

1. Your engagement will not confer upon any right to claim for further appointment in this Railway and you are liable to be discharged without any notice when your service will not be required by the Administration or on the expiry of the currency of the post against which you are engaged or on medical ground of physical incapacitation or in the event of availability of approved hand.
2. You will be transferred with the officer for which you are engaged as casual emergency Peon or you will be discharged in the event of transfer of the officer for which you are engaged experiences his unwillingness to take you on transfer alongwith him.
3. The engagement of substitute Emergency Peon at the first instance will be for a period of three months only and the same will be extended further on receipt of a certificate from the controlling officer that the service of the Emergency Peon is satisfactory and can be continued further.

This issues with the approval of GM/CON/MLG."

2. The applicant thereafter was directed to appear before the Railway Medical Examiner for medical test and in the medical test on 6.2.2002 he was found medically fit (Annexure-D). Consequent upon the transfer of his controlling officer, Shri S.P. Singh, Deputy CE/CON/D/Maligaon as Deputy CE/CON/Katihar the applicant was also transferred and posted as Emergency Peon attached to respondent 3 and in that capacity he had also been issued Free Railway Pass for travelling from Guwahati to Katihar. His case is that he had fallen ill on 30.12.2002, as a result of which he could not attend office and when on the subsequent date i.e. ^m31.12.2002 he attended the Bungalow of respondent 3 to join duty, the respondent 3 told the applicant that his service was not required by him. Thereafter he had been representing the authorities to allow him to join on duty but to no effect. He also emphasised the fact that he had already been granted temporary status with effect from 25.4.2002 by Office Order No.06/2003 dated 15.01.2003 and as a result of which

he.....

 21/1/04

he had become entitled to get all the benefits laid down in Chapter XXIII of the Indian Railway Establishment Manual (IREM for short). He has annexed the copy of the Office Order regarding grant of temporary status at Annexure-K. The learned counsel for the applicant submitted very vehemently that since the applicant had been granted temporary status with effect from 25.4.2002, so, obviously, the conditions of his service would be governed as set out in Chapter XXIII of IREM and thus his service can't be dispensed with in the manner it has been done in this case.

3. Rule 2301 of IREM in Chapter XXIII defines the temporary Railway servant as follows:

"2301. Definition- A 'temporary railway servant' means a railway servant without a lien on a permanent post on a Railway or any other administration or office under the Railway Board. The term does not include 'casual labour', a 'contract' or 'part-time' employee or an 'apprentice'."

Further Rule 2302 clearly prescribes the mode, manner and methodology of terminating services of a temporary railway servant. The relevant portion of the said Rule, required for our purpose reads as under:

"2302. Termination of service and periods of notice. -

- (1) Service of a temporary railway servant shall be liable to termination on 14 days' notice on either side provided that such a railway servant shall not be entitled to any notice of termination of his service-

The learned counsel for the applicant submitted that the applicant is thus entitled to continue work on the post he had been working, as, admittedly the procedure therein prescribed had not been carried out, thus rendering this deemed termination to be void and invalid. In this regard reliance has also been placed upon an Apex Court judgment in L. Robert D'Souza Vs. Executive Engineer, Southern


Railway.....

[Handwritten signature]
21/01/04

Railway (AIR 1982 SC 854), wherein it had been held in paragraph 21 as under:

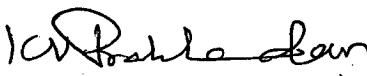
"Once it is held that by operation of statutory rule in the Manual, the appellant had acquired a status of temporary railway servant and assuming, as contended by Mr Francis, that the termination of service in the circumstances alleged does not constitute retrenchment stricto sensu, would the termination be still valid? The answer is an emphatic no. On the admission of the Railway administration, service was terminated on account of absence during the period appellant was on fast. Absence without leave constitutes misconduct and it is not open to the employer to terminate service without notice and injury or at any rate without complying with the minimum principal of natural justice. Further, Rule 2302 clearly prescribes the mode, manner and methodology of terminating service of a temporary railway servant and admittedly the procedure therein prescribed having not been carried out, the termination is void and invalid. Accordingly, the same conclusion would be reached even while accepting for the purpose of the facts of this case simultaneously rejecting it in law that the termination does not constitute retrenchment yet nonetheless it would be void and inoperative."

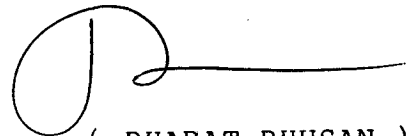
4. Though the learned counsel for the respondents has contended very vehemently that the applicant had acquired no right to be regularised on the post, yet, in our view the aforesaid Supreme Court Ruling is squarely applicable to the facts and circumstances of the instant case. ~~because~~ Herein, ~~too~~ the applicant, even after the grant of temporary status (Annexure-K) have been disallowed to continue in the service, though, of course no formal order of either termination or disengaging him from service has been issued. Obviously, in view of the law laid down by the Hon'ble Supreme Court as mentioned above, the termination, if any, of the applicant could be carried out only in the mode, manner and methodology as prescribed in Rule 2302 in respect of temporary railway servants and admittedly, in this case the procedure therein prescribed has not been carried out.

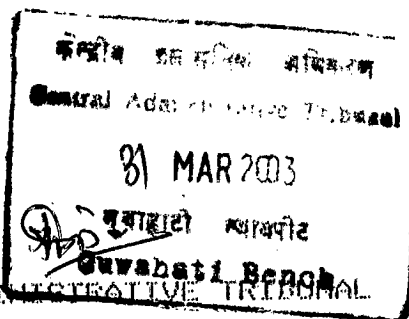

21/01/04

5. In this circumstances, we are of the opinion that the respondents are acting in an illegal manner in not permitting the applicant to continue in his post of Substitute Emergency Peon. Consequently, the O.A. is allowed and the respondents are directed to allow the applicant to join the duties and the applicant is entitled to all the consequential benefits.

No order as to costs.


(K. V. PRAHLADAN)
ADMINISTRATIVE MEMBER


(BHARAT BHUSAN)
JUDICIAL MEMBER



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :: GUWAHATI

Title of the case : O.A. No. 61 /2003

Sri Bansi Sah : Applicant

versus

Union of India & ors. : Respondents

I N D E X

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4.	B	Copy of Identity Card	10
5.	C	Copy of Receipt No.17477	11
6.	D	Copy of Medical Fit Certificate	12
7.	E	Copy of Order dated 7.5.2002	13
8.	F	Copy of Privilege Pass	14
9.	G & H	Copy of Medical Prescription	15-17
10.	I	Copy of Medical certificate	18
11.	J	Copy of letter dated 25.2.2003	19
12.	K	Office Order dated 15.01.2003	20

Filed by
Anupam Chakraborty
(Anupam Chakraborty) 31/3/2003
Advocate

Bansi Sah

In The Central Administrative Tribunal
Guwahati Bench :: Guwahati.

O.A. No. 61 /2003

BETWEEN

Sri Bansi Sah

Working as Emergency Peon attached to
DY. CE/ COM/ Katihar.

Applicant

AND

1. Union of India represented by the
General Manager (CON),
N.F.Rly, Maligaon,
Guwahati- 781 011.
2. The General Manager (CON),
N.F.Railways/ CON, Maligaon,
Guwahati- 781 011.
3. The Deputy Chief Engineer (CON),
Katihar Division,
Katihar.

Respondents

Details of the Application :

1. Particulars of the order against which the
application is made :

The application is made for the direction to the

13
Filed by the applicant
through A. Chakraborty
Advocate
31/3/2003

Bansi Sah

respondents to allow the applicant to join on duty and for payment of his salaries.

2. Jurisdiction:

The applicant declares that the subject matter of the application is within the jurisdiction of the Hon'ble tribunal.

3. Limitation:

The applicant declares that the application is within the period of limitation under section 21 of the Administrative Tribunal Act, 1985.

4. Facts of the case:

4.1 That the applicant is a citizen of India and as such is entitled to the rights and privileges guaranteed by the constitution of India.

4.2 That the applicant was appointed as Emergency Peon in the scale of Rs.2550-3200/- attached to Deputy Chief Engineer/CON/KTR w.e.f. 26.12.2001 by the appointment letter No. E/227/CON/I/Pt.IV dated 26.12.2001. Since the appointment, the applicant has been working with the full satisfaction of his concerned officer. He was also issued Identity Card by the office of the respondent No.2.

Copy of the Appointment letter dated 26.12.2001 is enclosed as Annexure - A.

Copy of the Identity Card is enclosed as Annexure - B.

Bansi sah

4.3 That thereafter, the respondents directed him to appear before the Railway Medical Examiner for medical test. The applicant deposited fees for such medical test by receipt No.17477 dated 1.2.2002 and in the Medical Test on 6.2.2002 he was found fit by the Medical Examiner for appointment.

Copy of the Receipt No.17477 is enclosed as Annexure - C.

Copy of the Medical fit certificate is enclosed as Annexure - D.

4.4 That the applicant begs to state that the respondents are very satisfied with his work. He has also been serving without any blemish and with the satisfaction of all the authorities. It is mentioned that consequent on transfer of his controlling officer Sri S.P.Singh, Dy. CE/CON/D/ Maligaon as DY.CE/CON/Katihar the applicant was also transferred and posted as Emergency Peon attached to respondent No.3 by Office Order No. 48/2002 dated 7.5.2002. On transfer he was also issued Free Railway Pass for traveling from Guwahati to Katihar.

Copy of the Office Order dated 7.5.2002 is enclosed as Annexure-E.

Copy of the Railway Free Pass is enclosed as Annexure-F.

4.6 That the applicant begs to state that due to fever he could not attend duty on 30.12.2002. He took his medical

Banshi sah

treatment in the Railway Hospital. On 31.12.2002 when the applicant attended in the Bungalow of respondent No.3 to join duty, the respondent no.3 did not allow him to join duties. The respondent No.3 told the applicant that his services are not required by him. The applicant, thereafter, repeatedly requested and prayed the respondent No.3 to allow him to join duties. But the respondent No.3 did not consider his prayer and marked him as absent in the attendance register w.e.f. 30.12.2002.

Copy of the Medical Prescription
Memos are enclosed as Annexure-G &
H respectively.

4.7 That the applicant begs to state that he again fell on sick due to viral fever and he was bound to take medical assistance from a private medical practitioner at Katihar. He was suffering from viral fever w.e.f. 8.1.2003 to 28.1.2003.

Medical Certificate dated 29.1.2003
is enclosed as Annexure-I.

4.8 That the applicant, thereafter, by a letter dated 25.2.2003 informed the above facts to the respondent No. 2 and prayed for allowing him to join on duty. But no favourable reply has yet received by the applicant.

Copy of the letter dated 25.2.2003
is enclosed as Annexure - J.

Bansi Sah

4.9 That the applicant humbly begs to state that he has been granted temporary status w.e.f. 25.4.2002 by office order No.06/2003 dated 15.01.2003. The applicant is entitled to get all the benefits laid down in Chapter-XXIII of IREM.

Copy of the office order dated
15.01.2003 is enclosed as
Annexure-K.

Bamsi sah

4.10 That the applicant begs to state that he has drawn his salaries upto December, 2002 and the respondents have not paid any salary/wages to the applicant for the period since January, 2003. As stated earlier the applicant represented by letter dated 25.2.2003. But most unfortunately the respondents have not yet responded to the prayer of the applicant.

4.11 That the applicant humbly submits that the present service is the only source of his livelihood with the members of his family. Non-regularisation, and non-payment of salary/wages is violative of Article 21 of the Constitution of India.

5. Grounds for reliefs with legal provisions:

5.1 For that the applicant has been granted Temporary Status by office order dated 15.1.2003, and is entitled to resultant service benefits.

5.2 For that the respondents have most arbitrarily and whimsically denied the applicant to join on duties.

5.3 For that action of the respondents is the result of whimsical and arbitrariness and offends article 14, 16 and 21 of the Constitution of India.

5.4 For that there is no unsatisfactory or adverse report of his work and he has never been warned during the period of his service.

5.5 For that the applicant is entitled to the reliefs under the directive principles of state policy.

5.7 For that in any view of the matter the applicant is entitled to the reliefs because he is being deprived of his life by reluctant attitude of the respondents.

6. Details of remedies exhausted:

There is no other efficacious remedy under any rule and this Hon'ble Tribunal is the only forum for redressal of the grievance.

7. Matters not previously filed or pending before any

other Court:

The applicant declares that he has not filed any other case in any tribunal, Court or any other forum against the impugned order.

8. Reliefs sought for :

Under the facts and circumstances of the case, the applicant prays for the following reliefs :

8.1 The applicant be allowed to join on duty as

Bansri Sah

Substitute Emergency Peon.

8.2 The applicant be paid salaries since January, 2003

8.3 Any other relief/reliefs the Hon'ble tribunal may deem fit and proper.

8.4 Cost of the case.

The above reliefs are prayed for on the grounds stated in para 5 above.

9. Interim relief prayed for :

During the pendency of this application the applicant prays for the following relief:

9.1 The applicant shall not be ousted from job.

9.2 The applicant be allowed to join on duties.

9.3 The applicant be paid current salaries.

The above reliefs are prayed for on the grounds stated in para 5 above.

10. This application has been filed through Advocate.

11. Particulars of Postal Order :

i) I.P.O. No.

" 76-606311

ii) Date of issue

" 28-11-02

iii) Issued from

" Gwalior

iv) Payable at

"

12. Particulars of Enclosures :

As stated in the index.

Verification.....

Bunji sah

Verification

I, Bansi Sah, resident of Maligaon, Guwahati-11, aged about 26 years do hereby verify that the statements made in para 1,4,6 and 7 are true my personal knowledge and those made in para 2,3 and 5 are true to my legal advice and the rests are my humble submission. I have not suppressed any material facts.

And I, sign this verification on this 31st day of March, 2003 at Guwahati.

Bansi Sah

Bansi Sah

— 9 —

Annexure — *AB*
21

N. F. RAILWAY

Office of the
General Manager (Con),
Maligaon

No.E/227/CON/I/Pt.IV

Dated :- 26/12/2001

To

✓ Shri Bansi Sah
S/O. Shri Mohan Sah.

Sub :- Engagement of Emergency Peon attached
to Shri S. P. Singh, Dy.CE/CON/KIR.

You are hereby engaged as substitute Emergency
peon on Pay Rs. 2550/- in scale Rs. 2550-3200/- attached
to Shri S. P. Singh, Dy.CE/CON/KIR subject to the
following terms & conditions.

1. Your engagement will not confer upon any right
to claim for further appointment in this Railway
and you are liable to be discharged without any
notice when your service will not be required
by the Administration or on the expiry of the
currency of the post against which you are engaged
or on medical ground of physical incapacitation or
in the event of availability of approved hand.
2. You will be transferred with the officer for whom
you are engaged as casual emergency Peon or you
will be discharged in the event of transfer of
the officer for whom you are engaged experiences
his unwillingness to take you on transfer along-
with him.
3. The engagement of substitute Emergency Peon at
the first instance will be for a period of three
months only and the same will be extended further
on receipt of a certificate from the controlling
officer that the service of the Emergency Peon is
satisfactory and can be continued further.

This issues with the approval of GM/CON/MLG.

[Signature]
for GENERAL MANAGER (CON)
26/12/01

Copy forwarded for information and necessary action to :-

1. FA & CAO/CON/MLG
2. Dy.CE/Con/KIR
3. DAO/CON/NJP
4. S/C for P/Case.
5. CS/CON/Bill.

for GENERAL MANAGER (CON)

*Attest ed
Bhaskar
Advocate*

भारत सरकार
महाराष्ट्र शासन
महाराष्ट्र राज्य सरकार

GOVT OF INDIA
NORTH EAST FRONTIER RAILWAY/CON
GENERAL PASSENGER'S OFFICE
DUMKON BOWAHATI-II



7559	DATE OF ISSUE 7-1-02
NAME SRI BANSI SAH	
DEPARTMENT ENGINEERING	
DESIGNATION E/PEON/MLG.	
Sri Bansi Sah	<i>[Signature]</i>
SIGN OF OFFICIAL	SIGN OF ISSUING AUTHORITY

Annexure-B
22

A Hestral
Khalsonab
Shivach

22

निवास स्थान

RESIDENTIAL ADDRESS

RLY. QRS. NO. 163D

NEW COLONY, PANDU, GUWAHATI-12.

दुरभाष

कार्यालय

निवास

TELEPHONE

OFFICE

RESIDENCE

कुल मिति

VALID UPTO FOR 5 YEARS FROM THE DATE OF ISSUE

W.F. RAILWAY

अनुमति

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पू० सी० रेलवे/N. F. Railway

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एन० एफ० जी०/N. F. G. 108/एन० जी०/A. G. 1

क्रम सं०/Serial No.

पुस्तिका सं०/Book No.

17477

नकदी रसीदें/बही/CASH RECEIPT/BOOK

विभाग/Department

कार्यालय/Office

आदाता का नाम/Received from

पता/Address

रकम/The sum of Rupees (शब्दों में, in words)

मद/On account of

र०/Rs.

हस्ताक्षर और पदनाम/Signature and Designation

स्टेशन/Station

दिनांक/Date

(आदाता के सिद्धे/Payee)

पू० सी० रेलवे, भागीदारी
Divisional Cashier/Gen

१५, Railway, Malabar

Attested
K. K. S. S.
Dhokani

12

Annexure - D

IR-142 यू. सी. रेलवे/N. F. Railway यू. सी. एन-2/N.F./M-2
परिशिष्ट III (अनुलग्नक 6)/Appendix III Annexure 6)

जब द्वारा स्वस्थ होने के लिए योग्यता निर्धारण के प्रयोजन से किसी भी दिवस को डॉक्टर की जांच के लिए प्रमाणपत्र का रूप में Form of certificate to be used when a candidate is medically examined for fitness for appointment to a State-managed Railway

स्पताल/Hospital NEAL, GANW सं./No. 489
दवाखाना/Dispensary

मैं यहाँ प्रमाणित करता हूँ कि मैंने (नाम) श्री. बरसे
को कि अनुमान/विभाग में वर्ग के
रूप निष्पत्ति के लिए उम्मीदवार है और जिनके *हस्ताक्षर/अंगुठे का
निगमन मेरी उपस्थिति में नीचे लिखा गया है, कि जांच कर ली है।
योग्य
मैं उन्हें उक्त निष्पत्ति के लिए अवधार हूँ।

I do hereby certify that I have examined (Name) Shri. Barse
Shri. (age) 25 yrs a candidate for appointment
as (designation) Engineer (class) B/Sec in
the Goods branch/department whose *Signature
thumb impression
has been appended below in my presence. I consider him
Fit/Unfit for such appointment.

जांच करने वाले रेलवे डॉक्टर के हस्ताक्षर
Signature of Railway Medical Examiner
पदनाम/Designation General Hospital
Maligaon, Garooh-II.

उम्मीदवार के हस्ताक्षर*/निगमन अंगुठे

Signature* 06-01-2007 of candidate

तारीख/Date 06-01-2007 Thumb Impression

*जो लागू न हो उसे काट दें, Strike out where inapplicable.

Attested
Medical Officer
Advocate

— 13 —
E v
Dnoexve - E
N.P. RAILWAY

Office of the
General Manager/Con
Malligon

OFFICE ORDER NO: 43/2002

Consequent on transfer of Shri S.P. Singh, IX. GR/
CON/D/MLG as IX. GR/CON/KIR Shri Dandi Sha, Subs.
Emergency Peon in scale @.2550-3200/- since attached to
IX. GR/CON/S/MLG is hereby transferred and posted
as E/Peon attached to IX. GR/CON/KIR in his existing
capacity, pay and scale.

(S.K. DOSE)

APD/CON

For General Manager/Con

NO: 127/CON/1/P.L.V (MP)

Dated 7.5.02

Copd Forwarded for information and necessary action
to :

1. PA to GAO/CON/MLG
2. IX. GR/CON/KIR
3. GAO/CON/ISP
4. OS/CON/BILL
5. Staff concerned
6. S/C for P/Case

(S.K. DOSE) 7/5/02

APD/CON

For General Manager/Con

*Musteel
Chakraborty
Advocate*

697888

जी० पी० ८/G. P. ८ (सं०/Rev.)/N.F.-G-20

(घात) लाइन/Home Line

10/12/59

रमांक सं०/No.

Annexure

दुर्गंतर सीमा रेलवे NORTHEAST FRONTIER RAILWAY

प्रत्येक वयस्क के लिए यात्रा सामान 50 कि० ग्रा० सामान तथा प्रत्येक बच्चे के लिए उसका आधा सामान निःशुल्क/With 50 Kilograms luggage free including bedding for each adult and half that quantity for each child.

निःशुल्क पास/FREE PASS

दूसरे दर्जे/Second Class

जन्म/Dept Mangga (can)

स्थान/Station

Maligum

दिनांक/Date 7-5-2002

पास/Pass

Sri Bantia Shri only

पदनाम/Designation E/Passer

से/From

and back to

तक/To

होकर/Via

वापसी होकर/and return Via

होकर/Over

रेलों पर यात्रा करने की अनुमति है/Railways

कब से कब तक चाहिए / दक्षिणा/Outward journey

Available upto

वापसी यात्रा/Return journey

पास किस लिए दिया गया/Why granted

फिस्ती भी सख्तरी डाक गाड़ी से

By any Passenger

train/Mail train

जारी करने वाले अधिकारी की ओर से जारी किया गया पदनाम

Signature & Designation of the Issuing Officer with seal

7/5/02

यात्रा विभाग की
अनुमति/Permission
to Break journey
at

दक्षिणा/Outward
वापसी यात्रा/Return

यात्रा विभाग/Break journey at
स्टेशन का नाम/Name of the Station. आत हुए
outward

- (क) पहुंचने की तारीख
(a) Date of arrival
(ख) रवानगी की तारीख
(b) date of departure
- (क) पहुंचने की तारीख
(a) date of arrival
(ख) रवानगी की तारीख
(b) date of departure
- (क) पहुंचने की तारीख
(a) date of arrival
(ख) रवानगी की तारीख
(b) date of departure
- (क) पहुंचने की तारीख
(a) date of arrival
(ख) रवानगी की तारीख
(b) date of departure
- (क) पहुंचने की तारीख
(a) date of arrival
(ख) रवानगी की तारीख
(b) date of departure

Attested
Mangga
Advocate

जी. पी. डी. (अ. र. व.)

(30/Rev.)
सुप्रीमर लोसा रेवे
आमा बाबा निहलामा ३० किलो
Adult and Infant quantity for 30
निहुक पास/ब्रूफ पा
विचार, डेट १६/७/८२
पास/पास

6

C.S. 113

Alfred J. Kuchanovich

17

Annexure - H
30

H

GENERAL PRACTICE / SPECIAL FAMILY HAPPY FAMILY
100, Hill E. Highway

DR. D. S. S. / R. B. MED / F 6

DR. S. S. S. / R. F. M. 6

विशेष विभाग / Medical Department

पुस्तक संख्या / Prescription Memo

12679

श्री. श्री. श्री. Shri. Banshi Sah.

विशेष विभाग / Medical Department

विशेष विभाग / Medical Department

विशेष विभाग / Medical Department

विशेष विभाग / Medical Department

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विशेष विभाग / Medical Department

विशेष विभाग / Medical Department

Attended
Shri. Banshi Sah.
A. S. S. S.

18
10 मिथिलेश कुं सिंह
Dr. M. K. Singh
M. B. B. S. (M. U.)
General Physician & Consultant

Annexure - II
क्लीनिक :
पुराना बस स्टैंड
कटिहार - 854 105
☎ : 24727 (P. P.)

Date 29.1.03

To whom it may concern

certified that Shri Bawshi
Sah, E. Peon, Engr (CON), N. F. Rly, Katiyar was under
my treatment from 8.1.03 to 29.1.03 (F.N). He was
suffering from viral fever and advised to complete
rest during treatment period as mention above.

Now he is fit to resume
duty from 29.1.03 (A.M)

[Signature]
29.1.03
Dr. M. K. Singh
General Physician & Consultant
Katiyar

Attested
Khulna
Dehra

Annexure - J
32

— 19 —

To
The General Manager (Construction)
M.F. Railway, Maligaon.

Sub:- Prayer for joining on duty as
Emergency Peon.

Respected Sir,

At the very outset I beg apology for spilling your invaluable time to look into my cases explained below.

That Sir, I was engaged as substitute Emergency Peon on 26.12.2001 attached to Shri S.P.Singh, Dy.CE/CON/KIR and performed my duties more than 1(One) year with full satisfaction of my officer.

That Sir, due to my fever I could not attend duty on 30.12.2002. Next day on 31.12.2002 when I attended in the Bunglow to join duty, Shri S.P.Singh, Dy.CE/CON/KIR did not allow me to perform duty in his Bunglow and told me that my services are not required by him and forcibly out me from his Bunglow.

That Sir, the reason of such behaviour of my officer is not known to me. So, I used to attend his Bunglow and requested him to allow me for performing duty. But he did not consider my prayer and marked absent me in the attendance register w.e.f 30.12.2002. Further, my officer also warn me not to entere in the complex of his Bunglow otherwise he will file FIR against me.

That Sir, I have already completed more than one year service and also attained Temporary status on completion of 120 days continuous service.

That Sir, Shri S.P.Singh, Dy.CE/CON/KIR without any reason has attempted to terminate me from service.

In view of above facts I beg to kind honour to kindly allow me to perform duty with Shri S.P.Singh, Dy.CE/CON/KIR.

Thanking you,

Yours faithfully,

✓ Banshi Sah
(BANSHI SAH)
E/Peon under
Dy.CE/CON/KIR.

*Attested
Kumbhakar
Shri Singh*

Dated: Maligaon
The Feb 2003.

✓
Northeast
Frontier
Railway

— 20 —
33
Donovan - K
Office of the
General Manager/Con
Maligaoni Guwahati-11

OFFICE ORDER NO. 06 52003

Shri Hansi Sah, Sube. E/Peon attached to Dy. CG/Con/KIR who was engaged as on 26.12.2001 vide this office letter No. F/227/Con/1(EP)/Pt. IV dated 26.12.2001 has completed 120 days continuous service as on 24.4.2002. Accordingly he is hereby granted temporary status in scale Rs. 2550-3200/- on pay Rs. 2550/- w.e.f. 25.04.2002.

He is entitled to get the benefit as laid down in Chapter-XXIII of IREM.

Subgea
(S. K. BOSE)
APQ/CON
for General Manager/Con

No. F/57/Con/1(TSC)/Pt. III

Dated: 15.01.2003

Copy forwarded for information and necessary action to:-

- 1) PA & CA/Con/M.G
- 2) Dy. CG/Con/KIR
- 3) OS/Con/Bill
- 4) Staff concerned
- 5) S/C for P/case
- 6) SAQ/Con/MJP

*Attested
K. K. Borah
Sd/-*
(S. K. BOSE)
APQ/CON
for General Manager/Con