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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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CP closed
17/2/2005

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SECTION OFFICER (Judl.)

Salil
15/11/17

(SEE RULE - 4)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI

ORDER SHEET

Original Application No :

12/03

Misc. Petition No.

Contempt Petition No.

Review Application No.

Applicant(s): Smti. Trupti Das

- Vs. -

Respondent(s): W.O. I. Form

Advocate for the Applicant(s): M. Chanda, A. N. Chakrabarty

Advocate for the Respondent(s): Parc

Notes of the Registry	Date	Order of the Tribunal
This application is in form but not in time. Condonation Petition is filed / not filed C. F. for Rs. 5/- pushed vide IPO/BU No 24605/2003 Dated 20.1.2003	31.1.2003	Heard Mr M. Chanda, learned counsel for the applicant. Issue notice returnable by four weeks. List it for admission on 7.3.2003.
NO Synopsis has been filed.	7.3.2003	Court did not sit today. The case is adjourned to 14/4/2003.
Notice prepared and sent to D/S for issuing the Writ Petition No 1 to 7 Top Regd A.D.	4.4.2003	Put up again on 2.5.2003 to enable the respondents to file reply, if any.
13/2/03 DINo 21321249 dtd 13/2/03	mb	Vice-Chairman
NO reply has been filed.		
24 1.5.03		

(2)

2.5.2003 Heard Mr. M. Chanda, learned counsel for the applicant and also Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents.

No reply so far filed by the respondents. The application is admitted. Call for the records. No fresh notice need to be issued.

Further four weeks time is allowed to the respondents to file written statement. List on 12.6.2003 for written statement.

No. Written statement has been filed.

Vice-Chairman

22
19.6.03.

mb 12.6. Single Bench. ~~Case~~ did not sit today. The Case is adjourned to 20.6.2003.

20
A.K.B

20.6.2003 Written statement has been filed. The case may now be listed for hearing on 4.7.2003. The applicant may file rejoinder, if any, within two weeks from today.

Vice-Chairman

23.6.03
W.F. Application
by the Respondent.

mb

4.7.2003 Adjourned on the prayer of Mr. G.N. Chakrabarty, learned counsel for the applicant. List again on 8.8.2003 for hearing.

Vice-Chairman

No. Rejoinder has been filed

30
37.03.

mb

8.8.2003 Adjourned on the prayer of learned counsel for the applicant and put up on 21.8.2003 for hearing.

Vice-Chairman

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O.A. 12 of 2003

Office Note	Date	Tribunal's Order
	29.8.03	On the prayer of learned counsel for the parties case is adjourned to 12.9.03 for hearing.
<u>1.9.03</u> W/s filed by the Respondent Nos. 5, 6 and 7.	1m	Vice-Chairman
	12.9.2003	present: The Hon'ble Mr.K.V.Prahala ^{dan} Administrative Member List the case on 26.9.2003 for hearing. In the meantime, the applicant may file rejoinder, if any.
		K.V.Prahala ^{dan} Member
	26.9.03	Judgment delivered in open Court. Kept in separate sheets. Application is allowed.
<u>19.9.03</u> Rejoinder submitted by the applicant in reply to W/s.		Vice-Chairman
<u>22/10/2003</u> Copy of the judgment has been sent to the Office for issuing the same to the applicant as well as to the Regd. R.C.C. for the Regd. Police etc.		
		W/s/

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A./R.A.No. 1171 12 of 2003.

DATE OF DECISION 26-9-03

Smti. Tripti Das

.....APPLICANT(S).

Sri M.Chanda

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

-VERSUS-

Union of India & Ors.

.....RESPONDENT(S)

Sri A.Deb Roy, Sr.C.G.S.C.

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

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

THE HON'BLE

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

Judgment delivered by Hon'ble ~~Member~~ Vice-Chairman



CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original application No. 12 of 2003.

Date of Order : This the 26th Day of September, 2003.

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

Smti. Tripti Das,
Wife of Sri Sudip Kumar Das,
resident of Udal Bakra, Rodalipath,
P.O. Udalbakra,
P.S. Dispur, Dist. Kamrup.

...Applicant

By Advocate Sri M.Chanda.

- Versus -

1. Union of India,
represented by the Secretary to the
Government of India, Ministry of Communication,
Bharat Sanchar Nigam Ltd.,
New Delhi.
2. The Chief General Manager,
Bharat Sanchar Nigam Limited,
Ulubari, Guwahati.
3. The District Telecom Manager,
Guwahati.
4. The S.D.O.(East),
Guwahati.
5. Sri M.C.Patar,
Divisional Engineer (Admn)
Office of the General Manager (Telecom),
KTD, Guwahati.
6. Sri N.K.Das,
Chief Accounts Officer,
Office of the GMT/KTD,
Guwahati.
7. Sri S.Das,
ATD (Legal),
Office of the Chief General Manager ,telecom,
Guwahati. ... Respondents

Sri A.Deb Roy, Sr.C.G.S.C.

O R D E R (ORAL)

CHOWDHURY J.(V.C)

The issue relates to confirmation of temporary status. By the impugned order dated 26.3.2002 the respondents communicated the decision on the basis of the report submitted by Verification Committee. The applicant was accordingly informed the decision to the effect that she did not complete 240 days work in any calendar year since the applicant was working since April 1992 till May 1993.

2. Mr M.Chanda, learned counsel appearing for the applicant submitted that she had rendered 240 days of service in the calender year of 1992-93. Mr A.Deb Roy, learned Sr.C.G.S.C however disputed the contention of the applicant and submitted that the applicant had not rendered 240 days of service in any calender year reiterating the decision of the verification committee. Mr Chanda, learned counsel for the applicant however, bring it to my notice about the decision rendered by this Tribunal on 2.5.1997 in O.A.217/94 and the subsequent decision rendered by this Tribunal on 13.3.2000 in O.A.261/98. The observations made in para 7 of the judgment in O.A.217/94 is reproduced below :

"On perusal of the application and the written statement, we find that the applicant was appointed in the year 1991 and she worked more than 240 days and on the date of commencement of the scheme she was serving as per engagement. It may be mentioned here that the learned Addl.C.G.S.C has not referred to any other document other than the scheme.

Considering all the aspects of the matter we have no hesitation to come to the conclusion that the applicant was a casual labour."

The other observations made in para 5 of the judgment passed in O.A.261/98 is also reproduced below :

"Taking into account the facts and circumstances of the case and the reasons given in the Tribunal's order dated 2.5.1997, with which we respectfully agree, we reiterate the above order and make it clear that the scheme prepared by the respondents under the heading of "Casual labourers (Grant of Temporary Status and Regularisation) Scheme 1989, would be fully applicable to the services of the applicant as casual labourer with effect from 1.2.1991. Accordingly, the respondents are given further two months to fully comply with the directions of the Tribunal in O.A.217/94."

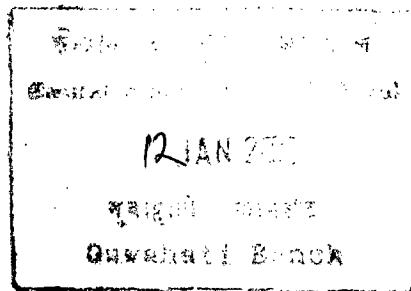
From the facts above and materials on record it appears that the applicant has rendered 240 days service during the calender year 1991 and 1992. From the materials on record it is also found that the applicant was entitled for confirmation of temporary status. The aforementioned judgment were not

challenged by the respondents in any other forum and the same has attained its finality. There is no scope for the respondents to hold that the applicant did not complete 240 days in any calender year. As such the communication dated 26.3.2002 is accordingly set aside and quashed. The respondents are ordered to take follow up action for conferment of temporary status to the applicant forthwith.

The application is accordingly allowed with cost of Rs.1000/-.



(D.N.CHOWDHURY)
VICE CHAIRMAN



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

(An Application under Section 19 of the Administrative Tribunals Act, 1985)

Title of the case : O. A. No. _____/2002

Smti. Tripti Das **Applicant**

Versus –

Union of India & Others: Respondents.

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Filed by

Date

Advocate

Smt. Trupti Das

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

(An Application under Section 19 of the Administrative
Tribunals Act, 1985)

O. A. No. /2002

BETWEEN

Smti. Tripti Das
Wife of Sri Sudip Kumar Das
Resident of Udal Bakra, Rodalipath
P.O. Udalbakra,
P.S. Dispur,
District-Kamrup

...Applicant

-AND-

1. The Union of India,
Represented by the Secretary to the
Government of India, Ministry of Communication,
Bharat Sanchar Nigam Limited,
New Delhi.
2. The Chief General Manager,
Bharat Sanchar Nigam Limited,
Ulubari, Guwahati.
3. The District Telecom Manager,
Guwahati.

Smti-Tripti Das.

4. The S.D.O. (East),
Guwahati.
5. Sri M.C. Patar
Divisional Engineer (Admin.)
Office of the General Manager (Telecom)
KTD, Guwahati.
6. Sri N.K.Das,
Chief Accounts Officer (Cash).
Office of the GMT/KTD,
Guwahati.
7. Sri S.Das,
ATD (Legal).
Office of the Chief General Manager Telecom
Guwahati.

...Respondents.

DETAILS OF THE APPLICATION

1. Particulars of order(s) against which this application is made.

This application is made against the impugned order dated 26.3.2002 rejecting her prayer for grant of temporary status without verification of relevant service records and in total violation of the judgment and order passed by the Hon'ble Tribunal in O.A. No.

Smt. Tripti Das.

261 of 1998 dated 13.3.2000 and also praying for a further direction upon the respondents to reinstate the applicant in service and also for grant of temporary status and regularisation of her service.

2. Jurisdiction of the Tribunal.

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

3. Limitation.

The applicant further declares that this application is filed within the limitation prescribed under section-21 of the Administrative Tribunals Act, 1985.

4. Facts of the Case.

4.1 That the applicant is a citizen of India and as such she is entitled to all the rights, protections and privileges as guaranteed under the Constitution of India.

4.2 That the applicant is a very poor lady. She passed H.S.L.C. examination in the year 1978 from Assam Railway High School, Panbazar, Guwahati under Assam Board of Secondary Education, Guwahati. The applicant registered her name with the Employment Exchange, Guwahati.

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4.3 That the applicant was searching for a job in any department and ultimately she came to know from a reliable source that one post of Casual Worker is lying vacant in the office of the S.D.O. Phones (East), Guwahati. Accordingly she approached with an application to the S.D.O. Phone, East for appointment as Casual worker. However, the applicant was verbally appointed by the S.D.O. Phones, East as Casual Worker with effect from 1.2.1991 in the Office of the S.D.O. Phones, East.

4.4 That thereafter the applicant was entrusted with the miscellaneous works of the office, including typing Complaint Register maintenance and other office work. She used to be paid at the rate of Rs. 47/- per day on daily wage basis and no work no pay basis excluding the 2nd Saturday and Sunday. The rate was applicable at the rate of daily rated Mazdoor. The applicant worked on that post under the S.D.O. Phones (East) continuously since 1.2.1991 till 31.5.1993 with full wages. She worked actually up to 21.6.1999 but payment was made up to 31.5.1993.

4.5 That the applicant begs to state that no formal appointment letter was issued to the applicant, she was engaged in work by verbal order. But it would be clear from the letter dated 3.2.1992, 26.3.1991 issued by the Asstt. Engineer Cables, Silpukhuri, Guwahati by which she was allowed to avail free medical treatment in P & T Dispensary that she was an employee of P & T

smt. Trupti Deka

Department and same were clear proof of her appointment. And in that respect Medical Identity Card was also issued to her.

Copies of the letter dated 26.8.1991, 3.2.1992 issued by the Asstt. engineer Cable (Telephone), Silpukhuri, Guwahati, letter dated 15.4.1993 and some copies of the Medical Identity Card issued from the P & T Dispensary dated 19.6.1992 and 9.4.1993 are annexed herewith as **Annexure I, II, III, IV and V** respectively.

4.6 That your applicant begs to state that she was paid monthly wages of Rs. 987/- (Rupees Nine hundred eighty seven) only at the rate of Casual Worker. And in that respect money receipts were issued by the Office of S.D.O. (Phones) East at the time of giving her salary which are also clear proofs of her service in the said department on casual basis.

4.7 That thereafter the applicant was verbally asked that her service is no more required and she need not have to come to work with effect from 31.5.1993 and thereby her service was terminated by a verbal order with effect from 31.5.1993. But the applicant was specifically assured by the S.D.O. Phones, East Guwahati that again she will be engaged in her work as and when there would be availability of work positively.

It is further to mention here that the applicant was also advised by the S.D.O. Phone (East) to keep contact with the office off and on and to apply again on getting information that there was availability of work, and in that case she would be provided with work positively. Accordingly the applicant after knowing from available source that there was availability of work and Casual Workers were going to be recruited, she approached to the Telecom District Manager, Guwahati with an application on October, 1993 for re engagement in her earlier post or in any other new vacancy in any category. But unfortunately she was not reinstated in spite of her having 2 years 4 months continuous service experience without break. On the other hand it is very painful and unfortunate to state that more than 3 (three) casual - workers had been appointed under the S.D.O Phone (East) on daily wages basis, Viz. (1) Sri Dinesh Barua (2) Sri Mukul Barman, (3) Miss Sona Mali (in place of applicant) depriving the applicant arbitrarily. The applicant regrets to state that she could not obtain the copies of the appointment letters of the new recruits Daily rated Mazdoor. However, the respondents be directed to produce the copies of appointment letters of the aforesaid new recruits before this Hon'ble Court, if necessary.

4.8. That the applicant begs to state that she worked as casual worker under the S.D.O. Phone (East) at Guwahati for more than two years four months continuously

Smt. Tripti Das.

without break since 1.2.1991 to till 31.5.1993 with full pay. At the time of her service she did typing work, maintenance of Telephone Complaint Register and other officers miscellaneous work with the fullest satisfaction of the authority. And as such she acquired a good experience about the said work. But the respondents did not consider her representation dated October, 1993 and the past service of the applicant but arbitrarily recruited fresh daily rated Mazdoor, mentioned above, even after her termination of service, and also after submission of her representation dated October, 1993. The applicant was entitled to be appointed on priority basis, on the basis of her past long casual service under the same establishment of the respondents.

4.9 That the department of Telecommunications framed a scheme for conferring temporary status on casual labourers. Service of the casual labourers who were currently employed and had rendered continuous service for at least one year had been approved by the Telecom Commission. The scheme is named as Casual Labour (Grant of Temporary Status and Regularisation) Scheme of Department of Telecommunications 1989. The scheme came into force with effect from 1.10.1989 and is applicable to the casual labourers employed by the Department of Telecommunications. In view of the above said scheme framed by the Department of Telecommunication itself, the present applicant was very much entitled to

regularisation and grant of temporary status. But most unfortunately the case of the applicant was mechanically turned down and the respondent authorities did not take any initiative for grant of temporary status or for regularisation of the service of the applicant.

4.10 That the applicant had acquired a valuable legal right under the Telecommunication department's regularisation scheme which is called as "Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of the department of Telecommunications, 1989." Under the above mentioned scheme, the applicant also obtained temporary status by operation of law as per the aforesaid scheme, and verbal termination order issued by the S.O.O Phone is in clear violation of the casual labourers grant of temporary status and regularisation scheme, 1989, wherein it is stated clearly as follows :

"8. Despite conferment of temporary status the service of a casual labour may be dispensed with in accordance with the relevant provisions of the Industrial Dispute act, 1947, on the ground of non-availability of work. A casual labour with temporary status can quit service by giving one month notice."

In the instant case, the respondent no. 4 has passed the impugned verbal order of termination in total disregard to the aforesaid scheme, 1989, therefore the order of termination is liable to be set aside and quashed.

4.11 That as the representation of the applicant dated October 1993 did not yield any result she approached this Hon'ble Tribunal by way of filing O.A. No. 217 of 1994 challenging the verbal order of termination dated 31.5.1994. The Hon'ble Tribunal however came to the conclusion that the applicant was a casual labour and in view of the same disposed of the application with a direction to the respondents to consider the case of the applicant in terms of the scheme and grant her temporary status and regularise her service in accordance with the scheme.

A copy of the order dated 2.5.1997 passed in O.A. No. 217 of 1994 is annexed herewith as **Annexure-VI.**

4.12 That thereafter the applicant submitted a representation to the authorities along with a copy of the order passed by this Hon'ble Tribunal praying for immediate re-appointment and grant of temporary status and for regularising her service. But the authorities rejected the claim of the applicant by passing a mechanical order dated 7.10.1997 without assigning any

reason in total disregard to the order and direction of this Hon'ble Tribunal passed in O.A. No. 217 of 1994.

A copy of the aforesaid order dated 7.10.1997 is annexed herewith as **Annexure-VII**.

4.13 That your applicant being highly aggrieved with the order issued under letter No. GMT/ESTT/179/Genl/97-98/51 dated 7.10.97 by the Divisional Engineer, Office of the General Manager, Telecom, Kamrup Telecom District, Guwahati approached this Hon'ble Tribunal through O.A. No. 262/1998 and the same was again contested by the respondents. However this Hon'ble Tribunal disposed of the said O.A. on 13.3.2000 with the following direction :

"4. In view of the above the stand taken by the respondents in the impugned order dated 7.10.1997 cannot be accepted and is accordingly rejected.

5. Taking into account the facts and circumstances of the case and the reasons given in the Tribunal's order dated 2.5.1997, with which we respectfully agree, we reiterate the above order and make it clear that the scheme prepared by the respondents under the heading of "Casual labourers (Grant of Temporary Status and Regularisation), Scheme, 1989, would be fully

applicable to the services of the applicant as casual labourer with effect from 1.2.1991.

Accordingly, the respondents are given further two months to fully comply with the directions of the Tribunal in O.A. No. 217/94.

6. Mr. M. Chanda, learned counsel for the applicant, has submitted that in the meantime the respondents have also engaged and continuing to employ certain juniors to the applicant as mentioned in the O.A. We make it clear that if work of a casual nature is available with the respondents the applicant shall have a prior claim for engagement as a casual labourer over her juniors and outsiders.

7. The O.A. is disposed in terms of the above order. No order as to costs."

It is quite clear from the direction passed by this Hon'ble tribunal on 13.3.2000 that the applicant is entitled to grant of Temporary Status under the 1989 scheme and more so in view of the fact that certain juniors/casual labourers have been engaged after verbal order of termination of the applicant. The applicant on receipt of the order dated 13.3.2000 submitted a detailed representation to the District Telecom Manager, Telecom, Guwahati for implementation of the order dated 2.5.1997 and dated 13.3.1997 of this

Hon'ble tribunal on 20.7.2000 again another representation submitted on 21.7.2000 but no reply was given by the respondents.

Copy of the judgment and order dated 13.3.2000, representation dated 20.7.2000 and 21.7.2000 are annexed herewith as **Annexure-VIII, IX and X** respectively.

4.14 That being disappointed due to the inaction of the respondents, the applicant preferred a Contempt Petition No. 4/2001 in O.A. No. 261/98. However the said Contempt Petition was dropped with the direction to the alleged contemners/respondents to communicate their decisions on re fixation of the applicant's claim pursuant to the letter dated 29.3.2001.

A copy of the order dated 12.10.2001 passed in C.P. No. 4/2001 is annexed hereto and marked as **Annexure-XI.**

4.15 That it is stated that the applicant in pursuance of the direction of the respondents appended before the so called verification committee and submitted all relevant documents including the photocopies of the attendance sheet. Be it stated that as per the document produced by the applicant, she fulfills the required conditions for grant of temporary status but the respondents particularly the respondent Nos. 5,6, & 7 deliberately ignored the documents submitted by the applicant and she also meted out with ill treatment as

because she approached this Hon'ble Tribunal for preferring contempt petition. The same verification committee after a long lapse rejected her claim for grant of temporary status on the alleged ground that on verification of documents it is alleged to have been found that she did not complete 240 days work in a calendar year and she was not in service since May, 1993, the said decision is communicated to the applicant vide impugned letter No. GMT/EST-179/TSM/01-02/196 dated 26.03.2002. The aforesaid decision of the respondents not based on record/records submitted before the verification committee by the applicant. It is pertinent to mention here that the applicant had rendered her service continuously with effect from 1.2.1991 till 31 May 1993 without any break and she was paid Rs. 47/- per day as daily wages basis and also on No Work No Pay basis excluding the 2nd Saturday and Sunday. Therefore by no stretch of imagination it can be presumed that the applicant did not work the required number of days as alleged by the respondents in the impugned order dated 26.3.2002 and as such the impugned order dated 26.3.2002 is liable to be set aside and quashed.

A copy of the impugned order dated 26.3.2002 is annexed hereto and marked as **Annexure-XII.**

4.16 That it is stated that the impugned order dated 26.3.2002 has been passed mechanically without reconciling the attendance registrar and payment

vouchers. As such the allegation that the applicant did not complete 240 days work during the calendar year 1991, 1992 is categorically denied and the said allegation of the respondents/verification committee is totally false and misleading.

It is categorically submitted that the applicant has completed 240 days in each calendar year during the year 1991-1992 and 1992-1993. The detailed particulars of the working days of the applicant are furnished hereunder :

Sl. No.	No. of days Work	During the Year
1	262	1991-1992
2	258	1992-1993
3	70	1993-1994

4.17 It is quite clear from the above table that the applicant had completed 262 days within the period from February 1991 to January 1992 and also completed ~~221~~ 258 days during the period from February 1992 to January 1993 and 47 days from February 1993 to March 1993 as per the records available with the applicant which were also produced before the verification committee by the applicant. A such the applicant is entitled to grant of temporary status under the 1989 scheme (Grant of Temporary Status to Casual Labourers and Regularisation).

4.18 That it is stated that the applicant has been paid wages on daily basis while working as casual workers under the respondents. Therefore while the verification committee considered her case might have considered the payment vouchers of the applicant while reached to the conclusion that she had her service less than 240 days,. Therefore records which were considered by the verification committee may be directed to produce the records before the Hon'ble Court including the payment vouchers and attendance register in respect of the applicant for perusal of the Hon'ble Tribunal.

4.18 That it is stated that the respondents while rejected the claim of the applicant, also did not consider the direction of the Hon'ble Tribunal passed in O.A. No. 261 of 1998 on 13.3.2000 wherein it is specifically directed by the Hon'ble Tribunal in para 6 of the judgment that if any of the junior employee to the applicant subsequently and continuing in that event the applicant shall have a prior claim for engagement as a casual labourers over her juniors and outsiders. It is specifically stated that three casual workers namely, (i) Sri Dinesh Bania (ii) Sri Mukul Barman (iii) Miss Soma Mali (in place of applicant) have been appointed subsequently after verbal order of termination of the applicant by the S.D.O. Phone (East), Guwahati on daily basis and they are still continuing as casual workers and on that score alone

the impugned order dated 26.3.2002 is liable to be set aside and quashed as because the respondents are silent in this regard.

In the facts and circumstances stated above, the applicant is entitled to grant of temporary status at least from the date of her initial appointment.

4.19 That it is a fit case for the Hon'ble Tribunal to interfere with and to protect the right of the applicant.

4.20 That this application is made bonafide and for the cause of justice.

5. Grounds for relief(s) with legal provisions.

5.1 For that, the applicant was deprived of her legitimate claims of service arbitrarily and illegally which amounts to glaring injustice done upon the applicant.

5.2 For that, in spite of having continuous working experience of the applicant without break since 1.2.1991 to 21.6.1993 she was driven out from work illegally and another employee was engaged in her place which amounts to clear discrimination done upon her and the same is violative of Article 14,15,16, 21 and 300-A of the Constitution.

5.3 For that, the applicant has fulfilled the required number of days during the calendar year 1991-1992 and

1992-1993 for grant of Temporary Status in terms of Grant of Temporary Status of Casual Labourers and Regularisation Scheme of 1989.

5.4 For that, the applicant has acquired legal right after rendering service under the respondents for more than 240 days in each calendar year i.e. for 1991-1992 and 1992-1993.

5.5 For that, the members of the verification committee constituted by the Department of Telecommunication as indicated in the impugned order dated 26.3.2002 did not reconcile the records such as payment vouchers, attendance register and other authentic records available in the custody of the respondents while reached to the arbitrary decision that the applicant did not completed 240 days in any calendar year. As such, impugned order dated 26.3.2002 is liable to be set aside and quashed.

5.6 For that, the respondents did not consider the direction contained in para 5 of the judgment and order dated 13.3.2000 in O.A. No. 261/98 while juniors to the applicant appointed/employed subsequently are still continuing in service, as such the applicant is entitled to grant of Temporary Status and immediate reinstatement in service with all consequential service benefits.

6. Details of remedies exhausted.

That the applicant states that she has exhausted all the remedies available to her and there is no other alternative and efficacious remedy than to file this application.

7. Matters not previously filed or pending with any other Court.

The applicant further declares that she had approached the Hon'ble Tribunal twice through O.A. No. 217 of 1994 and 261 of 1998 and the said O.A.s were disposed of with a direction to the respondent to consider the case of the applicant in terms of the scheme for grant of Temporary Status 1989 issued by the Department of Telecom but the respondents rejected her claim mechanically without consulting with the records. The applicant further declares that she has not filed any other application, Writ Petition or Suit before any Court or any other authority or any other Bench of the Tribunal regarding the subject matter of this application nor any such application, Writ Petition or Suit is pending before any of them.

8. Relief(s) sought for:

Under the facts and circumstances stated above, the applicant humbly prays that Your Lordships be pleased to admit this application, call for the records of the case and issue notice to the respondents to show cause as to why the relief(s) sought for in this application

shall not be granted and on perusal of the records and after hearing the parties on the cause or causes that may be shown, be pleased to grant the following relief(s):

- 8.1 That the applicant be reinstated in her earlier post of casual worker under the S.D.O. Phone (East), Guwahati with all consequential service benefits including monetary benefit with immediate effect.
- 8.2 That the respondents be directed to grant of temporary status in terms of the 1989 scheme and further be pleased to direct the respondents to regularize the services of the applicant in Group D post.
- 8.3 That the service of the applicant be treated as continuous service from the date of oral termination of service i.e. from 31.5.1993 till the date of reinstatement.
- 8.4 That the order verbal termination dated Nil be set aside and quashed.
- 8.5 That the impugned order dated 26.3.2002 be set aside and quashed.
- 8.6 Costs of the application.
- 8.7 Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

9. Interim order prayed for

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

9.1 That the Hon'ble Tribunal be pleased to direct the respondents to reinstate the applicant in service to the any post of casual worker with immediate effect till final disposal of this application.

10. -----

This application is filed through Advocates.

11. Particulars of the I.P.O.

i) I. P. O. No. : 7G 60530
ii) Date of Issue : 20-1-2003
iii) Issued from : G. P. O, Gauhati
iv) Payable at : G P O, Gauhati

12. List of enclosures.

As given in the index.

VERIFICATION

I, Smti Tripti Das, Wife of Shri Sudipt Kumar Dey, aged about 39 years, resident of Udalbakra, P.S. Dispur, District Kamrup, Assam, do hereby verify that the statements made in Paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in Paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this the 27th day of November, 2002 Jan l.

Smti. Tripti Das.

Annexure-I

Department of Telecommunication
Office of the Assistant Engineer Cables
Silpukhuri, Guwahati-3

To

The Senior Medical Dispensary
P & T Dispensary, Panbazar

No. F-10/91-92

Dt. 26.8.91

I am sending Smt. Tripti Das who is working in DEP (Exp) Office. She may be given treatment if admissible. Her medical card is under preparation.

Sd/- Illegible
Assistant Engineer Cables
Silpukhuri, Guwahati-3

*Abesher
Jafar
Advocate*

Annexure-II

DEPARTMENT OF TELECOMMUNICATIONS

To

The I/c P & T
Dispensary

Dated 3.2.92

Sir,

The bearer of this letter is working in my office as a casual typist. Kindly give a treatment to her as she is suffering from internal disease etc.

Thanking you,

Yours faithfully,

Sd/- Illegible

3.2.92

Sub Divisional Officer Phones(East)
Ambari, guwahati-781001

*Revised
Sub Divisional Officer*

Annexure-III

DEPARTMENT OF TELECOMMUNICATIONS

Srimati Tripti Das is engaged as on casual basis in the office of SDOP(E). She may be allowed to be treated freely if permissible.

Sd/- Illegible
15.4.93
S.D.O. Phones(East)
Guwahati

Officer
for
Permit

Annexure-IV

P & T DISPENSARY

PANBAZAR : GUWAHATI-781001

Name : Ritobrota Dey
 C/o Mrs. Tripti Das

Age : 7 years : Sex - Male, Relation - Son

Identity Card No. :

Registration No. 10640 dt. 19.6.92

P/Diagnosis
 Xy

Amlyoure
 2 tsf BD before food
 Reglan Syrup (J)
 1 tsf BD
 Cuminifin (I)
 2 tsf at bed time

Stool for RE

*Prescribed
 Dr.
 Dr. Dhr. etc*

Sd/- Illegible

Annexure-V

P & T DISPENSARY
PANBAZAR
GUWAHATI-781001

Name : Tripti Das

Age : Sex: F

Regd No. 23336

Identity Card No. Date : 9.4.93

Xy

Lasintin (20)

1 Cap daily

Noexit ointment - to apply orally

R/par(6)

1 tab

Sd/- Illegible

*Attested
for
Pew's cat*

Annexure-VI

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 217 of 1994

Date of decision : This the 2nd day of May 1997.

Hon'ble Justice Shri D.N.Baruha, Vice-Chairman.
Hon'ble Shri G.L.Sanglyine, Member (Administrative).

Mrs. Tripti Das,
W/o Sri Sudip Kumar Das,
Resident of Udalbakra, Rodalipath,
P.O. Udalbakra,
P.S. Dispur
Dist. Kamrup

...Applicant

By Advocate Mr. S.Sarma

-versus-

1. Union of India
Through the Secretary to the Govt. of India
Telecom Department
New Delhi
2. The District Telecom Manager
Guwahati
3. The S.D.O Phone (East)
Guwahati

...Respondents

By Advocate Mr. G. Sarma, Addl. C.G.S.C.

O R D E R

BARUAH J. (V.C.)

The applicant was verbally engaged casual worker in the office of the Sub-Divisional Officer (Phone) on 1.2.1991 and she had been doing miscellaneous works continuously. She was paid her daily wages at the rate of Rs. 47/- per day as prescribed for daily rated Mazdoor. Though she worked for the period from 1.2.1991 to 21.6.93, she was paid only upto 31.5.1993. Annexures A, B and C are letters issued to the

*Offer Red
Jas.
Advocate*

Senior Medical Dispensary by the Assistant Engineer Cables and Sub-Divisional Officer. These letters would go to show that she had been working as casual labour. Her engagement was terminated verbally on 31.5.1994. The applicant, therefore approached the authority, praying inter alia for her reinstatement. However, this was denied. Hence the present application.

2. The respondents have entered appearance in due course and have filed written statement.

3. The contention of the applicant is that she was engaged casual labour on 1.2.1991 and she had worked more than 240 days. According to the applicant, she is entitled to get temporary status and also thereafter regularization. The respondents however, refute the claim of the applicant.

4. We have heard Mr. S. Sarma, learned counsel appearing on behalf of the applicant and Mr. G. Sarma, learned Addl.C.G.S.C. for the respondents. Mr. S. Sarma submits that the Central Government has prepared a scheme known as "Casual Labourers (Grant of Temporary Status and Regularisation) scheme of the department of telecommunications, 1989". This scheme was prepared by the Government to give certain benefits to the casual workers. It was a welfare scheme and all the casual workers. It was a welfare scheme and all the casual labourers coming within the purview of this scheme, have legitimate expectation to receive benefits given by the said scheme. The applicant has stated that she comes within the scope of the said scheme.

Mr. S.Sarma further submits that the applicant has fulfilled all the conditions necessary for getting the benefit of the scheme. However, the authorities most unreasonably have denied the said benefit to the applicant. The action of the authorities according to Mr. Sharma was arbitrary and unreasonable. Mr. G. Sarma, on the other hand refutes the submissions of Mr. S.Sarma. According to him, the applicant is no doubt a casual labour but her service was no longer required and therefore she was not entitled to get temporary status and subsequent regularization of her service.

5. On the rival contentions of the parties it is to be seen as to whether the applicant is entitled to get the benefit of the aforesaid scheme or not? The scheme was prepared in 1989. It came into force with effect from 1.10.1989. This scheme is applicable to the casual labourers of the department of telecommunications. As per clause 5 of the said scheme, the temporary status of casual labourers may be conferred to those casual labour who continuously rendered service for one year, out of which they must have been engaged for 240 days (206 days in case of offices observing five days a week). Such casual labourers would be designated as Temporary Mazdoor. The conferment of the temporary status would be however without reference to the creation/availability of regular Group D posts. Conferment of temporary status on a casual labourer would not involve any change of his duties and responsibilities. Mr. G. Sarma, however, submits that the applicant was engaged for specific periods depending on availability of work and the averments

to that effect have been made in paragraph 3 of the written statement. We quote the paragraph 3 of the written statement :

"That with regard to the contents made in para 3, I beg to state that the applicant was engaged and paid for specific period depending on work availability. This practice was purely on daily rated basis, question of any appointment does not arise."

6. In paragraph 6 of the written statement it has been mentioned that the scheme was not applicable to the applicant. The terms of appointment have not been produced before us. It is not known on what basis such averments have been made. The written statement is silent as to why the scheme is not applicable to the applicant. Learned Addl. C.G.S.C. Sri G.Sarma also has not been able to show anything as to why the scheme is not applicable to the applicant. Records have also not produced before us to ascertain the genuineness of the averments made in the written statement.

7. On perusal of the application and the written statement, we find that the applicant was appointed in the year 1991 and she worked more than 240 days and on the date of commencement of the scheme she was serving as per engagement. It may be mentioned here that the learned Addl. C.G.S.C. has not referred to any other document other than the scheme.

7. Considering all the aspects of the matter we have no hesitation to come to the conclusion that the applicant was a casual labour.

8. In view of the above, we dispose of the application with a direction to the respondents to consider the case of the applicant, if she fulfils the requirement as indicated above she shall be given temporary status and thereafter her services shall be regularized strictly in accordance with the scheme. These must be done as early as possible within a period of 3 months from the date of receipt of the copy of this order.

Sd/- Vice-Chairman
Sd/- Member (A)

42
Annexure-VII

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE GENERAL MANAGER, TLECOM.
KAMRUP TELECOM DISRICT
GUWAHTI : 781007

No. GMT/EST-179/Genl/97-98/51 Dated at Gh-7 the 7th
Oct.'97

To

Mrs. Tripta Das,
W/o Shri Sandip Das,
Udalbakra, Rudali Path,
P.O. UDALBAKRA
Guwahati-781034

Sub: Hon'ble CAT's direction on O.A. No. 217/94 filed by
Mrs. Tripti Das.

On perusal of Hon'ble CAT's direction on O.A. No. 217/94 and w.r. to your application No. Nil Dtd. Nil, it is found that your claim cannot be considered for T.S.M. and subsequent regularization in view of the DOT's Circular No. 269-A/93-STN-II dated 17.12.93 on "Casual Labours (Grant of Temporary Status and Regularisation) scheme, 1989, engaged in Circle after 30.03.85 and upto 22.06.88".

This is for your information please.

'Sd/- Illegible
7/x/97
Divisional Engineer (Admn)
O/o the General Manager, telecom
Kamrup Telecom.District, GH-7

*Alleged
Signature*

Annexure-VIII**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 261 of 1998

Date of decision : This the 13th day of March 1998.

Hon'ble Mr. G.L.Sanglyine, Administrative Member.
Hon'ble Mrs. Lakshmi Swaminathan, Judicial Member.

Mrs. Tripti Das,
Resident of Udalbakra, Rodalipath,
P.O. Udalbakra,
P.S. Dispur
Dist. Kamrup.

..Applicant

By Advocate Mr. M. Chanda

-versus-

1. Union of India
Through the Secretary to the Govt. of India
Telecom Department
New Delhi
2. The District Telecom Manager
Guwahati
3. The S.D.O Phone (East)
Guwahati

...Respondents

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

ORDER (ORAL)

MRS. L. SWAMINATHAN, MEMBER (J)

The applicant is aggrieved by the order passed by the respondents dated 7.10.1997.

2. The aforesaid impugned order has been passed by the respondents pursuant to the directions of the Tribunal in O.A. No. 217 of 1994, decided on 2.5.1997. The facts pertaining to the applicant have been mentioned in that O.A. and it will, therefore, not be necessary to repeat the same here.

*Pls. find
Adv. Mr.
Dasgupta*

3. After considering the rival contentions of the parties, the earlier application filed by the applicant was disposed of as follows :

"Considering all the aspects of the matter we have no hesitation to come to the conclusion that the applicant was a casual labour.

"In view of the above, we dispose of the application with a direction to the respondents to consider the case of the applicant, if she fulfils the requirement indicated she shall be given temporary status and thereafter her services shall be regularized strictly in accordance with the scheme. These must be done as early as possible within a period of 3 months from the date of receipt of the copy of this order".

The respondents have apparently not filed any appeal against the aforesaid order of the Tribunal and hence the order has become final and binding.

4. Taking into account the facts and circumstances of the case and the reasons given in the Tribunal's order dated 2.5.1997, with which we respectfully agree, we reiterate the above order and make it clear that the scheme prepared by the respondents under the heading of "Casual Labourers (Grant of Temporary Status and Regularisation) Scheme, 1989, would be fully applicable to the services of the applicant as casual labourer with effect from 1.2.1991. Accordingly, the respondents are given further two months to fully comply with the directions of the Tribunal in O.A. No. 217/94.

5. Mr. M.Chanda, learned counsel for the applicant, has submitted that in the meantime the respondents have also

engaged and continuing to employ certain juniors to the applicant as mentioned in the O.A. We make it clear that if work of a casual nature is available with the respondents, the applicant shall have a prior claim for engagement as a casual labourer over her juniors and outsiders.

7. The O.A. is disposed of in terms of the above order. No order as to costs.

Sd/-Member(Admn)
Sd/- Member (J)

Annexure-IX

Dt. 20.7.2000

To

The District Telecom Manager,
Ulubari, Soniram Road,
Guwahati-7

Through Sub-Divisional Officer, Phones(EAST),
Binova Nagar, Guwahati-781018

Sub : Prayer for immediate implementation of the judgment and order dated 02.05.1997, passed in O.A. No. 217 and Order dated 13.03.2000 passed in O.A. No.261 of 1998.

Respected Sir,

Enclosed please find herewith a copy of the judgment and order dated 13.03.2000 passed in O.A. No. 261 of 1998, whereby it is directed to implement the judgment and order dated 02.05.1997, passed in O.A. 217, within a period of 2 months, and also categorically observed, that the scheme of temporary status 1989 is fully applicable to the services of the applicant, as casual labour with effect from 01.02.1991. Moreover my juniors mentioned in the Original Application, are still continuing in service, therefore, I request you to implement the aforesaid, judgment with immediate effect, and also pass necessary order for re-instalment under intimation to the undersigned.

Enclosed :

1. Copy of the judgment and order
dated 13.03.2000 in O.A. 261 of 1998

Yours faithfully,

Sd/- Tripti Das
C/o Late Nipendra Nath Dey,
Bharalukukh, B.R.P road,
Guwahati-19

*Pls. find
for
Binova Nagar*

Annexure-X

Dt. 21.7.2000

To

The District Telecom Manager,
Ulubari, Soniram Road,
Guwahati-7

Through Sub-Divisional Officer, Phones(EAST),
Binova Nagar, Guwahati-781018

Sub : Prayer for immediate implementation of the judgment and order dated 02.05.1997, passed in O.A. No. 217 and Order dated 13.03.2000 passed in O.A. No.261 of 1998.

Respected Sir,

Enclosed please find herewith a copy of the judgment and order dated 13.03.2000 passed in O.A. No. 261 of 1998, whereby it is directed to implement the judgment and order dated 02.05.1997, passed in O.A. 217, within a period of 2 months, and also categorically observed, that the scheme of temporary status 1989 is fully applicable to the services of the applicant, as casual labour with effect from 01.02.1991. Moreover my juniors mentioned in the Original Application, are still continuing in service, therefore, I request you to implement the aforesaid, judgment with immediate effect, and also pass necessary order for re-instalment under intimation to the undersigned.

Enclosed :

1. Copy of the judgment and order dated 13.03.2000 in O.A. 261 of 1998

Yours faithfully,

Sd/- Tripti Das
C/o Late Nipendra Nath Dey,
Bharalukukh, B.R.P road,
Guwahati-19

*Debashree
J. D.
Advocate*

Annexure-XI

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Contempt Petition No.4 of 2001 (In O. A.No. 261 of 1998)

Date of order : This the 12th day of October 2001.

**Hon'ble Mr. Justice D.N.Chowdhury, vice-Chairman
The Hon'ble Mr. K.K.Sharma, Administrative Member.**

**Mrs. Tripti Das,
Resident of Udalbakra, Rodalipath,
P.O. Udalbakra,
P.S. Dispur
Dist. Kamrup**

Petitioner

By Advocate Mr. M. Chanda

-versus-

1. **Mr. S.K.Bhaduri
Telecom District Manager,
Ulubari, S.R.Bora Road,
Guwahati-7**
2. **Mr. Swapna Chanda,
S.D.O. (Phones), East
Guwahati**

Contemptors

By Advocate Mr. B.C.Pathak

O R D E R

CHOWDHURY J. (V. C.)

This is an application alleging contempt against the respondents for alleged violation of the order of the Tribunal dated 2.5.97 passed in O.A. 217/94 as well as the order of the Tribunal dated 13.3.2000 passed in O.A. 261/98.

The applicant stated and contended that despite the positive direction of the Tribunal, the respondents failed to comply.

*Amrit
Adv.
Advocate*

with the judgment and order of the Tribunal and consider her case for conferment of temporary status as per the scheme.

2. The respondents submitted its written statement denying the contention of the applicant and stated that in spite of the opportunity granted the applicant since did not appear before the authority question of giving effect to the order did not arise.

3. In course of hearing Mr. M.Chanda, learned counsel for the applicant has produced before us the communication bearing No. GMT/EST-179/TSM/00401/120 dated 29.3.2001 whereby the applicant was advised to appear before the Divisional Engineer, Administration at the earliest possible time for consideration of her case. The learned counsel submitted that after presentation of the Contempt Petition the respondents to cover up their inaction sent the communication to the applicant. Mr. Chanda also submitted that though she appeared along with all the documents before the competent authority in pursuance to the letter she has neither been conferred the temporary status nor she was communicated with any order.

4. On perusal of the communication dated 29.3.2001 it cannot be said that the respondents has deliberately defied the direction given by the Tribunal. In the circumstances the contempt proceeding is dropped. The dismissal of the application shall not however preclude the respondents from its responsibility in communicating their decision on verification of the applicant's claim pursuant to the letter dated 29.3.2001. This will also not debar the applicant from

taking appropriate steps under the law in support of her claim.

The contempt petition is accordingly dropped.

A copy of the order dated 29.3.2001 is kept on record.

Sd/- Vice-chairman

Sd/- Member (A)

Annexure-XII

BEHARAT SANCHAR NIGAM LIMITED
 (A. Govt. of India enterprise)
OFFICE OF THE GENERAL MANAGER TELECOM
KAMRUP TELECOM DISTRICT
GUWAHATI-781007

No. GMT/EST-179/TSM/01-02/196

Dated at Guwahati the 26.03.2002

To

Mrs. Tripti Das,
 W/o Shri Sudip Kr. Das
 Rodali Paath, Udalbakhra,
 P.S. Dispur
 Dist. Kamrup (Assam)

As you are aware that as per direction given by Hon'ble C.A.T, Guwahati Bench, Guwahati in O.A. No. 261/98 and C.A. No. 04/2001, the department constituted verification committee for this SSA under the circle for conducting detailed verification/scrutiny about the no. of days of engagement year-wise in different units/offices and also to collect proof/evidence for yourself. The committee verified all the documentary as well other proof from the various units/offices. In our office/SSA, the committee comprised of three members namely (1) Shri M.C. Patar, DE(Admn.) O/o the GMT/KTD/Guwahati (2) Shri N.K.Das, C.A.O(Cash), O/o the GMT/KTD/Guwahati (3) Shri S.Das, ADT (Legal), O/o CGMT/Guwahati.

The aforesaid committee submitted its report to the Department detailing all about their finding/proof against casual labourer including you. The detail of such scrutiny report is enclosed and furnished herewith as an annexure for your information.

Under the above circumstances, as you could not satisfy the eligibility criteria as laid down in the Scheme for conferment of TSM/Regularisation, your case could not be considered favourably. Please take notice that you have also not been in engagement under the Department since 31.05.1993 and have never been re-engaged thereafter.

This is done in accordance with the Hon'ble Tribunal's order/direction.

Sd/-Illegible
 Head of SSA
 O/o G.M. Telecom
 Kamrup Telecom District
 Guwahati-7

Copy to :

The C.G.M.T., Assam Circle, Guwahati for favour of information w.r.to his office letter No. STES-21/312/20 dated 23.11.2001.
 2. The SDOP (Kalapahar), Adabari
 3. The DE(Opn), O/o the GM (BSNL)/GII-7.

Sd/-
 For GM(BSNL)/GII-7
 Divisional Engineer(Admn)
 O/o G.M. Telecom
 Kamrup Telecom District Guwahati-7

*Revised
 1st
 Adm. cali*

Annexure

Details of finding by the verification committee of Kamrup Telecom District/Guwahati (Name of SSA/Unit) in case of Mrs. Tripti das, in SDOP(Kalapahar) GH.

Date of engagement	Authority of engagement	No. of days engaged year wise/month wise	Proof of engagement (documentary)	Name & designation of members of verification committee	Reasons in brief as found	Remarks
		A B				
April' 92	SDOP(East- DGH	04/92 - 23.00 05/92-24.00 04/93 - 22.00 05/93-21.00	ACE-2 A/c	1. Sri M.C.Patar D.E. (Admn.) 2. Sri N.K.Das, CAO, 3. Sri S.C.Das, ADT(Legal)	Not completed 240 day in any calendar yer and ot in engagement since May 93 and have never been re-engaged by the deptt. for any works thereafter.	Not recommended by the committee

Date : 26.3.2002

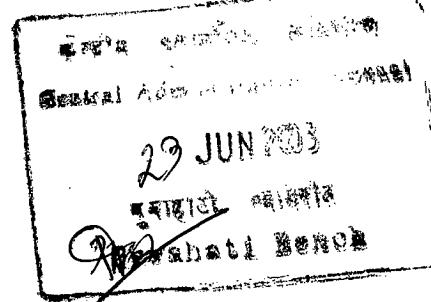
Signature - Sd/- Illegible 1.4.02
Divisional Engineer(Admn)
O/o G.M. Telecom
Kamrup Telecom District Guwahati-7

26/6/03

(A. DEB & CO.)

S. C. G. C.

C. A. T., Guwahati Bench



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH :: GUWAHATI

O.A. NO. 12 OF 2003

Smt. Tripti Das

..... Applicant.
- Vs -

Union of India & Ors.

..... Respondents.

- And -

In the matter of :

Written Statement submitted by
the respondents.

The humble respondents beg to submit the para wise
written statement as follows :-

1. That with regard to para 4.1 & 4.2, of the application the respondents beg to offer no comments.
2. That with regard to the statement made in para 4.3, of the application the respondents beg to state that it is specifically denied that the post of casual labour was lying vacant in the office of S.D.O.P. (East) Guwahati and the applicant was never appointed as casual labour w.e.f. 1.2.1991.
3. That with regard to the statement made in para 4.4, of the application the respondents beg to state that it is denied that the applicant worked continuously from 1.2.1991.

-2-

The applicant was engaged casually and paid on daily rated basis for specific period depending on work availability.

4. That with regard to the statement made in para 4.5, of the application the respondents beg to state that the letter issued by A.E. Cables silpukhuri does not mean that the applicant was an employee. Medical treatment was extended to the applicant purely on humanitarian ground not on the basis of entitlement.
5. That with regard to the statement made in para 4.6, of the application the respondents beg to state that that payment made on daily rated basis to the applicant for a specific short period of casual work depending on work availability.
6. That with regard to the statement made in para 4.7, of the application the respondents beg to state that question of termination does not arise as no appointment order was issued to the applicant. The engagement of junior depriving the applicant is baseless and motivated.
7. That with regard to the statement made in para 4.8, of the application the respondents beg to state that the allegation of the applicant is denied and no such mazdoor was recruited. The applicant case did not consider due to non-fulfillment of eligible criteria as laid down in DOT. Circular.
8. That with regard to the statement made in para 4.9, of the application the respondents beg to state that the contention of the applicant does not coincide with the reality. The Department took initiative in compliance to the Judgement of various cases

-3-

of mazdoor and considered leniently all the cases of Mazdoors engaged by the department from time to time. In this case the applicant is not entitled for Temporary Status due to non-completion of 240 days work in any calender year.

9. That with regard to the statement made in para 4.10, of the application the respondents beg to state that the applicant is not eligible for temporary status as per law and DOT. Guide lines. The temporary status has been extended to those casual labourers who has completed 240 days in any calendar year prior to 1.8.1998 and in engagement during August, 1998.

10. That with regard to the statement made in para 4.11, of the application the respondents beg to state that the applicant is not entitled for temporary status as she has not worked 240 days in any calendar year.

11. That with regard to the statement made in para 4.12, of the application the respondents beg to state that the case of the applicant was taken up along with the cases of other Mazdoors. A Committee for verification of engagement particulars of all the Mazdoors who worked under Kamrup Telecom District was set up which functioned April 2000 to August 2000. The Committee after careful examination of the records available with the applicant as well as with the department found that she has not completed at least 240 days in any calendar year prior to 1.8.1998. The Department has tried to comply the CAT. Order and the above action reflects clear intention and desire to settle the claim. So the allegation of the applicant is not correct and seems to be motivated.

-4-

12. That with regard to the statement made in para 4.13, of the application the respondents beg to state that it is specifically denied that the juniors have been appointed depriving the applicant. As per Verification Committee report the applicant is not entitled for temporary status.

13. That with regard to the statement made in para 4.14, of the application the respondents beg to state that as per the judgement the reasoned order has been communicated to the applicant vide letter no. GMT/EST-179/TSM/01-02/196 dated 26.3.2002 that she is not eligible for temporary status due to non-fulfillment of DOT Guide Lines. The applicant had also filed contempt petition and the C.P. was dropped by the Hon'ble Tribunal directing the respondents to give reasoned order.

Copy of letter dated 26.3.2002 is annexed hereto and marked as Annexure - 1.

14. That with regard to the statement made in para 4.15, of the application the respondents beg to state that the contention of the applicant is motivated and not justified.

15. That with regard to the statement made in para 4.16, of the application the respondents beg to state that as per Verification Committee report the applicant has not completed 240 days in any calendar year for which temporary status has not been extended. The claim of the applicant is fake and baseless.

-5-

16. That with regard to the statement made in para 4.17, of the application the respondents beg to state that the applicant did not worked 240 days in any calendar year. As such she is not entitled for temporary status.

17. That with regard to the statement made in para 4.18, of the application the respondents beg to state that the claim of the applicant is totally based on wrong notion and deliberate to malign the image of the department. As mentioned in the OA, no such casual labours have been appointed. The Verification Committee of GMT/Kamrup had rejected the above OA. applicant for conferment of TSM/ Regularisation.

A copy of the Verification Committee findings is enclosed as Annexure-II.

Under the above circumstances the applicant is not entitled for any relief.

Verification.....

-6-

VERIFICATION

I, Shri Kamakhya Ranjan Das, presently working as S.D.F. / Legal of G.M.T. Kamrup, being duly authorised and competent to sign this verification, do hereby solemnly affirm and state that the statements made in para are true to my knowledge and belief and those made in para being matter of records, are true to my information derived therefrom and the rest are my humble submission before this Hon'ble Tribunal. I have not suppressed any material fact.

And I sing this verification on this th day of April, 2003, at Guwahati.

Kamakhya Ranjan Das.

Deponent

S.D.F. / Legal.
of the G.M.T. / Kamrup-
Boraservice.

Guwahati - 7.

5

BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)
OFFICE OF THE GENERAL MANAGER TELECOM
KAMRUP TELECOM DISTRICT
GUWAHATI-781007.

NO. GMT/EST-179/TSM/01-'02/196 *Dated at Guwahati, the 26-03-2002.*

To

**Mrs Tripti Das, W/o Shri Sudip Kr. Das.
 Rodali Paath, Udalbakhra, P.S: Dispur.
 Dist - Kamrup(Assam).**

As you are aware that as per direction given by Hon'ble CAT, Guwahati Bench, Guwahati in OA No.261/98 and C.A No. 04/2001, the department constituted verification committee for this SSA under the circle for conducting detailed verification /scrutiny about the no. of days of engagement year-wise in different units / offices and also to collect proof / evidence for yourself. The committee verified all the documentary as well other proof from the various units/ offices. In our office / SSA, the committee comprised of three members namely (1) Shri M.C.Patar, DE(Admn.) O/O the GMT/KTD/ Guwahati (2) Shri N. K. Das, C.A. O (Cash), O/O the GMT/KTD/ Guwahati (3) Shri S. Das, ADT (Legal), O/O CGMT/ Guwahati.

The aforesaid committee submitted its report to the Department detailing all about their finding / proof against casual laborer including you. The detail of such scrutiny report is enclosed and furnished herewith as an annexure for your information.

Under the above circumstances, as you could not satisfy the eligibility criteria as laid down in the Scheme for conferment of TSM/ Regularisation, your case could not be considered favourably. Please take notice that you have also not been in engagement under the Department since 31.05.1993 and have never been re-engaged thereafter.

This is done in accordance with the Hon'ble Tribunal's order/direction.

Sdy

Head of SSA/ Unit (Admn.)
Civilisional Engineer (Admn.)
O/O/ G.M. Telecom
Kamrup Telecom District
Guwahati-7.

Copy to :

**The C.G.M.T., Assam Circle, Guwahati
 for favour of information w.r.to his office letter No. STES-21/312/20
 Dtd. 23.11.2001.**

**2. The SDOP(Kalapahar), Adabari.
 3. The DE(Opn.), O/O the GM(BSNL)/GH-7.**

B
 For GM(BSNL)/GH-7. 114102

Civilisional Engineer (Admn.)
O/O/ G.M. Telecom
Kamrup Telecom District
Guwahati-7.

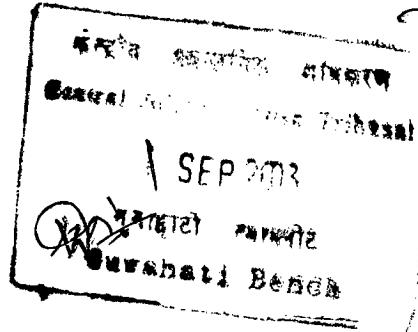
ANNEXURE

Details of findings by the Verification Committee Of Kamrup Telecom.
District/Guwahati.(Name of SSA/ Unit) in case of Mrs Tripti Das, in SDOP(Kalapahar)GH.

Date of engagement	Authority of engagement	No. of days engaged, year wise/ month wise	Proof of engagement (documentary)	Name & Designation of members of verification committee	Reasons in brief as found	Remarks
		(A)	(B)			
April '92	SDOP(East-I).GH.	04-92 - 23.00 05/92 - 24.00 04/93 - 22.00 05/93 - 21.00	ACE-2 A/c	1. Sri M.C.Patar DE (Admn.) 2. Sri N.K.Das, CAO, 3. Sri S.C.Das, ADT(Legal)	Not Completed 240 days in any calendar year and not in engagement since May'93 and have never been re-engaged by the Deptt. for any works thereafter..	Not recommended by the committee

Date : 26.03.2002

Signature: B. Banerjee
Designation: 1/4/12
Seal Etc. Divisional Engineer (Admn.)
O/O/ G.M. Telecom
Kamrup Telecom District
Guwahati-7.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH :::: GUWAHATI

O.A. NO. 12 OF 2003

Smti. Tripti Das

..... Applicant.

- Vs -

Union of India & Ors.

..... Respondents.

- And -

the matter of :

Written statement submitted by
the respondents, no. 5, 6 & 7.

The humble respondents beg to submit the para-wise
written statement as follows :-

1. That it is humbly stated that in para 4.15 the applicant stated that she appeared before the verification Committee and submitted all relevant documents including the photo copies of the attendance sheet and after the documents produced by the applicant she is eligible to get temporary status, but the respondents Nos. 5, 6 and 7 ignored the documents submitted by her and also ill treated her.

-2-

2. That the above mentioned respondents beg to state that the statement of the applicant made in this para 4.15 is motivated and baseless.

3. That the respondent Nos. 5, 6 and 7 were the members of the Verification Committee and so perhaps she brought this false allegation against them.

4. That the above mentioned respondents beg to state that as members of the ~~Verification~~ Committee they perused and examined all available records and found that, the applicant was engaged as follows :-

04- 1992	- 23 days.
05- 1992	- 24 days.
04- 1993	- 22 days.
05- 1993	- 21 days.

This it was found that, the applicant did not complete 240 days in any calendar year and she is not in engagement after May, 1993. No attendance sheet was/is maintained for casual labourers.

5. That as the applicant stated that, she submitted all documents including photo copies of attendance sheet to the Verification Committee, so the above mentioned respondents beg to state that the applicant be kindly directed to

-3-

to produce the same in the Hon'ble Tribunal for perusal of the Hon'ble Tribunal.

6. That in respect of all other matter the statements of the above mentioned respondents are same as submitted by the respondents Nos. 1 to 4.

It is pertinent to mention here that the respondent no. 5 Shri M.C.- Patar retired from service on 31st March, 2003.

Verification.....

-4-

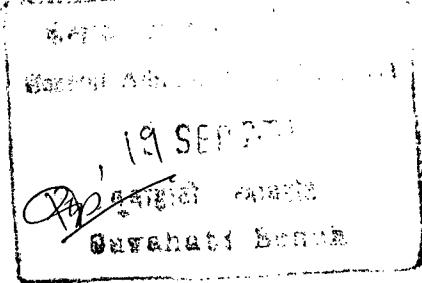
VERIFICATION

I, S. Das, ADT (Legal) Office of the Chief - General Manager, Assam Circle, Guwahati being respondent No.7 and being authorised by the respondent no.5 and respondent no. 6, do hereby solemnly affirm and declare that the statements made in paras 1 to 6 are true to my knowledge and I have not suppressed any material fact.

And I sign this verification on this 28 th day of August, 2003.

S. Das
28/8/03
Assistant Director Telecom (Legal)
O/c the Chief General Manager
Assam Telecom Circle, Guwahati-7

Declarant.



6
filed by applicant
M. N. Singh
Guwahati Bench
18.09.03

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A.12/2003

IN THE MATTER OF:

Smt. Tripti Das

VS

Union of India & Others

-AND-

IN THE MATTER OF:

Rejoinder submitted by the applicant in reply to the written statement submitted by the respondents.

The above named applicant-

Most Respectfully beg to state as under:

1. That your applicant categorically denies the statement made in paragraph 2,3,4 and 5 of the written statement and the applicant stoutly submits that she was engaged as casual worker with effect from 1.2.1991 and in the office of the S.D.O.P, East Guwahati and thereafter she was continuously worked till 21.06.1993. But payment is made in the applicant upto 31.05.1993. It is categorically submitted that since her joining as casual worker in the office of the S.D.O.P. East

Guwahati she was required to sign in the attendance register along with other staff and the wages of the applicant was paid on the basis of her attendance in the said office. Computation of monthly wages was being done on the basis of her attendance in the said office as such statement of the respondents that she was never continuously worked in the aforesaid office, is a deliberate false statement and therefore respondents are put to strictest proof and the Hon'ble Tribunal be pleased to direct the respondents to produce all relevant bills/vouchers through which payment of wages is made to the present applicant at the relevant time. In this connection, it may be stated that in the impugned order dated 26.03.2002 wherein details of finding of the verification committee of Kamrup Telecom District Guwahati in case of the applicant also made a available. Surprisingly in the column where no. of days engaged year-wise/month wise indicated. In the said relevant column it has been shown as follows :

No. of days engaged year wise/month wise

A	B
04/92	23.00
05/92	24.00
04/93	22.00
05/93	21.00

The report of the verification committee which was submitted by the responsible officers in fact containing a deliberate false statement and that too

without proper verification of the vouchers . Moreover date of engagement of the applicant is shown as April'92 in the verification committee's report whereas applicant was engaged with effect from 1st February, 1991. It would be evident from voucher payment (Annexure XIII series) whereby payment of twenty five days in the month of July 1991 Rs. 1146/-, 21 days payment for the month of April'92 is paid on 6.5.92 amounting to Rs. 987/-. Again Rs. 1081/- paid to the applicant for the month of November, '1992 for 23 days. It is ought to be mentioned here that the applicant could be able to collect to photocopies of some of the payment vouchers that too after a great effort but she could not collect other vouchers which are still lying with the respondent authorities. It is emphatically stated that if the vouchers are made available by the respondents before the Hon'ble Court in the event it will be established beyond all doubts that she has rendered more than 290 days in each calendar year. In support of her claim for conferment of Temporary Status the applicant also relied upon the photocopies of the attendance register for the year 1991, 1992 and 1993. It is relevant to mention here that the applicant being highly disappointed due to deliberate repeated manipulation in the verification committee's report relating to number of working days or period of service the applicant has rendered under SDOP, East Guwahati. In such compelling circumstances the applicant has obtained/managed photocopies of the

WB

Attendance register, a few copies of voucher for production of same for perusal of the Hon'ble Tribunal and also with the view of intention to establish the fact the verification committee has manipulated the no. of working days rendered by the applicant in the Telecommunication department. It is further submitted that the detail working days rendered by the applicant has already been shown in the paragraph 4.16 in the Original Application as per attendance register as well as payment vouchers with effect from 1st February'1991 to March'1993 as per records available with the applicant. It is submitted that those records were also produced by the applicant for the verification committee but the verification committee accepted the same without giving any receipt of acknowledgement and the verification committee did not take any attempt to verify the original records but submitted the report manipulating the no. of working days actually rendered by the applicant.

A few photocopies of the vouchers and attendance register are annexed as **Annexure-A** series.

2. That with regard to the statement made in paragraph 6,7,8,9,10 and 11 of the written statement, the applicant denies the correctness the same and further begs to state that the statement made in paragraph 6 of the written statement is a deliberate false statement as because her junior who was engaged in her place in the office of the SDOP, East Guwahati, Smti Soni Mali

is still allowed to continue as Temporary status Mazdoor in the office of the SDOP, East Kalapahar. She has been granted Temporary Status and shifted to the office of the SDO Phone, Kalapahar, Guwahati. Smti Soni Mali was engaged in place of the applicant after termination of the services of the applicant in the office of the SDO Phone, East Guwahati. If the Hon'ble Tribunal call for the service records of Smti Soni Mali then the correctness of the statement made by the respondents can be ascertained.

The statement of paragraphs 7,8,10 and 11 are categorically denied and it is further submitted that the applicant had completed 240 days work during the calendar year 1991-92 as such she is entitled to conferment of Temporary Status under the relevant scheme.

3. That with regard to the statement made in paragraph 12,13,14,15,16 and 17 of the written statement are not correct and the same are hereby denied.

In the facts and circumstances stated above the application is deserves to be allowed with costs.

VERIFICATION

I, Smti Tripti Das, Wife of Shri Sudip Kumar Das, aged about 39 years, resident of Udalbakra, P.S. Dispur, District Kamrup, Assam, do hereby verify that the statements made in Paragraph 1 to 3 of this rejoinder are true to my knowledge and I have not suppressed any material fact.

And I sign this verification on this the _____ day of September, 2003.

Smt. Tripti Das.

ए. सी. डी. नं. ०३०-३७
A. C. G. 17 भारतीय डॉक विभाग
DEPARTMENT OF POSTS, INDIA

[इस नोट दिनी, नियम नियम, छंड १ (इंग्रेजी भाषा, दूसरा प्रस्तुति) पार्टिक्यूलर १ के नियम ६ (ए) के तीव्रे जी द्वारा दिया गया]

[See Note below Rule 6 (१) of Appendix II to
Post's and Telegraphs Financial Handbook,
Volume I (2nd Edition, 2nd Reprint)]

(दोनों ओर/Obverse)

रेसिप्ट/Receipt

तारीख

वारंचर सं०

Date.....

Voucher No.....

Recd. from.....

S.D.O.P/I.....

the sum of Rupees (L. T. Frank) १०/-

hundred rupees only, three annas

on account of.....

Mr. S.D.O.P/I. office for 26/25

days, except post days के कारण अलावा की

10/- (१० रुपये) १६/१६ जूलाई १९११

प्राप्त होना प्राप्त होना/Witnessed payment.



गवाह के हस्ताक्षर
Signature of witness

प्राप्त होना
Signature of payee

मैं यहां पर यह रेसिप्ट को हस्ताक्षर किया हूँ या उस पर यहां पर हस्ताक्षर किया हूँ तो उस रान्हों को यह उसके लिए जाग की जो अंग्रेजी/हिन्दी में न हो, मुगलान करने वाला अधिकारी उसका लिप्यंतरण करें। जो व्यक्ति इस रेसिप्ट पर हिन्दी में हस्ताक्षर करें उसे उसके हस्ताक्षरों के नीचे कोष्ठक में स्पष्ट अंदर में बताना नाप लिखना चाहिए।

Note—If the receipt be not written or not signed in English/Hindi the whole or the portion not in English/Hindi must be transliterated by the Paying Officer. A person signing such receipt in Hindi should be required to indicate his full name in block letters within brackets below his signature.

जिस व्यक्ति को मुगलान किया जाए यदि वह हस्ताक्षर नहीं कर सकता तो मुगलान करने वाला अधिकारी उस मुगलान को प्रमाणित करें तथा उसके लिए कम से कम एक गवाह हो।

If the person paid can not sign, the payment must be certified by the Paying Officer and at least one witness.

Attested
S. S.
Advocate
16.9.13

२० रुपौ दौर्लभ डाक क्रियानि

DEPARTMENT OF POSTS, INDIA

इन्हें वित्त विभाग पुस्तकालय, संग्रह १ (दिल्ली बस्करण

प्रेस एवं प्रिंटिंग) अधिकारी II के नियम ६ (३) के अनुरूप

दिल्ली में देखें।

[See Note below Rule 6 (3) of Appendix II to
the Postage and Telegraphs Financial Handbook,
Volume 1 (2nd Edition, 2nd Reprint).]

(देखें दोस्तों का लिखा)

दिल्ली बस्करण

दिल्ली ६५५५९२

वित्त विभाग

३० रुपौ (६५५५९२)

मूल रुपौ ९८७/- ६० रुपौ गिरि

Nine Hundred and Eighty Seven only

१, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20,

21, 22, 23, 24, 25, 26, 27, 28, 29, 30.

१४, २९, ३०.

रुपौ ९८७/-

अनुमति दिल्ली बस्करण



ग्राहक के नामांकन

Signature of addressee

ग्राहक की दृष्टि

Signature of postee

टिप्पणी—यदि योगदान का वार्ता/हिन्दी में वा लिखा गया हो तो उन पर विवेकी लिंगी वा हस्ताक्षर न किये गए हों तो उस अनुमति को या उसके विवेकी भाग को या अंग्रेजी/हिन्दी में उस अनुमति करने वाला अधिकारी अपका लिप्यन्तरण करें। या अंकु इस रक्काद पर हिन्दी वा हस्ताक्षर करे उसे अपने हस्ताक्षरों के नीचे लोकड़ वा लकड़ वा लकड़ी में जाना नाम लिखना चाहिए।

Note—If the receipt be not written or not signed in English/Hindi the whole or the portion not in English/Hindi must be transcribed by the Paying Officer. A person signing such receipt in Hindi should be required to indicate his full name in block letters below his name in Devanagari.

दिल्ली बस्करण की अनुमति किया गया यह दूर्लभ वित्त विभाग की अनुमति करने वाला अधिकारी जो अनुमति की प्रक्रिया करे उस उपरोक्त दूर्लभ की अनुमति करने वाला हो।

The person signing on such stamp, the postmaster should be required by the Paying Officer and at least one witness.

18.9.93

४० शी. ग्री. १२ दर सचार विभाग

A.C.C. 12 DEPARTMENT OF TELECOMMUNICATIONS

(दर सचार विभाग नियमांकिताका, वाला १/विभाग संस्करण
दसरा प्रमाणित वाला १/विभाग ८ (८) के नीचे का
विभागीय दस्तावेज़)

See Note below Rule 61 (१) of the Appendix II to
the Communication Financial Handbook

Volume 1 (2nd Edition, 2nd Revision)

(माली भार/Overdue)

रिसेप्शन/Receipt

तारीख

वार्डर नं.

Date

Voucher No.

Recd. from रु 120/- (१)

(the sum of : रुपये Nine hundred and... १० का राशि

Eighty Seven only

on account of food to the employees of the Government
of the Clerks for 21 days. (१) का राशि ४७/८० प्रति दिन
for Aug on 15/93, 4/93, 5/93, 7/93, 10/93 to 15/93
रु/Rs. ९८७/- १७/93 to २०/93, २४/93 to २९/93
गवर्नर का भुगतान/वित्तीय भुगतान २३.५ ९३

गवाह के हस्ताक्षर

पात्र वाले के हस्ताक्षर

Sign in English

Signature of payee

टिप्पणी—यदि रसीद को अपेक्षी/हिस्ती
गवा हो या उस पर अपेक्षी/हिस्ती में
गवा हो तो उस सम्बन्ध को या उसके
प्रो अपेक्षी/हिस्ती में न हो, भुगतान करने
उमस्ति नियमित करें। यो व्यक्ति इस
परमापरा जरे उस भुगतान के नोंद आज्ञा में
गवाह अपने ने अपना पूरा नाम लिखा चाहिए।

Note.—If the receipt be not countersigned or not signed in
English, then the name of the payee must be indicated
that must be countersigned by the Paying Officer. A person
signing in English or in Hindi should be required to indicate
his name in block letters with a box below his
signature.

व्यक्ति यो भुगतान किया जाए यदि वह रसीद
नहीं कर सकता तो भुगतान लेने वाला यो उस भुगतान
को व्यक्ति करे उस पर उपरे लिए उस पर उपरे लिए लिए
(If the person paid cannot sign, the name of him must be
written in block letters with a box below his signature.)

Attested
Sahib
Advocate
18.9.93

11
उल्टा ग्राह/Recd.,

ग्राह भगवान ने ग्रह 20 रुपये से अधिक हो
वाले विवेकी रसीदी दिप्ति भगवान दर्शिए और
उन्हें न भगवान का नाम का दिलचस्पी नहीं।
If the amount said be more than Rs. 20 a receipt
of twenty rupees must be affixed and this stamp
must be signed by the person in whom the amount is received
and dated.

1. प्रमाणित हिस्सा जाता है कि आपका मुख्य
रकम अद्वितीय है एवं विवेकी दर्शी नहीं है।
Certified that the amount included in the voucher
has been discounted to a proper person.

मुख्य भिन्नारी प्रतिवर्तनाकारी भवितव्यारी।
Drawing Official Count's nod Disturbing Officer

2. भगवान भगवान 20 रुपये हर प्रमाणित किया जाता है कि मैं स्वयं उपर्युक्त ही ग्राह हूँ कि मैं अधिक
दो छातिकर जिनका अंदर (जिनका योग इस रसीद से
पूर्ण हो जाए) नाम दिया है जाग के जारी है
न पूर्ण 1/महीना/2 महीने/3 महीने में भिन्नारे मणि रसीद
कार्य एवं सीधी 0.17 में दिया गया रसीद अधिकारी का
कार्य दिविवेदी को भगवान कर दिया गया है और उसके
बाद उपर्युक्त तिए गए हैं यी 20 रुपये अधिक
के भगवान भगवान के लिए रसीदी दिप्ति विधिवत् रह
करके वे कार्यालय में भाग्य कर दिए गए हैं।

Received contents and certified that I have satisfied
myself that all advances included in receipt form
A. C. G-17, June 1 month/2 months/3 months previous
to this date with the exception of the dates deleted below
(of which the total i.e. i.e. is refunded from this receipt)
are bona fide and to a proper person and that their
receipts have been taken and filed in my office and
that no receipt is issued every 1,000/- in excess.

दिग्गज

भवितव्य अधिकारी
Disturbing Officer

(32-13/81-PI)

ग्राह नं. MGIP 100 117 Date 20-12-86-

(15-12-86) 3.12.86- 20-12-86

Daily Attendance
Register

O/o the S. D. Phus.

Attendance Register

for the month of FEBRUARY 1991

Attested
Frank
Advocate
18.9.03

152

for the month of April 1991.

Attendance Register

Affected
Graha
Advocate
18.9.03

tendance registered for the month.

111 111

Effect
Rate.
18.9.83

-17-

Attendance Register

for the month of July 1971

91

Affected
Gerb
Adolescent
15.9.83

18

Attendance Register

for the month of July, 1991

82

Sl. No.	NAME	Any Deductions	WALLEN																						DANCE	Actual number of days worked	No. of days for which leave is granted	Monthly Salary	Allowances	Leave Advance	Total Amount
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22							
1.	ii. Rath																														
2.	K. K. Das																														
3.	Tripti Das.																														
4.	Rubtam Ghosh																														

Abusif
Brahm
Advocate
18.9.91

Attendance Register

for the month of August 1991.

Sl. No.	NAME	Attendance	ATTENDANCE																						SL. No.	
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22		
1.	S. Nath.	DD	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	SL. No.
2.	K. K. Das.	DK	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	SL. No.
3.	Mrs. Tripti Das.	DK	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	SL. No.
4.	Rustam Ali.	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	DK	SL. No.

Attended
Sabb.
Adharak
18.9.91

Attendance Register

for the month of September 1991.

94

Affected
Rate.
Advocate
18.9.83

Attendance Register

for the month of October 1991.

Attested
Sarah
Haworth
18.9.03

—22—

84

for the month of November 19-

Attendance Register

Afrodisia
Salviniate
18.9.93.

Attendance Register for the month of 5 1971

S. No.	NAME	Deputation	ATTENDANCE																														Actual number of days worked	No. of days for which leave is granted	Monthly Salary	Allowances	Advance	Total No. of days for which salary is due	Amount Payable	Days				
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31											
1	R. R. Don																																											
2	S. Nath																																											
3	Rostam Ali																																											
4	Yashwant Don																																											

Att. to
S. Nath
Advocate
15.9.03

ATTENDANCE
REGISTER

Simu Regular
Mezada V.
01/11/2001

24

36

25

Attendance Register for the month of January

1992

39

Affected
Nov.
Advocate
15.9.03

26

9P

Attendance Register for the month of September 1992

No.	NAME	Designation	ATTENDANCE		DANCE		Actual No. of days worked	Leave	Rate of Pay	Total No. of days selected	Payable Basic Salary	General Advance	Provisional Fund	Advance Deduction	Net Amount Payable																			
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
1.	5. Nithi SRPC																																	
2.	K. K. Dabu																																	
3.	Miss Shanti Dabu	21/9/92																																
4.	Mr. Rishabh Dabu	21/9/92																																

Attended
Sath
Parivart
18.9.92

Attendance Register For the month of Ma

1992

Attested
S. S. Advocate
1 K. 9. 03

Attendance Register

For the month of April 1992

No.	NAME	Attendance	ATTENDANCE												DANCE	Action No. of day worked	Leave	Total No. of Days Salary is due	Payable Basic Salary	Allowance	Gross Amt. Payable	Prov. Fund	Advance Deduction	Net A. Payable			
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22			
1	K. K. Dora																										
2	S. Nath																										
3	R. Ali																										3 days leave
4	T. S. Dora																										

Adjusted
Sav.
Adv. etc
18.9.92

Attendance Register for the month of May

1992

Affected
Gout.
Advocate
15.9.03

Attendance Register for the month of June

—1992

9

Attested
S. G. S.
Advocate
18. 9. 03

Attendance Register

For the month of

July 1992

No.	NAME	Designation	ATTENDANCE												Actual No. of days worked	Leave	Total No. of Days Salary is due	Rate of Pay	Payable Basic Salary	Allowance	Gross Amt. Payable	Prov. Fund	Advance Deduction	Net Pay											
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
1.	Ms. Nafisa Sami	Office Assistant	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
2.	" Rukhsar Ali (P.M.A)	Office Assistant	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3.	Tripti (Lab. Att.)	Lab Attendant	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
4.	Kajal Devi	Office Assistant	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Affected
Leave
Advances
18.9.92

Attendance Register for the month of August 1992

Sl. No.	Name	Designation	ATTENDANCE												Leave	Total No. of days due	Rate of Payable Basic Salary	Gross Amt. Payable	Provt. Fund	Advance Deduction	Net Amt. Payable														
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
1.	Sri Rustam Ali e/MD.		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2.	" Tripti Das.		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
3.	Kajal Dev.		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
4.	KK. Das.		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Adjusted
Gross
Amount
16.9.93

Attendance Register For the month of September 1992

No.	NAME	Designation	ATTENDANCE												SALARY									Actual No. of days worked	Leave	Total No. of Days Salary Due	Payable Basic Salary	Allowance	Gross Amt. Payable	Prov. Fund	Advance Deduction	Net Pay
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22								
(1)	Sri Gurram Ali (M)	M/S	P	P	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
(2)	Trupti Das		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
(3)	Kajal Dev		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
(4)	K. K. Das		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	S D O P(E)																															

Attended
Leave
Advances
18.9.92

Attendance Register For the month of October 1992

21

NAME	Designation	ATTEN												DANCE												Actual No. of hours worked	Leave	Total No. of Days Salary is due	Payable Basic Salary	Rate of Pay	Allowance	Gross Amt. Payable	Prov. Fund.	Advance Deduction	Net Amt. Payable
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31			
Ram																																			
Ram Suman Ali																																			
Tripti Das																																			
Kajal Das																																			
K. K. Das																																			

Affected
Smt.
Advocate
(8.9.93)

Attendance Register For the month of November 1991

Affected
Sath.
Ahuwala
18.9.03

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Attendance Register For the month of DECB Month 1992

No.	NAME	Designation	ATTEN												DANCE									Actual No. of days worked	Leave	Total No. of days Salary is due	Ratio of Pay	Payable Basic Salary	Allowance	Gross Amt. Payable	Prov. Fund	Advance Deduction	Net Amt. Payable
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22									
1	Rustum Ali		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
2	Tripti Das		28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28		
3	Komal Dev		P	P	P	X	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
4	K. K. Das		28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28		
5	SOP (E)		28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28	28		

Attested
Smti.
Advocate
18.9.03

TD
100.2
AD 7

15

Sub Divisional Commissioner

6/1/1961

Daily Attendance

Register

TSIM

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Annexure - A (series)

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Attendance Register For the month of Jan 1993

Alfred W.
Fahy
Advocate
18.9.03

Attendance Register For the month of February, 1996.

No.	NAME	Designation	ATTEN												DANCE									Actual No. of days worked	Leave	Total No. of Days Salary is Due	Ratio of Pay	Payable Basic Salary	Allowance	Gross Amt. Payable	Prov. Fund.	Advance Deduction	Net Amt. Payable
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
1.	Rustum Ali.		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2.	Tripti Das.		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
3.	Kajal Dev.		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

Attested
Sarita
Advocate
18.9.03

Attendance Register

For the month of March. 1993.

No.	NAME	Designation	ATTEN								DANCE								Actual No. of days worked	Leave	Total No. of Days Salary is due	Rate of Pay	Payable Basic Salary	Allowed	Gross Amt. Payable	Prov. Fund	Advance Deduction	Net Amt. Payable					
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
1.	Rustom Ali.		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2.	Tripti Das.		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
(3)	Kajal Dev.		P																														

Albert
Frank
Advocate
16.9.93

- Af -

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Attendance Register For the month of A 1993

No.	NAME	Designation	ATTEN												DANCE						Action No or date of work done	Leave	Total No. of Days Salary is due	Rate of Pay	Allowed			Gross Amt Payable			Prov- Fund			Advance Deduct- ion		Not Amt Payable	
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31				

Attended
Sohail
Advocate
18.9.93

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Attendance Register for the month of

10/1993

Officer's Name	Designation	ATTENDANCE												Actual No. of days worked	Leave Ent.	Total No. of Days Served	Leave Ent.	Gross Amt. Payable	Prov. Fund.	Advance Deduction	Net Amt. Payable										
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30

Attested
Sachin
Advocate
15.9.03.

A3

Attendance Register

For the month of

1992

No.	NAME	Designation	ATTENDANCE												DANCE			Actual No. of days worked	Leave	Total No. of days Salary is due	Ratio of Pay	Allowance	Gross Amt. Payable	Prov. Fund.	Advance Deduction	Net Amt. Payable					
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29