

50/100
CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 339/04.....

R.A/C.P No. 34/2005.....

E.P/M.A No.....

1. Orders Sheet O.A. 339/04..... Pg. 1 to
C.P - 34/05 Order Pg - 1 to 3 - Dismissed Date 29/03/06

2. Judgment/Order dtd. 23.12.2004..... Pg. No. Separately Reposed

3. Judgment & Order dtd..... Received from H.C/Supreme Court

4. O.A. 339/04..... Pg. 1 to 47.....

5. E.P/M.P..... Pg. to

6. R.A/C.P. 34/05..... Pg. 1 to 7.....

7. W.S..... Pg. to

8. Rejoinder..... Pg. to

9. Reply by the Complainant..... Pg. 1 to 7 8.....

10. Any other Papers..... Pg. to

11. Memo of Appearance.....

12. Additional Affidavit.....

13. Written Arguments.....

14. Amendment Reply by Respondents.....

15. Amendment Reply filed by the Applicant.....

16. Counter Reply.....

SECTION OFFICER (Judl.)

FORM NO. 4

(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO. 339/04 OF 199

Applicant(s) Sri K.K. Mandal & Ors

Respondent(s) M.O. 1 & Ors.

Advocate for Applicant(s) Ms. Usha Das

Advocate for Respondent(s) My Counsel

Notes of the Registry	Date	Order of the Tribunal
<p>This application is in form is filed/C. F. for Rs. 50/- deposited vide IPO/BD No. 206/1/745 Dated 20/12/2004</p> <p><i>Normal 20/12/2004</i> Dr. Dy. Registrar</p> <p><i>5/1/05 Copy of the order has been handed over to the Advocates for the parties.</i></p> <p><i>5/1/05 Received copy Advocate 5/1/05</i></p> <p><i>Received copy Advocate 5/1/05</i></p>	23.12.2004	<p>Present : The Hon'ble Mr. K.V. Prah- ladan, Member (A).</p> <p>Heard Ms. U. Das, learned counsel for the applicants and also Mr. J.L. Sarkar, learned counsel for the respond- ents.</p> <p>This is an application praying for absorption against Grade - D post under the Respondent No. 3. Since the normal channel has not been exhausted by the applicants, if they desire, may submit representation to the respondents narra- ting all the grievances. If such, repre- sentation <u>is</u> submitted by the applicants, the respondents are directed to pass reasoned and speaking order within six months from the date of receipt of the representation.</p> <p>The O.A. stands disposed of. No order as to costs.</p>

KV Prahledan
Member (A)

Notes of the Registry	Date	Order of the Tribunal
1. To the Hon'ble Mr. Justice S. S. Bhattacharya 2. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya 2. To the Hon'ble Mr. Justice S. S. Bhattacharya
2. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
3. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
4. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
5. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
6. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
7. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
8. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
9. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
10. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
11. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
12. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
13. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
14. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
15. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
16. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
17. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya
18. To the Hon'ble Mr. Justice S. S. Bhattacharya	15/10/1969	1. To the Hon'ble Mr. Justice S. S. Bhattacharya

22 DEC 2004

গুৱাহাটী নথামৰী
Guwahati Bench

SYNOPSIS

The applicants are ex-casual worker under Railway. All of them were engaged on or before 1981. They worked in various places under Alipurduar Division as Khalasi. The applicants during their service tenure made request to the concerned authority for their conversion to regular employee and accordingly the concerned authority took up their cases for conversion to regular employee by conferring temporary Status as per law. Suddenly the respondents instructed the applicants verbally not to attend office any more. Even after such discharge the applicants continued to perform their duties with some artificial breaks.

As per rule the respondents are duty bound to maintain a line register of the casual and ex-casual workers to provide work as per their seniority. In the instant case neither the Respondents nor the applicants have been provided regular work as per their seniority. Non-maintanence of such register deprived the applicants their due claims of regularisation. Hence this application.

Central Administrative Tribunal

22 DEC 2004

Guwahati Bench

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Title of the case :

O.A. No. 339 of 2004

BETWEEN

Shri Karuna Kt. Mandal & Ors.

..... Applicant.

AND

Union of India & ors.

..... Respondents.

I N D E X

S1.No.	Particulars	Page No.
1.	Application	1 to 19
2.	Verification	15 to 19
3.	Annexure-1	20 to 28
4.	Annexure-2	29 to 30
5.	Annexure-3	31
6.	Annexure-4	32 to 35
7.	Annexure-5	36 to 39
8.	Annexure-6	40 to 43
9.	Annexure-7	44 to 47

Filed by : Usha Das

Regn. No. :

File : c:\WS7\Karuna-1

Date :

5

Filed by
the applicants themselves
Asha Das
Advocate
- 14/10/04

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

(An application under section 19 of the Central
Administrative Tribunal Act.1985)

339
D.A.No. of 2004
OA No 339 of 2004

BETWEEN

1. Shri Raruna Kt. Mandal
2. Sri Prabin Deory
3. Sri Hemo Mili
4. Sri Hiranya Bori
5. Sri Dilip Yadav
6. Smt. Joymati Boro
7. Sri Dharmendra Boro
8. Sri Surjya Kumar Mushahary
9. Smt. Pratima Basumatary
10. Sri Hitlar Koach
11. Sri Panidev Sutradhar
12. Sri Alashi Mushahary
13. Sri Jitu Das
14. Sri Suman Ali
15. Sri Lalit Rajbanhi
16. Sri Gopal Nandi
17. Sri Jogeswar Haloi
18. Sri Panku Das
19. Sri Gautam Kalita
20. Sri Gagan Tamuli
21. Sri Umprakash Gupta
22. Sri Gautam Barman
23. Sri Akhil Hazari
24. Sri Prasanta Sen Deka
25. Sri Repen Boro
26. Sri Abul Hussain
27. Sri Sanjib Das
28. Sri Nagen Tamuli
29. Sri Bhabesh Tamuli
30. Sri Haladhar Daimary
31. Sri Gwjanlai Basumatary
32. Sri Hemen Tamuli
33. Sri Phulen Kherkatary
34. Sri Biswajit Ram Chiray
35. Sri Arun Boro
36. Sri Bhabananda Das
37. Sri Tilok Ch. Boro
38. Sri Dipak Ch. Boro
39. Sri Simanta Rabha
40. Sri Hari Chandra Roy
41. Sri Uma Sankar Sah
42. Sri Madhu Ram Deka
43. Sri Jadav Bhuyah
44. Sri Samir Mandal
45. Sri Baban Yadav
46. Sri (Milan Roy)
47. Sri Haricharan Boro
48. Sri Manindra Haloi
49. Sri Jyotish Das
50. Sri Dilip Dutta

51. Sri Kamal Boro
52. Sri Rabin Narzary
53. Sri Arun Swargiary
54. Sri Dilip Barman
55. Sri Mohan Daimary
56. Sri Binod Tamuli
57. Sri Santanu Dutta
58. Sri Haricharan Das

..... Applicants.

- AND -

1. The Union of India.
Represented by the General Manager,
N.F.Railway, Maligaon, Guwahati-11.
2. The General Manager (Construction)
N.F.Railway, Maligaon, Guwahati-11.
3. The Divisional Railway Manager (P)
Alipurduar Division, N.F.Railways,
Alipurduar.

..... Respondents.

DETAILS OF THE APPLICATION

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

This instant application is not directed against any particular order, but is directed against the inaction on the part of the Respondent authorities in considering the cases of the Applicants for absorption against Grade-D post and in also denying to them their legitimate benefits flowing from the service rendered by them as casual labourers. This application is also directed against the discriminatory action of the Respondent authorities in not granting ex-post facto approval to their appointments as casual labourers while granting the same to other similarly situated persons.

2. LIMITATION:

The applicant declares that the instant

VKM

X

application has been filed within the limitation period prescribed under section 21 of the Central Administrative Tribunal Act.1985.

3. JURISDICTION:

The applicant further declares that the subject matter of the case is within the jurisdiction of the Administrative Tribunal.

4. FACTS OF THE CASE:

4.1. That the applicants are citizens of India and as such they are entitled to all the rights, privileges and protection as guaranteed by the Constitution of India. The applicants belong to the Schedule Caste and Scheduled Tribe Community and as such are entitled to the Special privileges guaranteed under the Constitution of India and laws framed thereunder.

The applicants are all Ex-casual Labourers and the grievances raised and the relief prayed for in this application are common and similar to all the applicants. As such, the Applicants crave leave of this Hon'ble Tribunal to allow them to join together in a Single petition, invoking its powers under Rule 4 (5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987.

4.2. That the applicants beg to state that pursuant to their selection, they were appointed as casual labourers by the Respondent authorities. The applicants joined their duties on various dates and discharged the responsibilities entrusted upon them to the best of their abilities and

9

without blemish to any quarter. During their period of engagement as such, the Applicants acquired the qualification required for conferment of the benefits of temporary labourers as well as other consequential benefits flowing therefrom.

4.3. That the applicants state that they belong to the most economically backward sections of the society and discharged their duties without any blemish. The remuneration received from their engagement as casual labourers was their only ray of hope for sustaining the livelihood of their families. Poised thus, the Applicants were shocked and surprised on the action of the Respondent authorities in discharging them from services on different dates respectively. The Applicants were not in the know how regarding the rights and the protections available to them against the arbitrary and illegal action on the part of the Respondents. The modus operandi adopted by the Respondents were such that the Applicants were verbally asked not to come to work and no formal written orders were issued in that regard. Even after discharge from services the Applicants continued to serve the Respondents in various projects launched by them.

4.4. That the Applicants state that a procedure is in practice in the railways wherein a live registrar is maintained incorporating therein the names of all the casual labourers in order of seniority. Names of discharged employees also find a place in the said registrar and any future vacancies in the Grade-D are to be filled from this live registrar and persons whose name figures in the said

registrar are to be given preference. By virtue of their services under the Respondents, the names of the Applicants also must figure in that live/supplementary registrar.

4.5. That the Applicants state that on pressure being mounted on the Respondent authorities by organisations fighting for the rights of the Applicants and the repeated please made by the few if the Applicants and some similarly situated persons, the Respondents carried out a special recruitment drive in order to clear the back log of SC/ST Applicants in Group-D. As directed the Applicants preferred individual applications showing their willingness for being considered for appointment against any Group-D post and basing on the applications so received a list of such persons was prepared. In the said list the service particulars of all the persons were also furnished. Further, a supplementary list was also published with the relevant particulars of all the Applicants. Mere perusal of the statements showing the service particulars of the Applicants would clearly go to show that all the Applicants have got the requisite number of working days under their belt for entitling them for conferment of the benefits of temporary status and regularisation.

A copy of the said statement is annexed hereto as Annexure-1.

4.6. That the Applicants state that on receipt of applications from persons similarly situated, it was noticed that some of them belonged to the construction wing of the Railways and as such correspondence was made with the concerned authorities of the said wing for furnishing the

W.M

service particulars of those persons for consideration of their cases for absorption against the available Group-D posts. It may be mentioned here that although amongst the Applicants there were persons who belonged to the said construction wing but, no steps were taken towards acquiring the service particulars of these persons and the whole process was carried out in a pick and choose manner.

4.7 That the Applicants beg to state that on verification and cross verification the Respondent No.2 confirmed the service particulars of the persons referred to them. As the names of the Applicants were not forwarded to the said wing of the Railways, they were denied an opportunity of having their service particulars confirmed and deprived of an opportunity for consideration of their names for regular appointment in the Railways.

Copies of some of the service particulars of some of the applicants are annexed herewith and marked as Annexure-2 colly.

4.8. That the Applicants state that the service particulars of similarly situated persons were confirmed by the Respondent No.2 and process was initiated for grant of Ex-post facto approval by the General Manager. The applicants were also assured the same treatment i.e. after the aforesaid development the same process would be initiated in their cases too. As such, the Applicants were under a legitimate expectation that they too would be considered for appointment on regular basis as has been done in the case of others, it turned to be nothing but yet another one of such blank assurances.

4.9. That the Applicants state that against the back drop of the said facts, some ex-casual labourers who were

similarly situated approached this Hon'ble Tribunal by way of an Original Application being OA No.79/1996 interalia praying for direction to the Respondent authorities for their absorption against the back log vacancies available for the SC/ST candidates. This Hon'ble Tribunal upon hearing the parties was pleased to dispose of the said OA directing the Respondent to consider their cases for appointment with the time limit specified therein.

4.10. That the Applicants state that the Applicants in OA No.99/96 preferred representations as directed but the same was not attended to. The Respondents in the month of December 1999, issued call letters to persons to persons similarly situated like the Applicants on a pick and choose basis, for attending a screening for absorption against a Group-D post. The Applicants where not issued called letter and were kept in the dark regarding the whole selection process. The entire exercise was carried out behind the back of the Applicants.

4.11. That the Applicants state that although they were similarly situated with the persons in OA No.99/96 their cases were not considered in the screening held under the Respondents and were deprived of an opportunity for being considered for appointment on a regular basis under the Respondents. The persons called for the screening process were the only ones who were selected for appointment and this aspect of the matter would be clear by mere perusal of the office Memorandum dated 21.4.2000 issued by the Respondent No.2. Mention may be made here of the fact that the persons so selected for appointment are either equal in

17

rank/seniority of junior to the Applicants as regards their date of joining of service under the Respondents and as such the Applicants were discriminated against.

A copy of the said letter dated 21.4.2000 is annexed hereto Annexure-3.

4.12. That the Applicant states that the persons so screened and selected vide annexure-3 memorandum dated 21.4.2000 have been appointed against vacancies available in Group-D post and for this the necessary post facto approval was also given by the General Manager, NF Railway. But, the Applicants who were similarly situated persons were deprived of this benefit.

4.13. That the Applicant states that having learnt regards the deprivation meted out to them as regards their appointment, they brought the matter to the light of the All India SC and ST Railway Employees Association who subsequently appraised the National Commission for SC and ST regarding the grievances of the Applicants. The organisation pursuing the cause of the Applicants have all along been urging the Respondents to initiate steps towards regularising the services of the ex-casual labourers. Be it stated here that the organisation fighting for the rights of the Applicants also recommended and submitted the Applicants name.

4.14. That the Applicant states that despite the repeated requests made by the organisations striving to bring justice to the Applicants, the Respondent have failed to take any action for considering the case of the

3

Applicants as has been done in the case of 49 similarly situated persons. Due to this inaction and discriminatory effective on the part of the Respondents, the Applicants continues to suffer.

4.15. That the Applicants state that there is no dispute as regards the fact that the Applicants were all appointed as casual labourers at different point of time under the Respondent authority and they having expressed their willingness for being appointed against any Group-IV vacant post, it was incumbent on the Respondents to make necessary arrangements for their appointment as such. The pick and choose procedure adopted in this regard have resulted in the Applicants being discriminated against.

4.16. That the applicant states that pending consideration of their cases for appointment, the Respondents have issued advertisement inviting applications from fresh candidates for filling up of the post of Trackman under a special recruitment drive for the SC and ST. As many as 595 posts have been advertised for. The Respondents ought to first clear the back log of ex-casual labourers before issue of any fresh advertisement for recruitment as because a right for accrued to the Applicants by virtue of themselves being ex-casual labourers. Be it stated here as gathered is yet to be taken to its logical conclusion and the vacancies as advertised still exist.

A copy of the said advertisement is annexed as Annexure-1.

4.17. That the Applicants state that in the event

the process initiated vide Annexure-4 advertisement for filling up of the existing vacant posts is taken to its logical conclusion, the Applicants who are entitled for appointment against the said vacant Grade-D posts as a matter of preference would be deprived of their legitimate right and as such Your Lordships may be pleased to pass an interim direction as has been prayed.

4.18. That the Applicants beg to state that in the event Your Lordships being pleased to pass an interim direction, as has been prayed for, the balance of convenience would remain in favour of the Applicants inasmuch as the Applicants are entitled for being appointed against the existing Group-D post and further till date in procedence to the Annexure-4 advertisement.

4.19. That against the backdrop of the above mentioned factual position persons similarly situated like the applicants herein had approached this Hon'ble Tribunal by way of filing O.A.No.79/1996 and this Hon'ble Tribunal vide order dated 11.1.1999 pleased to dispose of the same with a direction for the cases of the said applicants. The applicants herein are similarly placed and in the event their cases are also examined by applying the same yardsticks, there exists no any earthly reason for any further deprivation being meted out to them.

A copy of the order dated 11.1.99 is annexed as Annexure-5.

4.20. That after passing the judgment and order dated 11.1.99 in OA No.79/96 other sets of similarly

5

situated employees like that of the applicants in the above mentioned OA had approached this Hon'ble Tribunal by way of filing OA No.43/02, OA No.44/02, OA No.259/02, OA NO.155/03 and OA No.156/03 and this Tribunal was pleased to disposed of the OAs with a similar directions as has been passed in OA No.79/96. The applicants in the present & Original application are similarly situated and hence they pray before this Hon'ble Tribunal for similar direction as has been issued by this Hon'ble Tribunal in the above mentioned OAs.

Copies of judgment and order dated 1.5.03, 1.5.03, 25.8.03, ~~25.8.03~~

~~25.8.03~~ are annexed herewith and marked as Annexure ~~6, 7 & 8~~ ~~6, 7 & 8~~ ~~MA~~ respectively.

4.21. That this application has been made bonafide and to secure the ends of justice.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISION:

5.1. For that the impugned action on the part of the Respondent authorities are not sustainable and in clear violation of the principles of natural justice in addition to being arbitrary, illegal and discriminatory.

5.2. For that the Applicants being ex-casual labourers and their names having figured the line/supplimentary register, are entitled to the benefits under the rules and the Respondents cannot perpetually discriminates between similarly situated persons.

16

5.3. For that the Respondents cannot take advantage of the fact that the Applicants belong to the lowest stratum of the society and their ignorance their rights. The Applicants being members of the ST community and entitle to special privileges.

5.4. For that similarly situated persons having already been considered for appointment, the Applicants cannot be deprived of an opportunity of consideration of their services.

5.5. For that in any view of the matter the imputed action of the respondents are not sustainable in the eye of law and liable to be set aside and quashed.

The applicants crave leave of the Hon'ble Tribunal to advance more grounds both legal as well as factual at the time of hearing of the case.

6. DETAILS OF REMEDIES EXHAUSTED:

That the applicant declares that he has exhausted all the remedies available to them and there is no alternative remedy available to him.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER

COURT:

The applicant further declares that he has not filed previously any application, writ petition or suit regarding the grievances in respect of which this application is made before any other court or any other Bench of the Tribunal or any other authority nor any such

14

application , writ petition or suit is pending before any of them.

8. RELIEF SOUGHT FOR:

Under the facts and circumstances stated above, the applicant most respectfully prayed that the instant application be admitted records be called for and after hearing the parties on the cause or causes that may be shown and on perusal of records, be grant the following reliefs to the applicant:-

8.1. To direct the Respondents to consider the cases of the Applicants appointing them against the vacant Group-D posts available for filling up of SC/ST backlog vacancies.

8.2. To direct the General Manager, NF Railways, Maligaon to issue necessary approval towards the appointments of the Applicants.

8.3. Cost of the application.

8.4. Any other relief/reliefs to which the applicant is entitled to under the facts and circumstances of the case and deemed fit and proper.

9. INTERIM ORDER PRAYED FOR:

Pending disposal of this application, the Applicant prays that Your Lordships would be pleased to direct the Respondent authorities not to fill the vacancies advertised vide Annexure-4 advertisement.

10. *****

11. PARTICULARS OF THE I.P.O.:

1. I.P.O. No. : 20 Gr 117165
2. Date : 21/12/04
3. Payable at : Guwahati.

12. LIST OF ENCLOSURES:

As stated in the Index.

18

VERIFICATION

I, SriKanuna kt. Mandal..., aged
about 35.. years, son ofT. Mandal.....,
resident ofRongapara.....
....., do
hereby solemnly affirm and verify that the statements made
in paragraphs 1, 2, 3, 4¹, 4², 4³, 4⁴, 4⁷, 4⁸, 4⁹, 4¹⁰, 4¹³-4¹⁵, 4¹⁷, 4¹⁸
true to my knowledge and those made in
paragraphs 4⁵, 4⁶, 4¹¹, 4¹⁶, 4¹⁹, 4²⁰ are also true to my legal
advice and the rest are my humble submission before the
Hon'ble Tribunal. I have not suppressed any material facts
of the case.

And I sign on this the Verification on this
the 13th day of Oct: of 2004.

Kanuna kt. Mandal

Signature.

15
Annexure
The list of Supplementary EX/CL BG/CON/Bongaigaon of 6 (six) line project under
XEN/BG/CON/ Bongaigaon Units with their full Bio-Data

Sl. No.	Name of Candidate	Father's Name	Date of Birth	Date of Appointment	Date of Discharged	Home Address
1	Sri Karuna Kt. Mandal	Sri Brindaban Mandal	05-03-68	15-02-87	31-12-87	Vill. - Rangapara P.o. - Rangapara Dist. - Sonitpur (Assam)
2	Sri Prabin Deory	Sri Jagat Deory	02-05-68	01-04-88	31-12-88	Vill. - Rangapara P.o. - Rangapara Dist. - Sonitpur (Assam)
3	Sri Hemo Mili	Sri B. Mili	03-10-69	01-04-88	31-12-88	Vill. - Rangapara P.o. - Rangapara Dist. - Sonitpur (Assam)
4	Sri Hiranya Bori	Sri K. Bori	07-02-66	01-04-84	31-12-84	Vill. - Rangapara P.o. - Rangapara Dist. - Sonitpur (Assam)
5	Sri Dilip Yadav	Sri Phulchand Yadav	20-05-69	15-07-87	31-12-87	Vill. - Bhatwa Pandey P.o - Bahiyari Beghel (UP) 274702 Via - Bhatpa Rani Dist - Deoria U/P
6	Smt. Joymati Boro	Lt. Umesh Ch. Boro	03-05-68	12-11-87	31-12-88	Vill. Balahati Chutiapara P.o - Gurmow Dist. - Kamrup (Assam)
7	Sri Dharmendra Boro	Sri Sarat Ch. Boro	30-04-66	15-04-84	31-07-85	Vill. Tinipukhuri P.o - Tinipukhuri Dist. - Nalbari (Assam)
8	Surjya Kr. Muchahary	Lt. Soniram Muchahary	16-12-68	01-04-88	31-12-88	Vill. - Soto Adabari P.o. - Kokrajhar Dist. - Kokrajhar (Assam)
9	Smt. Pratima Bashumatary	Sri K.L. Basumatary	03-02-69	13-12-87	31-12-88	Vill. - Tengapara P.o. - Kokrajhar Dist. - Kokrajhar (Assam)
10	Sri Hitlar Koach	Sita Nath Koach	25-07-68	12-01-86	20-01-87	Vill. - Amlaiguri P.o. - Khasibari Dist. - Kokrajhar (Assam)
11	Sri Panidev Sutradhar	Kiran Sutradhar	15-08-70	01-03-88	31-12-88	Vill. - Hekaipara P.o. - Chandrapara Dist. - Kokrajhar (Assam)
12	Smt. Alashi Mushahary	Sri Joni Ram Muchahary	10-01-69	15-01-87	30-06-88	Vill. - Soto Adabari P.o. - Kokrajhar Dist. - Kokrajhar (Assam)
13	Sri Jitu Das	Sri Phatik Ch. Das	02-03-68	15-02-86	31-12-88	Vill. - Sonpur (Nalbari) P.O. - Nalbari Dist. - Nalbari (Assam)
14	Md. Surman Ali	Md. Mamtaj Ali	05-02-69	16-01-87	31-12-87	Vill. - Madhabdev Nagar P.O. - Gatanagar Maligaon (Ghy-24)
15	Sri Lalit Rajbongshi	Suku Rajbongshi	01-05-70	15-01-88	31-12-88	Dist. - Kamrup (Assam) Vill. - Solmara P.o - Solmara Dist - Nalbari (Assam)

Attested
as
Advocate

16

Sl. No.	Name of Candidate	Father's Name	Date of Birth	Date of Appointment	Date of Discharged	Home Address
16	Gopal Nandi	Sri S. Nandi	01-06-67	12-11-87	31-12-87	Vill. - Rangapara P.o. - Rangapara Dist. - Sonitpur (Assam)
17	Jogeswar Haloi	Pabin Haloi	21-0-69	15-1-87	14-12-87	Vill-Barsarkuchi(Borisupa), P.o- Malinpur Dist- Nalbari (Assam)
18	Pinku Das	Late Guna Das	20-01-69	01-01-87	31-12-87	Vill.-Sonpur (Nalbari) P.O. - Nalbari Dist. - Nalbari(Assam)
19	Gautam Kalita	Sri Prafulla Kalita	18-10-69	01-10-87	31-12-88	Vill- Haju, P.o.-Haju Dist.-Kamrup (Assam)
20	Gagan Tamuli	Sri Jatin Tamuli	05-06-69	15-02-87	31-12-88	Vill.-Barkura P.o.-Balikuria Dist-Nalbari(Assam)
21	Uma Prakash Gupta	Sri Sitaram Gupta	02-05-69	15-03-87	31-12-87	Vill-Nalbari Rly.Old Colony P.o.-Nalbari Dist.-Nalbari(Assam)
22	Gautam Barman	Late Lakhi Barman	03-05-69	15-03-87	31-12-87	Vill. - Barkura P.o.-Balikuria Dist.-Nalbari (Assam)
23	Akhil Huzuri	Sri Chandra Kt. Huzuri	13-12-69	15-02-87	31-12-87	Vill.-Khagrabari P.o-Khagrabari Dist.-Nalbari(Assam)
24	Prasanta Sen Deka	Ramani Sen Deka	01-03-69	15-02-87	31-12-87	Vill-Bidyapur, Malikuchi P.o. - Nalbari Dist.-Nalbari(Assam)
25	Rupen Boro	Ramesh Boro	18-05-67	16-02-87	31-12-87	C/o Rabin Pathak Vill.Rangia, Stano Road. Teleguri P.o. - Rangia Dist-Kamrup(Assam)
26	Md. Abul Hussain	M. hammed Ali	07-03-69	15-03-86	31-12-87	Vill. - Rangapara North P.o.-Rangapara Dist-Sonitpur, Assam
27	Sri Sanjib Das	Sri Nabin Das	01-09-69	15-01-87	31-12-87	Vill-Barsarkuchi P.o - Milanpur Dist.Nalbari(Assam)
28	Sri Nagen Tamuli	Sri Abhoy Tamuli	09-11-69	15-01-87	31-12-87	Vill.-Barkura P.o-Balikuria Dist-Nalbari(Assam)
29	Sri Bhabesh Tamuli	Sri Tarani Tamuli	05-07-69	15-07-87	31-12-87	Vill.-Barkura P.o-Balikuria Dist.Nalbari(Assam)
30	Sri Haladhar Daimari	Sri Mahiram Daimary	03-05-69	12-11-87	31-12-88	Vill.Dhamdhama P.o. - Dhamdhama Dist. Nalbari(Assam)

Attested
by
Advocate

17

Sl. No.	Name of Candidate	Father's Name	Date of Birth	Date of Appointment	Date of Discharged	Home Address
31	Gwjwnlai Basumatary	Joy Ch. Basumatary	01-09-68	15-02-87	31-12-87	Vill. - Dangtola P.o-New Bongaigaon Dist. Bongaigaon (Assam)
32	Hemen Tamuli	Soneswar Tamuli	01-03-69	15-01-87	31-12-87	Vill-Barkura P.o - Balikuria Dist. Nalbari(Assam)
33	Phulen Kherkatary	Jadav Kherkatary	13-12-69	03-05-87	31-12-87	Vill - Anandapur 1 No. Hengerabari P.o - Dispur, Ghy-6
34	Biswajit Ramchiary	Babul Ch. Ramchiary	17-02-69	03-05-87	31-12-87	Vill/ Dhamdhamia P.o- Dhamdhamia Dist. Nalbari(Assam)
35	Arun Boro	S. Boro	09-06-68	15-02-87	31-12-87	C/o Durga Boro Vill. - Hemdol P.o-Jayantipur Dist.-Kamrup(Assam)
36	Bhabananda Das	Haicharan Das	13-05-69	16-03-87	31-12-88	Vill. - Rampur P.o. RampurDekapara Dist.-Barpeta(Assam)
37	Tilak Ch. Boro	Jali Ram Boro	03-02-69	16-03-87	31-12-87	Vill. - Aimbari P.o. - Dwarkuchi Dist.-Kamrup(Assam)
38	Dipak Ch. Boro	J. Boro	11-03-69	15-03-87	31-12-87	Vill. - Rangia P.o- Rangia Dist.Kamrup (Assam)
39	Simanta Rabha	Saru Ram Rabha	02-10-69	12-11-87	31-12-88	Vill. - Kahuwa P.o.-Kulshi Dist. Kamrup (Assam) Pin-781125
40	Harichandra Roy	Lt. Mahesh Roy	01-03-69	15-01-87	31-12-87	Vill. Nalbari Rly Teastai P.o - Nalbari Dist. Nalbari (Assam)
41	Uma Sankar Sah	Ramchandra Sah	12-10-69	15-10-87	31-12-88	Vill. Nalbari Old Rly Colony P.o. - Nalbari Dist. Nalbari (Assam)
42	Madhu Rani Deka	Sri P. Deka	03-05-68	10-03-88	31-12-88	Vill. - Sandha P.o. - Sandha Dist. - Nalbari(Assam)
43	Jadav Bhuyan	Lt. Ghameswar Bhuyan	01-03-69	15-01-87	31-12-87	Vill- Sonpur Rly Q 22 "B" P.o-Nalbari Dist- Nalbari
44	Samin Mandal	Soni Mandal	02-09-68	01-04-88	31-12-88	Dist.-Nalbari (Assam) Vill.-Rangapara P.o. Rangapar Dist. Nalbari(Assam)

Attested
noor
Advocate

18'

Sl. No.	Name of Candidate	Father's Name	Date of Birth	Date of Appointment	Date of Discharged	Home Address
45	Baban Jadav	Ram Lagan Jadav	15-01-69	12-01-87	31-12-88	Nalbari Rly. Tea Stall P.O. & Dist. - Nalbari
46	Milan Roy	Lt. Masesh Roy	03-04-69	15-01-87	31-12-87	Vill- Sonpur Rly Q. 22 "B" P.o- Nalbari Dist- Nalbari
47	Sri Haricharan Boro	Nepal Boro	03-05-67	01-05-85	31-12-86	Vill- Balahati Chutipara P.o- Gurmouli Via- Goreswar Dist- Kasmirup (Assam)
48	Manindra Haloi	Bhairab Haloi	01-02-69	15-01-87	31-12-87	Vill- Barsarkuchi (Bonsupa) P.o- malinpuri Dist- Nalbari (Assam)
49	Jyotish Das	Nigendra ch. Das	01-02-69	03-06-87	31-12-88	Vill- Nalbari old Rly Colny P.o- Nalbari Dist- Nalbari (Assam)
50	Dilip Dutta	Upendra Dutta	21-05-69	15-01-87	31-12-87	Vill- Barpeta P.o- Barpeta Dist- Barpeta (Assam)
51	Kamal Boro	Kh. wa Ram Boro	02-08-68	03-05-87	31-12-87	Vill- Rangapara Rly Hosp. Colny P.o- Rangapara Dist- Sonitpur (Assam)
52	Rabin Narzary	Ananta Narzary	16-11-68	10-02-87	20-09-88	Vill- Tengabari P.o- Kokrajhar Dist- Kokrajhar (Assam)
53	Dilip Barman	Mahendra Barman	13-01-69	15-02-87	20-09-87	Vill- Haripur P.o- Banekuchi Dist- Nalbari
54	Mohan Daimary	Jaleswar Daimary	11-03-68	15-02-87	30-09-87	Vill- Barchital P.o- Ghograpar Dist- Nalbari (Assam)
55	Binod Tamuli	Umesh Tamuli	03-02-69	21-05-87	31-12-87	Vill- Barkura P.o- Balikuria Dist- Nalbari (Assam)
56	Santanu Dutta	K.R.Datta	03-03-68	15-03-86	13-12-87	Vill- Bargaon P.o. Bargaon Dist- Sonitpur (Assam)
57	Haricharan Das	Lt. Suren Das	01-07-68	01-11-86	30-4-87	Vill- Nalbari old Rly Colny P.o- Nalbari Dist- Nalbari (Assam)
58	Binu Dutta	Lt. Narayan Dutta	01-01-69	15-07-87	31-12-87	Vill- Barkura P.o- Balikuria Dist- Nalbari (Assam)
59	Arun Swarigary	Bhaben Swarigary	12-02-69	11-02-87	30-10-87	Vill- Rampur Dekapara P.o- Rampur Dekapara Dist- Barpeta (Assam)

Altered
no
Date

Sl. No.	Name of Candidate	Father's Name	Date of Birth	Date of Appointment	Date of Discharged	Home Address
60	Ganapati Deka	Mukta Ram Deka	09-01-67	11-2-87	30-10-87	Vill- Umanada P.o- Kerpabhitia Dist- Kamrup (Assam)
61	Remen Tamuli	Ananta Tamuli	10-03-69	11-03-87	30-10-87	Vill-Barkura P.o- Balikaria Dist- Nalbari (Assam)
62	Tutu Barman	Thiru Barman	02-01-69	16-01-88	28-12-88	Vill-Barkura P.o- Balikaria Dist- Nalbari (Assam)
63	Akshay Talukdar	Sri Ramani Talukdar	11-07-68	15-1-87	30-04-87	C/o Gabbar Roy Vill-Nalbari Rly. Tea Stall, Nalbari P.o.-Nalbari Dist.-Nalbari(Assam)
64	Ajoy Das	Lt. D. Das	03-05-69	02-06-87	31-12-87	Vill- Nalbari old Rey. Colony P.o- Nalbari Dist- Nalbari (Assam)
65	Kanak Ch. Barman	Kalicharan Barman	20-01-69	15-01-87	31-12-87	Vill- Nalbari Rly Teastall P.o- Nalbari
66	Kulajit Das	Uddhab Das	01-01-69	01-10-87	31-12-87	Vill- Niz Bargoan P.o- Niz Bargoan Dist- Sonitpur (Assam)
67	Anjan Kalita	Ghanashyam Kalita	03-05-70	07-01-88	15-12-88	Vill- Sonpur Rly Q 22 "B" P.o- Nalbari Dist- Nalbari
68	Ganesh Rai	Ram Lakhan Rai	21-05-70	02-03-87	31-12-87	Vill- Nalbari Rly. Tea Stal P.o- Nalbari Dist- Nalbari
69	Manoj Rai	Ram Adhik Rai	01-03-69	01-01-87	15-12-88	Vill- Nalbari Rly. Tea Stal P.o- Nalbari Dist- Nalbari
70	Naranjan Haloi	Bichitra Haloi	10-01-69	25-01-87	31-12-87	Vill-Barsukchi(Borisupa) P.o- Malinpur Dist- Nalbari (Assam)

Attested
No. 6
Advocate

20-

Address - 2

पूर्वोत्तर रेलवे / N. E. R. 299

24



पूर्वोत्तर रेलवे

NORTHEAST FRONTIER RAILWAY

अनियत, मजदूर के रूप में सेवा का रेकार्ड
RECORD OF SERVICE AS CASUAL LABOUR

21/10/1980
S. D. M. & B.O.
Chukunda, Kakali
Civil Hospital, Nalbari

Attest
Under
Advocate.

पश्चिमी रेलवे/N.W. RAILWAY

पश्चिमी रेलवे/N.W. RAILWAY

Department of Labour/सरकारी

प्रारंभिक नियुक्ति के नाम से लेवां को रेकॉर्ड

Recruitment book for Casual Labour

पूरा नाम/Full Name

1. Name in full (In Block letters)

पिता का नाम

2. Father's Name (In Block letters)

जन्म-तिथि

3. Date of Birth (D. - M. - Y.)

प्रारंभ में नियुक्ति नोकरी पाते के समय आयु

4. Age at initial casual employment

पूर्ष/year — मास/month —

शरोर पर प्रारंभिक नियुक्ति

5. Personal marks of
identification

प्रारंभिक नियुक्ति के प्रारंभिक

6. Nature of job on initial
employment

प्रारंभिक नियुक्ति

L. T. I.

प्रथम नियुक्ति प्रदर पर्यावरण का दस्तावेज़/Signature of
the First Appointing Senior Supervisor

21/10/2004
S. H. O.
Civil Hospital, Nalbari
Wear

मनिपत्ति गजदूर के रूप में सेवा का रेकार्ड

2/19/2004 8:56 a.m. D. M. S. 100
Mukund National
Hospital, Nalambal

Record of Service as Casual Labour.

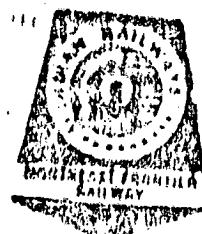
Brasilia
ideas
process

23



District 1

70 मा. - श/न. र. - 6. 299 X



पूर्वोत्तर राजमा रेलवे
NORTH EAST FRONTIER RAILWAY

जनियत मजदूर के रूप में सेवा का रेकॉर्ड

RECORD OF SERVICE AS CASUAL LABOUR

Attested
U. Dar
Advocate

26/No.....

महाराष्ट्र रेलवे/N. E. RAILWAY

मार्गदर्शक नियमित वर्षा का रेकार्ड
Office/Department.....

नियमित गण्डुर के रूप में रोपा का रेकार्ड

Copy/Book for Casual Labour

मुख्य नाम चार्ट-सारांश

1. Name in full.....
(In Block letters)

2. Father's Name.....

जन्म-वर्ष

3. Date of Birth 5-7-70

प्राचीन में जन्मित नीकरी वारे के साथ आयु

4. Age at initial casual employment
वर्ष/year.....माह/month.....

प्राचीन नामांकन का लिखा

5. Personal marks of
identification.....

प्राचीन नामांकन का लिखा

6. Nature of job on initial
employment.....

प्राचीन नामांकन का लिखा

L. T. L.

... Assistant Engineer 88-700
M. R. Railways 2019/2020
मान्य नियमित प्रशंसन पर्यवेक्षक का दस्तावेज/Signature of
the First Appointing Senior Supervisor

Mr. S. S. Chaudhary
Advocate

25-

19

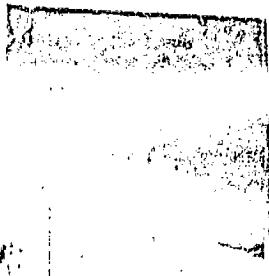
Record of Scrivener as Casual Labour

Advocates

३०
१३८१

२६

पू० सौ० - जी / N. F. - G 299



पूर्वोत्तर सेवा रेलवे
NORTHEAST FRONTIER RAILWAY

अनियत प्रबद्ध के रूप में सेवा का रेकार्ड
RECORD OF SERVICE AS CASUAL LABOUR

Accredited
V. Dass

Advocate

Sl./No.

पू. सी रेलवे/N. F. RAILWAY

कार्यालय विभाग

Office/Department
कार्यालय/विभाग

अनियमित मज़ाकुर के रूप में सेवा का रेकार्ड

Service book for Casual Labour

पूरा नाम साफ-साफ

1. Name in full SRI BAWALAL RAJU
(In Block letters)

पिता का नाम

2. Father's Name Sri M. M. Raju
जन्म-तिथि

3. Date of Birth 01-01-1900

प्रारम्भ में अनियमित नौकरी पाने के समय आयु

4. Age at initial casual employment

वर्ष/year माह/month
.....

शरीर पर पहचान के चिन्ह

5. Personal marks of
identification

पारिवर्क नियुक्ति के समय इयाती

6. Nature of job on initial
employment

पार्स अंगूठे का निशान

L. T. I.



K. L. R.
Assistant Engineer, B.C.C.N.
प्रथम नियुक्ति प्रदर पर्यंवेक्षक M. F. Railway Bongaigaon
इस्ताधर/Signature of
the First Appointing Senior Supervisor

.....
.....
.....
.....

‘नियत मजदूर के रूप में सेवा का रेकार्ड’

नोकरी की अवधि
Period of
Employment

से/From तक/To

1 2 3

ए. याटी की विस्तृता

4
Körper und Seele
angehören // V / Vm
1991/1992/ e.o.w /
heft Service d.m.

Record of Service as Casual Labour.

Nature of assignment

तारीख सहित पर्यंतेक का
दरतात्पुर थोर पदनामा

Signature & Designation
of the Supervisor
with date

5

CIVIL HABEAS

Attended
Visas
Advocate.

The result of the screening test held on 13.1.2000 in the screening of Ex: ST Casual labour of Construction Organisation and FCW Units are furnished below. The following Ex: ST Casual labour of Construction Organisation and retrenched Casual labour of FCW Units who worked in the territorial jurisdiction of this Division, their names are arranged in order of seniority, based on total number of service put by them.

The result of screening test has been approved by ADRM/APD on 19.4.2000.

Sl. No.	Name	Father's name	Under whom I worked.	Date of birth.	Total days.	When first birth.	Educational qualification.	Engagement.	ISC/STI/ITI.	ICBC.	V.
1.	s/smt.				5	6	7	8	9		
1.	Genesh Narjinary	D. Narjinary	GM/CON/MLG	20.11.65	1.5.64	975	ST	VIII	passed.		
2.	Keshab Ch. Boro	Kamala Kanta Boro	-do-	23.9.66	5.8.64	879	ST	VIII	passed.		
3.	Shubaneswar Boro	Jenaki Boro	-do-	13.3.65	27.3.84	847	ST	VIII	passed.		
4.	Amir Boro	Lt. Lati Rami Boro	-do-	3.1.65	27.3.84	817	ST	X	passed.		
5.	Pratul Kherketary	N. Kharketary	-do-	3.2.66	27.3.84	812	ST	IX	passed.		
6.	Moniram Swargiary	Lt. C. Swargiary	-do-	31.3.66	27.3.84	817	ST	IX	passed.		
7.	Pratin Ch. Kalita	Lt. Jogeswar Kalita	SEN/FCW/MLG	31.12.59	10.6.82	724	UR	IX	passed.		
8.	Ananda Ramchary	Lt. M. Ramchary	GM/CON/MLG	21.3.66	27.4.84	685		IX	passed.		
9.	Hireswar Boro	Jeelaram Boro	-do-	16.7.66	26.9.74	680		IX	passed.		
10.	Rupen Ch. Brahma	Dharen Brahma	-do-	1.2.66	1.5.74	610	ST	IX	passed.		
11.	Hari Chandra Boro	Nepot Boro	-do-	3.5.67	1.5.85	610	ST	VIII	passed.		
12.	Arabinda Boro (I)	Dhendra Boro	-do-	1.4.67	1.5.85	610	ST	IX	passed.		
13.	Dwigen Boro	Hari Chandra Boro	-do-	27.5.66	1.8.84	590	ST	IX	passed.		
14.	Jadav Swargiary	Powl Swargiary	-do-	27.3.66	1.7.84	588	ST	IX	passed.		
15.	Khagendra Nath Boro	Belaram Boro	-do-	1.3.66	1.5.86	465	ST	IX	passed.		
16.	Jogen Boro	Kheniram Boro	-do-	20.10.65	1.8.84	518	ST	X	passed.		
17.	Minal Chakraborty	Lt. Khagendra Chakra- borty	SEN/FCW/MLG	1.1.63	19.7.84	408	UR	S. F.	passed.		
18.	Tapan Seal	Mirital Seal	-do-	3.8.60	22.7.78	404	UR	S. F.	Failed.		
19.	Pradip Kr. Boro	Nabin Boro	GM/CON/MLG	1.10.66	15.6.95	322	ST	IX	passed.		
20.	Ranjit Boro	Lt. N. Brahma	-do-	1.10.65	15.6.95	322	ST	IX	passed.		
21.	Arindra Boro	Baran Ch. Boro	-do-	20.5.67	15.6.95	322	ST	IX	passed.		
22.	Phul Basumatary	Neheswar Basumatary	-do-	23.6.67	15.6.95	322	ST	X	passed.		
23.	Bimal Kr. Basumatary	Girish Kr. Basumatary	-do-	2.4.67	15.6.95	321	ST	IX	passed.		

(contd... 2..)

See
Sarab
Babu

W@M

30

S/No.	Name	Category	11.3.67	11.85	304	ST	IX passed.
24.	Ashok Ramlal	GT/CON/MLG	30.3.67	11.85	304	ST	VIII passed.
25.	Bhabit Boro	-	27.3.67	8.04	375	ST	IX passed.
26.	Damodaram Dekha	Bhekularam Dekha	1.1.68	4.85	275	ST	IX passed.
27.	Kamleshwar Boro	B.R. Boro	15.2.67	0.6.85	261	OBJ	VIII passed.
28.	Nil. Kr. Yadav	J.P. Jaded	2.1.68	5.85	268	ST	-
29.	Uttam Ch. Boro	Biliram Boro	1.3.66	0.4.86	243	ST	-
30.	Karuna Kanta Swargiary	Ketiram Swargiary	15.6.66	1.85	239	ST	-
31.	Simla Boro	Lt. Mangal Boro	3.6.65	5.84	224	ST	-
32.	Hari Chandra Boro	Lt. Umesh Boro	1.3.65	2.85	214	ST	-
33.	Venkateswara Swargiary	Lt. D. R. Swargiary	30.5.67	6.85	214	ST	-
34.	Umesh Swargiary	Ratna Swargiary	1.1.67	1.85	212	ST	-
35.	Rukmeli Basumatary	B. Basumatary	1.3.67	1.85	184	ST	IX passed.
36.	Arin Boro	Lt. Biran Boro	1.3.67	1.85	184	ST	-
37.	Cherappa Kr. Daimary	Phisela Daimary	31.1.66	4.54	183	ST	-
38.	Ratiram Boro	Lt. Jogendra Boro	30.1.65	5.64	153	ST	VIII passed.
39.	Rajendra Daimary	Donda Daimary	3.2.65	4.84	153	ST	-
40.	Golak Ch. Boro	Dabar Boro	17.2.66	4.84	153	ST	-
41.	Sibhas Boro	Anarem Boro	21.3.66	8.35	153	ST	-
42.	Moniram Boro	Lt. Umesh Ch. Boro	7.1.67	11.85	151	ST	-
43.	Kishna Basumatary	Suru Basumatary	1.3.66	3.4.85	141	ST	-
44.	Narayan Basumatary	Rajendra Daimary	1.2.65	5.84	123	ST	-
45.	Jitendra Boro	D.R. Boro	20.8.66	5.84	123	ST	-
46.	Bikul Ch. Boro	Moraram Boro	30.5.67	5.85	123	ST	-
47.	Pratulle Swargiary	N.C. Swargiary	2.1.60	2.5.79	121	ST	S. F. Passed.
48.	Gajendra Nath Boro	D.N. Boro	20.9.67	12.85	121	ST	IX passed.
49.	Paresh Boro	Anarem Boro	-	-	-	-	-

COPY forwarded for information & necessary action to :-

1) GM(P)/MLG. (2) SPC/RESV/MLG. (3) GM/CON/MLG, SDO/HG/MLG
 4) DYC/CON/MLG. (5) GEN/FCW/MLG. (6) DRM(W)/PDU.
 7) Divl. Secy./AFREU/PDU. (8) Convener/NFRMU/PDU. (9) Divl. Secy./AISCTRE/PDU.
 10) C.R. to Sr. PDC/PDU. (11) C.M.S./PDU.

(sdas/214Y2K)

Concurred
Affected
Advocate

21/4/60
FOR DIVL. RLY. MANAGER(P)

21/4/60
FOR DIVL. RLY. MANAGER(P)
ALL PURSUAR JUNCTION

21/4/60

21/4/60

21/4/60

21/4/60

21/4/60

21/4/60

AST FRONTIER RAILWAY AON, GUWAHATI (ASSAM)

Special Recruitment Drive for Scheduled Caste
& Scheduled Tribe Candidates
Notice No. NFR-2/2001

Category No. 01

Closing Date: 23 Nov. 2001

Invited from the eligible SC and ST candidates for filling up of 605 posts of Trackman
N.F. Railway.
NOTIFICATION FOR 4 (FOUR) DIVISIONS OF N.F. RAILWAY I.E. TINGUKIA, LUMDING,
KATHUA & KATHJAL.
AND USE ENTIRE INFORMATION CAREFULLY BEFORE FILLING UP THE APPLICATION FORM.
THE TEST SHALL BE CONDUCTED ON SAME DAY FOR ALL FOUR DIVISIONS
MENTIONED BELOW. HENCE CANDIDATES MUST SEND APPLICATION TO ONE OF THE
FOUR DIVISIONS ONLY AS PER THEIR CHOICE.
IF A CANDIDATE APPLIED TO MORE THAN ONE DIVISION, HIS/HER CANDIDATURE IS ELIGIBLE TO BE CANCELLED.
Special drive for filling up of SC/ST backlog vacancies (Total number: 600)

Division	Category of Post	Total number of vacancies	Breakup of Vacancies		Address for sending application
			SC	ST	
Guwahati	Trackman Khasi	152 2	87 1	63 1	Divisional Railway Manager (Personnel) N.F. Railway, Khasi, Bihor, Pin-7854105
Assam	Trackman Khasi	144 35	60 11	60 24	Divisional Railway Manager (Personnel), N.F. Railway, Lumding, Assam Pin-782447
Alipurduar	Trackman Khasi	130 12	37 8	83 6	Divisional Railway Manager (Personnel), N.F. Railway, Alipurduar, West Bengal, Pin-735123
Thingukia	Trackman	140	67	83	Divisional Railway Manager (Personnel) N.F. Railway, Tingukia, Assam, Pin-786125
	Total	615	277	368	

ABOUT THE DIVISIONS & CATEGORIES OF CASTE, SC & ST-SCHEDULED TRIBE
Note: 1. The number of vacancies given are provisional and may increase or decrease as per requirement of the Railway. The Railway is not responsible for any loss suffered by the candidate due to any such cancellation.

The candidates will have the right to hold separate, individual/explanatory or re-examination in case of the cancellations.

The application will be accepted at N.F. Railway Headquarters Office.

2. P-Home for the recruitment

The recruitment process will be in three stages:

(i) Computer type written examination (Qualifying Test)

(ii) Computer type written exam (Final Test)

(iii) Physical Efficiency Test

Successful candidates who have come through the two stage written test will be subjected to physical efficiency test. Those for the post

(Note: The price of tickets will change without any further notice)

The medium for these examinations shall be Hindi and/or English.

THE WRITTEN EXAMINATIONS AND PHYSICAL EFFICIENCY TEST SHALL BE HELD AT DIFFERENT DIVISIONS WITHIN THE JURISDICTION OF N.F. RAILWAY ONLY.

3. Job Description: The post of Trackman is basically meant for the maintenance of Railway Track. The job involves carrying heavy tools and working with axe, sickle, beaten steel, bar-crow, etc. The job is of F.W. Grade for the upkeep of Rail, Pitholes and other track fixtures.

The post of Trackman will be in remote areas of Divisions. The nature of job is arduous and requires a high level of physical fitness for efficient discharge of duties.

4. Pay Scale: The pay scale of physical fitness and job conditions are also applicable in case of Khasi.

5. Pay Scale: Rs. 2010/- to 2150/- plus usual allowances as per the prevailing rates for

local rates.

6. Pay Scale: Rs. 2010/- to 2060/- to 2200/- plus usual allowances as per the prevailing rates for

local rates.

7. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

8. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

9. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

10. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

11. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

12. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

13. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

14. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

15. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

16. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

17. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

18. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

19. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

20. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

21. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

22. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

23. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

24. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

25. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

26. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

27. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

28. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

29. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

30. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

31. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

32. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

33. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

34. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

35. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

36. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

37. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

38. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

39. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

40. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

41. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

42. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

43. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

44. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

45. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

46. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

47. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

48. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

49. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

50. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

51. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

52. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

53. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

54. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

55. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

56. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

57. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

58. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

59. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

60. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

61. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

62. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

63. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

64. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

65. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

66. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

67. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

68. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

69. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

70. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

71. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

72. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

73. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

74. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

75. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

76. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

77. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

78. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

79. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

80. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

81. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

82. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

83. Pay Scale: Rs. 2010/- to 2060/- plus usual allowances as per the prevailing rates for

local rates.

GUWAHATI BENCH

Annexure - 5

Original Application No. 79 of 1996.

Date of decision : This the 11th day of January, 1999.

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

Hon'ble Shri G.L. Sangliyine, Administrative Member.

Shri Ananda Ramchiary & 31 Others.

All are ex-casual labourers

in the Alipurduar Division,

N.F.Railway.

Applicants

By Advocate Mr. S. Sarma.

-versus-

1. Union of India,
represented by the General Manager,
N.F.Railway,
Maligaon, Guwahati-11.

2. The Divisional Railway Manager (P),
Alipurduar Junction,
Alipurduar.

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

..... Respondents

None appears on behalf of the respondents.

O R D E RBARUAH J (V.C.).

Thirty two applicants have filed this present application. Permission as per the provisions of Rule 4 (5) (a) of the Central Administrative Tribunal (Procedure) Rules 1987 was granted by order dated 28.5.96.

2. In this application the applicants
prayed for directions to the General Manager, N.F.Railway,
Maligaon, to issue necessary approval towards

RZ

Accepted
Advocate

of the applicants made on or after 1.1.1981 and also to confer the benefits to the applicants as casual labourers under the rules and thereafter appoint the applicants against the available backlog vacancies meant for Scheduled Tribe candidates and another reliefs they are entitled to.

3. All the applicants belong to a community recognised as Scheduled Tribe and therefore they are entitled to special privileges under the Constitution. The applicant on being selected, were engaged as casual worker and had been working as such. They worked the requisite number of working days to get temporary status as well as other benefits under the scheme. However, service of the applicants had been terminated prior to 1981. Thereafter, in the year 1995, the Divisional Railway Manager, Alipurduar Junction, N.F.Railway, issued a circular dated 13.02.1995 regarding Special Recruitment Drive of SC/ST candidates. As per the said circular in order to clear the backlog of SC/ST Group 'D' recruitment categories in terms of GM(P)/MLG's letter dated 1.7.1993, special recruitment drive was under the process and due to non-availability of Scheduled Tribe candidates among the existing casual labourers in combined service list, a list of SC/ST ex-casual labour of open

R

Contd...

Advocate

Attested
Naren
Advocate

and construction organisation was submitted by the Divisional Secretary AISCTERA/APDJ. In the said list names of 56 numbers of construction ex-casual labour was submitted. Pursuant to this list, the name of the applicants were included. However, name of the applicant No. 18 was not in the said list.

4. Heard Mr. S.Sarma, learned counsel appearing on behalf of the applicants.

5. Mr. Sarma submits that the authority after having decided to engage casual workers and application having been forwarded except the applicant No.18 they ought to have been engaged but nothing was done. Mr. Sarma further submits that non-action of the authorities to engage the applicants giving all the benefits they are entitled to under the scheme has caused great hardships to the applicants besides they are being prejudiced. Therefore he prays a direction to the respondents to act in terms of the decision taken by the authorities concerned as mentioned above.

6. On hearing the counsel for the applicant and on perusal of the application we feel it will be expedient if the applicants file representation giving details about their grievances within a period of one month from the date of receipt of this order. If such representation is filed within this period,

Contd...

Attested
Under
Advocate

35

the authority shall consider the same and take a decision regarding engagement of the applicants. (As the respondents have already taken a decision to engage the applicants there may not be any difficulty in taking such decision.)

7. We, therefore dispose of this application with direction to the respondents to consider the case of the applicants if any representation is filed within one month from the date of receipt of this order and respondents shall take decision regarding the engagement of the applicants within two months thereafter.

8. Considering the facts and circumstances of the case, we however, make no order as to costs.

Sd/ VICE CHAIRMAN
Sd/ MEMBER (Admin)

trd

ANNUAL
Lawyer
Advocate

CENTRAL ASSESSMENT & PRACTICAL, MUNICIPAL SENIOR.

Original Application No. 43 of 2002.

Date of Order : This the 1st Day of May, 2003.

THE HON. S. L. MR. JUSTICE D. N. CHOWDHURY, VICE CHAIRMAN.

1. Shri Dhaneswar Rihing
2. Shri Lohit Ch. Boro
3. Shri Rati Kanta Boro
4. Shri Monoranjan Dwaimary
5. Shri Manteswar Boro
6. Shri Joy Ram Boro
7. Shri Haricharan Basumatary
8. Shri Durga Ram Daimary
9. Shri Sabjib Boro
10. Shri Khargeswar Swargiary
11. Shri Pradip Kr. Boro
12. Shri Upen Narzary
13. Shri Tarun Ch. Boro
14. Shri Ramesh Ch. Ramchiary
15. Shri Monoranjan Deori
16. Shri Ram Nath Pathak
17. Shri Gopal Basumatary
18. Shri Malin Kr. Das
19. Shri Ranhit Swargiary
20. Shri Ratna Kanta Boro
21. Shri Nirmal Kr. Brahma
22. Shri Monoj Das
23. Shri Mrinal Das
24. Shri Sanjay Kr. Narzary
25. Shri Pankaj Baruah
26. Shri Ajit Kr. Sarania
27. Shri Sunil Ch. Boro
28. Shri Bipin Ch. Boro
29. Shri Nepolian Lahary
30. Shri Rajen Daimary
31. Shri Ansuman Swargiary
32. Shri Suren Daimary
33. Shri Raj Bora
34. Shri Pradip Das
35. Shri Robin Dwaimary
36. Shri Pradib Boro
37. Shri Chandan Dev Nath
38. Shri Kamaleswar Boro
39. Shri Bhukan Boro
40. Shri Krishna Ram Boro
41. Shri Ratneswar Boro

Cont'd./2

All Ex-Casual Labourers in the Alipurduar Division, (BG/CON), N.F.Railway Applicants.
By Advocates Mr.U.K.Mair & Ms.U.Das.
- Versus -

1. Union of India
Represented by the General Manager
N.F.Railway, Maligaon, Guwahati-11.
2. The General Manager (Construction)
N.F.Railway, Maligaon, Guwahati-11.
3. The Divisional Railway Manager (P)
Alipurduar Division, N.F.Railways
Alipurduar. Respondents.

By Dr.M.C.Sarma, Railway Standing counsel.

O R D E R

CHOWDHURY, J.(V.C.):

The applicants are 41 in number claiming absorption/appointment under the respondents as protected class in terms of the policy decision taken by the Railway Administration. Since the facts, situation, cause of action and reliefs sought for are same and similar, permission was accorded to the applicants to espouse their cause by way of one single application under rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987.

1. The applicants claim that they belong to a community recognised as Scheduled Tribe and Scheduled Caste and are, therefore, entitled to special privileges guaranteed to the protected class in terms of the constitutional provisions. It was averred that these applicants on being selected, were engaged as Casual Labourer and had been working as such. They completed the requisite number of working days to get the temporary status as well as the other benefits under the Scheme, but instead of regularising them in service, they were terminated prior to 1981. In the application it was also mentioned about the circular dated 13.02.1995 issued by the Divisional Railway Manager, Alipurduar, N.F.Railway in respect of Special Recruitment Drive of SC/ST candidates. As a matter

Contd./3

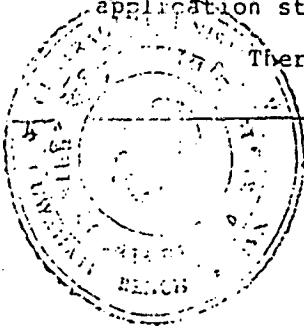
Attested
by
Advocate

taken earlier and pass appropriate order within three months from the receipt of their representations on verification and scrutiny of the documents.

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

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

sd/VICE CHAIRMAN



bb.

Certified to be true Copy

धर्माधिक प्रतिलिपि

19/5/03
Section Officer (J)

C.A.T. GUWAHATI BENCH
Guwahati, 8'03

Attested
V. S. Soni
Advocate

of fact, Special Recruitment Drive was initiated, initially some were regularised leaving the applicants. It was also pleaded that the case of the applicants were forwarded by the competent authority, but since no action taken by the respondents, they moved this Tribunal for redressal of their grievances.

2. Though time granted to the respondents on number of occasions, the respondents did not come forward with the written statement. Dr.M.C.Sarma, learned Standing counsel for the Railways, was requested on the last occasion to obtain necessary instruction on the matter. Dr.Sarma stated that he is yet to obtain necessary instruction and sought for some more time today also for obtaining further instruction. Already sufficient time was granted to the respondents, but no truthful action was taken. In the circumstances, I am not inclined to grant any further time to the respondents, more so in view of the fact that like cases were disposed in O.A.79 of 1996 dated 11.1.1999.

3. I have heard Mr.U.K.Nair, learned counsel for the applicants as well as Dr.M.C.Sarma, learned Standing counsel for the Railways at length. On consideration of all the facts and circumstances of the case it appears that the case of these applicants are squarely covered by the decision rendered by this Tribunal in O.A.79 of 1996 dated 11.1.1999. On consideration of all the aspects of the matter, I am of the opinion that ends of justice will be met, if a direction is issued to these applicants to submit individual representations narrating all the facts. Accordingly the applicants are directed to submit individual representations to the authority within a period of one month from the date of receipt of the order. If such representation is filed within the time prescribed, the respondents shall consider the same in the light of the decision

Contd./4

Attn:
Nair
A.Y.

Original Application No.44 of 2002.
Date of Order : This the 1st Day of May, 2003.

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

- ✓ 1. Shri Suren Ramchiary
- 2. Sri Ratan Boro
- 3. Sri Mizing Brahma
- 4. Sri Rajit Brahma
- ✓ 5. Sri Jaidev Swargiary
- 6. Sri Naren Ch. Basumatary
- ✓ 7. Sri Raj Kumar Mandal
- ✓ 8. Sri Biren Baishya
- ✓ 9. Sri Angat Das
- 10. Sri Radha Shyam Mandal
- 11. Sri Monilal Nurzary
- 12. Sri Swargo Boro
- ✓ 13. Sri Ramesh Ch. Boro
- ✓ 14. Sri Biren Baishya
- 15. Sri Jogendra Pasi
- 16. Sri Ramjit Das
- 17. Sri Naren Ch. Boro

All Ex-Casual Labourers in the Alipurduar Division, N.F.Railway.

... Applicants.

BY Advocates Mr.U.K.Nair & Ms.U.Das.

- Versus -

- 1. The Union of India
Represented by the General Manager
N.F.Railway, Maligaon, Guwahati-II.
- 2. The General Manager (Construction)
N.F.Railway, Maligaon, Guwahati-II.
- 3. The Divisional Railway Manager (P)
Alipurduar Division, N.F.Railways
Alipurduar.

... Respondents.

ORDER

CHOWDHURY J.(V.C.):

The applicants are 17 in number, who are the Ex-Casual labourer in Alipurduar Division, N.F.Railways. Since the cause of action as well as reliefs sought for are same and similar, the applicants were granted leave to espouse their cause by one single application in terms of the rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987.

In this application the applicants sought for

get
now
ago

directions to the General Manager, N.F.Railway, Maligaon to issue necessary approval towards engagement of the applicants made on after 1.1.1981 and also to confer the benefits to them as casual labourers under the rules and thereafter regularise their appointment to fill up the backlog vacancies meant for Scheduled Tribe candidates. In this application the applicants claimed that they belonged to the protected class of persons listed as Scheduled Tribe and Scheduled who were caste/entitled for the constitutional guarantee provided by the Constitution. It was also pleaded that the applicants, on being selected, were engaged as casual labourer and were continuing as such. They completed the requisite number of working days, entitled for conferment of temporary status. However, instead of regularising their services, they were terminated prior to 1981. The applicants also referred to steps taken by the Railway authority to fill up the reserve vacancies by way of a Special Recruitment Drive vide circular dated 13.02.1995. Mr.U.K.Nair, learned counsel

for the applicants, invited my attention to the communication No.6/37/2000-Gen/01 dated 26.4.2001

sent by the Director of National Commission for Scheduled Castes & Scheduled Tribes, State Office, Guwahati,

Govt. of India addressed to the General Manager (P),

N.F.Railway and stated that in the aforementioned list of 120 ex.casual labourers, were forwarded

by DRM(P)/APDJ to GM/Com/MLG for verification vide

endorsement dated 10.7.1995, the name of the applicants

also appeared. But their names are not yet approved

by the authority and till now no action has been taken

for their absorption.

2. Dr.M.C.Sarma, learned Standing counsel appearing for the Railways, however, stated that in the absence of necessary instruction, he is not in a position to assist the Court on the factual matter. Dr.Sarma, however, stated that the Railway authority in terms

Attested
M.C.Sarma
Advocate.

of the policy made all endeavour to regularise the persons included in the reserve vacancies as per law. Dr.Sarma submitted that in this case also the authority might have taken the necessary steps as per law.

3. I have given my anxious consideration on the matter. The policy of recruitment of the listed class is not in dispute. Dr.Sarma, however, stated that the claim of the applicants need to be scrutinised and examined and without that no steps can be taken. Mr.U.K.Nair, learned counsel for the applicants, on the other hand, placed before me the judgment and order rendered by this Tribunal in O.A.79 of 1996 disposed on 11.1.1999.

Considering all the facts and circumstances of the case, I am of the opinion that ends of justice will be met, if a direction is issued to these applicants to submit individual representations before the authority. Accordingly, the applicants are directed to submit individual representations before the authority narrating their grievances within a period of one month from the date of receipt of the order. If such representation is made within the time prescribed, the respondents shall examine the respective cases and scrutinise and verify their claims. If the applicants fulfil the requirement, the authority shall consider their case for absorption against available vacancies as per law. It is expected that the authority shall take all the necessary steps for expeditious disposal of the matter and shall complete the process within three months from the receipt of the representations. While considering the claims of these applicants the respondents authority shall also take into consideration the memorandum No.E/227/RC SV(E) AP dated 21.4.2000 issued by the Divisional Railway Manager(P)APDJ, N.F.Railway, whereby the authority approved the result of the screening test

Contd. /4

Anton
Wear
Advocate

4 :
in view of the policy decisions of the Govt. of India.
subject to the observations made above, the
application stands disposed.

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

sd/ VICE CHAIRMAN

Verified to be true C. P.
सत्याग्रह अधिकारी

W. B. 19/5/03
Section Officer (J)
C.A.T. GUWAHATI BRANCH
Guwahati 781003

Affasted
R. Dey
Advocate

- 44 -

48
Annexure - 8

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 259 of 2002.

Date of Order : This the 25th Day of August, 2003.

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

The Hon'ble Mr K.V.Prahaladan, Administrative Member.

1. Shri Habul Ghosh,
2. Shri Haren Das,
3. Sri Kishor Kumar Mandal,
4. Sri Biren Boro,
5. Sri Maina Boro,
6. Sri Kripa Tewary,
7. Sri Pradip Sarma,
8. Sri Paneswar Boro,
9. Sri Nagendra Boro,
10. Sri Anil Kalita and
11. Sri Bhogi Ram Basumatary

...Applicants

All the applicants are ex casual workers under
Alipurduar Division, N.F.Railway.

By Advocate Miss Usha Das.

- Versus -

1. Union of India,
represented by General Manager,
N.F.Railway, Maligaon,
Guwahati-II.
2. The General Manager (Construction),
N.F.Railway, Maligaon,
Guwahati-II.
3. The Divisional Railway Manager (P),
Alipurduar Division, N.F.Railway,
Alipurduar, West Bengal.

...Respondents

By Sri S.Sengupta, Railway standing counsel.

ORDER (ORAL)

CHOWDHURY J. (V.C.)

The eleven applicants claimed to be ex casual labourers in Alipurduar Division, N.F.Railway. In view of commonality of the cause of action, nature of claim and relief sought for leave was granted allowing the applicants

contd..2

ANNEXURE
VOLUME
1/2

to espouse their cause by one single application in terms of Rule 4(5) (a) of the Central Administrative Tribunal (Procedure) Rules 1987.

2. The applicants claimed that all of them worked in the Alipurduar Division as casual labourer on being engaged. When they were expecting for their regularisation they were arbitrarily terminated some times in 1981. After their termination all of them left for different destination in search of livelihood. The applicants thereafter came to learn about the decision taken by the authority for regularisation by absorbing all such persons and for that matter a special drive was also taken. According to applicants their names ought to have entered in Live Register for their absorption in the Railway as per the policy decision. The applicants claimed that persons similarly situated already moved the door of the Tribunal in O.A. 79/96, O.A.43/2002 and O.A.44/2002 finally disposed of by the Tribunal on 11.1.99, 1.5.2003 and 1.5.2003 respectively.

3. The respondents contested the case by disputing their claim. In the written statement the respondents asserted that the casual labourers who have worked in N.F.Railway open line before 1.1.81 and were discharged for want of work or due to completion of work were given an opportunity to apply, if they so wished for inclusion of their names in the Live Casual Labour Register. They were asked to submit their representation with adequate documentary proof so as to reach the concerned Divisional Manager's office before the specified time. It was also asserted that in Bridge Division a panel of 715 men was drawn after screening who were borne on the various BRI units under DY.CE/BR/1/MLG and copy of the ex casual

contd..3

Attested
by
[Signature]

46
labourers were sent to various BRI units. Out of the panel of 715 screened casual labour only 252 could be engaged. Rest could not be engaged for want of vacancies. According to the respondents none of the applicants applied for registering their names in live casual labour register or supplementary live registers in response to the notification dated 13.3.1987. As a result their names could not be registered with live casual labour register or supplementary live register. Since these applicants did not apply for the post their cases could not be considered. In the written statement the respondents however admitted that one ex casual labour namely, Sri. Habul son of Ruplal was screened thereby indicating that the applicant was screened but he could not be absorbed for want of vacancy within the panel period.

4. We have heard the learned counsel for the parties at length. Miss U.Das, learned counsel for the applicant referred to the decisions of this Bench rendered in O.A.79/96 as well as in O.A.43/2002 and 44/2002. The learned counsel contended that the case of the present applicants is squarely covered by those judgments. Mr S.Sengupta, learned Railway standing counsel appearing for the respondents opposing the claim of the applicants contended that these applicants did not come in time and could not be granted relief by the Tribunal for their latches. Mr Sengupta further contended that even on merit the applicants did not deserve any consideration since they are lacking for want of particulars in respect of their services.

5. We have given our anxious consideration on the matter. The plea of limitation raised by Mr Sengupta is no doubt a substantial question of law but then it will be

contd..4

46
Received
Under
Advocate

denial of justice if the applications of the applicants who are unemployed on retrenchment are thrown out on the ground of delay. After termination as it appears that they went in search of livelihood and scattered for different places. The authority reviewed its policy, which did not reach them. Only after came to know the decisions they have knocked the door of the Tribunal. The applicants are not guilty of any lasches. When similar nature of orders were passed it was equally incumbent on the part of the respondents to issue notices to all the like persons so that they could also approach the authority for appropriate relief. Be that as it may, we are of the opinion that the ends of justice will be met if a direction is issued on the applicants also to submit their representations giving the details of their services as far as practicable to the respondents authority narrating all the facts within six weeks from the date of receipt of this order and if such representations are filed within that time the respondents shall examine the same as expeditiously as possible preferably within two months from the date of receipt of the same and take appropriate decision as per law.

With these the application stands disposed of. There shall, however, be no order as to costs.

TRUE COPY

सत्यप्रिय

sd/ VICE CHAIRMAN

sd/ MEMBER (A)

16/12/03

Section Officer (S)
C.A.T. GUWAHATI 781008
Guwahati-781008

16/12/03

pg

Attested
by
Advocate