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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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R.A/C.P No.....

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SECTION OFFICER (Judl.)

Bhaloy
01/11/17

FORM NO. 4

(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDER SHEET

Original Application No. 11/05

Misc. Petition No. _____

Contempt Petition No. _____

Review Application No. _____

Applicants: Sri Simanta Rajan Baruah 2 nos.

Respondents 104 & ans.

Advocates for the Applicant _____

Advocates of the Respondents _____

Order of the Tribunal

Notes of the Registry Date

18.01.2005

present: The Hon'ble Mr. Justice R.K. Batta, Vice-Chairman.

The Hon'ble Mr. K.V. Prahladan Member (A).

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

Leave to join under Rule 4(5) (a) of the C.A.T. (Procedure) Rules, 1987 is granted.

Notice to respondents, returnable on 3.2.2005. Dr. M.C. Sharma, learned counsel for Railways accepts notice on behalf of all the respondents.

List on 3.2.2005.

R
Member

Vice-Chairman

Notice issued.

Munir
19/1/05

8.2.05.

bb

The learned counsel for the Respondents seeks four weeks time, and allowed, for filing reply. Adjourned to 9.3.05.

S
Member (J)

9.3.2005 present: The Hon'ble Mr. Justice G.

Sivarajan, Vice-Chairman.

The Hon'ble Mr.K.V.Prahladan
Member (A).

The present case and O.A.182
of 2004 are connected matters. Re-
spondents have filed their written
statement in both the case. Hence
learned counsel for the applicant
Mr.A.Dasgupta submits that both the
matter can be heard together.

Post the matter on 16.3.2005
alongwith O.A. 182/2004. Rejoinder,
if any, shall be filed in the meant-
ime.

16.3.05

W/S Downtime
by the Respondents.

The enclosure is
not attached in W/S.

W/S
14.3.05

15-3-05

W/S Mr. Sarma 27/ed.
S/12 - awaiting

K. Prahladan
Member

Vice-Chairman

bb

16.03.2005

Learned counsel for the applicant
submits that respondents referred to
various documents in the written
statement filed but the enclosures
were not filed along with the written
statement. Learned counsel for the
applicant has also not received the
enclosures. Mr.S.Sarma, learned coun-
sel for the Railways submits that
this will be done during the course
of the day.

Post on 22.3.2005 after complia-
nce of the requirement.

K. Prahladan
Member

Vice-Chairman

bb

22.3.05

Present: Hon'ble Mr.Justice G. Siva-
rajan, Vice-Chairman
Hon'ble Mr.K.V.Prahladan,
Administrative Member.

Mr. S. Sarma learned Railway
counsel submits that this case may
be taken another date to go through
the rejoinder. The learned counsel

contd/-

Notes of the Registry Date 11 of the Tribunal

22.3.05.

for the applicant submits that this case must be taken on earlier date.

Post the matter on 24.3.05.

K. D. B.
Member

E. V. Rajan
Vice-Chairman

22.3.05
Rejoinder submitted by the Applicant in reply to the W.P.s.

lm

12.4.05.

Post the matter on 28.4.05.

K. D. B.
Member

E. V. Rajan
Vice-Chairman

lm

28.4.05.

Post the matter on 20.5.05.

K. D. B.
Member

E. V. Rajan
Vice-Chairman

lm

13.5.2005

Post for final disposal on 16.5.2005.

K. D. B.
Member

E. V. Rajan
Vice-Chairman

mb

16.5.05

Heard in part. Further arguments are required. The interim order in O.A. 11 of 2004 is safeguarded in the interest of four applicants therein. This will apply to the remaining applicants to the O.A. No. 182 of 2004 also.

The Respondents are directed to file affidavit explaining the reasons for the complaints mentioned in the communication dated 16.9.2004 at the belated stage, in view of the facts that action was taken in January, 2004 and the applicants were empanelled in March, 2004. The letter issued by the General Manager on 16.9.04 appears to be with reference to letter No. E/25/1/LM(RG)M(Loose) dt. 17.5.04 and 8.6.04 issued by the Sr. PMG. The affidavit will explain the reasons for the delay. Since the first selection is being held from tomorrow, the applicant must be allowed to appear in the written test. However, this is also subject to

Case is ready for hearing.

O.A. 11 of 2005

Notes of the Registry Date Order of the Tribunal

16.5.05.

the outcome of the final orders in the application.

Post the matter on 15.6.05.

Member

1m

Vice-Chairman

OA 11/05

Office Notes	Date	Order of the Tribunal
Simantek Barooah Applicant Dr. 18.5.2005.	16.05.2005	<p>Heard the Mrs. Maya Bora learned counsel for the applicant and Mr. S. Sarma, learned counsel for the Railways. Some more clarification is required from the respondents in the matter. It is stated that the selection process for appointment of Goods drivers, 63 in number were stated in November 2003 and completed in March 2004 by conducting examination from Diesel drivers; a list of successful candidates prepared and approved in which the names of all the applicants are included but it was cancelled long thereafter by an order dated 16.9.2004 on the basis of certain letters received from Sr.DPO/LMG dated 17.5.2004 and 8.6.2004. It is alleged that the cancellation was made only to help certain employees whose names did not find a place in the empanelled list. There is no proper answer for the inordinate delay in the written statement filed. Hence the respondents will file an additional affidavit explaining the above position.</p> <p>Already there is an order in O.A.No.182 of 2004 that selection if any, made pursuant to the cancellation of the earlier list is subject to the result of the O.A. It is made clear that this order will apply to the case of the remaining applicants in O.A. No.11 of 2005 also.</p> <p>Post the case on 15.6.2005.</p> <p><i>K. V. Prahadan</i> <i>G. Sivarajan</i> (K.V. PRAHLADAN) (G.SIVARAJAN) ADMINISTRATIVE MEMBER VICE-CHAIRMAN</p>

Lm

15.6.2005 After reading the affidavit, we are of the view that unless the concerned records are obtained, the matter cannot be decided. In the circumstances, we direct the respondents to place the files regarding cancellation of the selection before this Tribunal. Post on 20.7.2005.

20.6.05
Bandana Durr

Parvez
Member

Q. Jaff
Vice-Chairman

mb

20.7.2005 Heard learned counsel for the parties. Hearing concluded. Judgment delivered in open Court, kept in separate sheets. The application is dismissed.

K. Pillai
Member

Q. Jaff
Vice-Chairman

mb

10.8.05

Copy of the order has been sent to the Office for issuing the same to the applicant against OA 102/05 by post.

Hb.

*W.M. 23/7/05
M. C. Parvee
Adv.*

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**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application Nos. 182/2004, 11/2005 & 188/2005

Date of Order: This the 20th day of July, 2005.

The Hon'ble Sri Justice G. Sivarajan, Vice Chairman.
The Hon'ble Sri K.V. Prahladan, Administrative Member.

O.A. No. 182/2004

1. Shri Simanta Rajen Barooah
S/O Late Dhiru Charan Barooah
Rly. Qr. No. 1/B, East Gotanagar,
Maligaon, Guwahati - 11.
2. Shri Gopi Goswami
S/o Late Shyam sundar Goswami
Rly. Qr. No. 230/E, B.G. colony
New Guwahati,
P.O. - Bamunimaidam,
Guwahati - 21.
3. Shri Dipak Chandra Sengupta
S/O - Late Prabhat Chandra Sengupta
B.B.C. Colony,
Opp. Rly. Qr. No. 124
P.O. - Pandu, Guwahati - 12.
4. Sri Yankat Reona
S/o - Late Chikkala Gangiya
Rly. Qr. No. 317/K
New Guwahati,
P.O. - Bamunimaidam,
Guwahati - 21

....Applicants.

By Mr. B.M. Sarmah, Mrs. M. Borah, Mr. D.N. Bhattacharyya, Mr. A. Dasgupta, Advocates.

- Versus -

1. Union of India
Through the Secretary to the
Government of India
Ministry of Railways, New Delhi.
2. Railway Board
Ministry of Railways
Govt. of India, New Delhi.
Through its Chairman,
3. North-East Frontier Railway
Maligaon, Guwahati - 11.
Through its General Manager (Personnel).
4. Senior Divisional Mechanical Engineer/In-charge,
Lumding Division.
North-East Frontier Railway,
Lumding.

5. Divisional Railway Manager,
(Mechanical), Lumding Division, North-East Frontier Railway,
Lumding. Respondents.

O.A. No. 11/2005

1. Shri Simanta Rajon Barooah
S/O Late Dhiru Charan Barooah
Rly. Qr. No. 1/B, East Gotanagar,
Maligaon, Guwahati - 11.
2. Shri Gopi Goswami
S/o Late Shyam sundar Goswami
Rly. Qr. No. 230/E, B.G. colony
New Guwahati,
P.O. - Bamunimaidam,
Guwahati - 21.
3. Shri Dipak Chandra Sengupta
S/O - Late Prabhat Chandra Sengupta
B.B.C. Colony,
Opp. Rly. Qr. No. 124
P.O. - Pandu, Guwahati - 12.
4. Sri Yankat Raona
S/o - Late Chikkala Gangiya
Rly. Qr. No. 317/K
New Guwahati,
P.O. - Bamunimaidam,
Guwahati - 21.
5. Shri Ranjit Chutia
S/o - Late Lileswar Chutia
Yuvanagar, Narangi, Forest Gate, Guwahati - 26.
6. Shri Hem Chandra Deuri
S/o - Shri Balendra Deuri
C/o - S.E. (Loco) 1 N.F. Railway
New Guwahati - 21.
7. Shri Haranath Saikia
S/o - Shri Bhumidhar Saikia
C/o - Shri Gopi Goswami
Qtr. No. 230 (E) 1 BG
New Guwahati - 21.
8. Shri Upen Deuri
S/o - Shri Akan Chandra Deuri
C/o - Yakat Raona
Qr. No. 317 (K) Railway,
New Guwahati - 21.

.... Applicants

By Advocate - Mr. A. Dasgupta, Mrs. Maya Borah, Mr. P.B. Dasgupta

Versus -

1. Union of India
Through the Secretary to the
Government of India
Ministry of Railways, New Delhi.
2. Railway Board
Ministry of Railways
Govt. of India, New Delhi.
Through its Chairman,
3. North-East Frontier Railway
Maligaon, Guwahati - 11.
Through its General Manager (Personnel).
4. Senior Divisional Mechanical Engineer/In-charge,
Lumding Division.
North-East Frontier Railway,
Lumding.
5. Divisional Railway Manager,
(Mechanical), Lumding Division, North-East Frontier Railway,
Lumding.

... Respondents.

O.A. No. 188/2005

1. Shri Kamala Kanta Haloi
S/o - Late Jagat Ch. Haloi
C/o - SE (Loco)/NGC, N.F. Railway
P.O. - Bamunimaidam
P.S. Chandmari, Guwahati - 21.
2. Shri Barun Kr. Nath
S/o - Late H.C. Nath
C/o - SCC (Loco)/BPB, N.F. Railway,
P.O. & P.S. - Badarpur, Dist. - Karimganj
3. Sri Joydeb Ch. Das,
S/o - Late Biswanath Das,
C/o - SSE (Loco)/LMG
N.F. Railway, P.O. & P.S. - Lumding
Dist. - Nagaon, Assam.
4. Sri Badal Ch. Roy,
S/o - Late C. Roy,
C/o - SSC (Loco)/BPB, N.F. Railway
P.O. & P.S. - Badarpur, Dist. - Karimganj, Assam.
5. Sri Pradip Kr. Bardoloi
C/o - Late Aranda Ch. Bardoloi,
C/o - SE (Loco)/NGC, N.F. Railway
P.O. - Bamunimaidam, P.S. - Chandamari, Guwahati - 21.

6. Sri Karuna Kr. Brahma,
S/o Late Khargeswar Brahma
C/o. SE (Loco) / NGC, N.F. Railway
P.O. Bamunimaidan,
P.S. Chandmari, Guwahati – 21.
7. Sri Pradip Dasgupta.
S/o Late Harendra Dasgupta,
C/o. SE (Loco) / NGC, N.F. Railway
P.O. Bamunimaidan,
P.S. Chandmari, Guwahati – 21
8. Sri Dilip Ghose,
S/o Late S.C. Ghose
C/o SSC (Loco) / BPB N.F. Railway.
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.
9. Sri Rakhal Ch. Majumder,
S/o Late Nirmal Ch. Majumder,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.
10. Sri Dilip Kr. Paul,
S/o Late Bidyabhushan Paul,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.
11. Sri Kalyan Bhattacherjee,
S/o Late Binod Bihari Bhattacharjee,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.
12. Sri Ranjit Kr. Das II
S/o Late Naresh Ch. Das,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

13. Sri Pranab Kr. Das,
S/o Late Lakshman Kr. Das,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.
14. Sri Ratan Chakraborty,
S/o Late Ranabir Chakraborty,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.
15. Sri Jagadish Nandi,
S/o Late Ramesh Ch. Nandi,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.
16. Sri Kartik Chakraborty,
S/o Late Atul Bihari Chakraborty,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.
17. Sri Bidyut Dutta,
S/o Late Binod Bihari Dutta,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.
18. Sri Kalu Bhoumik,
S/o Late Gopal Ch. Bhoumik,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.
19. Sri Karuna Kumar Das,
S/o Late Dharani Kr. Das,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.
20. Sri Narayan Debnath,
S/o Late Krishnalal Debnath,

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C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

21. Sri Narayan Dutta,
S/o Late Digen Ch. Dutta,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

22. Sri Kamal Majumder,
S/o Late Jiten Majumder,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

23. Sri Santosh Kr. Dey,
S/o Late Khitish Ch. Dey,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

24. Sri Dhruba Ranjan Dutta,
S/o Late Dhiren Ch. Dutta,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

25. Sri Uttam Bardhan,
S/o Late Bolo Ram Bardhan,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

26. Sri Barun Ch. Rava,
S/o Late Kala Ram Rava,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

27. Sri Ajit Kumar Biswas,
S/o Sri L.M. Biswas,
C/o, SE (Loco) / NGC, N.F. Railway
P.O. Bamunimaidan.

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N.Y

P.S. Chandmari, Guwahati – 21

28. Sri Samir Ch. Majumder,
S/o Late Rabindra Ch. Majumder,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

29. Sri Rantu Kr. Barman,
S/o Late Rabindra Ch. Barman,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

30. Sri Satyajit Senapati,
S/o Late Krishna Kamal Senapati,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

31. Sri Nirmalendu Das,
S/o Late Mahim Ch. Das,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

32. Sri Ajoy Kr. Dutta,
S/o Late Atul Ch. Dutta,
C/o SSC (Loco) / BPB, N.F. Railway,
P.O. & P.S – Badarpur, Dist – Karimganj, Assam.

33. Sri Subhash Ch. Dey II
S/o Late Hari Das Dey,
C/o SSE (Loco) / LMG,
N.F. Railway, P.O. & P.S. – Lumding,
Dist – Nagaon, Assam.

34. Sri Subir Das,
S/o Late Nalini Mohan Das,
C/o SSE (Loco) / LMG,
N.F. Railway, P.O. & P.S. – Lumding,

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Dist – Nagaon, Assam.

35. Sri Runu Ch. Dey,
S/o Late Haren Ch. Dey,
C/o SSE (Loco) / LMG,
N.F. Railway, P.O. & P.S. – Lumding,
Dist – Nagaon, Assam.

36. Sri Ratan Deb.
S/o Late Mrinal Kanti Deb,
C/o SSE (Loco) / LMG,
N.F. Railway, P.O. & P.S. – Lumding.
Dist – Nagaon, Assam.

37. Sri Chandan Bhoumik.
S/o Late J.K. Bhoumik,
C/o SSE (Loco) / LMG.
N.F. Railway, P.O. & P.S. – Lumding.
Dist – Nagaon, Assam.

38. Sri Dhana Ranjan Dey,
S/o Late Anil Daron Dey,
C/o SSE (Loco) / LMG,
N.F. Railway, P.O. & P.S. – Lumding,
Dist – Nagaon, Assam.

39. Sri Bharat Ch. Malakar,
S/o Late Krishna Malakar,
C/o SSE (Loco) / LMG,
N.F. Railway, P.O. & P.S. – Lumding,
Dist – Nagaon, Assam.

40. Sri Swapan Das III
S/o Late Haripada Das,
C/o SSE (Loco) / LMG,
N.F. Railway, P.O. & P.S. – Lumding,

Dist - Nagaon, Assam.

41. Sri Pradip Kr. Nath II
 S/o Late Krishna Kr. Nath,
 C/o SSE (Loco) / LMG,
 N.F. Railway, P.O. & P.S. - Lumding,
 Dist - Nagaon, Assam.

42. Sri Dipak Kr. Choudhury.
 S/o Late Brijendra Bijoy Choudhury,
 C/o SSE (Loco) / LMG,
 N.F. Railway, P.O. & P.S. - Lumding,
 Dist - Nagaon, Assam.

43. Sri Sribhash Ch. Dey,
 S/o Late Sudhir Ch. Dey,
 C/o SSE (Loco) / LMG,
 N.F. Railway, P.O. & P.S. - Lumding.
 Dist - Nagaon, Assam.

44. Sri Dilip Debnath,
 S/o Late K.L. Debnath,
 C/o SSE (Loco) / LMG,
 N.F. Railway, P.O. & P.S. - Lumding,
 Dist - Nagaon, Assam.

45. Sri Pradip Kr. Das,
 S/o Late Satish Ch. Das,
 C/o SSE (Loco) / LMG,
 N.F. Railway, P.O. & P.S. - Lumding,
 Dist - Nagaon, Assam.

46. Sri Anjan Chakraborty,
 S/o Late Brajagopal Chakraborty,
 C/o SSE (Loco) / LMG,
 N.F. Railway, P.O. & P.S. - Lumding.

Dist – Nagaon, Assam.

47. Sri Janardan Singh,
 S/o Late Seroo Singh,
 C/o SSE (Loco) / LMG,
 N.F. Railway, P.O. & P.S. – Lumding.
 Dist – Nagaon, Assam.

48. Sri Ajit Mallik.
 S/o Sh Jogesh Ch. Mallik.
 C/o SSE (Loco) / LMG,
 N.F. Railway, P.O. & P.S. – Lumding.
 Dist – Nagaon, Assam.

49. Sri Dipak Kr. Roy.
 S/o Late Surendra Ch. Roy,
 C/o SSE (Loco) / LMG,
 N.F. Railway, P.O. & P.S. – Lumding.
 Dist – Nagaon, Assam.

50. Sri Tamal Bhattacharjee,
 S/o Late Jatindra Ch. Bhattacharjee,
 C/o SSE (Loco) / LMG,
 N.F. Railway, P.O. & P.S. – Lumding.
 Dist – Nagaon, Assam.

51. Sri Pradip Kr. Dutta,
 S/o Late Somnath Dutta,
 C/o SSE (Loco) / LMG,
 N.F. Railway, P.O. & P.S. – Lumding.
 Dist – Nagaon, Assam.

52. Sri Ajay Chanda
 S/o Late Arabinda Chanda,
 C/o, SE (Loco) / NGC, N.F. Railway
 P.O. Bamunimaidan,

P.S. Chandmari, Guwahati - 21.

53. Shri Nandeswar Saikia
 S/o - Late Binda Saikia
 C/o - SSE (Loco)/LMG
 N.F. Railway, P.O. & P.S. - Lumding
 Dist. - Nagaon, Assam.

54. Sri Guna Saikia
 S/o - Lat Sutura Saikia
 C/o - SSE (Loco)/LMG
 N.F. Railway, P.O. & P.S. - Lumding
 Dist - Nagaon, Assam.

55. Sri Jiban Saikia
 S/o - Sh. Bhadreswar Saikia
 C/o - SSE (Loco)/LMG
 N.F. Railway, P.O. & P.S. - Lumding
 Dist. - Nagaon, Assam.

... Applicants

By Advocate - Mrs. Maya Borah

- Versus -

1. Union of India
 Through the Secretary to the
 Government of India
 Ministry of Railways, New Delhi.

2. Railway Board
 Ministry of Railways
 Govt. of India, New Delhi.
 Through its Chairman,

3. North-East Frontier Railway
 Maligaon, Guwahati - 11.
 Through its General Manager (Personnel).

4. Senior Divisional Mechanical Engineer/In-charge,
 Lumding Division.
 North-East Frontier Railway,
 Lumding.

5. Divisional Railway Manager,
 (Mechanical), Lumding Division, North-East Frontier Railway,
 Lumding.

... Respondents.

By Dr. M.C. Sarma, Railway Advocate and Ms. B. Devi, Advocate in
 all the O.A.s.

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ORDER (ORAL)

SIVARAJAN. J. (V.C.)

There are 4 applicants in O.A. No. 182/2004 and 8 applicants in O.A. No. 11/2005. Now all the applicants in both these two cases alongwith 43 others persons have filed O.A. 188/2005 challenging the cancellation of the panel of 63 Diesel Assistant Driver prepared for appointment to the post of Goods Driver and the subsequent selection made pursuant to such cancellation. O.A. Nos. 182/2004 and 11/2005 are also filed earlier challenging the cancellation of the select list of 63 persons and the proposal to make fresh selection.

2. So far the applicants in O.A. No. 182/2004 and O.A. No. 11/2005 are concerned, they appeared in the written test conducted for fresh selection pursuant to the cancellation of the earlier panel during the pendency of the said two applications and they have passed the test and are in the select list. So, as on today, they cannot have any complaint against cancellation of earlier select list.

3. Mrs. M. Borah, learned counsel for the applicants, notwithstanding the above position, contended that the applicants want to argue the matter on principle, for, that would help other non applicants who were there in the earlier select list but did not pass the written test in the fresh selection. Counsel contended that it is for the said purpose O.A. No. 188/2005 is filed by the applicants in O.A. Nos. 182/2004 and 11/2005 jointly with 43 other persons.

4. As already noted, in O.A. No. 188/2005, apart from the 12 applicants in the other two O.A.s 43 more applicants are there. These 43 persons did not earlier challenge the cancellation order. They instead participated in the second selection by appearing in the

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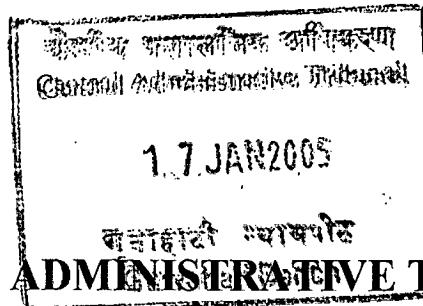
written test. Out of 63 persons in the earlier select list, except 10 persons all others got through. Now, only 10 persons amongst the 63 persons in the first panel could not be selected. Since these applicants have not challenged the cancellation of the earlier panel in which their names were also included and since they have participated in the second selection made subsequent to the cancellation of the earlier panel they cannot be allowed to raise the contention that the cancellation order of the earlier panel is illegal or unauthorized. Though Mrs. M. Borah, counsel for the applicants had strongly made submission on behalf of these 10 persons in the garb of the argument regarding the justification for cancellation of the earlier panel, we are not impressed, for the simple reason that the applicants in the first two cases are really not aggrieved at present since they are in the present panel also. O.A. No. 188/2005, in so far as other persons are concerned, according to us, it is highly belated also.

5. We have also heard Dr. M. C. Sarma, and Ms. B. Devi, counsel for the Railways in these cases. Mr. Sarma and Ms. Devi fairly conceded that the applicants in O.A. 182/2004 and O.A. 11/2005 succeeded in the second selection also and therefore they cannot have any grievance now.

6. In the circumstances, O.A. No. 182/2004 and O.A. No. 11/2005 are dismissed as infructuous. O.A. 188/2005 is also dismissed at the admission stage itself for the reason already stated.

Sd/ VICE CHAIRMAN

Sd/ MEMBER (A)



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH AT GUWAHATI

ORIGINAL APPLICATION NO. 11 /2005

Shri Simanta Rajon Barooah & Ors. -- Applicants

-Versus-

Union of India & Ors. -- Respondents

DATE AND SYNOPSIS OF THE CASE IN THIS APPLICATION

<u>DATES</u>	<u>SYNOPSIS OF THE CASE</u>
25-06-91	Applicant No. 1 and 2 appointed as First Fireman, converted as Diesel Assistant Driver on 6-12-91.
06-04-83	Applicant No.3 appointed as Khalasi, promoted to Engine cleaner on 28.1.87, promoted to Second Fireman on 24.3.87 and promoted to First Fireman on 29.1.93 and converted to Diesel Asstt. Driver on 21.3.94.
26-10-89	Applicant No. 4 posted as Second Fireman, converted to Diesel Asstt. Driver on 30.3.89.
07-11-89	Applicant No. 5 was appointed as Engine Cleaner and promoted to Engine Cleaner Helper and promoted to Diesel Asstt. Driver on 22.02.2000.
06-11-89	Applicants No. 6, 7 & 8 appointed as Engine Cleaner and promoted to Engine Cleaner Helper and promoted to Diesel Asstt. Driver on 22.02.2000.

DATES

SYNOPSIS OF THE CASE

14-10-2003 A letter was issued from the O/O the DRM(P) N.F. Rly. Lumding regarding selection of 142 Goods Drivers.

15-11-03 – 21-12-03 Selection test (written) held at LMG/BPB/NGC.

19-10-2004 Supplementary selection held at LMG.

✓ 31-03-2004 Select list published.

Applicant No.1 selected at merit position 12

Applicant No.2 selected at merit position 14

Applicant No.3 selected at position 16

Applicant No.4 selected at position 29

Applicant No.5 selected at position 48

Applicant No.6 selected at position 49

Applicant No.7 selected at position 52

Applicant No.8 selected at position 57

09-06-2004 DME (C&W)/LMG wrote to the SSE (Loco)/LMG, NGC, BPB regarding vacancies of 63 posts.

13-07-2004 Select test dt. 31-3-2004 cancelled by Sr. DME/LMG.

✓ 09-10-2003 Restructuring guidelines of "C" Group staffs issued by Govt. of India authority of Railways/Rly. Board.

6-1-2004 Partial modification of 9-10-2003 circular issued.

DATES

22-12-2004

SYNOPSIS OF THE CASE

During pendency of the O.A. No. 182/04 before the Hon'ble Tribunal by the aggrieved Applicants No. 1 to 4 the respondent authorities initiated a fresh selection process which is procedurally same by canceling the panel of the selectees. In this fresh call letter the names of Applicants No.1 & 5 are omitted.

The applicants being seriously aggrieved and/or deprived by this unreasonable and arbitrary action and gross injustice of the Railway authorities have approached this Hon'ble tribunal and pray your lordships to stay and quash the impugned call letter of fresh selection dated 22.12.2004.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH AT GUWAHATI
ORIGINAL APPLICATION NO. /2005

Filed by :
the Applicant through
Maya
Barooah
Advocate
17-1-2005

Shri Simanta Rajon Barooah & Ors --Applicants

-Versus-

Union of India & ors -Respondents

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Filed by

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Simanta Barooah

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GAUHATI BENCH AT GAUHATI
(AN APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE
TRIBUNALS ACT, 1985)

ORIGINAL APPLICATION No. **/2005**

I. Particulars of the applicants:

1. Shri Simanta Rajon Barooah

S/O. Late Dhiru Charan Barooah,
Rly. Qr. No. 1/B, East Gotanagar,
Maligaon, Guwahati-11.

2. Shri Gopi Goswami

S/O. Late Shyam Sundar Goswami
Rly. Qr. No. 230/E, B.G. Colony,
New Guwahati,

P.O. Bamunimaidam,
Guwahati-21.

3. Shri Dipak Chandra Sengupta

S/O. Late Prabhat Chandra Sengupta
B.B.C. Colony,

Opp. Rly. Qr. No. 124

P.O. Pandu, Guwahati-12

4. Shri Yankat Raona

S/O. Late Chikkala Gangiya
Rly. Qr. No. 317/K,
New Guwahati

P.O. Bamunimaidam
Guwahati – 21.

5. Shri Ranjit Chutia,

Simantab Baroah

S/o Late Lileswar Chutia
 Yuvanagar, Narangi, Forest Gate, Guwahati – 26

6. Shri Hem Chandra Deuri
 S/o Shri Balendra Deuri,
 C/o S.E. (Loco) 1 N.F. Railway,
 New Guwahati- 21

7. Shri Haranath Saikia
 S/o Shri Bhumidhar Saikia
 C/o Shri Gopi Goswami
 Qtr. No. – 230 (E) 1 BG
 New Guwahati – 21

8. Shri Upen Deuri
 S/o Shri Akan Chandra Deuri,
 C/o Yankat Raona
 Qr. No. 317 (K) Railway,
 New Guwahati – 21

II. Particulars of the Respondents:

1. Union of India

Through the Secretary to the
 Govt. of India

Ministry of Railways, New Delhi

2. Railway Board

Ministry of Railways

Govt. of India, New Delhi

Through its Chairman.

3. North-East Frontier Railway

Maligaon, Guwahati-11

Through its General manager (Personnel)

4. Senior Divisional Mechanical Engineer/In-Charge,
 Lumding Division

North-East Frontier Railway,
Lumding.

5. Divisional Railway Manager,
(Mechanical), Lumding Division , North-East Frontier
Railway, Lumding.

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

1. The applicants, Diesel Assistant Drivers, selected for the post of Goods Driver in the scale of Rs. 5000 – 8000/- . There were 63 posts of Goods Driver which were sought to be filled up by issuing necessary orders. While this process of filling up of 63 posts was going on the Railway Authority arbitrarily decided to cancel the process of filing up of these posts. Feeling aggrieved by this arbitrary action, an application, being O.A. No. 182 of 2004, was moved before this Hon'ble Tribunal. During pendency of this original application the Railway authority initiated a process of fresh selection and an order in this regard has been issued by the Divisional Railway Manager (Personnel) vide his letter No. E / 254 / I / LM/ (RG) / M dated 22.12.2004 (Annexure: - G). In this fresh call letter the names of the Applicant No. 1 and 5 Sri Simanta Ranon Barooah and Sri Ranjit Chutia respectively were not included though previously they were selected and empanelled for promotion.

The applicants were duly selected in accordance with the procedure established by law. There is no reason for cancelling the posting of the applicants in the posts of Goods Driver. Initiating of fresh process of selection which is not based on any reason.

All the applicants are similarly situated having been selected for promotion to the posts of Goods Drivers and similarly aggrieved by the said Railway Board's circulars including the impugned letter dated 22.12.2004. They have the same cause of action for the purpose of the present proceedings and they pray for similar relief.

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Gimantab Barooah

The applicants, as such, crave leave of this Honourable Tribunal to allow them to join together in a single application under Rule 4(5) (a) of the Central Administrative Tribunal (Procedure) Rules, 1987.

IV. Jurisdiction of the Tribunal:

The applicants declare that the subject matter(s) of the application is/are within the jurisdiction of the Hon'ble Tribunal.

V. Limitation:

The applicants further declare that the present application is within the limitation prescribed under Section 21 of the Administrative Tribunals Act, 1985.

VI. Facts of the Case:

1. That the applicants are citizens of India and are entitled to all the rights and privileges guaranteed to the citizens of India by the Constitution of India and the laws framed under it. The applicants are employees of the North-East Frontier Railway (hereinafter referred to as the N.F. Rly.), serving in the rank of Diesel Assistant Driver in the Mechanical Department of N.F. Rly. posted at New Guwahati, Loco Shed, and are working under the control of Senior Divisional Mechanical Engineer/ In-charge ("Sr. DME/IC" for short) Lumding Division. The applicants belong to the Transportation (Power) Branch of the N.F. Railways.
2. That the service hierarchy in the Transportation (Power) branch of the Mechanical Department of N.F. Rly. in Lumding Division is as follows:-

Engine Cleaner-----Second Fireman – First Fireman

Or

Diesel Assistant Driver- Driver Goods –Passenger Driver – Mail Driver.

Srimanta Barooah

- 3.1 That the applicant No.1 (Sri S.R. Barooah) was appointed as First Fireman on 25.6.1991 and was converted as Diesel Assistant Driver on 6.12.91 in which post he is at present working.
- 3.2 That the applicant No.2 (Sri Gopi Goswami) was appointed as First Fireman on 25.6.91 and was converted to Diesel assistant Driver on 6.12.91 in which post he is working at present.
- 3.3 That applicant No.3 (Sri Dipak Chanda Sengupta) was appointed as Khalasi on 6.4.83 and promoted to Engine Cleaner on 28.1.87 and promoted to Second Fireman on 24.3.87 and promoted to First Fireman on 29.1.93 and converted to Diesel Assistant Driver on 21.3.94 in which post he is working at present.
- 3.4 That applicant No.4 (Sri Yankat Raona) was posted as Second Fireman on 26.10.89, converted as Diesel Assistant Driver on 30.3.89 in which post he is working at present.
- 3.5 That the applicant No. 5 (Shri Ranjit Chutia) was appointed as Engine Cleaner on 07.11.1989 and promoted to engine cleaner helper on 31.12.1992 and promoted to Diesel Asstt. Driver on 22.02.2000 in which post he is at present working.
- 3.6 That the applicant No. 6 (Shri Hem Chandra Deuri) was appointed as Engine Cleaner on 06.11.1989 and promoted to Engine Cleaner Helper on 31.12.1992 and promoted to Diesel Asstt. Driver on 22.02.2000 in which post he is at present working.
- 3.7 That applicant No. 7 (Shri Haranath Saikia) was appointed as Engine Cleaner on 06.11.1989 and promoted to Engine Cleaner Helper on 31.12.1992 and promoted to Diesel Asstt. Driver on 22.02.2000 in which post he is at present working.

Savitribai Phule

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- 3.8 That applicant No. 8 (Shri Upen Deuri) was appointed as Engine Cleaner on 06.11.1989 and promoted to Engine Cleaner Helper on 31.12.1992 and promoted to Diesel Asstt. Driver on 22.02.2000 in which post he is at present working.
4. That on 14.10.2003 Divisional Railway Manager informed that 142 vacancies of Goods Driver would be filled by selection through a written test etc.

A copy of said letter dated 14.10.2003 together with the list of eligible candidates are annexed herewith and marked as Annexure – A series.

5. That the respective seniority positions of the applicants in the grade of Diesel Assistant Driver were also indicated in the letter dated 14.10.2003 which were as under:

Seniority Position

Applicant No.1	138
Applicant No.2	140
Applicant No.3	154
Applicant No.4	228
Applicant No.5	269
Applicant No.6	270
Applicant No.7	275
Applicant No.8	283

6. That the applicants were called to appear in a selection for filling up 142 vacancies of Goods Drivers in the scale of pay of Rs.5000/- to Rs.8000/-. Altogether 325 Shunters, Diesel Assistant drivers and senior Diesel Assistant Drivers of Lumding Division were called for the purpose of selection, in order of seniority vide letter dated 14.10.2003 and the prescribed syllabus for the selection was also circulated vide the said letter dtd. 14.10.2003.

Gimantak Barooah

7. That the said selection was conducted through a written test held from 15.11.2003 to 02.12.2003 at Lumding, Badarpur and New Guwahati centres followed by a supplementary selection held on 19.1.2004 at Lumding.
8. That altogether 63 candidates were selected and they were empanelled in a panel in order of seniority vide Memorandum No. F/254/1/LM (RG)/LM Lumding dtd. 31.3.2004 of the Office of the Divisional Railway Manager (P), N.F.Railway, issued under the signature of the APO/II/LMG for Civil. Rly. Manager (P), N.F.Railway.

A copy of the Memorandum No. F/254/1/LM (RG)/LM Lumding dtd. 31.3.2004 of the Office of the Divisional Railway Manager (P), N.F. Railway, issued under the signature of the APO/II/LMG for Civil.Rly. Manager (P), N.F.Railway is annexed hereto and marked as Annexure – B.

9. That the names of all the applicants figure in this panel and their relative positions in the table are shown below:

Applicant	Position in the panel
Applicant No.1	12
Applicant No.2	14
Applicant No.3	16
Applicant No.4	29
Applicant No.5	48
Applicant No.6	49
Applicant No.7	52
Applicant No.8	57

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Girish Barooh

10. That on 9.6.2004, the DME (C&W)/LMG wrote to the SSE (LOCO)/LMG, NGC and BPB regarding posting of staff as Goods Driver on Promotion intimating that the 63 candidates selected were earmarked against sheds as under :

LMG-----Total in (nos) 23

NGC-----Do 14

BPB-----Do 26

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He further wanted to know the probable date by which they may be posted as Goods Drivers on promotion subject to passing Promotional Course (training Course) and Psychological test . Further information sought for was as regards the number of staff who have already passed the aforesaid tests so that their names could be intimated to HO/MLG within a week.

A copy of the said letter dated 9.6.2004 is annexed hereto and marked as Annexure -C.

11. That all on a sudden Divisional Railway Manager vide his letter dated 13.07.2004 cancelled the posting of 63 Goods Drivers on promotion without any reason.

A copy of the said letter dated 13.7.2004 is annexed hereto and marked as Annexure -D.

12. That, the respondent authorities through a letter No. E/ 254 / I / LM (RG) / M dated 04.08.2003 from DRM (P) N.F. Railway Lumding called a group of candidate for selection of passenger drivers for filling up 64 Nos. of posts and has already empanelled the candidates successful in written test and viva-voce for promotion. The goods drivers and the passenger drivers are in the same footing in the scheme of restructuring of cadre as in both cases a reduction of percentage strength from the existing 80% to the revised 73% of the

cadre strength both for goods drivers and passenger drivers. The responding authorities by selecting a set of similarly situated servants through a selection process and omitting to give effect to the completed selection of the Applicants by promoting the other set of servants including the applicants as goods drivers are following a double standard though both the set of servants fall under the same rules.

This letter No. E / 254 / I / LM / (RG) / M dated 04.08.2003 from D.R.M. (P) N. F. Railway, Lumding is annexed here too and marked as Annexure: - E.

13. That it is stated here that the applicants are members of Group "C" staff of transportation (Power) department. The Government of India, Ministry of Railways/Railway Board issued a letter being No. RBE No. 177/2003 vide Memo No. PC-III/2003/CRC/6 dtd. New Delhi 9.10.2003 addressed to the General Managers/All Indian Railways and production Units regarding restructuring of certain group "C" and "D" Cadres. Such restructuring was undertaken with a view to strengthening and rationalizing the staffing pattern on Railways.

A copy of such letter dated 09.10.2003 along with the statement regarding restructuring of Group "C" staff of Transportation (Power) Department so far it relates to the applicants are annexed hereto and marked as Annexure: - F series.

14. That subsequent to the letter dated 9.10.2003 another letter was issued by the Director Pay Commission – II Railway Board vide No. P.C – III / 2003 / CRC / 6 dated New Delhi 06.01.2004 which was

Simanta Barooah

essentially issued in partial modification of the earlier letter dated 09.10.2003.

15. That cancellation of panel of selectees for the promotion to Goods Drivers including the applicants has been under challenge in O.A No. 182 of 2004 before this Hon'ble Tribunal. The applicants crave leave of this Hon'ble Tribunal to refer to and rely upon the said application at the time of hearing.
16. That when all the applicants were similarly situated and were expecting the outcome of the original application No. 182 of 2004 the letter No. E / 254 / I / LM / (RG) / M dated 22.12.2004 issued by APO II for DRM (P) Lumding has created a fresh situation by initiating a fresh selection for 142 No. (UR – 110, SC – 21 & ST – 11) of vacancies among which No. of vacancies the 63 No. of posts of goods drivers for which 63 candidates including the applicants were selected.

A copy of the said letter dated 22.12.2004 is annexed hereto and marked as Annexure: - G.

17. That in this fresh call letter dated 22.12.2004 (Annexure: - G) names of applicant No. 1 Sri Simanta Rajon Barooah, Applicant No. 5 Sri Ranjit Chutia and three other empanelled candidates Sri Ajoy Chanda, Sri Dipak Kr. Roy and Sri Tamal Bhattacharjee do not figure while the names of the applicants No. 2, 3 and 4 each finds a place in the same. (Annexure: - G) Although all the applicants have been all along similarly situated in respect of their eligibility for promotion as goods drivers (Now re-designated as Loco Pilot – II Goods) as proved by their previous selection since abandoned.
18. That the omission of some of the applicants and inclusion of others in the said call letter is violative of Article 16(1) of the Constitution

Gimanta Barooch

of India and it reveals an illegal attempt of the respondent authorities to frustrate the claims of the applicants. It has subjected the applicant's No. 2, 3, 4, 6, 7 & 8 to the uncertainty of a fresh selection and applicant's No. 1 and 5 to deprivation forever from promotion to the next higher grade.

19. That the fresh bid for a new selection under the said letter dated 22.12.2004 (Annexure: -G) is being taken when the matter was already subjudice under the original application No. 182 of 2004 before this Hon'ble Tribunal is in preparation by the responding authorities for totally giving the cancellation of the previous selection perpetuity.
20. That the letters by which the applicants are aggrieved are, Memo No. E/58 (training) dtd. 13.7.2004 by Sr. D.M.E. Lumding, Letter No. E/254/52/1(4)/Pt-I dtd. 16.9.2004 by General Manager (Personnel) N.F. Railway, Maligaon and also the Letter No. E/254/1/LM(RG)/M dtd. 21.9.2004 from Divisional Railway Manager (Personnel) Lumding and also letter No. E / 254 / I / LM / (RG) / M dated 22.12.2004.

VII. GROUNDS FOR RELIEF WITH LEGAL PROVISION:

- a) For that in the backdrop of such a situation this Hon'ble Tribunal will be required to adjudicate the rights of the applicants to be promoted to the post of Driver (Goods) on the following yardsticks/parameters:
 - i) Whether the selection of the applicants for promotion to the posts of Drivers (Goods) were de hors the Rules laid down and was made by authorities which had no jurisdiction to make such selection?

- ii) Whether the action of the respondent authorities in denying appointment by the respondent authorities even after due selection of the applicants can be construed as a valid exercise that can be used to initiate a fresh selection process?
- iii) Whether the respondent authorities acted within their powers in ordering the fresh selection process circumventing the Railway rule of allowing a selection panel approved by competent authorities to remain in force for the stipulated period?
- iv) Whether a call letter initiating the selection process by inviting unwillingness, if any, to participate in the selection to be intimated can be valid if it does not include names of eligible and similarly situated personnel in the feeder grade?
- v) Whether it is permissible to invade public interest by bringing about an inordinate delay in filling up the essential process concerned with the running of trains of goods driver by canceling a finalized panel of selectees having fully blossomed right in the panel would conform to principles of service jurisprudence?
- b) For that the applicants state that they were selected against vacant posts which existed on 14.10.2003 and these posts are not yet filled up though all the Loco sheds at Lumding Badarpur and New Guwahati are grossly under staffed. The 63 nos. of posts lying vacant out of the 142 posts for which the impugned letter dated 22.12.2004 (Annexure: -G) was issued can be filled up by the applicants among other selected candidates without harm to the railways.
- c) For that it is submitted that the respondents have acted quite contrary to this declared position by delaying the promotion of the applicants and taking recourse to a round about course of action in recruiting

S. Sumanth Barooh

byway of promotion to vacant posts. In Railway Board's circular dated 6.1.2004 and 24.6.2004 it has practically abandoned the straight road of promoting from ready panels existing on a particular date and seeks to resort to part use of panels valid on 1.11.2003 or on 5.1.2004 and part use of a modified selection which would surely be time consuming. It is submitted that nothing can be speedier than a ready panel in filling up vacancies.

- d) For that the applicants state that the letter dated 13/7/2004 was issued without any rhyme and reason and no reasonable explanation has been furnished in support of the cancellation of the proposed promotions. In the backdrop of such a situation the applicants are constrained to observe that the action on the part of the respondents in issuing a faulty letter to initiate a fresh selection process are totally malafide, arbitrary, unreasonable and without any jurisdiction. Such actions are purely a colourable exercise of powers and as such the impugned order is liable to be set aside and quashed. And the applicants are to be promoted in terms of their regular selection.
- e) For that the respondent authorities cannot be allowed to go on with the fresh selection process unless cogent and lawful reasons are shown for initiating the same.
- f) For that applicants no. 1 and 5 cannot be kept away from the fresh selection process by omitting their names for the list of eligible candidates in the letter dated 22.12.2004 (Annexure: - G) as that will lead to the violation of their fundamental rights under article 16(1) of the Constitution of India.
- g) For that another important aspect of the matter which cannot be lost sight of is that some of the applicants are likely to cross 45 years of

Girinath Barooah

age if in the meantime their promotions are not given effect to in as much as the maximum age for qualifying for the post of Goods Drivers is 45 years only.

- h) For that unless the operation of the letter of APO II / LMG dated 22.12.2004 (Annexure: - G) is stayed the very purpose of this application will be defeated and serious injustice and irreparable loss will be caused to the applicants. Therefore operation of the letter of APO II / LMG dated 22.12.2004 (Annexure: - G) is required to be stayed till disposal of the application.
- i) For that all the applicants are similarly situated having been required to forgo their selection for promotion and they are similarly aggrieved by the said impugned letter of APO II / LMG dated 22.12.2004. They have the same cause of action for the purpose of the present proceedings and they pray for similar reliefs. The applicants as such crave leave of this Hon'ble Tribunal to allow them to join together in a single application under rule 4 (5) (a) of the Central Administrative Tribunal (Procedure) Rules 1987.

VIII. DETAILS OF THE REMEDIES EXHAUSTED –

That the applicants No.1 appealed to DRM / P / LMG N.F. Railway for inclusion of his name in the letter of APO II for DRMP Lumding dated 22.12.2004 and pending rectification to suspend the fresh selection process on 28.12.2004 but to no avail. That applicants No., 2, 3 and 4 exhausted departmental channel of remedies went to this Hon'ble Tribunal with O.A. No. 182 of 2004 and Applicants No. 5, 6, 7 and 8 having exhausted departmental channel of remedies have come before this Hon'ble Tribunal with the present application.

IX. MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT OR TRIBUNAL

Sri Santosh Barooah

The applicants declare that the subject matters of this application with regard to the impugned order in letter No. E / 254 / I / LM (RG) / M dated 22.12.2004 are not pending before any court of law, any other authority or any other branch of the Hon'ble Tribunal.

X. RELIEFS SOUGHT:

That in the premises aforesaid the applicants pray that your Lordships may be pleased to call for the records, issue notice to the respondents to show cause as to why the impugned order under letter No. E / 254 / I / LM (RG) / M dated 22.12.2004 issued by APO II for Divisional Railway Manager (P) Lumding N.F. Railways (Annexure: - G) shall not set aside and quashed and upon hearing the parties may be pleased to set aside and quash the impugned order aforesaid or pass such further or other order(s) as your Lordship's may deem fit and proper in the facts and circumstances of the case.

XI. INTERIM ORDER IF ANY PRAYED FOR:

That the applicants pray that this Hon'ble Tribunal may be pleased to pass Interim Order to stay the operation of the impugned order issued by APO II for DRMP Lumding N.F. Railways under No. E / 254 / I / LM (RG)/ M dated 22.12.2004 till the disposal of the present application.

XII. DETAILS OF I.P.O:

No. of I.P.O 20 G 117360

Name of the issuing Post office: - G.P.O. Guwahati

Date of issuing Postal Orders:-13/1/2005

Post office at which payable: - Guwahati

XIII. LIST OF ENCLOSURES:

As per Index.

VERIFICATION

I, Sri Simanta Rajon Barooah, S/o of Late Dhiru Charan Barooah, aged about 41 years, resident of Rly. Qr. No. 1/B, East Gotanagar, Maligaon, Guwahati-11, do hereby declare and verify as under:

1. That I am the applicant No. 1 of the instant application and as such I am well aware of the facts and circumstances of the case. I am also authorized to verify this application for and on behalf of the remaining applicants.
2. That the statements made in the accompanying petition at Para 1, II, III, VI (1) (2) 4, 5, 6, 7, 8, 9, 10, 11 & 12 and are true to my knowledge and belief and those made in Paras V1 (3.1) (3.2) (3.3), (3.4) (3.5) (3.6) (3.7) (3.8) and 13 being matters of records I verily believe those to be true and the rests are my humble submissions before the Hon'ble Tribunal

And in verification whereof, I sign this verification today
dtd. 13-1-2005 at Guwahati.

Simanta Barooah
Signature

Northeast Frontier Railway

Office of the
Divl. Railway Manager,
N.F. Railway, Lumding,

NO.E/254/1/LM(RG)/M

Date : 14-10-2003

To,

SSE (Loco)/LMG, NGC & BPB.

Sub :- Selection for the post of Goods Driver in Scale
of 5000 - 8000/-.

In order to fill up 142 vacancies of Goods Drivers in Scale
Rs.5000 - 8000/- it has been decided to hold a selection (Written)
to form a panel of 142 (UR-110, SC- 21 & ST-11) candidates.

Syllabus of the above selection is appended :

- 1) The ability of Read & Write, simple memos and application etc.
- 2) Knowledge of trouble shooting operation and working of Diesel Stream Locomotives.
- 3) Knowledge of relevant portion of general rules. Operation manual, Block working, Manual and drivers hand books.
- 4) Simple calculation to be done by Drivers about matters like Diesel/ Coal accountal speed of trains etc.
- 5) Elementary general knowledge about Railways.

Accordingly all the eligible candidates as per list attached
should be advised to keep themselves in readiness to appear in the said
selection at short notice.

It is to be ensured that if any one in the list is unwilling to
appear in the said selection in written unwilling declaration may be
obtained and sent to this office by 31-10-2003.

The empanelled candidates are eligible for promotion as Goods
Driver only after they are found suitable in the Psychological test
and prescribed promotional course training.

Enclo :- List of eligible candidates,

ANNEXURE - A & B.

APO/H/LMG
for Divl Railway Manager (P)
N.F. Railway, Lumding.

Copy forwarded for information and
necessary action to :-

- 1) DME (ICY)/LMG
- 2) DME (P)/LMG. He is required to organise pre-selection training coaching for at least 7 days to SC & ST candidates well in advance before the selection is held.
- 3) COS (Mech) at Office.
- 4) CPRC/LMG, BPB & GHY. They should repay the above notification over phone to the respective SSEs (Loco) incharge.
- 5) ADMENGC, BPB & LMG.
- 6) SSE (Loco)/NGC, LMG & BPB. They will please get it noted by all the staff concerned as per list attached.

Certified to be True Copy
Barah
Moye
Advocate

for Divl. Railway Manager (P)
N.F. Railway, Maligaon.

Annexure A.

LIST OF ELIGIBLE HUNTERS IN ORDER OF SENIORITY.

SN	Name	Community	Design. & Stn.
1)	Shri		
1)	Niranjan Majumder	UR	Hunter/LMC
2)	Padma Ram Boro	ST	-do-/NGC
3)	P.K. Basumatary	ST	-do-/NGC
4)	Md. Abdul Roof (I)	UR	-do-/BPB
5)	N.C. Dutta	UR	-do-/LMC
6)	Bijoy Kr. Das	SC	-do-/BPB
7)	Himal Ch. Das	UR	-do-/BPB
8)	M.N. Sengupta	UR	-do-/LMC
9)	Rajendra Ch. H. Ishak	UR	-do-/BPE
10)	Md. Abdul Malik	UR	-do-/BFB
11)	N.G. Bhownick	UR	-do-/LMC
12)	R.P. Sen	UR	-do-/LMC
13)	Abinash Ch. Das	UR	-do-/BPB
14)	Md. Abdul Zabbar	UR	-do-/LMC
15)	Suniti Ram Boro	ST	-do-/LMC
16)	N.K. Roy	UR	-do-/LMC
17)	William D. Costa	UR	-do-/BPB
18)	Prasanta Kr. Roy	UR	-do-/LMC
19)	Gantosh Kr. Das	UR	-do-/LMC
20)	Rup Kanta Das	SC	-do-/LMC
21)	L. Palaiya	UR	-do-/LMC
22)	Umesh Ch. Das	SC	-do-/NGC
23)	Praneswar Malakar	SC	-do-/LMC

1. *Ch. Das*
2. *Ch. Das*

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Annexure-B.

List of eligible Sr.DADS & DADS in scale Rs.4000-6000/- and
Rs.3050-4500/- in order of seniority.

Sl. No.	Name.	Design. & Station.	Co-Community.	Remarks.	
				1	2

Serial.

1	Rabindra Ch.Das	"BPG	SC	No. - Shunter.	
2	R K Sankie.	"LMG	SC		
3	Pramoda Ch	"BPG	UR	No. - Shunter.	
	Chakrabarty.				
4	M C Deb Barman	"BPG	ST		
5	P N Deb Barman	"BPG	ST		
6	P S Deukeraja.	"LMG	ST		
7	H C Bordoloi.	"NGC	ST	New Shunter	
8	Nibaran Ch Dey.	"BPG	UR		
9	Ruprem Hira.	"LMG	SC		
10	G L Bhat.	"BPG	UR		
11	Kenchi Lal Das.	Sr.DAD/BPG	UR		
12	Ruprem Hazarika.	"NGC	UR		
13	M N Kanta.	"CPK	UR		
14	Sukleswar Bora.	"CPK	UR		
15	Baden Ch.Bordoloi	DAD/LMG	UR		
16	Sunil Ch.Mall.	Sr.DAD/LMG	SC	New Shunter.	
17	Dillip Kr.Das	"BPG	SC		
18	P C Deall).	"NGC	UR		
19	Tejya Ram Basu	"NGC	UR		
20	P C Peter.	"NGC	ST	New Shunter	
21	Mani Nath Kumar	"NGC	UR		
22	Alkash Ali.	"NGC	UR		
23	Mokbul Hussain.	"NGC	UR		
24	Sehri Uddin Ahmed	"NGC	UR		
25	C R Panthya	"NGC	UR	New Shunter	
26	Sauranga Ch.Das	"NGC	UR		
27	Babul Ch.Das	"NGC	SC		
28	Talsoner Ali.	"NGC	UR		
29	D C Laphong.	"NGC	ST		
30	H Bordoloi.	"NGC	ST	New Shunter.	
31	N C Kachari.	"NGC	ST		
32	Chandreswar Kato.	"NGC	UR		
33	Raniesh Mohan Das	"BPG	SC		
34	C L Rabidas.	"BPG	SC		
35	Sambhu Ram Das	"NGC	UR		
36	Antara Ram Kalita	"NGC	UR		
37	Rahin Ch.Das.	Sr.DAD/NGC	SC		
38	Tarun Ch.Basu	"NGC	UR		
39	K K Thakura	"NGC	UR		
40	Hari Kanta Konwar	"NGC	ST		
41	Harmal Kanta	"NGC	ST		
	Konwar.				
42	Mehtab Ali	"NGC	UR		
43	Sonu Ch.Basu	"NGC	UR		
44	Bengashwar Das	"NGC	UR		
45	Subhas Ch.Das	"BPG	SC		

T. 541

46 Mono Ranjan Dey	"BPP	UR
47 Lalit Ch.Das.	DAD:NGC	UR
48 Ananda Ch.Roy	"LMG	SC
49 Niranjan Singh	"CPK	UR
50 Balun Kr.Nath	"CPK	UR
51 Kanak Patra	"LMG	ST. 51
52 Bhadreswar Thakuria	"NGC	UR
53 Rabindra Nath Dey	"LMG	UR
54 Kiron Ch.Kalita	"LMG	UR
55 Pradip Kr.Nath (I)	"LMG	UR
56 Dilip Ghose	"BPP	UR
57 Jagadish Ch.Das	"BPS	UR
58 Biman Ch.Banerjee	"CPK	SC
59 P.Senayati	"LMG	UR
60 Bhupen Hazarika	"BPP	UR
61 Atul Ch.Banik	"BPP	UR
62 Mani Ram Hazarika	DAD:NGC	UR
63 Amir Ali	"NGC	UR
64 Mahadev Salkia	"NGC	UR
65 Herendra Ch. Majumdar	"NGC	UR
66 Ganjen Ch.Das	DAD/LMG	UR
67 B.C.Laskar	"NGC	UR
68 Mahendra Kalita	"NGC	UR
69 Ghaben Ch.Das	"NGC	SC
70 A.C.Basumatary	"NGC	ST
71 Abdul Jallil	"BPP	UR
72 S.K.Dasgupta	"BPP	UR
73 P.K.Goswami	"LMG	UR
74 Rajendra Prasad	"NGC	SC
75 Nagendra Ch. Malakar	"BPP	SC
76 Bipin Ch.Das	"NGC	UR
77 Purush Ch.Chanda	"BPP	UR
78 Dinesh Ch.Kulmar	"NGC	UR
79 Pradip Ch.Deb (II)	"LMG	UR
80 Mrinal Chakraborty	"LMG	UR
81 Tapan Kr.Chakraborty	"BPP	UR
82 Sekend Ch. Bordoloi	"LMG	UR
83 Krishna Majumdar	"NGC	UR
84 Sudhangshu Kr.Das	"BFD	UR
85 Lubin Sutradher	"LMG	SC
86 Mritunjoy Das	"NGC	UR
87 Dilip Kr.Dey	"NGC	UR
88 Mahendra Nath Das	"LMG	SC
89 Bhagaban Ch.Maloi	"NGC	UR
90 Hiran Ch.Das	"CPK	SC
91 Uday Ch.Kalita	"NGC	UR
92 Anil Ch.Banerjee	"CPK	SC
93 Mani Ram Kalita	"NGC	UR
94 Rekhal Ch.Majumdar	DAD:BPP	UR
95 Dharani K.L.Bordoloi	"CPK	UR
96 Pranab Kr.Dey	DAD:BPP	UR
97 Pradip Kr.Senapati	"CPK	UR
98 Narayan Barua	"LMG	UR
99 Kajal Ch.Naha	"LMG	UR

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100 Keshab Ch.Das	WBPB	SC
101 Basudav Das	WNCG	SC
102 Ram Ch.Das	WBPB	SC
103 Bhajan Ch.Dey	WBPB	UR
104 Mukul Ranjan Das	WBFB	UR
105 Subir Ch.Nath	WBPE	UR
106 Shankar Kr.Barua	WBFD	UR
107 Mohit Ch.Bora	WLMG	UR
108 Abhijit Chakraborty	WLMG	UR
109 Narayan Kr.Ghose	WBFB	UR
110 Moti Ram Bordoloi	WBFB	UR
111 Sujit Majumder	WBPR	UR
112 Chittor Ran.Das	WBPA	SC
113 Gopal Ch.Das	WCPK	SC
114 Manik Ch.Das (I)	WLMG	SC
115 Arun Ch.Bordoloi	WLMG	ST
116 Narayan Ch.Das(III)	WLMG	SC
117 Dipak Kr.Dey	WLMG	UR
118 Subhas Ch.Dey(II)	WLMG	UR
119 Subir Das	WLMG	UR
120 J.K.Bhowmick	WLMG	UR
121 M.B.Biswas	WLMG	UR
122 Runu Ch.Dey	WLMG	UR
123 Babul Ch.Debnath	WLMG	UR
124 Ratan Deb	WLMG	UR
125 Chandan Bhowmick	WLMG	UR
126 Dhanya Ranjan Dey	DADWLMG	UR
127 R.P.Uparhyay	WBFB	UR
128 Jhantu Das	WBFB	UR
129 Dilip Kr.Paul	WBFB	UR
130 Som Nath Gogoi	DADWLMG	UR
131 Ashok Kr.Sarker(II)	WLMG	UR
132 Ganesh Ch.Dey	WBFB	UR
133 Seshan Ch.Das	WLMG	UR
134 A.Tata Rao	WLMG	SC
135 Kurlick Ch.Ghose	WBFB	UR
136 B.B.Paul Chowdhury	WNCG	UR
137 Bharat Ch.Malaker	WLMG	SC
138 Simanta Ran.Barua,	WNCG	UR
139 Moton Bhowmick	WBFB	UR
140 Gopi Goswami	WNCG	UR
141 Lal Singh Nath	WLMG	UR
142 S.K.Bhowmick	WLMG	UR
143 Dulal Ch.Dey	WBFB	UR
144 Moti Ram Bordoloi	WLMG	ST
145 Ranjan Ganguly	WBFB	UR
146 Ranjit Kr.Das (II)	WBFB	UR
147 Aswini Kr.Laskar	WLMG	UR
148 Ranjit Kr.Dey	WLMG	UR
149 Santosh Kr.Biswas	WBFB	UR
150 Kajal Kanai Dey	WLMG	UR
151 Bhantanjoy Biswas	WLMG	UR
152 Bholu Nath Sarker	WLMG	UR
153 Prabli Ch.Roy	DADWBFB	UR
154 Dipak Ch.Sengupta	WNCG	UR
155 Suryananda Nath	WLMG	UR
156 Narayan Ch.Dey(I)	WLMG	UR
157 A.K.Bora	WCPK	UR
158 Abir Ch.Medhi	WLMG	UR
159 Bhagirathi Kr.Dey	WCPK	UR
160 Swapna Kr.Das(I)	WBFB	UR
161 Swapna Kr.Dey	DADWBFB	UR

162 Debashish Bhownick	"LMP	UR
163 Kanu Chowdhury	"LMG	UR
164 Benoy Dey	"LMG	UR
165 Dilip Kr.Boro	"NGC	UR
166 Swapnil Ch.Barker	"LMP	UR
167 Pranab Kr.Das	"BPB	UR
168 Kartick Ch.Dey	"NGC	UR
169 Swapnil Kr.Das(II)	"BPB	UR
170 Dipak Ch.Debnath	"LMG	UR
171 Pradip Ch.Malakar	"LMG	UR
172 Manik Ch.Das (II)	"LMG	UR
173 Nalan Chakraborty	"BPB	UR
174 Swapnil Das (III)	"LMG	UR
175 Haladhar Deka	"NGC	UR
176 Prafulla Banerjee	"NGC	SC
177 N.R.Phongchoo	"NGC	ST
178 Subhas Ch.Sherma	"NGC	UR
179 Ujjal Kr.Sengupta	"LMG	UR
✓180 Pradip Dasgupta	"NGC	UR
181 Pradip Kr.Nathill	"LMG	UR
182 Gauram Chowdhury	"LMG	UR
183 Dipak Kr.Chowdhury	DAD/LMG	UR
184 Charujan Chakraborty	"LMG	UR
185 Amal Dey	"LMG	UR
186 Babul Ch.Deb	"LMG	UR
187 Dipak Kr.Dey	"BPB	UR
188 Sribash Ch.Dey	"LMG	UR
189 Partha Sreethil	"LMG	UR
Shattacherjee		
190 Thaneswar Nath	"NGC	UR
191 Upen Ch.Rajbanshi	"NGC	UR
192 Narayan Ch.Das(II)	"NGC	SC
193 Swapnil Ch.Dey(I)	"LMG	UR
194 Bimal Debnath	"BPB	UR
195 Chabi Lal Joshi	"LMG	UR
196 Jagadish Nandy	DAD/BPB	UR
197 Kartick Chakraborty	DAD/BPB	UR
198 Babulal Nath	"BPB	UR
199 Bidyut Dutta	"BPB	UR
200 K.B.Cheti	"NGC	UR
201 Sam Singh Gurung	"LMG	UR
202 Bhutan Kr.Das	"NGC	SC
203 Jugal Chowdhury	"LMG	UR
204 Manik Ch.Dey	"LMG	UR
205 Biman Ch.Boro	"NGC	ST
206 Golya Narayan	"BPB	UR
Holowan		
207 Nanda Bahadur	"BPB	UR
Chettri		
208 Bikash Barker	"NGC	UR
209 Swapnil Ch.Dey (II)	"LMG	UR
210 Nobendu Chakraborty	"BPB	UR
Chakraborty		
211 Samir Majumder	DAD/LMG	UR
212 Dilip D.Senath	"LMG	UR
213 Shyamal Biswas	"LMG	UR
214 Sudhir Dhar	"LMG	UR
215 Phanindhar Nath	"BPB	UR
216 Manik Bordhan	"BPB	UR
217 Ajay Chanda	"NGC	UR
218 Haresvar Das	"NGC	SC
219 Surjanda Ch.	"NGC	SC
Hazarika		

220	Mantosh Chowdhury	"BPB	UR
221	Cheni Nam Kaitangshi	"NGC	UR
222	Gulash Ch.Nath	"NGC	UR
223	Amulya Sharma	"NGC	UR
224	Monoj Kr Roy	"BPB	UR
225	G.Baran Roy	"LMG	UR
226	Sukal Kr.Das	"BPP	UR
227	Sachindra Soncupa	"NGC	UR
228	Yankat Rauta	"NGC	SC
229	Aji Baise	"NGC	UR
230	Prabir Kr Majumder	"NGC	UR
231	Ajit Kr.Biswas	"NGC	UR
232	Nanda Kr.Rajak	"LMG	SC
233	Upendra Das	"BPB	SC
234	Kalu Bhattacharjee	"BPB	SC
235	Pradip Kr.Das	"LMG	SC
236	Balan Kuri	"LMG	SC
237	Ranendra Ch.Das	"BPB	SC
238	Kanuha Kr.Das	"BPP	SC
239	Swapan Dey	"BPP	UR
240	Kajal Majumder	"LMG	UR
241	Narayan Debnath	DAD/BPB	UR
242	Harech Balthi	"BPB	UR
243	Adhir Chakraborty	"LMG	UR
244	Narayan Dutta	"BPP	UR
245	Kamal Majumder	"BPR	UR
246	Santosh Kr.Dey	"BPP	UR
247	Amar Ch.Deb	"BPS	UR
248	Nirmalendu Das	"BPP	UR
249	Jenordhan Singh	"LMG	SC
250	Sampat Bhowmick	"LMG	UR
251	Dhruba Rn.Dutta	"BPP	UR
252	Sumath Debnath	"LMG	UR
253	Uttom Berdhan	"BPS	UR
254	Pratap Ch.Das	"BPP	SC
255	Narayan Ch.Debnath	"NGC	UR
256	Chanker Chakraborty	"NGC	UR
257	Chakramoni Mushahary	"BPE	ST
258	Pobitro Hazong	"NGC	ST
259	Ajk Malik	"LMG	SC
260	Brun Ch.Rava	"BPP	ST
261	Munindra Rava	"NGC	ST
262	Bedal Ch.Roy	"BPP	SC
263	Swapan Kr.Das(VI)	"BPP	UR
264	Adhir Talukdar	"BPP	UR
265	Dulal Ch.Das (II)	"LMG	UR
266	Kamala Kr.Haloi	DAD/NGC	SC
267	Cipuk Kr.Roy	"LMG	UR
268	Mukheshwar Seikia	"LMG	ST
269	Ranjit Chulia	"NGC	UR
270	Hem Ch.Das	"NGC	ST
271	Purna Kr.Gogoi	DAD/LMG	UR
272	Pradip Ch.Bordoloi	"NGC	ST
273	Benir Ch.Majumder	"BPP	SC
274	Sahit Kr.Borun	"LMG	ST
275	Hara Nath Seikia	"NGC	UR
276	Tamal Bhattacharjee	"LMG	UR
277	Surendra Kongpi	"LMG	ST
278	Karuna Kr.Brahma	"NGC	ST
279	Ritup Kr.Barmish	"BPP	ST

280 Maheswar Saikia	"LMG	ST	
281 Ajay Kr. Dutta	"BPR	UR	
282 Pradip Saikia (II)	"LMG	ST	
283 Open Deori	"NGC	ST	
284 Kanak Ch. Deka	"NGC	UR	
285 Pradip Kr. Dutta	DAD/LMG	UR	
286 Joydeb Ch. Das	"LMG	SC	
287 Mantu Neog	"LMG	ST	
288 Nandaswar Saikia	"	ST	
289 Gunn Saikia	"LMG	ST	
290 Jiben Saikia	"LMG	ST	
291 Subhash Malekar	"LMG	SC	
292 Jayanta Kr. Deori	"LMG	SI	
293 Suryajit Senopati	DAD/BPR	ST	
294 Meenul Islam	"NGC	UR	
295 Dulowar Saikia	"LMG	SI	
296 Phulon Ch. Deori	"LMG	SI	
297 Tankeeswar Tai	"LMG	SI	
298 Hampur Deori	"LMG	SI	
299 D C Khound	"LMG	UR	Seniority will recast after expiry of punishment
300 Chandan Majumder	DAD/BPB	UR	Seniority will recast after expiry of punishment.
301 Romeoconkar Singh	DAD/BPB	UR	Seniority will recast after expiry of punishment.
302 Ranjit Berman	DAD/NGC	UR	Seniority will recast after expiry of punishment

ANNEXURE - B

N.E.Railway
Memorandum

Office of the
Divl.Rly.Manager (P)
Lumding.Dated: 31-3-04

In the selection to the post of Driver (Goods) in scale Rs. 5000-8000/- was held on 15.11.03 to 2.12.03 at LMG,BPH and NGC simultaneously and followed by supplementary selection held on 19.1.04 at LMG. The following 63 (sixty three) candidates have been selected and placed in the panel and their names are arranged in order of seniority

Sl. No.	Name	Designation/Stu.	Category
1	Shri Harun Kr. Nigul	DAD/BPB	UR
2	Shri Dilip Ghose	DAD/BPB	UR
3	Shri Rekha Chandu Majundar	DAD/BPB	UR
4	Shri Subash Ch.Dey (II)	DAD/LMG	UR
5	Shri Subit Dey	DAD/LMG	UR
6	Shri Runu Ch.Dey	DAD/LMG	UR
7	Shri Ratan Deb	DAD/LMG	UR
8	Shri Chandan Bhownick	DAD/LMG	UR
9	Shri Dhama Ranjan Dey	DAD/LMG	UR
10	Shri Dilip Kr.Paul	DAD/BPH	UR
11	Shri Bhataj Ch.Mulakar	DAD/LMG	UR
12	Shri Simanta Ran Barua	DAD/NGC	UR
13	Shri Kalyan Bhattacharjee	DAD/BPB	UR
14	Shri Gopi Goswami	DAD/NGC	UR
15	Shri Ranjit Kr.Das (II)	DAD/BPB	UR
16	Shri Dinal Ch.Sengupta	DAD/NGC	UR
17	Shri Pranab Kr.Das	DAD/BPB	UR
18	Shri Ratan Chakraborty	DAD/BPB	UR
19	Shri Swapna Das (III)	DAD/LMG	UR
20	Shri Pradip Dasgupta	DAD/NGC	UR
21	Shri Pradipt Kr.Nath (II)	DAD/LMG	UR
22	Shri Dipak Kr.Chowdhury	DAD/LMG	UR
23	Shri Sribash Ch.Dey	DAD/LMG	UR
24	Shri Jagadish Nandy	DAD/BPB	UR
25	Shri Kartick Chakraborty	DAD/BPB	UR
26	Shri Bidyut Datta	DAD/BPB	UR
27	Shri Dilip Debnath	DAD/LMG	UR
28	Shri Ajoy Chaita	DAD/NGC	UR
29	Shri Yankal Ranona	DAD/NGC	SC
30	Shri Ajit Kr.Biswas	DAD/NGC	UR
31	Shri Kulu Bhownick	DAD/BPB	SC
32	Shri Pradip Kr.Das	DAD/LMG	SC
33	Shri Karuna Kr.Das	DAD/BPB	SC
	Shri Narayan Debnath	DAD/BPB	UR

Contd... 2

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Maya Barah
Advocate

Page No. 7

Sl. No.	Name	Designation/Stn.	Caste
35	Shri Anjan Chakraborty	DAD/LMG	UR
36	Shri Narayan Dutta	DAD/BPB	UR
37	Shri Kaunil Majumder	DAD/BPB	UR
38	Shri Santosh K.L.Dey	DAD/BPB	UR
39	Shri Nirmalendu Das	DAD/BPB	UR
40	Shri Jonardhan Singh	DAD/LMG	SC
41	Shri Dhuuba Kr.Dutta	DAD/BPB	UR
42	Shri Uttam Barman	DAD/BPB	UR
43	Shri Ajit Mallick	DAD/LMG	SC
44	Shri Barun Ch.Rava	DAD/BPB	ST
45	Shri Badal Ch.Roy	DAD/BPB	SC
46	Shri Kamala Kt. Taloi	DAD/NGC	SC
47	Shri Dipak Kr.Roy	DAD/LMG	SC
48	Shri Ranjit Chutia	DAD/NGC	UR
49	Shri Hem Ch.Drown	DAD/NGC	UR
50	Shri Prudip Kr.Bordoloi	DAD/NGC	ST
51	Shri Samir Ch.Majumder	DAD/BPB	SC
52	Shri Hem Nath Saikia	DAD/NGC	UR
53	Shri Tamal Bhattacharya	DAD/LMG	UR
54	Shri Karunia Kr.Brahma	DAD/NGC	ST
55	Shri Rantu Kr.Barnian	DAD/BPB	ST
56	Shri Ajay Kr.Dutta	DAD/BPB	UR
57	Shri Upen Deori	DAD/NGC	ST
58	Shri Pradip Kr.Dutta	DAD/LMG	UR
59	Shri Joydeb Ch.Das	DAD/LMG	SC
60	Shri Nandeswar Saikia	DAD/LMG	ST
61	Shri Guna Saikia	DAD/LMG	ST
62	Shri Jiban Saikia	DAD/LMG	ST
63	Shri Satyajit Senapati	DAD/BPB	UR

The promotion to the post of Goods Driver for the above candidate subject to their passing in Physiological test, Diesel Driver Promotional course etc. as prescribed.

The above panel has been approved by ADRM/LMG on 31.3.04

(N.B. B. 2)

APPENDIX

for Div. II. Ry. Manager (P).

N.F.Railway Laundry.

CHILO...3-

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Page No 3

MO-E/254/1/LM(RG)/LM Lumbering Did: 31/03/04.

Copy forwarded for information and r/action to:-

- 1) GM/MLG
- 2) COPSO/MLG
- 3) CMPE/MLG
- 4) SCOR/GyMLG in triplicate for publication in the fortnightly Gazette of N.E.Railway
- 5) Sr.DMFLC/MLG
- 6) DMFLP/MLG
- 7) COS (Mech)/MLG
- 8) ADMIE/NCC,BPB, LMG
- 9) CPRC/MLG,BPB
- 10) Convenor/NFRMU/MLG
- 11) Divil. Secy.NFREU/MLG
- 12) SSE/loco/MLG,BPB, NBGC in triplicate, they will please get it noted by the concerned staff. They are also advised to take necessary step as per procedure as mentioned above.
- 13) Jr. Scientific Officer /MLG for information please. He is requested to conduct necessary psychologized test for the eligible staff as mentioned above which is mandatory prior to effect of promotion.
- 14) COS(Mech)/MLG
- 15) Scopy for P/case.

(N.E.R.D.S.)
APOM/Lumbering.
for Divil. Rly. Manager(P)
N.E.Railway, Lumbering.

Passenger carriage

ANNEXURE - C

H.Q.RAILWAY

27/6

NO. G/50 (Training)

Office of the
DGM (A)/Luring,
Dated: 09.06.2004

TO

SSB (Loco)/LMG, NGC & BPB,

Sub :- Posting of staff as Goods Drivers
on Promotion.

Vide DGM (A)/LMG's Memorandum No. A/254/1/LM (RG)/LM,
Dated: 31.03.2004 total 63 Nos. of DADs have been declared
fit in the recent selection of Goods Driver.

Accordingly, the selected candidates against sheds
are as follows

LMG - Total in (No.s) 23

NGC - " (No.s) 14

BPB - " (No.s) 26

63

Please let this office know the probable date by
which they may be posted as Goods Drivers on promotion
subject to passing Promotional Course (Training Course) and
Psychological Test which are mandatory to effect of their
promotion.

Also the information regarding nos. of staff who
have already passed the Promotional / Training Course should be
given immediately so that the same may be intimated in A/254/1/LM
within a week, as desired.

This should be treated as most urgent.

S. D.

DGM (Cau)/LMG

Copy to :- ADMR/NGC & BPO for information and necessary action
mentioning as most urgent.

//

DGM (Cau)/LMG

Certified to be True Copy
Maya Borah
Advocate

150
ANNEXURE - G.D

N.F.RAILWAY

63
29
No.E/58 (Training)

Office of the
Divl. Rly. Manager (Mech)
Lumding.

Date: 13.7.2004

To,

SSE/LOCO/LMG, NGC & BPB

Sub: Posting of staff as Goods Driver on promotion.

Re: This office letter of even No. dtd. 9.6.04.

.....

Please refer to this office letter of even No. dtd. 9.6.04 regarding "Posting of DAD as Goods Driver on promotion" may please be treated as "CANCELLED".

Sr. DME/LMG

Copy to: ADME/NGC & BPB for information in reference to this office letter No. cited above.

Sr. DME/LMG

Certified to be True Copy
Naya Barah
Advocate

S.S.E (Loco)/NOC

51

Northeast Frontier Railway

Office of the
Divl.Railway Manager(P)
N.F.Railway,Lumding

No.E/254/1/LM(RG)/M

Date 04-08-2003.

To
SSE(Loco)/LMG,NOC & RPB.

**Sub :- Selection for the post of Passenger Driver
in scale Rs.5500-9000/-.**

It has been decided to hold a selection for the post of Passenger Driver in scale Rs.5500-9000/- with short notice to form a panel of 64 candidates (UR-49,SC-10 & ST-05). 64

The selection will be held on the basis of a written test followed by Viva-Voce test.

Syllabus for the selection:-

- 1) The ability to read and write simple memos and application etc.
- 2) Knowledge of trouble shooting operation and working of diesel locomotives.
- 3) Knowledge of relevant portion of general rules, operation manual, block working manual and drivers hand book.
- 4) Simple calculation to be done by drivers about matters like, Diesel/economical speed of train etc.
- 5) Elementary general knowledge about Railways.

List of eligible candidates is enclosed in Annexure-'A' and they should be advised to keep themselves in readiness to appear in the selection on short notice. It should be ensured that none of the senior most is left out from the list. In the event of any omission whatever, this should be brought to the notice of this office immediately for verification. The declaration of the unwilling candidate for the above selection if any should be sent to this office latest by 18-8-2003.

The empanelled candidates are eligible for promotion as Passenger Driver on their being passed in the promotional training course.

The matter should be treated as most urgent and be given wide publicity among the staff concerned without fail.

The staff concerned who are on leave/sick etc. should be intimated at their present address.

Enclo :- One list.

Certified to be True Copy
Maya Barah
Advocate

for Divl.Railway Manager(P)
N.F.Railway,Lumding

55

P.No 2

Copy forwarded for information and necessary action to :-

- 1) DME(Lc)/LMG.
- 2) DME(P)/LMG. He is requested to organize pre-promotional training/coaching for atleast 7 days to SC and ST candidates well in advance before the selection is held.
- 3) ADME/NGC, LMG & BPB.
- 4) COS(Mech)/LMG.
- 5) CPRC/LMG,BPB & GHY will please co-ordinate with their concerning Loco in charges for sparing of staff for the above selection.

CPRC/LMG will relay the matter to the respective SSEs over phone by first available opportunity.

for Divl.Railway Manager (P)
N.E.Railway,Lumding

16/8/03 - (6/11/2003)

dluv3803

**LIST OF ELIGIBLE CANDIDATES TO APPEAR IN THE SELECTION
OF PASSENGER DRIVER IN SCALE RS.5500-9000/- ARE SHOWN
IN ORDER OF SENIORITY.**

SN.	Name.	Caste or Community.	Designation & Station.	Remarks.
1	2	3	4	5

S/ Shri

1.	B.S.Rangpi,	UR	Goods Driver/NGC.	
2.	Ranjit Ch.Dey,	UR	-do-/LMG.	
3.	Kajal Ch.Dey,	UR	-do-/LMG.	
4.	Mani Lal Datta,	UR	-do-/BFB.	
5.	Manilal Majumder,	UR	-do-/LMG.	
6.	Mono Ranjan Das(I),	SC	-do-/LMG.	
7.	Khargeswar Ray,	ST	-do-/NGC.	
8.	Thaneswar Kalita,	UR	-do-/NGC.	
9.	Biswanath Das (II),	UR	-do-/LMG.	
10.	Sushil Kr.Das,	UR	-do-/BFB.	
11.	Atul Ch.Bordoloi,	ST	-do-/CPK.	
12.	S.M.Micha,	UR	-do-/NGC.	
13.	Nilu Das Gupta,	UR	-do-/NGC.	
14.	S.R.Chakraborty,	UR	-do-/LMG.	
15.	G.C.Dey (II),	UR	-do-/LMG.	
16.	Nemai Majumder,	UR	-do-/LMG.	
17.	Sitangshu Ra. Das,	SC	-do-/BFB.	
18.	Sallendra Ch.Das,	UR	-do-/BFB.	
19.	Jain Uddin,	UR	-do-/ CPK CPK.	
20.	M.C.Senapati,	ST	-do-/NGC.	
21.	Narayan Nuni,	UR	-do-/BFB.	
22.	Ranjit Kr.Roy	UR	-do-/BFB.	
23.	Alok Kr.Sarker	UR	-do-/BFB.	
24.	Jagadish Ch.Roy,	UR	G/Dr./BFB.	
25.	Parimal Ch.Das,	UR	-do-/BFB.	
26.	Dulal Chakraborty,	UR	-do-/BFB.	
27.	T.K.Ghose,	UR	-do-/LMG.	
28.	Rajibuddin Ahmed,	UR	-do-/LMG	
29.	Sashadhar Das,	SC	-do-/BFB.	
30.	B.P.Rabidas,	SC	-do-/LMG.	
31.	Nila Kanta Das,	SC	-do-/NGC.	
32.	Bimal Ch.Dey,	UR	-do-/BFB.	
33.	Sitanath Nath,	UR	-do-/LMG	
34.	Manik Ch.Naha,	UR	-do-/LMG.	
35.	Bidhan Ch.Deb,	UR	-do-/BFB.	
36.	Hemeshwar Hira,	SC	-do-/LMG.	
37.	Sudhir Ra.Das,	SC	-do-/LMG.	
38.	T.C.Das,	UR	-do-/BFB.	
39.	Nakul Ch.Malakar,	SC	-do-/BFB.	
40.	Jagadish Ch.Paul,	UR	-do-/BFB.	
41.	Atul Ch.Das,	UR	-do-/LMG.	
42.	D.P.Dhar Roy,	UR	-do-/LMG.	
43.	Sankar Chakla,	UR	-do-/BFB.	

P.No 2

44	Himangshu Malakar	SC	GD/C/BPB.	
45	Abdul Mezid Ali,	UR	-do-NGC	Working as PRC/MLG as Drafty.
46	Nikhil Ch Das.	UR	-do-LMG	
47	Paresh Ch Das (I).	UR	-do-NGC	
48	Bidit Ch. Bhattacharjee,	UR	-do-BPB	Working as PRC/BPB as Drafty
49	Dilip Chaudhary Sharma,	UR	-do-LMG	
50	Cyril Gomes.	UR	-do-BPB	
51	Amalendu Bhattacharjee,	UR	-do-BPB	
52	Dharani Dhar Das.	ST	-do-NGC	
53	B.B.Sen Gupta,	UR	-do-NGC	
54	Gopendra Ch Das.	SC	-do-BPB	
55	Bijoy Kr. Mank.	ST	-do-NGC	
56	R.D.Pandey,	UR	-do-NGC	
57	Surendra Ch. Das,	SC	-do-BPB	
58	Reazul Hussain,	UR	C-Div/LMG	
59	Sankar Ch.Dey,	UR	-do-BPB	
60	D.D.Costa	UR	-do-BPB	
61	S.B.Chakraborty,	UR	-do-BPB	
62	Promode Baromotry,	SP	-do-NGC	
63	Ranijit Chowdhury,	UR	-do-LMG	
64	Dilip Kr.Sharma	UR	-do-LMG	Working as CC/LMG as Drafty.
65	Madan Ch Das,	UR	-do-NGC	
66	Paritosh Das Gupta,	UR	-do-BPB	Working as PRC/MLG as Drafty
67	Yousuf Ali,	UR	-do-BPB	
68	Bhabatosh Sarkar,	UR	-do-BPB	
69	Dulal Ch.Sarkar,	UR	-do-LMG	
70	Sadhan Ch.Dey,	UR	-do-BPB	
71	Sambhu Kr.Dey.	UR	-do-NGC	Under reversion as Shunter for a period of 1 year. Date of expiry 29-11-03.
72	Santosh Ch.Dey.	UR	-do-LMG	
73	Santi Ran Chakraborty,	UR	-do-BPB	
74	Kamal Majumder,	UR	-do-LMG	
75	Ashu Mohan Ghose.	UR	-do-BPB	
76	Sankar Bhowmick,	UR	-do-LMG	Under reversion as Shunter for a period of 3 Yrs. with loss of seniority. Date of expiry 19-1-2004.
77	Partha Sarathi Dutta	UR	-do-BPB	Working as PRC/BPB as Drafty.
78	Mihin Chowdhury.	UR	-do-BPB	
79	Bhutan Ch.Singh.	UR	-do-NGC	Working as PRC/MLG as Drafty.
80	Saladullah Seikh,	UR	-do-NGC	
81	Hriday Lal Sharma,	UR	-do-NGC	
82	Babul Ch.Das,	SC	-do-BPB	
83	P.B.Rakshit	UR	-do-BPB	
84	Biren Ch.Kalita,	UR	-do-NGC	
85	Pradip Sen Gupta,	UR	-do-BPB	
86	Surat Kr.Das.	SC	-do-BPB	
87	L.C.Manta	ST	-do-LMG	
88	Bipul Lalong,	ST	-do-LMG	
89	Tapon Kr.Majumder,	UR	-do-BPB	
90	A.L.Biswas,	UR	-do-BPB	
91	Bijon Biswas,	UR	-do-BPB	
92	J.M.Das,	UR	-do-LMG	

93	R.P.Aich.	UR	-do-/LMG.	Working as PRCLMG as Drafts.
94	R.K.Deb,	UR	-do-/BPB.	
95	Gopal Ch.Deb,	UR	-do-/BPB	
96	D.F.Sanyal,	UR	G/Dr-/LMG.	
97	Sushen Ch.Das.	SC	-do-/BPB.	
98	Lok Nath Das.,	SC	-do-/LMG.	
99	Md.Eunus,	UR	-do-/LMG	
100	Kumud Ranjan Paul,	UR	-do-/LMG.	
101	Ashok Kr.Sarkar(1).	UR	-do-/LMG.	
102	J.D.Barmah,	ST	-do-/BPB.	
103	Rabindra Ch Dey,	UR	-do-/BPB	
104	Kanai Lal Dutta,	UR	-do-/BPB	
105	Nibaran Ch.Biswas,	UR	-do-/LMG.	
106	M.M.Mukherjee,	UR	-do-/LMG.	
107	Apurba kr.Deb,	UR	-do-/BPB.	
108	Hassan Uddin,	UR	-do-/LMG.	
109	Pradip Ch.Baru,	UR	-do-/LMG.	
110	Nandeswar Boro.	UR	-do-/LMG. = PK	
111	Paritosh Ch.Das.	UR	-do-/LMG.	
112	Rabindra Majak,	ST	-do-/BPB.	
113	Hali Ram Hazarika,	SC	-do-/LMG	
114	S.R.Arjun Rao,	SC	-do-/LMG.	
115	Sarbeswar Baruah,	SC	G/Dr./CPK.	
116	Ashim Kr.Poddar,	UR	-do-/BPB.	
117	Prafulla Hazarika,	UR	-do-/LMG.	
118	M.K.Debnath,	UR	-do-/NGC.	
119	Lokheswar Boro.	UR	-do-/LMG.	
120	Sekhar Nandy,	UR	-do-/LMG.	
121	Ranjit Kr.Nath,	UR	-do-/BPB	
122	A.C.Chowdhury,	UR	-do-/NGC.	
123	D.B.Chetri,	UR	-do-/LMG.	
124	Swapan Kr.Bhowmick,	UR	-do-/LMG.	
125	Bikash Kr.Paul,	UR	-do-/LMG.	
126	Pradip Deb Roy,	UR	-do-/LMG.	
127	Girish Ch.Das,	SC	-do-/LMG.	
128	G.K.Hazarika,	UR	-do-/LMG.	
129	Kajal Ch.Roy,	UR	-do-/BPB.	
130	Tapan Kr.Dey,	UP	-do-/BPB.	
131	Gopal Ch.Dutta,	UR	-do-/NGC.	
132	Ram Ali,	UP	G/Dr./NGC.	SAE
133	G.K.Gavai,	UR	-do-/LMG.	
134	Jiten Ch.Kalita,	UR	-do-/LMG.	
135	Phani Dhar Deka,	UR	-do-/NGC.	
136	Uma Kanta Kalita,	UR	-do-/NGC.	
137	Bhupen Ch.Kalita,	UR	-do-/NGC.	
138	Bhusan Ch.Hira,	SC	-do-/LMG. = PK	
139	Sailendra Kr. Paul,	UR	-do-/BPB.	
140	R.K.Jaisi,	UR	-do-/BPB.	
141	Kamini Rani Sharma,	UR	-do-/LMG.	
142	Nabin Ch.Gogoi,	UR	-do-/LMG	
143	Tapan Kr.Bhowmick,	UR	-do-/LMG.	
144	Bijoy Sankar Kar,	UR	-do-/LMG.	
145	Netai Bhowmick,	UR	-do-/LMG.	
146	Keshab Chakraborty,	UR	-do-/LMG.	
147	Ashok Kr.Singh,	UR	-do-/LMG.	

SC - 31

T.N.G.A

ST - 15

350

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1	2	3	4	5
148	Dipak Ch. Dutta,	UR	-do-/LMG.	
149	Haridas Ghose,	UR	-do-/LMG.	
150	Amiya Kr. Laskar,	UR	-do-/NGC.	
151	Moneswar Bordoloi,	ST	-do-/NGC.	
152	Sankhil Ch. Das,	SC	-do-/NGC.	
153	A.K. Sardar,	ST	-do-/LMG.	
154	I.M. Dewri,	ST	-do-/NGC.	
155	Moni Ram Bora,	SC	-do-/PK	
156	Anowar Husazin,	UR	-do-/NGC.	
157	Sadamanda Bharali,	UR	-do-/NGC.	
158	G.C.Nath,	UR	-do-/BPB.	
159	Nripendra Ch. Das,	SC	-do-/BPB.	
160	Santi Kr. Das,	SC	-do-/BPB. Under revision as Shanta fare	
161	Chanchal Banik,	UR	-do-/BPB. <i>Review of fare year, weight loss if</i>	
162	Bhakti Bahadur Trippan,	UR	-do-/BPB. <i>Review of fare year, weight loss if</i>	
163	Subash Ch. Das,	UR	-do-/BPB.	
164	Kumud Rn. Dey,	UR	-do-/LMG.	
165	Babul Dutta,	UR	G/Dr./BPB.	
166	U. L. Murty,	UR	-do-/NGC.	
167	Dilip Ch. Dutta,	UR	-do-/NGC.	
168	Purna Kr. Gogoi,	UR	-do-/NGC.	
169	Anish Rahaman,	UR	-do-/NGC.	
170	Tarun Kr. Bhattacherjee,	UR	-do-/BPB.	
171	R.K. Barua,	UR	-do-/BPB.	
172	Sudhanshu Ghose,	UR	-do-/BPB.	
173	Arun Kr. Nath,	UR	-do-/BPB.	
174	G.R. Baruah,	UR	-do-/LMG.	
175	Kanchan Ch. Paul,	UR	-do-/BPB.	
176	Gunaram Das,	UR	-do-/LMG.	
177	Dulal Ch. Malakar,	SC	-do-/LMG.	
178	Subodh Rn. Das,	SC	-do-/BPB.	
179	P.N. Hazarika,	UR	G/Dr./LMG.	
180	S.B. Chanda,	UR	-do-/BPB.	
181	Abdul Salam,	UR	-do-/LMG.	
182	Pradip Kr. Deb,	UR	-do-/LMG.	
183	Bholanath Saha,	UR	-do-/LMG.	
184	Amalendu Paul,	UR	-do-/LMG.	
185	Harun Kr. Dutta,	UR	-do-/BPB.	
186	P.K. Singh,	UR	-do-/BPB.	
187	H.C. Khaund,	UR	-do-/LMG.	
188	D.C. Poddar,	SC	-do-/BPB.	
189	Anil Ch. Das,	SC	-do-/BPB.	
190	Prasanna Kr. Das,	SC	-do-/BPB.	
191	C.C. Thakuria,	ST	-do-/NGC.	
192	Sandhiram Patar,	ST	-do-/LMG.	

S. S. E/6/07/11 (36)

60

N.F.Railway.

Office of the
Divil.Rly. Manager (P),
Lundin, dt. 12/03/2003.

CORIGENDUM.

Please delete and add the names of following staff
from the list of staff published along with notification of objection
of Passenger Driver under this office notification of even number
dated 4.8.2003.

1. Delete the names of S/shri, Ranjit Kr. Roy (UR)
Goods Driver/LMG and Ranjit Kr. Roy, (UR) Goods Driver/
BPD appeared at SL No. 2 & 22 respectively. (One to Retd.)

2. Added the names of S/shri. P.N.Pandey, Goods Driver/LMG
and Sarag Ali Goods Driver/NGC in between SLNo. 53 & 54
and 137 & 188 respectively.

(N.B. DPA/ABO/IL/LMG)
For. Divil.Rly. Manager (P),
N.F.Railway: Lundin.

NO.E/254/1/LM(RG (M) LMG, Dated. 12/08/2003.

Copy forwarded for information & no action to :-

1) DME/IC/LMG (2) DME(P)/LMG (3) ADME/NGC & LMG, BPD

4) COS(Mach)/LMG (5) CPRC/LMG (6) S.S.E(LOCO/LMG, NGC, BPD.

For. Divil.Rly. Manager (P),
N.F.Railway: Lundin.

12/18/03

(S.E.L.M)
19/3

AKRAD/

184
17/10/03
H268
G.S.

pl discuss

6
SN

भारत सरकार/ GOVERNMENT OF INDIA
रेल मंत्रालय/ MINISTRY OF RAILWAYS
रेलवे बोर्ड/ (RAILWAY BOARD)

RBE No. 177/2003

No. PC-III/2003/CRC/6

The General Managers,
All Indian Railways
& Production Units
(As per mailing list)

New Delhi, dated 09-10-2003

clo
37/177/03
Clerk 177/03
SAC/MPA 26/10/03
N.R. Railway
Mangalore, Guwahati

Sub. : Restructuring of certain Group 'C' & 'D' cadres.

The Ministry of Railways have had under review cadres of certain Group 'C' & 'D' staff in consultation with the staff side with a view to strengthening and rationalising the staffing pattern on Railways. As a result of the review undertaken on the basis of functional, operational and administrative requirements, it has been decided with the approval of the President that the Group 'C' & 'D' categories of staff as indicated in the Annexures to this letter should be restructured in accordance with the revised percentages indicated therein. While implementing these orders the following detailed instructions should be strictly and carefully adhered to :

Date of effect
(hereinafter referred to
as cut-off date)

1. This restructuring of cadres will be with reference to the sanctioned cadre strength as on the date following the date on which the cadres in the headquarter offices of new Zonal Railways/new Divisions are closed. The benefit of restructuring will be restricted to the persons who are working in a particular cadre on the cut-off date.

Applicability to
various cadres

2. These orders will be applicable on the regular cadres (excluding surplus & supernumerary posts) of the Open Line establishments including Workshops and Production Units. These orders will, however, not be applicable to staff of RDSO for which separate orders will be issued.

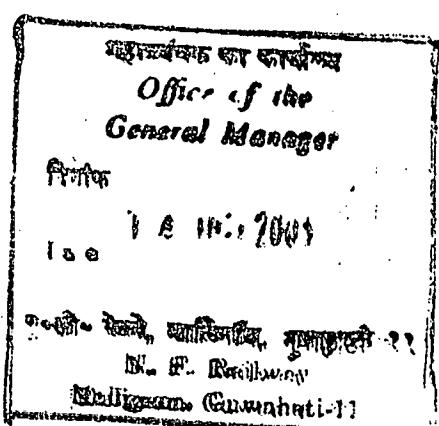
2.1 These orders will not be applicable to ex-cadre & work-charged posts which will continue to be based on worth of charge.

2.2 These instructions will also not be applicable to construction Units and Projects, where posts are generally created on worth of charge basis, though those should broadly be conforming to these percentage distributions.

Certified to be True Copy

Maya Baruah

Advocate



St. in favor

Pay Fixation (Rule 1313 (FR 22)-RII)

3. Staff selected and posted against the additional higher grade posts as a result of restructuring will have their pay fixed under Rule 1313 (FR-22)(I)(a)(1)-RII on proforma basis w.e.f. the cut-off date with the usual option for pay fixation as per extant rules. Actual payment based on the pay so fixed should be made from the date of taking over the charge of the higher grade post arising out of these restructuring orders. The benefit under this rule will, however, no longer be available in the case of movement from lower grade to higher grade in the non-functional situations where there is no change in duties as in the case of movement from Goods Guards to Sr. Goods Guards and Goods Drivers to Sr. Goods Drivers etc. In the case of such movement, the pay will be fixed under Rule 1313 (FR 22) (I) (a) (2)-RII. However, the benefit of fixation of pay under rule 1313 (FR-22)(I) (a) (1)R-II will now be admissible in the cases of functional promotions such as promotion from Sr. Goods Guards to Passenger Guards and Sr. Goods Drivers to Passenger Drivers etc. though in identical scale of pay.

Existing classification and filling up of the vacancies

4. The existing classification of the posts covered by these orders as 'selection' and 'non-selection', as the case may be, remains unchanged. Action should be taken to position the employees on the basis of selection/non-selection/suitability/Trade Test, as the case may be. However, the instructions contained in Para-13.2 should be followed in case of placement of Supervisors (erstwhile Mistries) to grade Rs.5000-8000.

5 Extant instructions for D&A/Vigilance clearance will be applicable for effecting promotions under these orders with reference to the cut-off date.

Minimum years of service in each grade

6. While implementing the restructuring orders, instructions regarding minimum period of service for promotion issued from time to time should be followed. In other words, residency period prescribed for promotions to various categories should not be relaxed.

Basic functions, duties and responsibilities

7. Since the cadres as detailed in the annexures to this letter are being restructured on functional, operational and administrative considerations, the posts being placed in higher scales of pay as a result of restructuring should include the duties and responsibilities of greater importance.

Adjustment of excess number of posts

8. If prior to issue of these instructions the number of posts existing in any grade in any particular cadre exceeds the number admissible on the revised percentages, the excess may

Shri Basu?

be allowed to continue to be phased out progressively with the vacation of the posts by the existing incumbents.

9. While implementing these orders, specific instructions given in the foot-notes for the relevant categories in the enclosed annexures should be strictly and carefully adhered to.
10. The concept of Multi-skilling is to be introduced by merging the different categories as mentioned hereunder. While the revised percentage distribution of posts as indicated in the annexures to this letter should be implemented in the unified cadres based on the integrated seniority list, the duties, responsibilities and functions being performed by the employees of the respective cadres will be combined in a phased manner. Each member of the cadre will have to be equipped with necessary skills and functions through proper training and development. The categories indicated herein will be merged by integrating the seniority of the employees working in respective grades with reference to length of non-fortuitous service in the relevant grade keeping the inter-se seniority in the respective group intact.
 - 10.1 The category of Station Masters/Assistant Station Masters, Yard Masters and Traffic Inspectors should be merged into one unified cadre of SM/ASM. The recruitment and promotion pattern as prescribed for the category of SMs/ASMs should be followed in the merged cadre. In the initial stage of the merger, efforts should be made to post the employees in the categories in which they have been working. Accordingly, while the staff belonging to the erstwhile three categories will be working and enjoying the benefit of the unified cadre of SMs/ASMs, on their posting in the Yard, they will perform the duties of Yard Master retaining their designation as applicable to the category of Yard Master. Similarly, while performing the inspectorial job they will retain their designation as applicable to Traffic Inspectors. But at a later stage, when they are made fully equipped to discharge all the functions hitherto being discharged by SMs/ASMs, YM & TIs, administration will have the flexibility to post a person as per the administrative requirement. While redefining the duties and functions, Railways may also review and rationalise the cadre keeping in view the administrative requirements.
 - 10.2 The Personnel, Welfare and HOER Inspectors should be merged and a unified cadre of Personnel Inspectors introduced. After merger, 50% of the posts in the entry grade

Shri Dhanur

of the combined cadre viz Rs.5000-8000 should be filled from amongst the optee Sr.Clerks of Personnel Department in grade Rs.4500-7000 with three years of service in the grade and the remaining 50% of the posts should be filled as per the instructions contained in Board's letter No.E(NG)-I/2002/PM4/1 dated 12-07-02.

10.3 The categories of Electric Signal Maintainers (ESM) and Mechanical Signal Maintainers (MSM) should be merged and a unified cadre of Signal Maintainers introduced. The recruitment and promotion pattern as applicable to the Electric Signal Maintainers will be followed in the unified cadre of Signal Maintainers.

Introduction of Direct recruitment

- (i) Ministerial Staff (excluding Accounts staff)
- (ii) Personnel Inspectors
- (iii) Depot Material Superintendents

11.1 The implementation of restructuring scheme in the categories of Ministerial staff, Personnel Inspectors and Depot Material Superintendents is subject to the introduction of direct recruitment in these categories. After implementation of the restructuring in accordance with the revised percentage distribution of posts indicated in the annexures enclosed, the vacancies arising in these categories on or after the cut-off date should be filled through direct recruitment in the manner indicated hereunder:-

11.1 An element of direct recruitment of graduates with not less than 50% marks shall now be introduced at the level of Office Superintendent Gr.II in the pay scale Rs.5500-9000 in the Ministerial categories (Establishment & other than Establishment but excluding Accounts) to the extent of 20% of the posts. The remaining 80% of the posts in grade Rs.5500-9000 shall continue to be filled by promotion of staff from the lower grade Rs.5000-8000 as per the procedure in force.

11.2 20% of the posts in grade Rs.6500-10500 in the category of Personnel Inspectors shall be filled by direct recruitment from amongst the candidates possessing Bachelor degree with Postgraduate Diploma in Personnel Management, labour laws, etc. as mentioned in Board's letter No.E(NG)-I-2002/PM4/1 dated 12-07-2002. The remaining 80% of the posts shall continue to be filled by promotion of staff from the lower grade of Rs.5500-9000 as per the procedure in force.

11.3 20% of the posts in grade Rs.6500-10500 in the category of Depot Material Superintendents should be filled by direct recruitment from amongst the candidates possessing

Shri Pramod

qualification of degree in Engineering in any discipline. The remaining 80% of the posts shall continue to be filled by promotion of staff from the lower grade of Rs.5500-9000 as per procedure in force.

Gatemen (Engg.)

12. As a result of implementation of this restructuring, more number of additional posts will be available in the highest grade of this category. Henceforth, therefore, the posts of Gatemen (Engg.) should be operated in grade Rs.2750-4400. In order to ensure the full availability of Gatemen (Engg.) and rotation of the existing staff specially those who are working, as such, for a long period, the Trackmen etc. at the time of their promotion to grade Rs.2750-4400 should be posted as Gatemen (Engg.) subject to their fulfilling the requirement of prescribed medical standard and literacy level etc. as per extant instructions.

Upgradation of the posts of Supervisor (erstwhile Mistries)

13(a) Subject to provisions of Para-13.2 below, all the posts of Supervisors (erstwhile Mistries) in grade Rs.4500-7000 + Rs.100 Special Allowance (excluding Supervisors (P.Way) should enbloc be upgraded to the posts of Junior Engineer Gr.II in the pay scale of Rs.5000-8000 and merged with the respective cadre of Technical Supervisors with its spread effect in higher grades Rs.5500-9000, 6500-10500 & 7450-11500 as per the revised percentage distribution of posts prescribed for Technical Supervisors in these orders.

13(b) In case of Supervisor (P.Way), the posts being held by the erstwhile PWMs supervising more than one gang upto a maximum of 17.26% of the sanctioned cadre of PWMs shall be upgraded to and merged with the posts of Junior Engineer (P.Way) Gr.II in the pay scale of Rs.5000-8000 with its spread effect in higher grades of JE-I, SE & SSE in grades Rs.5500-9000, 6500-10500 & 7450-11500 respectively, as per the revised percentages prescribed for Technical Supervisors in these orders.

13.1 The financial implications involved in the upgradation covered by (a) & (b) above should be off set by surrender of posts of Supervisors of equivalent money value.

Procedure for fitment

13.2 The placement of the existing incumbents will be regulated as per the procedure given below:-
 (a) The existing regular incumbents of the posts of Supervisors (including Supervisors/P.Way) to the extent of upgradation of

Shri Praveen

posts) will be placed in grade Rs.5000-8000 without subjecting them to normal selection procedure. Their suitability shall be adjudged by following modified selection procedure according to which the selection will be based on scrutiny of service records and confidential reports only.

(b) The Supervisors (other than P.Way) who do not get promoted to grade Rs.5000-8000 shall continue to hold the post in the existing grade Rs.4500-7000 + Rs.100 SA as personal to them. To this extent, the posts upgraded to grade Rs.5000-8000 will be operated in the lower grade Rs.4500-7000 + Rs.100 SA till the existing incumbents vacate the same by way of promotion, retirement etc. On vacation of the posts, the same shall automatically be operated in grade Rs.5000-8000.

13.3 The remaining posts of Supervisors (P.Way), erstwhile PWMs which are not to be upgraded and shall continue to be operated in the existing scale of pay, should be redesignated as 'Track Supervisor'.

13.4 While the existing incumbents of the post of Supervisor (P.Way) redesignated as 'Track Supervisor' shall continue to draw the scale of pay Rs.4500-7000 + Rs.100 SA as personal to them, the future incumbents to the post of 'Track Supervisor' will be in the pay scale of Rs.4500-7000 without the Special Allowance of Rs.100/-.

13.5 The upgradation of posts of Supervisor (P.Way) as indicated hereinabove should not result in creation of posts of Trolleymen. In other words under no circumstances, additional posts of Trolleyman would be created.

14. The existing instructions with regard to reservation of SC/ST wherever applicable will continue to apply.

15. Direct recruitment percentages will not be applicable to the additional posts arising out of these restructuring orders as on the cut-off date. The direct recruitment percentage will apply for normal vacancies arising on or after the date following the cut-off date. Also the direct recruitment quota as on the date preceding the cut-off date will be maintained.

16. The administration should take steps to pin-point the additional posts arising out of this restructuring as per administrative requirements.

S. M. Prabhakar

Specific provisions for Supervisor (P.Way)

Provision of reservation.

Direct recruitment percentages

Pin pointing of posts

Refusal of promotion

17. Such of the Staff as had refused promotion before issue of these orders and stand debarred for promotion may be considered for promotion, in relaxation of the extant provisions as a one time exception, if they indicate in writing that they are willing to be considered for such promotion against the vacancies existing on the cut-off date and arising due to restructuring on that date. This relaxation will not be applicable to vacancies arising after the cut-off date.

Matching Savings

18. Entire scheme of restructuring is to be a self-financing and expenditure neutral proposition. Financial implications should be worked out taking into account the mid points of the scales of pay of the respective posts (mean of the minima & maxima of the scale), existing number of posts and revised number of posts in the grade on the basis of the revised percentage distribution of posts. After working out the financial implications, the matching savings should be effected from the category itself. Wherever it is not possible to do so from the category itself, the matching savings should be arranged from the department at the divisional/zonal level. But before restructuring the cadre as per the revised percentage distribution of posts, matching savings will have to be ensured and if the Department/Railways are not able to provide the matching savings, the particular category/department will not be restructured. While effecting surrender of posts of equivalent financial value, the existing vacant posts available in the categories on the cut-off date should be considered for the purpose of off-setting the cost of restructuring/financial effects of restructuring. Board desire that the General Managers should ensure that the restructuring is implemented expeditiously with matching savings without any exception and difficulty. There would be no restructuring without matching savings by surrender of posts.

Re-organisation of Zonal Railways/Divisions:

19. Due to re-organisation of Zonal Railways/Divisions cadres are in a fluid situation. It may, therefore, take some time for the cadres in the headquarter offices of New Zones and New Divisions to stabilise. In the circumstances, new Zonal Railways are required to ensure that the staff transferred to headquarter offices of new Zonal Railways/new Divisions are not extended the double benefit of restructuring. In case an employee has been given the benefit of restructuring on the old (parent) railway in terms of these orders, he will not be allowed the benefit of restructuring again on the headquarter offices of new Zonal Railways/new Divisions. In other words, no railway servant will be considered for double

promotion as a result of this restructuring.

Annual review

20. As per instructions contained in Board's letter No. PC-III/91/FP-2 dt. 08.10.2002, the Annual Reviews for gradewise percentage distribution of posts in force were to be conducted from 01-04-03 taking into account the cadre strength as on 01.04.2003. It has now been decided that the next Annual Review will be undertaken from 01-04-2005 taking into account the cadre strength as on 01-04-2005. The Annual reviews, wherever conducted already as per instructions dated 08-10-02 will not be undone.

Kindly acknowledge receipt.

Hindi version will follow.

DA Annexures-A to K with key.
(14 sheets)

No. PC-III/2003/CRC/6

Copy (with 40 spares) forwarded to ADAI, Railways, New Delhi.

Shri Prakash

(Shriprakash)

Director, Pay Commission - II
Railway Board

New Delhi, dated 09-10-2003

No. PC-III/2003/CRC/6

(1) The FA & CAOs, All Indian Railways, CLW, DLW, DCW, ICF, RCF, RWF, Metro Rail, Kolkata, MTP(R), Delhi, Mumbai, Chennai, CORE/Allahabad, (b) FA & CAOs (Construction), N.F. Railway and Southern Railway, Bangalore

(2) The Executive Director (Finance), RDSO/Lucknow

(3) The Pay & Accounts Officer, Ministry of Railways (Railway Board)

(4) The Commissioner, Railway Safety, Lucknow.

Shri Prakash

(Shriprakash)

Director, Pay Commission - II
Railway Board

No. PC-III/2003/CRC/6

New Delhi, dated 09-10-2003.

Copy forwarded to :-

- (1) The General Secretary, NFIR (with 35 spares)
- (2) The General Secretary, AIRF (with 35 spares)
- (3) The Members of the National Council, Departmental Council and Secretary, Staff Side, National Council, 13-C, Ferozeshah Road, New Delhi.
- (4) The Secretary General, All India RPF Association, Room No. 256-D, Rail Bhawan, New Delhi.

A/c 2003
for Secretary, Railway Board

Copy to :-

Sr. IPPSSs/PPSs/PSs/PAs to :-

TRB, FC, MS, MT, ME, ML, MM, Secretary, AM(Staff), AM(Finance), AM(Budget), AM(T), AM(C), AM(CE), AM(Works), AM (Elec.), AM(Mech.), AM(PU), AM(Tele.), AM(Stores), DG(RPF), DG (RHS), Adv.(F), Advisor (IR), EDPC, EDE(N), EDE, EDF(B), EDA, EDF(E), Dir. (MPP), DE(G), DE(L), DPC-I, DPC-II, JDE(N), JDE(N)-II, JDE(P&A), JDE(Rep.)-I, JDE (Rep.)-I, DDF(F) I, II, III, IV & V, DDPC-III & V, US(A), DDE(RRB), DDE (Rep.) - I & II, DDE(LR) I, II & III

Copy to :-

Cash - I, II, & III, Budget, E(P&A) I & II, E(G), E(NG) I & II, PC - III, IV & V, E(LR) I, II & III F(E) - I, II & III, F(E) Special, Security (E), Accounts-I & II, ERB - II, III, IV & V, E(SCT), E(D&A).

KEY FOR ANNEXURES

Annexure 'A'	(i) Transportation Traffic Department. (ii) - do -
Annexure 'B'	Transportation (Power) Department.
Annexure 'C'	Traffic Commercial Department.
Annexure 'D'	Medical Department
Annexure 'E'	Staff common to All Engineering Departments including Workshops - Technical Supervisors, Drawing & Design staff and Artisan staff.
Annexure 'F'	(i) Accounts and Cash & Pay Department. (ii) - do -
Annexure 'G'	Signal & Telecommunication Department
Annexure 'H'	Civil Engineering Department (Trackman etc.), Mechanical Engineering Department (CMT).
Annexure 'I'	Categories common to more than one Department.
Annexure 'J'	Stores, Personnel & Statistical Department and Hindi staff.
Annexure 'K'	EDP Centres

ANNEXURE 'A' (i)

STATEMENT REGARDING RESTRUCTURING OF GROUP 'C' & 'D' STAFF OF TRANSPORTATION TRAFFIC DEPARTMENT

Annexure to Board's letter No. PC III/2003/CRC/6 dated 9-10-03

CATEGORY	GRADE (Rs.)	EXISTING %AGE	REVISED %AGE
Station Masters/ Assistant Station Masters *	7450-11500		6.5
	6500-10500		22
	5500-9000		30
	5000-8000		33
	4500-7000		8.5
Train Clerks	5500-9000	20	30
	5000-8000	30	36
	4000-6000	25	17
	3050-4590	25	17
Traffic Controllers	7450-11500	30	37
	6500-10500	55	48
	5500-9000	15	15
Shunting Masters/Jamadars	5000-8000	25	50
	4000-6000	75	50
Pointsmen/Levermen/Shuntmen	3050-4590	75	83
	2650-4000	25	17
Cabmen	4000-6000	25	50
	3050-4590	75	50

Foot Note: The revised percentage distribution of posts will be made applicable in the unified cadre as per the provisions contained in Para-10.1 of the covering letter.

Encl: 1

ANNEXURE 'A' (ii)

**STATEMENT REGARDING RESTRUCTURING OF GROUP
'C' & 'D' STAFF OF TRANSPORTATION TRAFFIC
DEPARTMENT**

Annexure to Board's letter No.PC III/2003/CRC/6 dated 9-10-03

CATEGORY	GRADE (Rs.)	EXISTING %AGE	REVISED %AGE
Mail Guards	5500-9000	100	100
Passenger Guards	5500-9000	20	27
	5000-8000	80	73
Goods Guards	5000-8000	20	27
	4500-7000	80	73
Assistant Guards/ Brakesmen	4000-6000	20	27
	3050-4590	80	73
Group 'D' Staff - Traffic	2610-3540	65	77
	2550-3200	35	23
Cooks (Mechanical/Traffic Canteen Rooms)	4000-6000	15	27
	3050-4590	45	46
	2650-4000	40	27

Stm:Pranav J.

NORTHEAST FRONTIER RAILWAY

No: E/254/LLM(RGM)

Office of the
DR.M(P)LMG

Dated: 22.12.2004

To:

SSE(Loco)LMG, NGC & BPB

Sub: Selection for the post of Loco Pilot - II (Goods) in scale Rs. 5000-8000/-.

It has been decided to hold a selection (written) to form a panel of 142 (UR = 110, SC = 21 & ST = 11) candidates to the post Loco Pilot - II (Goods) in scale Rs. 5000-8000/- within a short notice.

Accordingly all the eligible candidates as per list attached should be advised to keep themselves in readiness to appear in the said selection on scheduled date.

It is to be ensured that if any one candidate in the list is unwilling to appear in the said selection, a written declaration should be obtained and send to this office latest by 17.01.2005.

The staff who are on leave, sick etc should also be informed at their present address positively.

The appointed candidates are eligible for promotion to the post of Loco Pilot - II (Goods) subject to their passing in the promotional training course as prescribed.

Enclo: List of eligible candidates
(Annexure - A & B)

1
11/12/04
(N.B.DAS)

APOLLMG
For Divl.Rly.Mngmnt(P)LMG

Copy forwarded for information and necessary action to:

- 1) DMEIC/LMG - He will please ensure the imparting pre-selection training/coaching to SC & ST candidates as per this office letter of even number dated 02.12.2004 before the date of holding selection.
- 2) DME(P)/LMG
- 3) ADME/NGC, BPB & LMG
- 4) COS/Mech. at office
- 5) CPRO/LMG, BPB & GHY - They should convey the above notification over phone to the respective SSEs (Loco) by first available opportunity.
- 6) Convenor/NFRMULMG, Divl.Secy.NFREULMG, Divl.Secy., AIRE - SUST Association/LMG.

11/12/04
(N.B.DAS)
APOLLMG
For Divl.Rly.Mngmnt(P)LMG

WWW.XEROX11/CMG.COM

Certified to be True Copy
Maya Borch
Advocate

THE LIST OF ELIGIBLE SHUNTERS IN ORDER OF SENIORITY

Loco Pilot (Shuntrs)

SN	Name	Community	Designation & Station
01	Shn B.L.Sarkar	UR	Shunter/LMG
02	Shn Lharjeevar Ktra	ST	Shunter/NGC
03	Shn Dulal Ch.Paul	UR	Shunter/LMG
04	Shn Nikha Ch.Paul	UR	Shunter/NGC
05	Shn Padma Rani Boro	ST	Shunter/NGC
06	Shn P.K.Bazumbaray	ST	Shunter/NGC
07	Shn Sambhu Sarkar	UR	Shunter/LMG
08	Shn Subash Ch.Roy	UR	Shunter/LMG
09	Shn Ramesh Ch.Paul	UR	Shunter/LMG
10	Shn Ram Ch.Das	SC	Shunter/NGC
11	Shn S.R.Marak	ST	Shunter/NGC
12	Shn Gopal Ch.Dey (II)	UR	Shunter/NGC
13	Shn Bimal Ch.Dutta	UR	Shunter/LMG
14	Shn Narayan Ch.Dutta	UR	Shunter/LMG
15	Shn W. M. Marak	ST	Shunter/NGC
16	Shn Md. Mainuddin	UR	Shunter/LMG
17	Shn Bijay Kr.Das	SC	Shunter/BPB
18	Shn G. K. Marak	ST	Shunter/NGC
19	Shn B. Deb Borman	ST	Shunter/BPB
20	Shn Bimal Dey	UR	Shunter/BPB
21	Shn R.K.Konwar	ST	Shunter/LMG
22	Shn Tapdhan Lalung	ST	Shunter/NGC
23	Shn R.C.Kra	ST	Shunter/NGC
24	Shn M.C.Dekaria	ST	Shunter/LMG
25	Shn Senai Pandit	UR	Shunter/BPB
26	Shn Tala Rao	UR	Shunter/NGC
27	Shn Sanjukta Chanda	UR	Shunter/BPB
28	Shn P.C.Chowdhury	UR	Shunter/NGC
29	Shn E.K.Hore	UR	Shunter/BPB
30	Shn Dilip Das	UR	Shunter/NGC
31	Shn R.C.Husli	UR	Shunter/BPB
32	Shn N.G.Bhowmick	UR	Shunter/LMG
33	Shn Swarna Kainal Bose	UR	Shunter/LMG
34	Shn Benode Ch.Das	UR	Shunter/BPB
35	Shn Azizul Rahman	UR	Shunter/BPB
36	Shn Abimash Ch.Das	UR	Shunter/BPB
37	Shn Sudhru Ch.Nath	UR	Shunter/BPB
38	Shn Bijoy Kr.Singh	UR	Shunter/NGC
39	Shn Md. Abdul Zebbar	UR	Shunter/LMG
40	Shn Sachindra Mandai	SC	Shunter/BPB
41	Shn C.L.Kalbar	UR	Shunter/LMG
42	Shn Arun Kr.Nath	UR	Shunter/BPB

Contd...2

SN	Name	Community	Designation & Station
43	Shri Amresh Ch. Das	SC	Shunter/BPB
44	Shri Santi Ram Boro	ST	Shunter/LMG
45	Shri Golap Ch. Boro	UR	Shunter/LMG
46	Shri Md. Zoad Ali	UR	Shunter/NGC
47	Shri N.K. Roy	UR	Shunter/LMG
48	Shri B.C. Das	SC	Shunter/LMG
49	Shri Aswini K. Das	SC	Shunter/LMG
50	Shri Nepal Ch. Dey	UR	Shunter/LMG
51	Shri P.K. Chakraborty	UR	Shunter/NGC
52	Shri Prasant K. Roy	UR	Shunter/LMG
53	Shri Santosh K. Das	UR	Shunter/NGC
54	Shri Rup K. Das	SC	Shunter/NGC
55	Shri R.N. Gour	SC	Shunter/LMG
56	Shri L. Palaiya	UR	Shunter/LMG
57	Shri Umesh Ch. Das	SC	Shunter/NGC
58	Shri K. Deb Barman	ST	Shunter/BPB
59	Shri Praneswar Malakar	SC	Shunter/LMG
60	Shri Rabindra Ch. Das	SC	Shunter/BPB
61	Shri Promode Ch. Chakraborty	UR	Shunter/BPB
62	Shri M.C. Deb Barman	ST	Shunter/BPB
63	Shri F.N. Deb Barman	ST	Shunter/BPB
64	Shri K.C. Bordoloi	ST	Shunter/NGC
65	Shri Sunil Ch. Mali	SC	Shunter/LMG
66	Shri P.C. Patat	ST	Shunter/NGC
67	Shri L.R. Barbora	UR	Shunter/NGC
68	Shri N.C. Kachan	ST	Shunter/NGC

- - (1) - -

THE LIST OF ELIGIBLE DADS IN ORDER OF SENIORITY

Ass'tt. (Actg) Pilot / D.S.L

SN	Name	Community	Designation & Station
01	Shri R.K. Sankha	SC	DAD/LMG
02	Shri Nibaran Ch. Dey	UR	DAD/BPB
03	Shri Rupram Hira	SC	DAD/LMG
04	Shri S.L. Bhattacharya	UR	DAD/BPB
05	Shri Kanchi L. Das	UR	DAD/BPB
✓ 06	Shri Rupram Hazarika	UR	DAD/NGC
07	Shri Sukleswar Bora	UR	DAD/CPK
✓ 08	Shri P.C. Deka (II)	UR	DAD/NGC
✓ 09	Shri Daya Ram Barhaya	UR	DAD/NGC
✓ 10	Shri Hati Nah Kumar	UR	DAD/NGC
✓ 11	Shri Akkash Ali	UR	DAD/NGC
✓ 12	Shri Mokbul Hussain	UR	DAD/NGC
✓ 13	Shri Sahir Uddin Ahmed	UR	DAD/NGC
✓ 14	Shri Gauranga Ch. Das	UR	DAD/NGC
✓ 15	Shri Babul Ch. Das	SC	DAD/NGC
✓ 16	Shri D.C. Laphong	ST	DAD/NGC
✓ 17	Shri H. Bordoloi	ST	DAD/NGC
✓ 18	Shri Bhadreswar Keot	UR	DAD/NGC
19	Shri Ranesh Mohan Das	SC	DAD/BPB
20	Shri C.L. Rabidas	SC	DAD/BPB
✓ 21	Shri Sambhu Ram Das	UR	DAD/NGC
✓ 22	Shri Ananda Ram Kalita	UR	DAD/NGC
✓ 23	Shri Tisan Ch. Basu	UR	DAD/NGC
✓ 24	Shri P. K. Thakuria	UR	DAD/NGC
✓ 25	Shri Han Kanta Konowar	ST	DAD/NGC
✓ 26	Shri Kamla Kanta Konowar	ST	DAD/NGC
✓ 27	Shri Samir Ch. Barhaya	UR	DAD/NGC
✓ 28	Shri Bangshidhar Das	UR	DAD/NGC
29	Shri Subhas Ch. Das	SC	DAD/BPB
30	Shri Mono Ranjan Dey	UR	DAD/BPB
✓ 31	Shri Laksh Ch. Das	UR	DAD/NGC
32	Shri Ananda Ch. Roy	SC	DAD/LMG
33	Shri Niranjan Singh	UR	DAD/CPK
34	Shri Beni Kr. Nath	UR	DAD/BPB
35	Shri Kanak Pater	ST	DAD/LMG
✓ 36	Shri Bhadreswar Thakuria	UR	DAD/NGC
37	Shri Rabindra Nath Dey	UR	DAD/LMG
38	Shri Firon Ch. Kalita	UR	DAD/LMG
39	Shri Pradip F. Nath (I)	UR	DAD/LMG
40	Shri Dilip Chhose	UR	DAD/BPB
41	Shri Jagadish Ch. Das	UR	DAD/BPB
42	Shri Biran Ch. Bania	SC	DAD/CPK

SN	Name	Community	Designation & Station
43	Shri P. Samyashu	UR	DAD/LMG
44	Shri Atul Ch. Banik	UR	DAD/BPB
✓ 45	Shri Mani Ram Hazarika	UR	DAD/NGC
✓ 46	Shri Amir Ali	UR	DAD/NGC
✓ 47	Shri Mahadev Sekhsia	UR	DAD/NGC
✓ 48	Shri Harendra Ch. Majumder	UR	DAD/NGC
49	Shri Gajen Ch. Das	UR	DAD/LMG
✓ 50	Shri Mahendra Kaita	UR	DAD/NGC
✓ 51	Shri Bhupen Ch. Das	SC	DAD/NGC
✓ 52	Shri A. C. Basumatary	ST	DAD/NGC
53	Shri Abdul Jall	UR	DAD/BPB
54	Shri S. K. Dasgupta	UR	DAD/BPB
55	Shri Abani K. Das	SC	DAD/BPB
56	Shri P. K. Goswami	UR	DAD/LMG
✓ 57	Shri Rajendra Prasad	SC	DAD/NGC
✓ 58	Shri Bipin Ch. Das	UR	DAD/NGC
✓ 59	Shri Dinesh Ch. Karmakar	UR	DAD/NGC
60	Shri Pradip Ch. Deb (II)	UR	DAD/LMG
61	Shri Mrinal Chakraborty	UR	DAD/LMG
62	Shri Tapan K. Chakraborty	UR	DAD/BPB
63	Shri Sekend Ch. Bordoloi	ST	DAD/LMG
✓ 64	Shri Kiron Ch. Dey	UR	DAD/BPB
✓ 65	Shri Krishna Majumder	UR	DAD/NGC
66	Shri Sudhanshu K. Das	SC	DAD/BPB
67	Shri Pabitra Sutradhar	SC	DAD/LMG
✓ 68	Shri Manmujoy Das	UR	DAD/NGC
✓ 69	Shri Dilip K. Dey	UR	DAD/NGC
70	Shri Mahendra Nath Das	SC	DAD/LMG
✓ 71	Shri Bhagaban Ch. Haloi	UR	DAD/NGC
72	Shri Birend Ch. Das	SC	DAD/CPK
73	Shri Anil Ch. Banik	SC	DAD/CPK
✓ 74	Shri Mani Ram Kaita	UR	DAD/NGC
75	Shri Rakhal Ch. Majumder	UR	DAD/BPB
76	Shri Dhamini K. Bordoloi	UR	DAD/CPK
77	Shri Prajapati K. Dey	UR	DAD/BPB
78	Shri Pradip K. Senapati	UR	DAD/CPK
79	Shri Narayan Barua	UR	DAD/LMG
80	Shri Kajal Ch. Nisha	UR	DAD/LMG
81	Shri Keshab Ch. Das	SC	DAD/BPB
✓ 82	Shri Dasadev Das	SC	DAD/NGC
83	Shri Ram Ch. Das	SC	DAD/BPB
84	Shri Bhajan Ch. Dey	UR	DAD/BPB
85	Shri Mukul Rajan Das	UR	DAD/BPB
86	Shri Subir Ch. Nath	UR	DAD/BPB

Contd...3

SN	Name	Community	Designation & Station
87	Shri Shankar Kr. Barua	UR	DAD/BPB
88	Shri Mohit Ch. Bora	UR	DAD/LMG
89	Shri Narayan Kr. Ghose	UR	DAD/LMG
90	Shri Moti Ram Bordoloi	UR	DAD/BPB
91	Shri Sujit Majumder	UR	DAD/BPB
92	Shri Chitta Ran Das	SC	DAD/BPB
93	Shri Gopal Ch. Das	SC	DAD/CPK
94	Shri Manik Ch. Das (I)	SC	DAD/LMG
95	Shri Arun Ch. Bordoloi	ST	DAD/LMG
96	Shri Narendran Ch. Das (II)	SC	DAD/LMG
97	Shri Dipak Kr. Dey	UR	DAD/LMG
98	Shri Subhas Ch. Dey (II)	UR	DAD/LMG
99	Shri Subir Das	UR	DAD/LMG
100	Shri J. K. Bhowmick	UR	DAD/LMG
101	Shri M. S. Biswas	UR	DAD/LMG
102	Shri Ranu Ch. Dey	UR	DAD/LMG
103	Shri Batul Ch. Debnath	UR	DAD/LMG
104	Shri Rabu Deb	UR	DAD/LMG
105	Shri Chandan Bhowmick	UR	DAD/LMG
106	Shri Debjoy Ranjan Dey	UR	DAD/LMG
107	Shri R. P. Upadhyay	UR	DAD/BPB
108	Shri Jhantu Dey	SC	DAD/BPB
109	Shri Dilip Kr. Paul	UR	DAD/BPB
110	Shri Ram Nath Gogoi	UR	DAD/LMG
111	Shri Asitok P. Sarker (II)	UR	DAD/LMG
112	Shri Ganesh Ch. Dey	UR	DAD/BPB
113	Shri Sadhan Ch. Das	UR	DAD/LMG
114	Shri A. Tola Rao	SC	DAD/LMG
115	Shri Kartick Ch. Ghose	UR	DAD/BPB
116	Shri B. B. Paul Chowdhury	UR	DAD/NGC
117	Shri Bhura Ch. Malakai	SC	DAD/LMG
118	Shri Kalyan Bhattacharjee	UR	DAD/BPB
119	Shri Gopi Goswami	UR	DAD/NGC
120	Shri Lal Singh Nath	UR	DAD/LMG
121	Shri S. K. Bhowmick	UR	DAD/LMG
122	Shri Dulal Ch. Dey	UR	DAD/BPB
123	Shri Moti Ram Bordoloi	ST	DAD/LMG
124	Shri Ranjan Ganguly	UR	DAD/BPB
125	Shri Ranjit Kr. Das (II)	UR	DAD/BPB
126	Shri Aswini Laskar	UR	DAD/LMG
127	Shri Ranjit L. Dey	UR	DAD/LMG
128	Shri Santosh Kr. Biswas	UR	DAD/BPB
129	Shri Rajal Ram Dev	UR	DAD/LMG
130	Shri Bhola Nath Sarker	UR	DAD/LMG

SN	Name	Community	Designation & Station
131	Shri Prabir Ch. Roy	UR	DAD/BPB
132	Shri Dipak Ch. Sengupta	UR	DAD/NGC
133	Shri Satyajitanda Nath	UR	DAD/LMG
134	Shri Narayan Ch. Dey (I)	UR	DAD/LMG
135	Shri A. K. Borah	UR	DAD/CPK
136	Shri Aben Ch. Medhi	UR	DAD/LMG
137	Shri Digendra Kr. Das	UR	DAD/CPK
138	Shri Swapan Kr. Das (I)	UR	DAD/BPB
139	Shri Swapan Rn. Dey	UR	DAD/LMG
140	Shri Debasish Bhownick	UR	DAD/BPB
141	Shri Kanti Chowdhury	UR	DAD/LMG
142	Shri Benoy Dey	UR	DAD/LMG
143	Shri Dilip Kr. Bora	UR	DAD/NGC
144	Shri Swapan Ch. Sarkar	UR	DAD/LMG
145	Shri Pratap Kr. Das	UR	DAD/BPB
146	Shri Kartick Ch. Dey	UR	DAD/NGC
147	Shri Swapan Kr. Das (II)	UR	DAD/BPB
148	Shri Dulal Ch. Debnath	UR	DAD/LMG
149	Shri Pradip Ch. Malakar	UR	DAD/LMG
150	Shri Manik Ch. Das (II)	UR	DAD/LMG
151	Shri Ratan Chakraborty	UR	DAD/BPB
152	Shri Swapan Das (III)	UR	DAD/LMG
153	Shri Haldhara Deka	UR	DAD/NGC
154	Shri Prafulla Panja	SC	DAD/NGC
155	Shri N. R. Phangchoo	ST	DAD/NGC
156	Shri Subhas Ch. Shama	UR	DAD/NGC
157	Shri Ujjal Kr. Sengupta	UR	DAD/LMG
158	Shri Pradip Dasgupta	UR	DAD/NGC
159	Shri Pradip Kr. Nath (II)	UR	DAD/LMG
160	Shri Goutam Chowdhury	UR	DAD/LMG
161	Shri Dipak Kr. Chowdhury	CP	DAD/LMG
162	Shri Chandan Chakraborty	UR	DAD/LMG
163	Shri Anup Dey	UR	DAD/LMG
164	Shri Babul Ch. Deb	UR	DAD/LMG
165	Shri Dipak Kr. Dey	UR	DAD/BPB
166	Shri Subhash Ch. Dey	UR	DAD/LMG
167	Shri Partha Sarathi Bhattacharya	UR	DAD/LMG
168	Shri Upen Ch. Rajbanshi	UR	DAD/NGC
169	Shri Swapan Ch. Dey (I)	UR	DAD/LMG
170	Shri Bimal Debnath	UR	DAD/BPB
171	Shri Chabi Lal Joshi	UR	DAD/LMG
172	Shri Jagadish Nagaty	UR	DAD/BPB
173	Shri Kartick Chakraborty	UR	DAD/BPB
174	Shri Basutosh Nath	UR	DAD/BPB

Contd. 5

SN	Name	Community	Designation & Station
175	Shri M.K.Berman	ST	DAD/BPB
176	Shri Bidyut Dutta	UR	DAD/BPB
177	Shri K.B.Chetri	UR	DAD/NGC
178	Shri Shyam Singh Gurung	UR	DAD/LMG
179	Shri Bhupan Kr.Das	SC	DAD/NGC
180	Shri Jugal Chowdhury	UR	DAD/LMG
181	Shri Monk Ch.Dey	UR	DAD/LMG
182	Shri Satya Narayan Patowari	UR	DAD/BPB
183	Shri Nanda Bahadur Chettri	UR	DAD/BPB
184	Shri Bikash Sarker	UR	DAD/NGC
185	Shri Swapnil Ch.Dey (II)	UR	DAD/LMG
186	Shri Nabendu Bhattacharya	UR	DAD/BPB
187	Shri Somer Majumder	UR	DAD/LMG
188	Shri Dilip Debnath	UR	DAD/LMG
189	Shri Bhuyanil Biswas	UR	DAD/LMG
190	Shri Sudhir Dhar	UR	DAD/LMG
191	Shri Phanikhar Nath	UR	DAD/BPB
192	Shri Monk Baidya	UR	DAD/BPB
193	Shri Hareswar Das	SC	DAD/NGC
194	Shri Supinda Ch.Hazra	SC	DAD/NGC
195	Shri Chait Ram Rabaneshi	UR	DAD/NGC
196	Shri Kanan Ch.Nath	UR	DAD/NGC
197	Shri Arnulya Sharma	UR	DAD/NGC
198	Shri Monoj Kr.Roy	UR	DAD/BPB
199	Shri G.Ramna Rao	UR	DAD/LMG
200	Shri Soql Kr.Das	UR	DAD/BPB
201	Shri Yatindra Raona	SC	DAD/NGC
202	Shri Ajit Bose	UR	DAD/NGC
203	Shri Ajit Kr.Biswas	UR	DAD/NGC
204	Shri Nanda Kr.Rajak	SC	DAD/LMG
205	Shri Upendra Das	SC	DAD/BPB
206	Shri Kali Bhattacharya	SC	DAD/BPD
207	Shri Pradip Kr.Das	SC	DAD/LMG
208	Shri Ratan Kuri	SC	DAD/LMG
209	Shri Ranendra Ch.Das	SC	DAD/BPB
210	Shri Kanna Kr.Das	SC	DAD/BPB
211	Shri Swapnil Dey	UR	DAD/BPB
212	Shri Kajal Majumder	UR	DAD/LMG
213	Shri Narayan Debnath	UR	DAD/BPB
214	Shri Naresh Bakshi	UR	DAD/LMG
215	Shri Anjan Chakraborty	UR	DAD/BPB
216	Shri Narayan Dutta	UR	DAD/BPB
217	Shri Kamal Majumder	UR	DAD/BPB
218	Shri Santosh Kr.Dey	UR	DAD/BPB

Contd. 6

SN	Name	Community	Designation & Station
219	Shri Amar Ch. Deb	UR	DAD/BPB
220	Shri Nitajitnu Das	UR	DAD/BPB
221	Shri Jonardhan Singh	SC	DAD/LMG
222	Shri Sompot Bhownick	UR	DAD/LMG
223	Shri Dhruba Rn. Dutta	UR	DAD/BPB
224	Shri Sumit Debbarma	UR	DAD/LMG
225	Shri Uttam Bardhan	UR	DAD/BPB
226	Shri Pratap Ch. Das	SC	DAD/BPB
227	Shri Narayan Ch. Debbarma	UR	DAD/NGC
228	Shri Shankar Chakraborty	UR	DAD/NGC
229	Shri Chakramoni Mushahary	ST	DAD/BPB
230	Shri Padibon Hazarika	ST	DAD/NGC
231	Shri Ajit Mallick	SC	DAD/LMG
232	Shri Banu Ch. Rava	ST	DAD/BPB
233	Shri Manindra Rava	ST	DAD/NGC
234	Shri Bedal Ch. Roy	SC	DAD/BPB
235	Shri Swapani Kr. Das (IV)	UR	DAD/BPB
236	Shri Adhir Talukdar	UR	DAD/BPB
237	Shri Kamala Kt. Haloi	SC	DAD/NGC
238	Shri Mukheswar Saikia	ST	DAD/LMG
239	Shri Heng Ch. Dewi	ST	DAD/NGC
240	Shri Purna Kt. Gogoi	UR	DAD/LMG
241	Shri Pradip Kr. Bordoloi	ST	DAD/NGC
242	Shri Komer Ch. Monunder	SC	DAD/BPB
243	Shri Samal Kr. Basua	ST	DAD/LMG
244	Shri Hara Nati Saikia	UR	DAD/NGC
245	Shri Surendra Kongpi	ST	DAD/LMG
246	Shri Kanta Kr. Basumatia	ST	DAD/NGC
247	Shri Rantu Kr. Basumatia	ST	DAD/BPB
248	Shri Maheswar Saikia	ST	DAD/LMG
249	Shri Ajay Kr. Dutta	UR	DAD/BPB
250	Shri Pradip Saikia (II)	ST	DAD/LMG
251	Shri Upen Deori	ST	DAD/NGC
252	Shri Kanak Ch. Deka	UR	DAD/NGC
253	Shri Pradip Kr. Dutta	UR	DAD/LMG
254	Shri Joydeb Ch. Das	SC	DAD/LMG
255	Shri Matu Neog	ST	DAD/LMG
256	Shri Nandeswar Saikia	ST	DAD/LMG
257	Shri Gunu Saikia	ST	DAD/LMG
258	Shri Jibon Saikia	ST	DAD/LMG
259	Shri Jayanta Kr. Deori	ST	DAD/LMG
260	Shri Satyajit Senapati	UR	DAD/BPB
261	Shri Manu Iskun	UR	DAD/NGC
262	Shri Duleswar Saikia	ST	DAD/LMG
263	Shri Phulen Ch. Isori	ST	DAD/LMG
264	Shri Tankeswar Ta	ST	DAD/LMG

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SN	Name	Community	Designation & Session
✓ 265	Shri Hamidur Deon	ST	DAD/LMG
266	Shri D.C. Kliound	UR	DAD/LMG
267	Shri Chandan Majumdar	UP	DAD/BPB
268	Shri Rameshwar Singh	UR	DAD/BPB
✓ 269	Shri Ranjit Bannan	UR	DAD/NGC
270	Shri Abhayyoti Bardhan	UR	DAD/LMG
271	Shri Maheswar Gogoi	UR	DAD/LMG
272	Shri Bipul Sanowal	ST	DAD/LMG
273	Shri Mridul Rajkhowa	OBC	DAD/LMG
✓ 274	Shri Manabendra Gayan	UR	DAD/NGC
275	Shri Ananta Mal	SC	DAD/LMG
✓ 276	Shri Bimal Kanti Saha	ST	DAD/NGC
✓ 277	Shri Ambika Kaita	UR	DAD/NGC
✓ 278	Shri Biplob Ch. Das	SC	DAD/NGC
✓ 279	Shri Mridul Gohain	OBC	DAD/LMG
✓ 280	Md. Ashraf Ali	UR	DAD/NGC
281	Shri Biswajit Tai	ST	DAD/LMG
282	Shri Abani K. Patowary	UR	DAD/LMG
283	Shri Ranjan Das	SC	DAD/LMG
284	Shri Ananta Das	SC	DAD/LMG
285	Shri Ujjal Ch. Dev	UR	DAD/LMG
286	Shri Prasajit Dastidar	UR	DAD/RPE

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2nd CONVOCATION

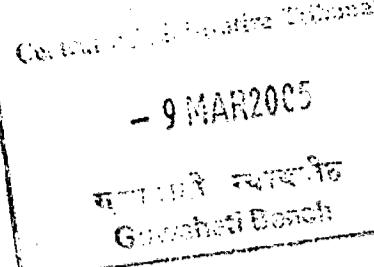
L/R 1-11-04

Em/1/2002

152 (TMC) 11-10-2004 DR. D. M.

01-11-04

18/11/04
15/11/04



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File by
the Respondent through
Siddhanta Baruah
Dated 9/3/2005

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ::
GUWAHATI BENCH.

O.A. NO 11/05.

S.R.Barooh & ors

vs

U.O.I & ors.

IN THE MATTER OF:

Written Statement filed by the
respondents.

1. That a copy of the O.A has been served on the respondents and the respondents have gone through the copy of the O.A filed by the applicant and have understood the contents thereof.
2. That save and except the statements which are specifically admitted hereinbelow, other statements made in the O.A are categorically denied. Further the statements which are borne on records are also denied and the applicant is put to the strictest proof thereof.
3. That before dealing with the various contentions made in the O.A the deponent begs to raise the preliminary objection regarding the maintainability of the O.A. The O.A is bad for non-joinder of necessary parties, waiver,

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estopped and acquiescence. It is stated that the claim made by the applicants in the instant applicant is baseless and self contradictory. The applicant being un-successful in the selection processes now can not challenge the action and on this score alone the application deserves to be dismissed with cost.

4. That with regard to the statement made in para VI-1 to 2 the answering respondents does not admit anything contrary to the relevant records of the case.
5. That with regard to the statement made in para 3.3.1 to 3.2. the answering respondents begs to state that the date of their appointment as 1st Fireman and posting as Diesel Asstt Driver are on 26-6-91 and 4-1-92 respectively.
6. That with regard to the statement made in para 3.3. the answering respondents begs to state that the his date of appointment as Khalesi is on 8-4-83 redesignated as Engine Cleaner on 3-2-87 & his promotion as 2nd Fireman, 1st Fireman and posting as Diesel Asstt Driver happened on 25-3-87, 7-4-93 and 19-7-94 respectively.
7. That with regard to the statement made in para 3.4 of the OA the answering respondents begs to state that the applicant No.4 was appointed in Rly. as Diesel Khalasi on 17-9-86, re-designated as Engine Cleaner on 22-2-89 (on option) in Mech. Deptt. and date of promotion as 2nd Fireman & Diesel Asstt Driver are on 8-11-89 & 2-4-99 respectively.
8. That with regard to the statement made in para 3.5 of

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the OA the answering respondents begs to state that the date of appointment of the applicant No.5 as Engine Cleaner, promotion as Engine Cleaner Helper and Diesel Asstt. Driver are on 11-11-89, 21-7-92 and 23-3-2000 respectively.

9. That with regard to the statement made in para 3.6 of the OA the answering respondents begs to state that the date of appointment of the applicant No.6 as Engine Cleaner, promotion as Engine Cleaner Helper and Diesel Asstt. Driver are on 8-11-89, 15-7-92 & 23-3-2000 respectively.

10. That with regard to the statement made in para 3.7 of the OA the answering respondents begs to state that the date of appointment of the applicant No.7 as Engine Cleaner, promotion as Engine Cleaner Helper & Diesel Asstt. Driver are on 88-11-89, 20-7-92 & 23-3-2000 respectively.

11. That with regard to the statement made in para 3.8 of the OA the answering respondents begs to state that the date of appointment of the applicant NO.8 as Engine Cleaner, Promotion as Engine Cleaner Helper and Diesel Asstt Driver are on 8-11-89, 15-7-92 & 23-3-2000-respectively.

3.3.1 to 3.2

12. That with regard to the statement made in para 4 to 9 of the OA the answering respondents donot admit anything contrary to the relevant records of the case.

13. That with regard to the statement made in para 10 & 11 of the OA the answering respondents begs to state that the DME/C&W/LMG had desired to have the position in respect of

passing the promotional, course training and Psychological Test of the candidates for sending the same to HQ (Maligaon).

That the DME/LMG's and Sr.DME/LMG's letters dtd 9-6-04 and 13-7-04 respectively, are the internal correspondence of the Rly. administration. These are not conclusive as the entire selection process for the post of Goods Diver was under examination at Hd Qr. level by GM Maligaon who canceled the selection on the ground of irregularities as mentioned in GM(p)/MLG's letter No.E/254/5211(M)PU dated 11-9-04 (Photocopy enclosed). Accordingly selection held as per notification dtd 14-10-03 has been canceled and a fresh selection has been initiated vide Memorandum No.F/254/1/LM(RG)/M Dtd. 22412-04 to fill up the 142 vacant posts of Driver.

It may be pointed out that the applicants' name have been included in the eligibility list attached with the notification dtd. 22-12-04 and in the letter dtd 27-3-05 (Copy enclosed). Rly. Drivers belong to top safety category. They are the personnel upon whom the lives of thousands of passengers and safe transit of goods depend. Any kind lapses and irregularity in their selection would be fatal for the society.

14. That with regard to the statement made in para 12 & 14 of the OA the answering respondents begs to state that the selection and restructuring are two different matters. The applicants mixed the two matters with misconception.

All benefits were extended "to the eligible staff by modified selection for implementation of the restructuring in running category since the benefit had been made within the individual category itself (maintaining the percentage) such as Goods Driver to Sr Goods Driver, and passenger Driver to Sr.

Passenger Driver.

15. That with regard to the statement made in para 15 of the OA the answering respondents denies the correctness of the same.

16. That with regard to the statement made in para 16 of the OA the answering respondents begs to state that the earlier selection for the post of Goods Driver vide notification No.F./254/1/LM(RG)/M Dtd,14-10-03 was canceled as there were irregularities in the selection process. Accordingly a fresh selection vide notification dtd. 22-12-04 (Annexure-G to OA) was initiated to fill up the 142 vacant posts of Goods Driver.

There was no stay order from the Hon'ble Tribunal to hold selection. Moreover the Rly. Admn. cannot close its eyes as to the large number of shortage of Goods Driver in the Train movement. For up keeping the train operation filling up of the post of Goods Driver was felt highly necessary and accordingly a fresh selection was called vide notification dtd. 22-12-04.

17. That with regard to the statement made in para 17 of the OA the answering respondents begs to state that the names of S/Shri Simanta Rn.Barooh, Ranjit Chutia, Ajoy Chanda, Dipak Kr.Roy, Tamal Bhattacherjee were not initially included in the eligibility list for non completion of requisite foot plate experience as prescribed. However, their names were included on completion of requisite foot plate experience vide order dated.

18. That with regard to the statement made in para 18 of the OA the answering respondents begs to state that the names of

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all the applicants have been included in the eligibility list vide No.E./254/1/LM(RG)/M dtd.22-12-84 and letter of even No. dtd.27-1-85. In this connection the Misc. petition for granting the stay order filed by the applicants were dismissed by the Hon'ble Tribunal.

19. That with regard to the statement made in para 19. of the OA the answering respondents beg to state that the fresh selection is initiated based on the cancellation of earlier panel. The administration had not received any stay order on the selection. Moreover, the administration cannot sleep over the issue having large number of vacancies.

20. That with regard to the statement made in para 20. of the OA the answering respondents begs to state that in the context of the preceding paragraph, the OA has got no merit at all and deserves to be dismissed with cost.

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VERIFICATION

I Shri. Ashoke Sengupta... aged about.... years,
at present resident of ...Lundering.... in the Dist. Nagasen
working as D.P.O./N.F.Rly. at Lundering the Office of
the D.R.M/P/L.M.G. N.F.Railway ... do hereby
solemnly affirm and state as follows;

That I am the ...D.P.O./Lundering. working under
N.F.Railway ... and well conversant with the facts and
circumstances of the case and also competent to swear this
affidavit.

That the statement made in
paragraphs ...11,12,14,15,20... true to my knowledge and those
made in paragraphs ...5-11,13,16-19... are matters of
records which I believed to be true and rests are my humble
submission before the Hon'ble Tribunal.

And I sign this verification on this the ...^{07/03/05} th day
of March 2005.

Ashoke Sengupta
DEPONENT.

NF Railway

CONFIDENTIAL

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

No.E/254/52/1(M)Pt.1

September 16, 2004

To
The Divisional Railway Manager
NF Railway
Lumding

Sub: Selection for the post of Goods Driver in scale Rs.5000-
8000/-

Ref: Sr.DPO/LMG's letter No.E/254/1/LM(RG)M(Loose)dt.
17.5.04 and 8.06.04.

The case has been examined in detail and the General Manager
has passed the following orders:

"As in this procedural irregularities have been brought out, the
selection should be cancelled and fresh selections are conducted. It is
also obvious that out of 273 candidates who had appeared only 64
candidates have passed which is very low percentage and obviously
due to various shortfalls in selection process.

However, for fresh selection detailed instructions be got issued to
the concerned officers to ensure that all rules for selection are complied
with."

You are, therefore, requested to cancel the selection proceeding
in question and initiate selection process afresh and finalise it within a
time bound frame work so that vacancies are filled up immediately.

You are also requested to ensure that no irregularities in the
selection process are occur this time. In respect of the selection under
reference, it is requested to fix responsibility in respect of the following"

- (i) Non-setting up of bi-lingual question paper;
- (ii) Improper questioning on Raj Bhasha and allotment of
marks on each question of Raj Bhasha;
- (iii) Lack of uniformity in the pattern of question paper

The names of the Officers found responsible for the above
lapses may be forwarded alongwith your comments so that the same
may be put up to the General Manager.

DPO/1e

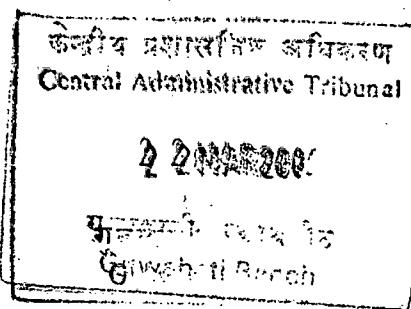
71/4b
It is my duty

Rebby

ah
17.8.04

SMI
(DR. SMN ISLAM)
Chief Personnel Officer
For General Manager(P)

Attested
By
Advocate



**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH,
GUWAHATI**

In the matter of: -

Original Application No. 11 of 2005

Sri S. R. Barooah & Ors.

- Vs -

Union of India & Ors.

- AND -

In the matter of: -

Rejoinder submitted by the applicants in reply to the written statements submitted by the Respondents in respect of Original Application No. 11 of 2005.

The Applicants in the above named applications most humbly and respectfully beg\$ to state as under: -

- 1) That the preliminary objection raised in Para - 3 of the written statements that the applicants were unsuccessful in the selection and therefore cannot challenge the action is totally denied. That the applicants were declared successful in the last selection and they were empanelled for promotion to Goods Driver and the panel was duly approved.
- 2) That as to the statements made in Para 5 -11 to the Written Statement it is stated that the relevant dates are supported by official documents annexed to the Original Application.

Gyanitha Sivooth

3) That as to the statements in Para – 13 of the Written Statement it is stated that the D.M.E, (C & W) Lumding through his letter No. G / 58 (Training) dated 09.06.2004 (at Annexure: - C) intended to prepare for posting of the selected candidates of the panel on promotion. That the D.M.E. Lumding's and Sr. D.M.E Lumding's letter were conclusive as to the postponement of the effect of the panel from being translated into posting on promotion to the long vacant posts of Goods Drivers.

That the General Manager, Maligaon in canceling the selection and initiating a fresh selection through his letter dated 16.09.2004 as indicated in the Para – 13 of the written statement did not act on relevant considerations and valid reasons and therefore cannot have an overriding effect on a positive act of selection long ago approved by the highest level authority of the division vested in Divisional Railway Manager, Lumding.

4) That as to the statement in Para – 15 of written statement it is stated that this statement is wrong and that the cancellation of the selection is part of the subject matter in O.A. No. 182 / 2004 before this Hon'ble Tribunal.

5) That the statement in Para – 16 of the written statement is rebutted with the statement that the supposed irregularities serving as the basis for cancellation of the selection by the General Manager led to an erroneous conclusion by the General Manager that the selection process had shortfalls because the pass percentage at 64 out of 273 is low. This was an extraneous consideration for the cancellation. That a cryptic order such as this by the General Manager is bad in law in that it has violated

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the fully blossomed right of some 63 candidates for promotion the applicants included.

6) That the statement in Para – 17 of the Written Statement is not correct. Sri Simanta Rajon Barooah and Sri Ranjit Chutia had the requisite experience to be eligible for the selection and on that basis they were called for the previous selection and were selected.

7) That with regard to the statements made in the Para – 19 of written statement it is stated that initiation of a fresh selection is beyond the authority of law because the cancellation of the selection by the General Manager is bad in law as shown in Para 3 and 5 above.

8) It is stated that the impugned order issued by APO II dated 22.12.2004 and by implication impugned orders of Sr. DME Lumding dated 13.07.2004, General Manager (P) Maligaon's letter dated 16.09.2004 and dated 21.09.2004 for cancellation of the panel depriving the applicants from their due promotion was made with misapplication of mind and without any authority of law.

That under the facts and circumstances of the case as stated in the application ^{Applicant} are entitled for the reliefs sought for in the application. Further, the grounds shown in the Original Application are full of justification and having force of law and as such the application is full of merit. The application deserves to be allowed with costs.

Simanta Barooah

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VERIFICATION

I, Sri Simanta Rajon Barooah, S/o of Late Dhiru Charan Barooah, aged about 41 years, resident of Rly. Qr. No. 1/B, East Gotanagar, Maligaon, Guwahati-11, do hereby declare and verify as under:

1. That I am the applicant No. 1 of the instant application and as such I am well aware of the facts and circumstances of the case. I am also authorized to verify this application for and on behalf of the remaining applicants.
2. That the statements made in the accompanying petition at Para _____ and _____ are true to my knowledge and belief and those made in Paras _____, _____ and _____ being matters of records I verify believe those to be true and the rests are my humble submissions before the Hon'ble Tribunal.

And in verification whereof, I sign this verification today
dtd. 22.3.05 at Guwahati.

Simanta Barooah
Signature