

50100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

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SECTION OFFICER (Judl.)

03/11/17

FORM NO. 4
(SEE RULE 42)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

OR D E R S H E E T

Original Application No.

53/05

Misc. Petition No.

Contempt Petition No.

Review Application No.

Review Application No.

Applicants:- M. S. D. Kolita - T. 003

Applicants - - - - - *10.1* - - - - - *10.8*
Respondents - - - - - *10.1* - - - - - *10.8*

REVIEW

Advocates for the Applicant

Miss M. Das

Advocates of the Respondents:

Order of the Tribunal

Notes of the Registry

Date

This application is a
is filed/C.F. 7/15/00
deposited vide I.P. 100
N. 206 116 073

Dated 18.2.05

28.02.2005

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

Heard Learned counsel for the parties. The application is disposed of in terms of the order passed in separate sheets.


Member (A)

ships taken with
envelopes -

mb
2.5.05.

Present: Hon'ble Mr. Justice G. Siva
Rajan, Vice-Chairman
Hon'ble Mr. K. V. Prahладан,
Administrative Member.
in
The case is for report/com-
pliance. Mr. J. L. Sarkar learned
Railway counsel is absent.
Post the matter on 3.6.05.

K. B. Carlson
Member

W. J. Simpson
Vice-Chairman

5. 5. 05

11.5.05. This case is posted for compliance. Report. Ms. U. Das learned counsel for the applicant submits that the direction issued in this case has already been complied with. Hence this O.A. is closed.

A Compliance report has been submitted (for flight) to the Ass't. Personal office, N.C.R.

Railway Haligao regarding the Hon'ble Court order dt. 28.2.05 in O.A 53/05, placed before the Hon'ble Court.

1m

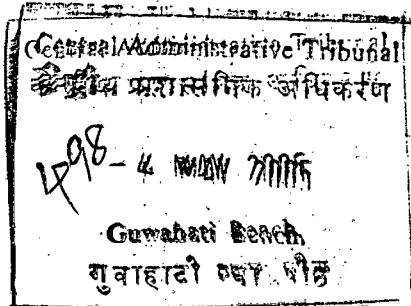
K. Dasgupta
Member

Chaudhury
Vice-Chairman

13.5.05

Copy of the order has been sent to the Office for filing the same to the G.O. (P), N.C.Rly. Magistrate or to the L.Y.S.D. for the apply.

Ch



N.F. Railway

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

No.E/170/LCNS/567/05(Loose)

Date:03-05-2005

To,
The Deputy Registrar,
Central Administrative Tribunal,
Guwahati Bench, Rajgarh Road,
Bhangarh, Guwahati.

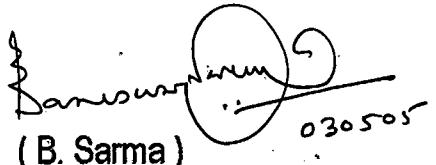
Sir

Sub:- Compliance of Judgment/ order
dt. 28-02-2005 in OA No.53/2005.
Sri. B. Kalita & Ors -VS- UOI

As directed by the Hon'ble Central Administrative Tribunal/ Guwahati Bench vide judgment/ order dt. 28-02-2005 in OA No.53/2005 the competent authority i.e. the Chief Personnel Officer/A., N.F. Rly, Maligaon has gone through the case thoroughly including the representations submitted by the applicants as directed by the Hon'ble Tribunal and has disposed of the same after due consideration with the speaking order. A Xerox copy of the speaking order is enclosed herewith for kind perusal of Hon'ble Tribunal please.

DA: As above.

With regards.


(B. Sarma)
03-05-05

Asstt. Personnel Officer/LC
for General Manager(P)/ MLG

50(E)
28-4-2005

Mr. P. C. Dutt
Mr. K. K. Sharma

(Copy sent)
28-4-2005

Sub: Speaking order in compliance with the Hon'ble CAT/GHY's order dt. 28.2.05 in O.A. No.53/05, Shri B. Kalita & Others- Vs.-U.O.I.

I have gone through the representation submitted by the 16 employees who filed O.A. No. 53/05 and Hon'ble CAT's orders passed on 28.2.05 on the said O.A.

The brief history of the case is as under as per the records:-

While initiating the selection for filling up of vacancies in SE/Drawing in scale Rs. 6500-10500/-, there were some inadvertent mistake committed in calculation of vacancies for conducting selection. Hence, there were correspondences between G.M.(P)/Open Line and Construction Organisation/N.F.Railway besides there were representations from N.F.R.E.U. and N.F.R.M.U. Hence, considerable delay has been taken place and in the meanwhile the orders for restructuring issued by the Railway Board which has totally changed the scenario of the selection. Finally the selection of S.E./Drawing has been completed and orders for promoting 08 employees (6 vacancies for Construction Organisation and 02 vacancies for Open Line) have been issued vide letter No.E/254/21/Pt.III (E) dt. 4.4.05 however, subject to outcome of the OA No. 53/05. Hence, I feel that the N.F.Railway Administration has correctly followed the rules and procedure for conducting the selection for the post of S.E./Drawing and no injustice has been done to the 16 applicants in question.

I have gone through representation in detail wherein following are the three major aspects they raised :-

1. The assessment of vacancies has not been done properly.
2. There were representations of employees through unions which were not replied.
3. Reduction of vacancies from 19 to 8 without giving any weightage to the letter dt. 6.1.04 issued by the Railway Board and the letter dt. 27.4.04 issued by the G.M./CON/Maligaon.

The following will satisfy the aspects raised by the applicants:-

1. Regarding vacancies, a lot number of correspondences have been seen in the records right from the notification issued on 16.9.02 and which was revised by another notification dt. 28.10.02, because of less number of SC candidates allotted in the notification dt. 16.9.02. Further, no other changes in the vacancies in the notification dt. 16.9.02 and 28.10.02. Hence, it is further to be stated that there is no irregularities committed by the administration by calling the JE/I who were promoted on 30.4.02 alongwith the applicants who are very

senior to these recently promoted employees. It is pertinent to mention that the applicants have not quoted any rules violated by the N.F.Railway Administration by calling these JE/I who have been recently promoted.

2. Regarding point No.2, the applicants represented that their grievance sent through N.F.R.E.U. was not replied. In this regard, it is to be stated as mentioned in the brief history of the case, the selection for SE/Drawing is delayed because of either N.F.R.E.U.'s representation (or) N.F.R.M.U.'s representation. Based on their representations, the process of selection has been reviewed by the officers at various levels and finally the competent authority had decided to hold the selection but before implementing the decision for holding the selection Railway Board issued restructuring orders vide letter dt. 6.4.04 for implementation. As per these instructions, the selections which were not finalized as on 1.11.03 are to be cancelled and the restructuring order rules are to be followed. Hence, the action taken by the Administration for implementing the restructuring order superseding selection proceedings initiated is justified and there is no grievance on this ground also.
3. Regarding point No3, reduction of vacancies from 19, the following facts are seen in the records:

GM/CON vide letter dt. 27.4.04 had informed 18 vacancies in the category of SE/Drawing and one higher grade vacancy and therefore total vacancies advised by Construction Organisation was 19. The vacancy available in Dy.CE/Br./Line had been taken into consideration. There was no vacant post of SE/Drawing in NBQ Workshop. There was no vacancy in SE/Drawing in Open Line. However, there were two resultant vacancies in SE/Drawing. In order to correctly arrive at the number of vacancies for which selection was to be held and also to ascertain the views, a joint meeting with both the recognized Unions was held in 17.12.04. CE/CON/II informed that CON Organ. was not permanent organization and requirement of men vary based on projects on hand. CE/CON/II had further informed in the meeting that though the CON. Organ. had indicated 19 vacancies, the same had gone down and at present there were only 6 vacancies which were required to be filled up. Therefore, it was decided in the meeting that the selection would be held for filling up of 8 vacancies i.e. 2 for Open Line and 6 for CON. Organ. and accordingly selection was completed and 8 employees have been promoted to the post of SE/Drawing.

4. Finally, regarding the 16 applicants' request for the administration either to conduct the selection based on the vacancy position vide letter dt. 27.4.04 for 19 vacancies (or) to hold selection as per the notification dt. 28.10.02 (it is erroneously mentioned by the applicants as 28.10.04) without calling the junior JE/I, it is to be stated that as already explained in detail, the administration has not violated any rules in reducing the vacancies from 19 to 08 as a conscious decision had been taken to conduct the selection for 08 (6 for Construction Organisation and 02 for Open Line) as workcharged post in the Construction Organisation varies from time to time and hence, the vacancy has reduced from 19 to 6. Also, the applicants have not quoted any rules violated by the Administration in calling their juniors JE/I employees for the selection. As per the records, they have been correctly called for the SE/Drawing selection at that time when the notification was issued on 28.10.02 and 22.11.02 . Also it is further mentioned that restructuring orders mentioned by the applicant is correctly followed and finally order was issued on 4.4.05 for 08 employees in JE/I subject to the outcome of the O.A. No. 53/05.

Hence, I find that there is no violation of any rules and procedures by conducting the SE/Drawing selection and accordingly, the applicants may be advised.

8/2/05
(V. Pitchairaju)
Chief Personnel Officer/A.

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CENTRAL ADMINISTRATIVE TRIBUNAL :: GUWAHATI BENCH.

O.A. No. 53/2005

DATE OF DECISION 28.02.2005

Sri Bhabendra Kalita & Ors.

APPLICANT(S)

Ms. U. Das

ADVOCATE FOR THE
APPLICANT(S)

- VERSUS -

The Union of India & Ors.

RESPONDENT (S)

Mr. J.L. Sarkar

ADVOCATE FOR THE
RESPONDENT(S)

THE HON'BLE MR. K.V. PRAHLADAN, ADMINISTRATIVE MEMBER.

THE HON'BLE MR.

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

Judgment delivered by Hon'ble member (A).

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No. 53/2005

Date of Order: This the 28th day of February, 2005.

THE HON'BLE MR. K.V. PRAHLADAN, ADMINISTRATIVE MEMBER

1. Sri Bhabananda Kalita
2. Jharna Sarkar,
3. Bhabananda Patgiri
4. Namita Hazarika
5. Dhruba Pd. Sengupta
6. Rajani Kt. Sarma
7. Rajat Ranjan Deka
8. Surajit Kr Roy
9. Swapan Kr Dey
10. Pradip Kr. Singha
11. Gauranga Dey,
12. Khalil Ansari,
13. Bhuban Ch. Das
14. Jitu Hazarika
15. Taizuddin Ahmed

... Applicants

All the applicants are working as JE-I in the office of the General Manager (Con/P), GM (P), N.F. Railway.

By Advocate Ms. Usha Das.

- Versus -

1. Union of India,
Represented by the Secretary to the
Govt. of India, Ministry of Railways,
Rail Bhawan, New Delhi.
2. The General Manager(P)
N.F.Railway, Maligaon, Guwahati.
3. The General Manager (Con/P)
N.F.Railway, Maligaon,
Guwahati.
4. The C P D E, N.F.Railway,
Maligaon, Guwahati
5. The Deputy Chief Personnel Officer (Con)
N.F.Railway, Maligaon, Guwahati.

... Respondents.

By Advocate Mr. J.L. Sarkar for Railways.

JKD

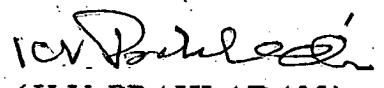
O R D E R

K.V. PRAHLADAN, MEMBER (A) :

Heard Ms. U. Das, learned counsel for the applicants and also Mr. JL. Sarkar, learned counsel for the respondents.

2. The application is disposed of with a direction that the applicants shall submit a representation to the respondents listing out their grievances within 15 days from the date of receipt of this order. The respondents shall give reply within two months from the date of receipt of such representation. While examining the representation of the applicants, the respondents shall be taken into consideration *at Annexure F* the letter dated 27.04.2004 and the vacancy position in that letter. The reply shall be self-contained, reasoned and speaking. The respondents to file compliance report after two months. List on 02.05.2005 for compliance report. *DRD*

A copy of this order be furnished to Mr. JL. Sarkar, learned counsel for the respondents.


(K.V. PRAHLADAN)
ADMINISTRATIVE MEMBER

/mb/

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

(An application under Section 19 of the Administrative
Tribunals Act, 1965)

Original Application No. 53 /2605.

Shri Bhupananda Kalita & Ors.

• • • Applicant

- Versus -

Union of India & Ors.

• • • Respondents

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Filed by :
Alsha Das
Advocate

2
Filed by
the applicants through
Elsha Deka
25/2/05

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

(An application under Section 19 of the Administrative Tribunals Act 1985).

ORIGINAL APPLICATION NO. /2005.

1. Sri Bhabananda Kalita
2. Jharna Sarkar,
3. Bhabananda Patgiri
4. Namita Hazarika
5. Dhruba Pd. Sengupta
6. Rajani Kt. Sarma
7. Rajat Ranjan Deka
8. Surajit Kr Roy
9. Swapan Kr Roy
10. Pradip Kr. Sinha
11. Gauranga Dey,
12. Khalil Ansari,
13. Bhuban Ch. Das
14. Jitu Hazarika
15. Taizuddin Ahmed

All the applicants are working as JE-I in the office of the General Manager (Con/P), G.M.(P) ^{wo}
N.F.Railway, Maligaon, Guwahati.

... Applicants

- Versus -

1. Union of India,
Represented by the Secretary to the
Govt. of India, Ministry of Railways,
Rail Bhawan, New Delhi.
2. The General Manager(P)
N.F.Railway, Maligaon, Guwahati.

Md. Khalil Ansari

3. The General Manager (Con/P)
N.F.Railway, Maligaon,
Guwahati.
4. The C P D E, N.F.Railway,
Maligaon, Guwahati
5. The Deputy Chief Personnel Officer(Con)
N.F.Railway, Maligaon, Guwahati.

DETAILS OF THE APPLICATION :

1. Particulars against which this application is made :

This application is filed against the action of the respondents in not holding the selection for the post of SE even though they have been qualified for the same in the year 2000 itself.

2. LIMITATION :

This applicants declare that the instant application has been filed within the limitation period prescribed under Section 21 of the Central Administrative Tribunals Act 1985.

3. JURISDICTION :

The applicants further declare that the subject matter of the case is within the jurisdiction of the Administrative Tribunal.

4. FACTS OF THE CASE :

4.1 That the applicants are citizen of India and resident of Guwahati, Maligaon hence they are entitled to all the rights, privileges and protection as guaranteed by the Constitution of India and laws framed thereunder. The claims and reliefs sought for by the applicants in this application is same, hence they pray before this Hon'ble Tribunal to join together in a single application invoking Rule 4(5) (a) of the Administrative Tribunal (Procedure) Rules, 1987.

4.2 That the applicants before this Hon'ble Tribunal are presently holding the post of JE I in the drawing and design cadre of Construction organization, Civil Engineering Department under GM/Con/MLG (Hq. Unit). The applicants are eligible for the next promotion to the post of SE/Drawing w.e.f. 15.7.2000

A chart showing the service particulars of the applicants is annexed herewith and marked as Annexure-I.

4.3 That the applicants beg to state that the next post promotional post i.e. SE is a selection post. The Respondents had issued an order bearing No.E/254/21/III/Pt.IV(E) dated 28.10.02 to hold the selection for the post of SE/DRG in scale of Rs.6500-10500/- against Direct Recruit(DR) and Departmental Promotion (DP) quota of Civil Engineering Department to fill up the vacancies in the categories of SE/Drawing and SE/DRG. By the said order the applicants were also called for the said selection and notification had been issued calling the applicants alongwith other employees to appear in the said selection.

A copy of the said order dated 28.10.2002 is annexed herewith and marked as annexure-2.

4.4 That the applicants beg to state that the Respondents while postponing the earlier selection have issued another order bearing No.E/254/C/Selection/DRG/NG Pt.II dated 3.12.02 in supersession of GM(P)/MLG's notification of even number dated 28.10.02 by which it was decided to hold the selection for filling up the total vacancies of 18 posts in the categories of SE/Drawing. By the said order the applicants were again called to appear in the said selection.

A copy of the said order dated 3.12.02 is annexed herewith and marked as Annexure-3.

Mr. Khalil Ansari

4.5 That the applicants beg to state that the applicants expecting for the said selection and they had been visiting the office of the respondents regarding holding of the said selection but nothing was communicated to the applicants. On visiting the office of the respondents the applicants could come to know that the selection which was scheduled to be held had been postponed again.

4.6 That the applicants beg to state that in continuation to the GM(P) MLG's notification of even number dated 22.11.02 the Respondents have issued another notification bearing No.E/254/21/III/Pt.IV(E) dated 5.1.04 by which it has been decided to hold the selection for filling up the vacancies as mentioned in the earlier notification dated 3.12.02. In fact in that selection also the applicants name appeared in the list of name of the candidates against DP quota.

4.7 That the applicants beg to state that while they were waiting for the said selection the respondents issued another order dated 28.1.2004 by which the office notification dated 5.1.04 has been postponed till further order without assigning any reason.

5/1/04
Copies of the said order dated 28.1.04 annexed herewith and marked

as Annexure- 4 and 4A

w.m

4.8 That the Railway Board has issued a notification bearing No.PC-III/2003/CRC/6 dated 6.1.04 by which restructuring has been done in certain Group C and D cadres.
As per the said order

"All vacancies arising out of the restructuring should be filed up by senior employees who should be given benefit of the promotion w.e.f. 01.11.2003 whereas for the normal vacancies existing on 01.11.2003 junior employees should be posted by modified selection procedure but they will get promotion and higher pay from the date of taking over the posts as per normal rules. Thus the special benefit of the promotion w.e.f. 01.11.2003 is available only for vacancies arising out of

Md. Khalil Ansari

restructuring and for other vacancies the normal rules of prospective promotion from the date of filling up of vacancy will apply."

A copy of the said order dated 6.1.04 is annexed herewith and marked as Annexure- 5

4.9 That as per the order dated 6.1.04 issued by the Railway Board the General Manager (P), Maligaon wrote a letter to the General Manager (Con/MLG) N.F>Railway asking to furnish the grade wise vacancy position of drawing and design cadre of construction organization of Civil Engineering Department (Hq. Unit) as on 1.11.2003.

A copy of the letter dated 26.4.04 is annexed herewith and marked as Annexure- 6

4.10 That acting on the aforesaid letter dated 26.4.04 the General Manager/Con/MLG has written a letter bearing No.E/254/C/Selection/DRG/NG Pt.II dated 27.4.04 to the GM/P/MLG, N.F.Railway, Maligaon apprising the vacancy position in a chart showing the same under the department of GM/Con/MLG (Hq.Unit).

A copy of the letter dated 27.4.04 alongwith the chart and the list is annexed herewith and marked as Annexure- 7

4.11 That the applicants beg to state that as per the vacancy shown by the GM/Con/MLG the General Manager(P) MLG has issued an office order dated 28.10.04 five SE/Drg. have been temporarily promoted to officiate as SSE/Drg. But in case of the present applicants nothing has been done till date.

A copy of the said promotion order dated 28.10.04 is annexed herewith and marked as Annexure- 8

4.12 That the applicants beg to state that the applicants through the Union of has taken up the matter and time to time correspondences have been made in this regard. But no fruitful result has come out. The applicants are eligible for the next higher grade in

Md. Khalil Ansari

the year 2000 and the Respondents have been issuing notification one after another postponing selection one after another. Since 2002 the Respondents have been proposing to hold the selection but till date no selection has been held for the reasons best known to them. All the applicants are eligible for the said selection for the post of SE/Drawing only due to non holding of the said selection they have been denied their due promotion after selection.

4.13 That the applicants beg to state that being a model employer the Respondents are duty bound to hold selection in time as there are posts which have been falling vacant since 2002 itself as per the notification issued by the Respondents.

4.14 That the applicants beg to state that now the Respondents are sought to promote 8 persons without holding any selection. If the respondents have been taken this decision as per Railway Board's order dated 6.1.04 then there should have been 19 posts (vacant) as shown by GM/Con/MLG as on 1.11.2003. The respondents have taken this decision ignoring the order issued by the Railway Board as well as the order dated 27.4.04. In that view of the matter the applicants pray before this Hon'ble Tribunal for an interim direction not to promote any person till finalisation of this O.A., otherwise this will cause prejudice to the present applicants.

4.15 That the applicants beg to state that the Respondents ought to have promoted the present applicant holding selection in the year 2002, but not doing so now they sought to promote only 8 persons ignoring the cases of the present applicants which is not at all sustainable in the eye of law. Since the Respondents have given the promotion to the SEE/Drg from SE/Drg as per the letter dated 27.4.04 they also ought to have promoted these applicants following the same manner and method as has been followed in their case.

4.16 That the applicants beg to state that they have been apprising the matter before the Respondents through their Union but all have fallen on deaf ears. Having without any alternative remedy they have come before this Hon'ble Tribunal seeking redressal of their grievances.

MD. Khalid Ansari

The applicants crave leave of this Hon'ble Tribunal to produce all the correspondences at the time of hearing of this case.

4.16 That the applicants beg to state that the respondents are responsible for not holding selection and postponing time to time without any reason and now the Respondents are taking move to promote 8 persons without holding any selection and without taking into consideration the vacancy position shown by the GM/Con/Mlg. Hence the applicants pray before this Hon'ble Tribunal for a direction towards the Respondents to produce all the relevant records at the time of hearing of this case.

4.17 That this application has been filed bonafide and to secure ends of justice.

5. Grounds:

5.1 For that the action of the Respondents in not holding the selection for the promotion to the post of SE/Drg. is per se illegal, arbitrary, violative of various provisions of service jurisprudence hence same is liable to be set aside and quashed.

5.2 For that as per the order dated 27.4.04 the vacancy position in the Grade of SE/Drawing and Design Cadre of Civil Engineering Department is 19 posts but now the Respondents sought to promote 8 persons only, ignoring the vacancy position is per se illegal and not sustainable in the eye of law.

5.3 For that the Respondents time to time have been issuing notification for selection and have been postponing the same without any reason by which the applicants have been denied their legitimate promotion is per se illegal, arbitrary and no sustainable in the eye of law and therefore liable to be set aside and quashed.

5.4 For that the action of the respondents in not acting on the Railway Board's order in case of the present applicants but has been done in case of other grade without showing any reason is per se illegal, arbitrary and violative of various

Md. Khalil Ansari

provisions of the Constitution of India as well as service jurisprudence, hence the same are liable to be set aside and quashed.

5.5 For that in any view of the matter the action/inaction on the part of the Respondents in not holding the selection for the promotion for SE/Drg. and now sought to fill up 8 posts without holding any selection and without taking into consideration the vacancy position as described in the facts of the case is not at all sustainable in the eye of law and liable to be set aside and quashed.

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

6. Details of the remedies exhausted :

The applicants have come before this Hon'ble Tribunal against the action of the respondents in not holding the selection in time. In this regard the applicant had been approaching before the respondents through Employees Union. The applicants crave leave of this Hon'ble Tribunal to produce the same as and when this Hon'ble Tribunal desires to peruse.

7. Matter not previously filed or pending with any other Court :

The applicants have not filed any other case/applications in any other Court/Tribunal regarding the present subject matter.

8. Reliefs sought :

Under the facts and circumstances stated above, the applicants pray that the instant application be admitted, records be called for and on perusal of records and upon hearing the parties on the cause or causes that may be shown be pleased to grant the following reliefs.

8.1 To direct the Respondents to hold selection as per the vacancy position shown by the order dated 5.1.04 (Annexure-¹) by the GM ^{near} Mlg which is still exist.

Md. Khadi Amane

8.2 To direct the Respondents to promote the applicants as per the Railway Board's order dated 6.1.04 taking into consideration the vacancy position as on 1.11.03 in the Grade of SE/Drawing and Design of Civil Engineering Department as has been done in SSE grade.

8.3 Cost of the application.

8.4 To grant any other relief or reliefs as the applicants may be entitled to and as may be deemed fit and proper under the facts and circumstances of the case.

9. Interim order prayed for :

Pending disposal of this application the applicants pray for an interim order directing the respondents not to issue any order promoting persons to SE/Drg. from JE/I/Drg.

10. Particulars of the Postal Order :

Postal Order No. 20 62 116077

Date : 18/2/05

Issuing Office – Guwahati GPO

Payable at – Guwahati GPO

11. List of enclosures :

An index showing the particulars of documents enclosed.

Md. Khalil Ansari.

VERIFICATION

I, Md Khalil Ansari, son of late Habib Ansari, aged about 45 years by profession service, resident of Maligaon, Guwahati do hereby verify that I am one of the applicants in the accompanying application. I am acquainted with the facts and circumstances of the case. I hereby verify that the statements made in paragraphs 1 to 41, 45, 415 - 418 & 5 to 12 are true to my knowledge, those statements made in paragraphs 42, 43, 44, 46 to 414 are matter of records and rests are my humble submission and that I have not suppressed any material facts.

And I set my hand on this verification today the 25th February, 2005 at Guwahati.

Md. Khalil Ansari.
Applicant

| Sl No. | Name | Designation | Date of promotion as JE-I | Eligible for promotion for SE. | Remarks. |
|--------|---------------------|-------------|---------------------------|--------------------------------|----------|
| 1 | Bhabananda Kalita. | JE-I | 15-7-98. | 15-7-2000 | |
| 2 | Jharna Sarkar. | JE-I | 15-7-98. | 15-7-2000 | |
| 3 | Bhabananda Patgiri. | JE-I | 15-7-98. | 15-7-2000 | |
| 4 | Namita Hazarika | JE-I | 15-7-98. | 15-7-2000 | |
| 5 | Dhurba Pd. Sengupta | JE-I | 15-7-98. | 15-7-2000 | |
| 6 | Rajani Kt. Sarma. | JE-I | 15-7-98. | 15-7-2000 | |
| 7 | Rajat Ranjan Deka. | JE-I | 15-7-98. | 15-7-2000 | |
| 8 | Surajit Kr. Roy. | JE-I | 15-7-98. | 15-7-2000 | |
| 9 | Swapan Kr. Dey. | JE-I | 15-7-98. | 15-7-2000 | |
| 10 | Pradip Kr. Sinha. | JE-I | 15-7-98. | 15-7-2000 | |
| 11 | Gauranga Dey | JE-I | 15-7-98. | 15-7-2000 | |
| 12 | Khalil Ansari. | JE-I | 15-7-98. | 15-7-2000 | |
| 13 | Bhuban Ch. Das. | JE-I | 15-7-98. | 15-7-2000 | |
| 14 | Jitu Hazarika. | JE-I | 15-7-98. | 15-7-2000 | |
| 15 | Taizuddin Ahmed. | JE-I | 15-7-98. | 15-7-2000 | |

Alleged
no on
Advocate

No. F. Railway

Office of the
General Manager(P)
Maligon: Dehri-11.

No. E/254/21/III/Pt.IV(s).

Dated: 28-10-2002.

To
GM/CON/MLG
CE/Maligon.
Dv.CE/Bridge/Line/ALG.
SSE/DRG/MLG (in CE's Office.)

Sub:- Selection for the post of SSE/DRG
in scale M.6500-10500/- against DR
& DP quota of Civil Engg. deptt.

In supersession of GM(P) Maligon's Notification of even number dated 16.9.02, it has been decided to hold the selection for filling up the following Vacancies in the category mentioned below by a positive cut of selection consisting of written test followed by Viva-Voce test. The date of the selection is mentioned as under.

| No. of Vacancies | SN | Category | Scale | Mode of Test | Break up of Vacancies. |
|------------------|----|-------------|---------------|---------------|-----------------------------|
| 1. | | SSE/Drawing | 6500 10500 | DR 2 (One) | UR-1, SC-2, ST-Nil |
| 2. | | SE/DRG | 6500 10500 | DR 2 (Two) | UR-1, OBC-1, SC-Nil, ST-Nil |

Date of Selection.

| SN | Category | Scale | Date of I/Part. | Date of I/Part. | Date of Viva-Voce Test. |
|----|----------|---------------|--------------------|--------------------|----------------------------|
| 1. | SE/DRG | 6500 10500 | 20.11.2002 | 04.12.2002 | 19.12.2002 |

Venue of Examination | Time of Exam | Venue of Exam | Time of Exam |

CE/MLG's Office, Dehri-11 | 10.00 hrs. | CE/MLG's Office, Dehri-11 | 10.00 hrs.

(Contd...., 2/-)

Attested
by
Advocate

The following eligible candidates may be directed to appear in the selection accordingly in above mentioned dates. The candidates who will qualify in the written test will be allowed to appear in the Viva-Voce test. There shall be no other communication with respect to the dates of selection. Controlling Officer/ Supervisor should apprise the staff listed below to attend written test & Viva-Voce test accordingly.

Name of the candidate against DP Ans:

| | | | | | |
|-----|------|-------------------------|-----------|--------------|-------------|
| 1. | Shri | Nibha Kr. Das (SC) | IL/1/Drw. | junior | GM/CON/MLG. |
| 2. | " | Gautam Kr. Das (SC) | " | "do" | |
| 3. | " | Di J. " Jankiram (UR) | " | "do" | |
| 4. | " | Atul Kacharya (ST) | " | "do" | |
| 5. | " | Kasicharan Dey (UR) | " | "do" | |
| 6. | Smt. | Bhadrabati Pathak (UR) | " | "do" | |
| 7. | Shri | S. Talukder (UR) | " | CE/Maligaon. | |
| 8. | " | K.C. Dutta (UR) | " | GM/CON/MLG. | |
| 9. | " | S. Kalita (UR) | " | "do" | |
| 10. | Smt. | Jharna Sarker (UR) | " | "do" | |
| 11. | Shri | S.N. Nitgiri (UR) | " | "do" | |
| 12. | Smt. | Namita Deb (UR) | " | "do" | |
| 13. | Shri | D.P. Sonquist (UR) | " | "do" | |
| 14. | " | R.K. Sharma (UR) | " | "do" | |
| 15. | " | R.R. Deka (UR) | " | CE/Maligaon. | |
| 16. | " | S.K. Roy (UR) | " | "do" | |
| 17. | " | S.K. Dey (UR) | " | "do" | |
| 18. | " | P.K. Singha (UR) | " | "do" | |
| 19. | " | Gauranga Dey (UR) | " | GM/CON/MLG | |
| 20. | " | Khalil Michary (UR) | " | "do" | |
| 21. | " | B.C. Das (UR) | " | CE/Maligaon. | |
| 22. | " | Jiltu Nazrana (ST) | " | GM/CON/MLG. | |
| 23. | Md. | Taiuzzuddin Ahmed. (UR) | " | CE/Maligaon. | |
| 24. | Shri | N.Baishya (SC) | " | GM/CON/MLG | |
| 25. | Smt. | M.Roy (SC) | " | "do" | |
| 26. | Shri | Gautam Sarkar (SC) | " | "do" | |

Against DR Quota

1. Shri. Uttam Kr. Bhattacharjee, "CE/Maligaon.

All the above candidates may be informed that if any body is unwilling to appear in the written test should inform within 7 (seven) days from the date of issue of notification.

Name of stand-by candidate.

(Contd., 5/-)

Attested
Wm. H. Wren
Advocate.

: 5 :

Stand-by candidate will be called only if their seniors give refusal for appearing in written examination, if received in P/Branch at least 7 (seven) days ahead of written examination. The candidates will be allowed to appear in the absentee written test only, if the absentee is due to sickness covered by certificate from M.D. Medical authority, non-intimation/late intimation of dates of the 1st written test administrative reason for non-allowing of the candidates for the selection. For the above candidates should produce documentary proof duly forwarded by his controlling officer in support of his absence the W/examination. Otherwise he/she will not be allowed to appear in Sup. Examination.

Apart from this, the upto date ACRs of the staff concerned for last three years should be kept ready.

M. Balu
28-10-02
(B.M. TILAKUR)
SPO/EST.
FOR GENERAL MANAGER (P) LTD.

Copy for information and necessary action to :-

1. SSE/Drawing (Incharge) Maligaon in CE's office - He is requested to arrange the sitting accommodation of the candidates during the written test to be held on 25.11.02 and 04.12.02 in CE's office.
2. PS-II to CE - He is requested to keep ready the last 5 years ACRs of the candidates.

M. Balu
28-10-02
FOR GENERAL MANAGER (P) LTD.

ad/-25.10.2002

*Attested
M. Balu
Advocate*

N.F. RAILWAY

Office of the
General Manager/Com
Aligarh

No:E/254/C/Selection/JRG/NG Pt. II

Dated 3 / 12.02

To:
DY/CE/CO/PL/MLG, Designing
DY/CE/C/MLG, DY/SE/C/KIR
DY/CE/C/TDR, DY/OSTE/C/MLG

Sub: Selection for the post of SE/Drg in scale
Rs. 6500-10,500/- in Civil Engg. Deptt.

A copy of GM(P)/MLG's letter No.E/254/21/III/Pt.IV(E) dated 22.11.2002 on the above subject is forwarded herewith for information guidance had necessary action be taken immediate action please.

(S.K. BOSE)

APO/COH

For General Manager/Com

(Copy of GM(P)/MLG's L/No.E/254/21/III/Pt.IV(E) dated 22.11.2002)

Sub: As above

In supersession of GM(P)/MLG's notification of even number dated 28.10.02, it has been decided to hold the selection for filling up the following vacancies in the category mentioned below by a positive act of selection consisting of written test followed by Viva-Voce test. The date of the Selection is mentioned under:

No. of vacancies.

| SN | Category | Scale | Mode of Recrt. | Total vacancies | Break up of vacancies |
|----|------------|------------|----------------|-----------------|-------------------------|
| 1. | SE/Drawing | 5500-10500 | DP | 12(Twelve) | SC-1, ST-1, UR-10 |
| 2. | -do- | -do- | DP | 6(Six) | SC-3, ST-3, OBC-1, UR-5 |

Mode of selection.

| Category | Scale | Date of written test | Date of absentees | Date of Viva-Voce to written test. |
|-----------|------------|----------------------|-------------------|------------------------------------|
| 1. SE/DAG | 6500-10500 | 14.12.02 | 28.12.02 | 16.1.03 |

Contd.... '2'

Attested
Naren
Advocate

Venue of examination Time of examination Venue of examination Time of Viva-Voce

CE's Office/Maligaon 10.00 hrs CE/Maligaon 10.00 hrs.

The following eligible candidate may be directed to appear the selection accordingly in above mentioned dates. The candidates who will qualify in the written test will be allowed to appear in the viva-voce test. There shall be no prior communication with respect to the dates of selection. Controlling Officer/Supervisors should spare the staff listed below to attend written test & Viva-Voce test accordingly.

Name of the candidates against DP Posts

| | | |
|-------------------------------|----------|------------------|
| 1. Sri Naba Kr. Das(SC) | JE/I/Dec | Under GM/CON/MLG |
| 2. " Gautam Kr. Das(SC) | -do- | -do- |
| 3. " Bijoy Hazanika(ST) | -do- | -do- |
| 4. " Atul Kacharya (ST) | -do- | -do- |
| 5. " Kanchan Dey (UR) | -do- | -do- |
| 6. Smt. Bhadrabati Pathak(UR) | -do- | -do- |
| 7. Sri K.C.Dutta (UR) | -do- | -do- |
| 9. " B.Kalita (UR) | -do- | -do- |
| 10. Smt. Jharna Sankar (UR) | -do. | -do- |
| 11. J.N.Patgiri (UR) | -do- | -do- |
| 12. ShriSmt. Namita Deb (UR) | -do- | -do- |
| 13. Sri D.P.Sengupta (UR) | -do- | -do- |
| 14. " R.K.Sharma (UR) | -do- | -do- |
| 15. " Gauranga Dey (UR) | -do- | -do- |
| 20. " Khalil Ahsanby (UR) | -do- | -do- |
| 22. " Jitu Hazanika(ST) | -do- | -do- |
| 24. " N.K.Chakraborty (UR) | -do- | -do- |
| 26. " S.Chakraborty (UR) | -do- | -do- |
| 27. " S.R.Banman(UR) | -do- | -do- |
| 30. " B.K.Majuader(UR) | -do- | -do- |
| 32. " T.Deb Roy (UR) | -do- | -do- |
| 34. " S.Bhattacharjee(UR) | -do- | -do- |
| 35. " N.Baidhya (SC) | -do- | -do- |
| 36. " H.Roy (SC) | -do- | -do- |

Contd.....3

Resigned
now
Advocate

Against DR Quota

1. Shri Uttam Kr. Bhattacharjee(UR) JE/I/Dr. CE/Malsagan

All the above candidates may be informed that any body is unwilling to appear in the written test should inform within 7(seven) days from the date of issue of this notification.

Name of staff by candidates

1. Shri Gautam Kr. Sarkar(SG) under SB/Allegan

Shri Gautam Kr. Sarkar will be called if his senior gives refusal for appearing in written examination, if received in P/Branch at least 7(seven) days ahead of written examination.

The absentee that will only be held if it is due to sickness covered by certificate from Rly. Medical Authority. "Non-intimation/Late intimation" dates of the 1st written test and on administrative reason for non relieving of the candidates for the selection in time.

For the above candidates should produce documentary staff proof duly forwarded by his controlling officer in support of his absence on the W/Examination. Otherwise he/she will not be allowed to appear in Supp. Examination.

Apart from this upto date ACRS of the staff concerned for last 3 years should be kept ready.

Sd/

(R. Farzary)

SPO/Engg.

Attested
R. Farzary
Advocate

18
Annexure-4
N. F. Railway.

Office of the
General Manager(P)
Malgajon; Gauhati-11.

No. E/254/21/FTT/Pt. IV(E)

Dated: 5-1-2004.

To
GM/CON/MIC
CE/Malgajon
Dy. CE/Br. Line/MIC
SSE/DRW/MIC (in CE's office)

Sub:- Selection for the post of SE/DRG
in scale Rs.6500-10500/- against
DR & DP quota of Civil Engg. Deptt.

In continuation to GM(P)MIC's notification of even number
dated 22.11.02, it has been decided to hold the selection for
filling up the following vacancies in the category mentioned below
by a positive act of selection consisting of written test. The
schedule of the selection is mentioned below:

No. of vacancies:

| Category | Scale | Mode of | Total | Break up of |
|----------------------|-------|------------|-------------------------------|-------------|
| | | Recrt. | Vacancies | Vacancies |
| 1. SE/DRW 6500-10500 | DP | 12(Twelve) | SC-1, ST-1, UR-10 | |
| 2. -Do | DR | 6(six) | SC-Nil, ST-Nil, OBC-1 UR-5 | |

Mode of selection:

| Category | Scale | Date of | Date of absentee |
|----------------------|-------|--------------|------------------|
| | | Written test | written test. |
| 1. SE/DRW 6500-10500 | DP | 31.1.04 | 10.2.04 |

| Venue of examination | Time of examination |
|-----------------------|---------------------|
| CE's office/Malgajon. | 10.00 hrs. |

The following eligible candidates may be directed to appear in
the selection accordingly in above mentioned dates. There shall be
no other communication with respect to the dates of selection.
Controlling Officer/Supervisors should send the staff listed below
to attend written test accordingly.

(Contd. 2/-)

Circulate
among the
staff. Please
SSE/DRW
Date: 8/1/04

SE
Date: 8/1/04
Amrit K. Roy
8/1/04

Attested
M. K. Roy
Advocate

Name of the candidates against DP quota.

| | | |
|-----|-----------------------------------|-----------------------------|
| 1. | Sri. Naba Kr. Das, (SC) JE/T/Drg. | Under GM/CON/MLG |
| 2. | Gautam Kr. Das (SC) | -do- |
| 3. | " Bijoy Hazarika (ST) | -do- |
| 4. | " Atul Kacharya (ST) | -do- |
| 5. | " Kanchan Dey (UR) | -do- |
| 6. | Smt. Bhadrabati Pathak (UR) | -do- |
| 7. | Sri. S. Thakur (UR) | -do- |
| 8. | " K.C. Dutta (UR) | under CE/MLG |
| 9. | " S. Kalita (UR) | under GM/CON/MLG |
| 10. | Smt. Jharna Sarkar (UR) | -do- |
| 11. | " B.N. Patgiri (UR) | -do- |
| 12. | " Namita Deb (UR) | -do- |
| 13. | Sri. D.P. Sengupta (UR) | -do- |
| 14. | " R.K. Sharma (UR) | -do- |
| 15. | " R.P. Deka (UR) | -do- |
| 16. | " S.Y. Roy (UR) | under CE/MLG. |
| 17. | " S.K. Dey (UR) | -do- |
| 18. | " P.K. Singh (UR) | -do- |
| 19. | " Gauranga Dey (UR) | -do- |
| 20. | " Khalil Anchary (UR) | Under GM/CON/MLG. |
| 21. | " B.C. Das (UR) | -do- |
| 22. | " Jitu Hazarika (ST) | Under CE/MLG. |
| 23. | Md. Talzuddin Ahmed (UR) | Under GM/CON/MLG. |
| 24. | Sri. N.K. Chakraborty (UR) | Under CE/MLG. |
| 25. | Smt. Kalpana Devi (UR) | Under GM/CON/MLG. |
| 26. | Sri. S. Chakraborty (UR) | Under Dy. CE/Br. Li/CE/MLG. |
| 27. | " S.R. Bhattacharya (UR) | Under GM/CON/MLG. |
| 28. | " Swapan Chowdhury (UR) | -do- |
| 29. | " R.C. Dey (UR) | Under CE/MLG. |
| 30. | Sri. L. Basumatary (ST) | -do- |
| 31. | " B.K. Majumder (UR) | -do- |
| 32. | Smt. M. Fujhri (UR) | Under GM/CON/MLG. |
| 33. | Sri. T. Deb Roy (UR) | Under CE/MLG. |
| 34. | Smt. L. Bhakti Das (UR) | Under GM/CON/MLG. |
| 35. | Sri. S. Bhattacharjee (UR) | Under CE/MLG. |
| 36. | N. Bishnu (SC) | Under GM/CON/MLG. |
| | | -do- |

Notice on Quota.

1. Sri. Uttam Kr. Bhattacharjee (UR) serving under CE/Maligaon.

All the above candidates may be informed that if any body (unwilling to appear in the written test) should inform within 7 (seven) days from the date of issue of this notification.

Name of stand-by candidates.

1. Sri. M. Roy (SC) under GM/CON/MLG.
2. Sri. Gautam Kr. Sarkar (SC) under CE/Maligaon.

Sri. M. Roy (SC) and Shri. Gautam Kr. Sarkar will be called only if their senior give unwillingness for appearing in written examination, if received in F/Branch at least 7 (seven) days ahead of written examination.

Contd.....3/-)

Attested
W.B. Basu
Advocate

N. F. ENCL/WAY
NO. 5/254/21/III/Pt-II (E)

OFFICE OF THE
GENERAL MANAGER (P)

MALIGAON
date : 28/01/04

To
✓ GM/Can/MLG
CE/MLG
Dy. CE/B.Line/MLG
SSC/Drg/MLG

Sub: Selection for the post of SE/drg in
scale Rs. 6500-10500/- against DR &
DP quota of Civil Engg. department.

Ref: This office notification of even
number dtd. 5/1/04 & 9/1/04.

The selection for the post of SE/drg in scale
Rs. 6500-10500/- against DR & DP quota scheduled to be held
on 30/1/04 (written test) is hereby postponed till further
order. Staff concerned may please be informed accordingly.

This issue with the approval of competent
authority.

(S. DAVI)
AFC/Engg.
for GENERAL MANAGER (P)
MALIGAON

Copy for information & necessary action to:-

1. Secy. to CE/MLG
2. GS/NIREU, NIRMU - for information please.

Br 28/1/04
for GENERAL MANAGER (P)
MALIGAON

Attested
Vasantha
Advocate

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

PC-III/05
 RBE No. 05/2004

No. PC-III/2003/CRC/6

Now Delhi, dated: 06-01-2004

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

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

Reference this Ministry's letter of even number dated 09-10-2003 on the above subject.

3. Pursuant to the discussions held with the 'Staff' side, Ministry of Railways, having with the approval of the President in partial modification of orders contained in this Ministry's letter of even number dated 09-10-2003 decided the following:

- (i) Percentage distribution of posts in the categories of Shunting Drivers and Diesel Assistants/Electrical Assistants should be revised from the existing 20:80 to the ratio of 30:70;
- (ii) Percentage distribution of the posts for the category of Technical Supervisors for the cadres where 'Mistries' posts are not existing should be revised from the existing 17:28:25:30 to the ratio of 21:29:24:26.

2.1. Accordingly, the relevant entries in Annexure 'B' & 'E' attached to the Board's restructuring order of even number dated 09.10.2003 should be substituted by the following:

ANNEXURE - 'B'

| CATEGORY | GRADE (Rs.) | EXISTING | | REVISED | |
|--|-------------|----------|------|---------|------|
| | | %AGE | %AGE | %AGE | %AGE |
| Shunting Drivers | 5000-8000 | 20 | | 30 | |
| | 4000-6000 | 80 | | 70 | |
| Diesel Assistants/ Electrical Assistants | 4000-6000 | 20 | | 50 | |
| | 3050-4590 | 80 | | 70 | |

Attested
 Nasir
 Advocate

ANNEXURE - E

| CATEGORY | GRADE (Rs.) | EXISTING %AGE | REVISED %AGE |
|--|--|----------------------|----------------------|
| Technical Supervisors (for cadres where posts of Supervisors (erstwhile Mistries) are available) | 7450-11500 6500-10500 5500-9000 5000-8000 | 17 28 25 30 | 18 29 24 29 |
| Technical Supervisors (for cadres where posts of Supervisors (erstwhile Mistries) are not available) | 7450-11500 6500-10500 5500-9000 5000-8000 | 17 28 25 30 | 21 29 24 26 |

3. It has also been decided to substitute the provisions in respect of the following appearing as items 1, 3, 4 & 6 of Boards letter of even number dated 09.10.2003 as indicated hereinunder:

Date of effect

Date of effect 01.11.2003

1. This restructuring of cadres will be with reference to the sanctioned cadre strength as on 01.11.2003. The staff who will be placed in higher grades as a result of implementation of these orders will draw pay in higher grades w.e.f 01.11.2003.

2. Pay Fixation (Rule 1313(FR-22)-R-II)

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)-R-II w.e.f 01.11.2003 with the usual option for pay fixation as per extant rules. 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 and responsibilities e.g. 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)-R-II. 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 scales of pay.

Kittered
Vas
Advocate

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. However, for the purpose of implementation of these orders, if an individual Railway servant becomes due for promotion to a post classified as a 'selection' post, the existing selection procedure will stand modified in such a case to the extent that the selection will be based only on scrutiny of service records and confidential reports without holding any written and / or viva-voce test. Naturally under this procedure the categorization as 'outstanding' will not figure in the panels. This modified selection procedure has been decided upon by the Ministry of Railways as a one time exception by special dispensation, in view of the numbers involved, with the objective of expediting the implementation of these orders. Similarly for posts classified as 'non-selection' at the time of this restructuring the promotion will be based only on scrutiny of service records and confidential reports. In the case of Artisan staff, the benefit of restructuring under these orders will be extended on passing the requisite Trade Test. However, in case of placement of Supervisors (erstwhile Mistrisies) to grade Rs 5000-8000 the instructions contained in Para-13.2 should be followed.

4.1 Normal vacancies existing on 01.11.2003 except direct recruitment quota and those arising on that date from this cadre restructuring including chain/resultant vacancies should be filled in the following sequence:
 (i) From panels approved on or before 01.11.2003 and current on that date;
 (ii) and the balance in the manner indicated in para 4 above

4.2 Such selections which have not been finalised by 01.11.2003 should be cancelled/abandoned.

4.3 All vacancies arising from 02.11.2003 will be filled by normal selection procedure.

4.4 All vacancies arising out of the restructuring should be filled up by senior employees who should be given benefit of the promotion w.e.f. 01.11.2003 whereas for the normal vacancies existing on 01.11.2003 junior employees should be posted by modified selection procedure but they will get promotion and higher pay

Attested
Karan
Advocate

2M

35

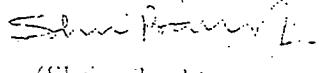
from the date of taking over the posts as per normal rules. Thus the special benefit of the promotion w.e.f. 01.11.2003 is available only for vacancies arising out of restructuring, and for other vacancies, the normal rules of prospective promotion from the date of filling up of vacancy will apply.

- 4.5 In cases where percentages have been reduced in the lower grade and no new post becomes available as a result of restructuring, the existing vacancies on 01.11.2003 should be filled up by normal selection procedure.
- 4.6 Employees who retire/resign in between the period from 01.11.2003 i.e. the date of effect of this restructuring to the date of actual implementation of these orders, will be eligible for the fixation of benefits and arrears under these orders w.e.f. 01.11.2003.
- 6 While implementing the restructuring orders, instructions regarding minimum period of service for promotion issued from time to time should be followed. However, while considering any relaxation in the residency period prescribed for promotions to various categories, General Managers would personally ensure that the safety aspect of Railways is not compromised.

Minimum years of service in each grade

Kindly acknowledge receipt.

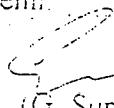
Hindi version will follow.


(Shriprakash)
Director, Pay Commission - II
Railway Board

No. PC-III/2003/CRC/6

New Delhi, dated 06-01-2004

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


(G. Suman)
For Financial Commissioner, Railways.

Attested
W. S. S.
Delhi Gate

55/404
27/404
N. F. RAILWAY

25
80
G. RAILWAY

Annexure-6
36

NO.E/254/21/III/Pt-IV(E)

OFFICE OF THE
GENERAL MANAGER (P)
MALIGAON

dated: 26/04/04

To
GM/Con/MLG
N.F.Railway

Sub: Grade wise vacancy position of
drawing and Design Cadre of construction orgn.
Civil Engg. department under
GM/Con/MLG(HQ Unit), as on 1/11/03

Please furnish the grade wise vacancy position
of drawing and design cadre of Civil Engg. department(HQ unit)
as per format given below

E/8
28/11

| Incumbent | Designation & scale | BOS as on 1/11/03 | On Roll | Vacancy | Date of Birth | Rem- ark |
|-----------|------------------------|----------------------|---------|---------|---------------------|-------------|
| ----- | ----- | ----- | ----- | ----- | ----- | ----- |

The above position is urgently needed to process
selection/Suitability test of drawing cadre for filling up the
vacancies against restructuring.

If the staff working on ad-hoc basis the date of
promotion may please be indicated accordingly.

(S. DEVI)
APO/E
for GENERAL MANAGER(P)
MALIGAON

Attested
Umar
Advocate

26

146

371

Annexure-7

N.F. RAILWAY-CON

No.E/254/C/Selection/DRG/NG Pt:II

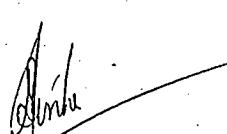
Office of the
General Manager (Con)
Maligaon, Dated 27.04.2004

To
GM/P/MLG.
N.F. Railway.

Sub: Grade wise vacancy position of Drawing & Design Cadre of Civil Engineering
department under GM/Con/MLG.(HQ. Unit)
Ref: Your letter No.E/254/21/14/Pt.IV (E) dated: 26.04.2004.

As desired, the staff position of Drawing and Design Cadre of Civil Engineering
department under GM/Con/MLG. (HQ. Unit) is sent herewith at Annexure-A for disposal
please.

DA: As above


(A.K. Sinha)
APO/CON/MLG.
for GM/Con/MLG.


2014

Received

25/4/04
H.D. Singh

Attested
by
Advocate

STATEMENT OF BOS UNDER GM/CON/N.F. RLY. INCLUDING HQ. UNIT

Annexure A

| Category | Scale | BOS | ON ROLL(HQ. Unit) | | Other than HQ. Unit | | Total | Vacancy |
|------------|--------------|-----|-------------------|---------|---------------------|---------|-------|-------------|
| | | | Ad-hoc | Regular | Ad-hoc | Regular | | |
| SSE/Drg. | 7450-11500/- | 4 | - | 2 | - | 1 | 3 | 1 |
| SE/Drg. | 6500-10500/- | 37 | 3 | 7 | - | 6 | 16 | 15+3 =19 |
| JE/I/Drg. | 5500-9000/- | 33 | 2 | 21 | 2 | 6 | 31 | 2 |
| JE/II/Drg. | 5000-8000/- | 15 | - | 2 | 3 | 6 | 11 | 4 |
| ADM | 4000-6000/- | 9 | - | - | - | 7 | 7 | 2 |
| SSE/Design | 7450-11500/- | - | - | - | - | - | - | - |
| SE/Design | 6500-10500/- | 7 | 2 | 3 | - | - | 5 | 2 |



Attested
insofar
Advocate

28 138 39

INCUMBENT OF DRAWING AND DESIGN CADRE UNDER
CONSTRUCTION ORGANISATION. (HQ. UNIT)

| | | |
|--------------|------------------------------|----------|
| A. SSE/Drg. | 1 Shri U.K.Guha | (Reg.) |
| | 2 Smt. Kanika Das | (Reg.) |
| B. SE/Drg. | 1 Shri Sarbeswar Baishya | (Reg.) |
| | 2 Shri Bhupen Ch. Hazarika | (Reg.) |
| | 3 Shri Gautam Singha Roy | (Reg.) |
| | 4 Syed Muniri Ahmed | (Reg.) |
| | 5 Smt. Nizara Bora | (Reg.) |
| | 6 Shri Ranjit Kumar Sharma | (Reg.) |
| | 7 Smt. Dipali Gohain | (Reg.) |
| | 8 Shri Naba Kumar Das | (Ad-hoc) |
| | 9 Shri Bijoy Hazarika | (Ad-hoc) |
| | 10 Shri Gautam Kumar Das | (Ad-hoc) |
| C. JE/I/Drg. | 1 Shri A.C. Kachari | (Reg.) |
| | 2 Smt. Bhadrawati Pathak | (Reg.) |
| | 3 Shri K.C. Dutta | (Reg.) |
| | 4 Smt. Jharna Sarkar | (Reg.) |
| | 5 Shri B. Patgiri | (Reg.) |
| | 6 Shri D.P. Sengupta | (Reg.) |
| | 7 Shri Gauranga Dey | (Reg.) |
| | 8 Shri B. Kalita | (Reg.) |
| | 9 Shri Jitu Hazarika | (Reg.) |
| | 10 Shri T. Deb Roy | (Reg.) |
| | 11 Shri Rajani Kt. Sharma | (Reg.) |
| | 12 Md. Khalil Answari | (Reg.) |
| | 13 Shri B.K. Majumder | (Reg.) |
| | 14 Shri Kanchan Dey | (Reg.) |
| | 15 Smt. Namita Dev | (Reg.) |
| | 16 Smt. M. Deb Roy | (Reg.) |
| | 17 Shri S.R. Barman | (Reg.) |
| | 18 Shri Sanjoy Bhattacharjee | (Reg.) |
| | 19 Shri Netai Chakraborty | (Reg.) |
| | 20 Shri Sadhan Chakraborty | (Reg.) |
| | 21 Shri A. K. Das | (Reg.) |
| | 22 Shri Joydeb Sarmah | (Ad-hoc) |
| | 23 Shri A. Kurmi | (Ad-hoc) |



On 1st post of SE & JE Jit 224 Mc. 890

Attested
Name
Adm. date

D JE/II/Drg: 1 Shri Charu Medhi (Reg.)
2 Smt. Ranu Bala Dev (Reg.)

NB: Shri P. Bose who is originally as ADM at present
working as Console Operator on Ad-hoc basis.

E SE/Design: 1 Shri P. Purkayastha (Reg.)
2 Shri T. K. Chakraborty (Reg.)
3 Shri B.C. Das (Reg.)
4 Shri R. K. Moitra (Ad-hoc)
5 Shri S. K. Singha Roy (Ad-hoc)



on behalf of SE & JE Jtly 224 Mc. BBD

Attested
H. Das
Advocate

Annexure - 8

30-

N.F.RAILWAY

OFFICE ORDER

The following SE/Drg. in scale Rs. 6500-10,500/- under CE/MLG who have been found suitable for promotion as SSE/Drg. in scale Rs. 7450-11,500/- in terms of this office memorandum of even number dated 13.9.04 are hereby temporarily promoted to officiate as SSE/Drg. in scale Rs. 7450-11,500/- against the post available due to restructuring w.e.f 1.11.03 as under:- *L and existing*

| SN | Name | Designation & scale of pay | Now posted as under |
|----|--------------------|----------------------------|---------------------|
| 1. | Sri Munin Saikia | SE/Drg(6500-10,500/-) | Pr.CE/MLG |
| 2. | Sri S. K. Baishya | -do- | DY.CE/Br.Line/MLG |
| 3. | Sri A.K. Singh | -do- | GM/CON/MLG |
| 4. | Smt. Binita Pathak | -do- | Pr.CE/MLG |
| 5. | Smt. Sutapa Khann | -do- | Pr.CE/MLG |

NOTE:-

1. The promotees shown against S1.No. 1 to 4 are eligible for retrospective promotional benefit w.e.f. 1.11.03 against restructuring.
2. Staff selected and posted in the higher grade post may submit option for fixation of pay in the higher grade from the date of next increment due in their substantive grade within one month from the date of issue of this order.
3. This has the approval of competent authority.

28.10.04
(S. DEVI)

APO/ENGG

For GENERAL MANAGER(P)MLG.

Dated: 28.10.04

NO.E/254/211/III/Pt.IV/E

Copy forwarded for information and necessary action to:-

1. CPDE/MLG.
2. FA & CAO/MLG.
3. GM/CON/MLG.
4. SPO/CON/MLG.
5. Staff concerns spare copy for P/case.

6. *ES/NFRB*

28.10.04

For GENERAL MANAGER(P)MLG.

*Attested
now
Advocate*