

FORM NO. @
(See Rule 42)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH.

ORDER SHEET

Original Application No. 09/06
Misc. Petition No. _____
Contempt Petition No. _____
Review Application No. _____

Applicant(s) Sri Monotesh Das
Respondent(s) U.O. 1 & 2

Advocate for the Applicants P. K. Deka, I. H. Laskar
I. Krishnatiya

Advocate for the Respondent(s) _____
EGSC
Rly St. Counsel

Notes of the Registry Date _____ Order of the Tribunal

18.01.2006 Present : Hon'ble Mr. Justice G. Sivarajan, Vice-Chairman.

This application is in form
is filed/C. F. for Rs. 50/-
deposited 20/ED
No. 266317896
Dated 9-1-06

N. J. Sarkar
9-1-06
Dy. Registrar

no slips
N. J. Sarkar
16/1/06

Heard Mr. P.K. Deka, learned
counsel for the applicant and Mr. S.
Nath, learned counsel on behalf of Mr.
J.L. Sarkar, learned standing counsel
for the railways.

Mr. J.L. Sarkar, standing counsel
for the railways is directed to get
instructions from the concerned
respondents before whom the represent-
ation is pending as to what happens
in the representation.

Post on 24.1.2006. Positive
instructions will be obtained on the
next date.

G. Sivarajan
Vice-Chairman

mb

2
Heard Copy
Sri Manoj Das.
24/10/06
Applicant

25

24.1.2006

Heard learned counsel for the
~~parties~~ parties. The application
is disposed of in terms of the
order passed in separate sheets.
No order as to costs.

27.1.06

Copy of the judgment
has been sent to the
office for scanning
the same to the
applicant as well
as to the Dy.
Standing Counsel.
ds

2/10

Vice-Chairman

1 K. D. Das
1 K. D. Das

2006 JAN 24

2006 JAN 24

15

9

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

O.A. No. 09/2006

DATE OF DECISION: 24.01.2006

Sri Monotosh Das

APPLICANT(S)

Mr. P.K. Deka, Mr. I.H. Laskar

ADVOCATE FOR THE
APPLICANT(S)

- VERSUS -

U.O.I. & Others

RESPONDENT(S)

Dr. J.L. Sarkar

ADVOCATE FOR THE
RESPONDENT(S)

THE HON'BLE MR. K.V. SACHIDANANDAN, VICE CHAIRMAN.

THE HON'BLE

5. Whether Reporters of local papers may be allowed to see the judgments? *no*
6. To be referred to the Reporter or not? *no*
7. Whether their Lordships wish to see the fair copy of the judgment? *Yes*
8. Whether the judgment is to be circulated to the other Benches? *no*

Judgment delivered by Hon'ble Vice-Chairman.

[Signature]

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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application Nos. 09/2006

Date of Order : This the 24th January 2006.

The Hon'ble Sri K.V. Sachidanandan, Vice-Chairman.

Sri Monotosh Das
S/o - Lt. Kirti Ch. Das
R/o - Vill. - Barnipar
P.O. Salchapra
P.S. - Silchar
District - Cachar, Assam.

... Applicant

By Advocates Mr. P.K. Deka, Mr. I.H. Laskar and Mr. I. Krishnatiya.

- Versus -

1. Union of India,
Represented by the General Manager,
N.F. Railway,
Law Maligaon, Guwahati - 1, Assam.
2. The Chairman,
Railway Recruitment Board (RRB),
Guwahati, Station Road, Panbazar,
Guwahati - 1.
3. The Assistant Secretary,
For the Chairman,
Railway Recruitment Board, Station Road,
Guwahati - 1.
4. The Divisional Personal Officer,
Lunding Division, N.F. Railway,
Lunding, Dist. - Nagaon, Assam.

... Respondents

By Dr. J.L. Sarkar, Railway Stating Counsel.

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ORDER (ORAL)SACHIDANANDAN. (V.C.)

The claim of the applicant is that he appeared for written test for the post of Group - D (Trackman) under the Category No. 01 advertisement published in the Employment Notice No. 1/2003 in the year 2003. According to the applicant, the respondent No. 3 issued call letter for physical efficiency test and the applicant successfully passed the test. Another call letter was issued by the Respondent No. 3 vide letter No. RRB/G/41/10 date 23.06.2005 for document verification. The applicant appeared in the test. A list of candidates in the Employment News dated 06.12.2005 was published. But the applicant's name was not found in the list. He submitted representation dated 22.08.2005 to allow him to know the reason for his non-selection for the post. Thereafter, the applicant had approached this Tribunal by filing O.A. No. 235/2005. This Tribunal vide order dated 12.09.2005 disposed of the O.A. directing the respondents to dispose of the representation, if so filed by the applicant afresh, by a speaking order. As per direction of this Hon'ble Tribunal, the applicant submitted a representation dated 16.09.2005. But on 03.10.2005 though a letter was received from the Respondent No. 3 that the applicant's case is being considered and investigated by the competent authority, nothing is heard so far. Aggrieved by the said inaction, the applicant has filed this O.A. seeking the following relief :-



“(a) To direct the concerned Respondent Authorities to appoint the applicant for the post of Group - D (Trackman).

(b) Any order/orders or direction as Your Lordships may deem fit and proper and in accordance with law in order to give full relief to the applicant.”

2. Mr. P.K. Deka, learned counsel for the applicant submits that as per direction of this Hon'ble Tribunal, the applicant had filed representation before the concerned respondent, which is yet to be disposed of. Counsel further submits that he will be satisfied if a direction is given to the concerned respondent to dispose of the representation filed by the applicant. Dr. J.L. Sarkar, learned standing counsel for the Railways submits that he has no objection in adopting such course of action.

3. In the interest of justice, this Court directs the Chairman, Railway Recruitment Board, N.F. Railway, Maligaon and/or any other competent authority to dispose of the representation by a speaking order intimating the position to the applicant within a period of three (3) months from the date of receipt of this order.

The O.A. is disposed of as above at the admission stage itself. In the circumstances of the case, there shall, however, be no order as to costs.



(K.V. SACHIDANANDAN)
VICE CHAIRMAN

X

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

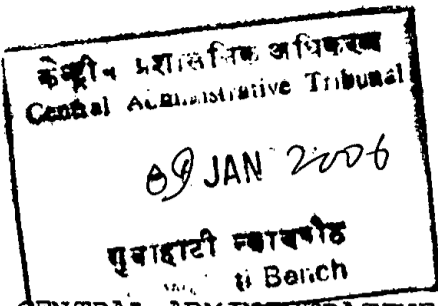
Original Application No. 9/06

1. a) Name of the Applicant :- M. Das
- b) Respondants :- Union of India & Ors.
- c) No. of Applicant(S) :- one
2. Is the application is the proper form :- Yes / No.
3. Whether name & description and address of the all the papers been furnished in cause title :- Yes / No.
4. Has the application been duly signed and verified :- Yes / No.
5. Have the copies duly signed :- Yes / No.
6. Have sufficient number of copies of the application been filed :- Yes / No.
7. Whether all the annexure ~~parties~~ are impleaded :- Yes / No.
8. Whether English translation of documents in the Language :- Yes / No.
9. Has the application is in time :- Yes / No.
10. Has the Vokatlatnama/Memo of appearance /Authorisation is filed :- Yes / No.
11. Is the application by IPO/BD/for Rs.50/- ~~266~~ 317896 dt 7.1.06.
12. Has the application is maintainable :- Yes / No.
13. Has the Impugned order original duly attested been filed :- Yes / No.
14. Has the legible copies of the annexurea duly attested filed :- Yes / No.
15. Has the Index of the documents been filed all available :- Yes / No.
16. Has the required number of enveloped bearing full address of the respondants been filed :- Yes / No.
17. Has the declaration as required by item 17 of the form :- Yes / No.
18. Whether the relief sought for arises out of the Single :- Yes / No.
19. Whether interim relief is prayed for :- Yes / No.
20. Is case of Condonation of delay is filed is it Supported :- Yes / No.
21. Whether this Case can be heard by ~~Single Bench/Division Bench~~.
22. Any other point :-
23. Result of the Scrutiny with initial of the Scrutiny Clerk:
This application is in form.

SECTION OFFICER(J)

N. J. Prasad
9.1.06
DEPUTY REGISTRAR

10/1/06



DISTRICT: CACHAR .

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORIGINAL APPLICATION NO. 09 /2006.

Filed by: -
Sri Monotosh Das.
The Applicant

Through: - Franky Kumar Deka
Advocate
4/1/06

Sri Monotosh Das.Applicant.

- Versus -

The Union of India & OrsRespondents.

LIST OF DATES :-

- 1) 12.12.2004 : Applicant appeared in the Written Test for the post of Group-D (Trackman) under Category No. 01 of Employment Notice No. 1/2003 .
- 2) 10.05.2005 : After qualifying the Written Test the Respondent No. 3 issued a Call letter to the applicant for Physical Efficiency Test vide letter No. RRB/G/41/10 .
- 3) 23.06.2005 : The applicant appeared in Physical Efficiency Test held at Maligaon Railway Stadium, Guwahati.
- 4) 23.06.2005 : After successfully qualifying the Physical Efficiency Test another Call letter for Document Verification was issued to the applicant by Respondent No. 3, vide letter No. RRB/G/41/10 .
- 5) 24.06.2005: Applicant appeared before the Concerned authority for Document Verification with all his Original Certificates, testimonials .

..... Contd.....

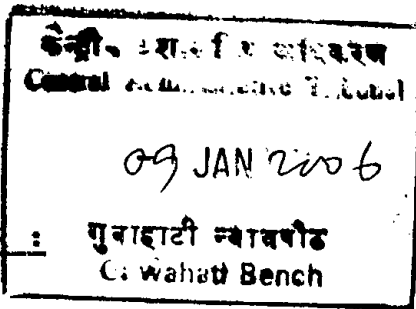
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M.D.S.

- 6) 06-12.8.05 : List of Selected candidates for the said post were published in the Employment News .
- 7) 22.8.2005 : Applicant submitted representation to allow him to know the reason for his non-selection in the said list .
- 8) 06.09.2005 : Filed an Original Application being O.A. No.235/05 before this Hon'ble Tribunal .
- 9) 12.09.2005 : Order passed by this Hon'ble Tribunal in O.A. No. 235/2005 disposing of the matter with a direction to the Respondents to dispose of the representation, if so filed by the applicant afresh, by a speaking order expeditiously .
- 10) 16.09.2005 : Applicant submitted a fresh representation to the Respondent No. 2 alongwith a copy of the Order dtd. 12.09.2005 praying for his appointment .
- 11) 03.10.2005 : Respondent No. 3 wrote a letter to the applicant intimating him that his case was being given due consideration and investigation by the competent authority, i.e., the Chairman, RRB .

Filed by :

Pankaj Kumar Deka

Advocate .



DISTRICT: CACHAR : गुवाहाटी न्यायपीठ
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

ORIGINAL APPLICATION NO. 09 /2006.

Sri Monotosh Das Applicant .

- Versus -

The Union of India & Ors Respondents.

I N D E X

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Date: 9/1/06

Filed by :

Pankaj Kumar Deka
Advocate .

DISTRICT: CACHAR.

Filed by:-

Sri Monotosh Das.

The Applicant "

Through:-
For the Applicant
Advocate
9/11/06

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH .

ORIGINAL APPLICATION NO. 09 /2006.

- BETWEEN -

Sri Monotosh Das

s/O Lt. Kirti Ch. Das

R/O-Vill. Barnipar

P.O. Salchapra

P.S. Silchar

Dist.- Cachar, Assam .

..... Applicant .

- Versus -

1. Union of India

Represented by the

General Manager , N.F. Railway ,

Law Maligaon, Guwahati-1 , Assam .

2. The Chairman ,

Railway Recruitment Board (RRB)

Guwahati, Station Road

Panbazar, Guwahati- 1 .

Contd.....

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M.Das.

3. The Assistant Secretary ,

For the Chairman , .

Railway Recruitment Board

Station Road , Guwahati-1 .

4. The Divisional Personal Officer ,

Lumding Division , N.F. Railway

Lumding , Dist.- Nagaon , Assam .

..... Respondents.

DETAILS OF APPLICATION :-

(a) Name of the Applicant :- Sri Monotosh Das

(b) Name of the Father :- Late Kirti Ch. Das

(c) Age of the Applicant :- About 35 years

(d) Address of the Applicant :- Sri Monotosh Das

S/O Lt. Kirti Ch. Das

R/O Vill.- Barnipar

P.O. - Salchapra

P.S. - Silchar

Dist.- Cachar , Assam .

Contd.....

REASON FOR WHICH APPLICATION IS MADE :-

The applicant applied for the post of Group-D (Trackman) in the Railway Recruitment Board in the year 2003, after duly qualifying written Test, Physical Efficiency Test and Document Verification , list of the Selected candidates was published in the Employment News dated 6-12 August 2005 by the Respondent Authorities and the applicant's Roll number was not present in the result Sheet. Thereafter he made a representation on 22.08.05 to the Respondent Authorities but they refused to receive the same . Having no other alternative, the applicant approached this Hon'ble Tribunal by filing an Original Application (O.A. No. 235/05) and the Hon'ble Tribunal was pleased to dispose of the matter vide its order dated 12.9.2005 with a direction to the Respondent authorities to dispose of the representation , if so filed by the applicant afresh , by speaking order expeditiously . Thereafter, the applicant submitted a fresh representation on 16/9/2005 alongwith the order dated 12.9.2005 passed by this Hon'ble Tribunal ~~in~~ in O.A. No. 235/2005 to the Respondent No. 2 and accordingly the Respondent authorities vide its letter dated 3/10/2005 intimated the applicant that his case was receiving due consideration and investigation . But it is now almost 4 months from the date of submitting the said

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representation, the Respondent authorities are sitting over the matter in order to deprive him illegally from his legitimate claim for appointment .

SUBJECT IN BRIEF :-

That the applicant is a qualified candidate and he applied for the post of Group-D (Trackman) under Category No. 01 of the Employment Notice No. 1/2003 advertised by the Railway Recruitment Board in the year 2003. Accordingly the applicant was called for Written Test held on 12.12.04 wherein he appeared and came out successfully . Thereafter the applicant was called for Physical Efficiency Test held at Maligaon Railway Stadium , Guwahati on 23.6.2005 and after duly qualifying the said two tests , the applicant was called for Document verification which is the last formality before appointment and accordingly the applicant appeared before the concerned authorities with all his original Certificates , testimonials etc. Then the list of the Selected candidates was published in the Employment News dated 6-12 August 2005 by the Respondent Authorities and the applicant was shocked and surprised when he did not find his Roll No. in the said list. Thereafter he made a representation on 22.8.2005 to the Respondent Authorities to know why his Roll number was not present in the result sheet

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M.D.S.

- 5 -

as he submitted all his original Certificates . But they refused to receive the same and instead , the Respondent No.3 informed the applicant verbally that applicant was not selected due to dissimilarity in the photographs submitted by the applicant with the application form in the year 2003 with that of his recent photograph . Having no other alternative , the applicant approached this Hon'ble Tribunal by filing an Original Application (O.A. NO.235/2005) and the Hon'ble Tribunal was pleased to dispose of the matter vide its Order dated 12.9.2005 with a direction to the Respondent authorities to dispose of the representation, if so filed by the applicant afresh , by a speaking order expeditiously . Thereafter, the applicant submitted a fresh representation on 16/09/2005 alongwith the order dated 12.09.2005 passed by this Hon'ble Tribunal in O.A. No. 235/2005 to the Respondent No. 2 and accordingly the Respondent authorities vide its letter dated 3/10/2005 intimated the applicant that his case was receiving the said representation , the Respondent authorities are sitting over the matter in order to deprive him illegally from his legitimate claim for appointment . Hence being aggrieved , the applicant has approached this Hon'ble Court by filing this Original application .

Contd.....

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M.D.S.

JURISDICTION OF THE TRIBUNAL : -

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

LIMITATION : -

The applicant further declares that the present application is within the limitation provided under Section 21 of the Central Administrative Tribunal Act.1985 .

BRIEF FACTS OF THE CASE :-

1. That the applicant is a citizen of India and a permanent resident of Village-Barnirpar, P.O. Salchapra ,P.S. Silchar in the District of Cachar, Assam and he is entitled to all the rights, privileges and protections guaranteed under the Constitution of India and the laws framed thereunder .
2. That the applicant being a qualified candidate applied for the post of Group-D (Trackman) under Category No. 01 of Employment Notice No. 1/2003 for Lumding Division in the year 2003 and accordingly qualified the Written Test held on 12.12.04.

A copy of the Admit Card issued to the petitioner is Annexed as Annexure-1 .

3. That thereafter, the applicant was called for Physical Efficiency Test vide call letter No. RRB/G/41/10 dated 10/05/2005 issued by the Respondent No. 3 Assistant Secretary for Chairman, RRB Guwahati wherein the applicant was asked to report at Maligaon Railway Stadium, Guwahati on 23/6/2005 at 06:30 A.M. for the test under the Roll No. 24686652 .

A copy of the said call letter dated 10/05/2005 is annexed as Annexure-2 .

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4. That thereafter the applicant appeared before the Concerned authorities as per the venue and time given to him in the call letter dated 10/5/05 for the Physical Efficiency Test and he also came out Successfully in the test .

5. That subsequently , Call letter was issued to the applicant for Document verification vide letter No. RRB/G/41/10 dated 23/06/2005 issued by the Respondent No. 3 and through that letter the applicant was asked to attend the Office of the Railway Recruitment Board, Station Road , Guwahati-1 on 24/6/2005 at 10.00 A.M. for verification of Original Certificates, testimonials etc. as he had qualified the Written as well as Physical Efficiency Test .

Copy of the said Call letter dated 23/06/2005 is annexed as Annexure-3.

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M.D.S.

6. That thereafter the applicant attended the Office of the Respondent authorities on 24.6.2005 at 10.00 A.M. alongwith all his original Certificate, testimonials etc. since that was the last stage prior to appointment as because the applicant had already qualified the Written Test as well as Physical Efficiency Test. The stage of Document verification is only a formality and if Certificates and testimonials as submitted by the applicant earlier are found to be true after comparision with that of his originals, then there cannot be any ground for deprivation of the applicant for getting selected for appointment .

7. That to the utter shock and surprise to the applicant, the result was finally published in the Employment News dated 6-12 August. 2005 wherein the applicant's Roll No. 24686652 was not present whereas altogether 2670 numbers of candidates have been provisionally found eligible for appointment .

8. That thereafter the applicant submitted representation dated 22/8/2005 to the Respondent No. 2 praying for allowing him to know on what ground he was not selected for appointment at this final stage but most unfortunately his representation was not even received by the Office of the Respondent No. 2 . Instead, the Respondent No. 3 verbally informed the applicant on 22/8/2005 the reason for his non-selection was due to the

dissimilarity in the photograph submitted by him in the application form in the year 2003 with that of his recent photograph .

A copy of the said representation dated 22/8/2005 is annexed as

Annexure - 4 . (Page 17)

9. That having no other alternative remedy, the applicant approached this Hon'ble Tribunal by filing an Original Application being O.A. No. 235/2005 and the Hon'ble Tribunal was also pleased to dispose of the same vide its order dated 12.9.2005 with a direction to the Respondents, particularly the Respondent No. 2, to dispose of the representation, if so filed by the applicant afresh , by a speaking order expeditiously .

A copy of the said order dated 12.9.05 passed by this Hon'ble Tribunal in O.A.

No. 235/2005 is annexed as Annexure-5 .

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10. That thereafter , the applicant submitted a fresh representation to the Respondent No. 2 on 16.9.2005 alongwith a copy of the order dated 12.9.2005 passed by this Hon'ble Tribunal in O.A. NO. 235/2005 praying for his appointment to the post of Group-D under Category No. 1 of Employment Notice No. 1/2003.

A copy of the aforesaid representation dated 16.9.2005 is annexed as Annexure-6.

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11. That thereafter, the Respondent No. 3 vide his letter dated 3.10.2005 intimated the applicant that his case was receiving due consideration and investigation by the competent authority, i.e., the Chairman, Railway Recruitment Board, Guwahati (Respondent No. 2) .

A copy of the aforesaid letter dated 3.10.2005 is annexed as Annexure-7.

Page - 21

12. That the applicant begs to state that it is almost 4 months have passed since the date submission of the representation on 16.9.2005 by the applicant, but the Respondent authorities are intentionally delaying in the matter in order to deprive the applicant from his legitimate claim for appointment to the post of Group-D .

13. That the applicant's Fundamental Rights have been violated by the Respondent authorities on extraneous considerations by illegally depriving him for the post of Group-D (Trackman) under Category No. 01 of Employment Notice No. 1/2003 .

14. That the selected candidates are going to be recruited in the Group-D post and as such urgent interference of this Hon'ble Court is sought for in the matter so that the applicant also get appointment alongwith the other candidates.

15. That the applicant has no other alternative and/ or efficacious remedy and the remedy prayed for is just, adequate and proper .

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M.D.S.

16. That the applicant has demanded justice and the same was denied to him .

17. RELIEFS SOUGHT FOR : -

In view of the facts mentioned above, the applicant prays for the following reliefs :-

- (a) To direct the concerned Respondent Authorities to appoint the applicant for the post of Group-D (Trackman) .
- (b) Any order/ orders or direction as Your Lordships may deem fit and proper and in accordance with law in order to give full relief to the applicant .

And for this act of kindness, Your applicant as in duty bound shall ever pray .

18. LIST OF ENCLOSURES : -

- (a) A copy of the Admit Card
- (b) A copy of the Call letter for Physical Efficiency Test .
- (c) A copy of the call letter for Document Verification .
- (d) A copy of the representation made by the applicant to the Chairman, Railway Recruitment Board, dated 22.8.2005.
- (e) A copy of the order dated 12.9.2005 passed by this Hon'ble Tribunal in O.A. NO. 235/2005 .
- (f) A copy of the fresh representation made by the applicant to the Chairman, RRB, dated 16.9.2005 .
- (g) A copy of the letter dated 3.10.2005 issued by the Respondent No.3 to the applicant .

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M.D.S.

19. DETAILS OF POSTAL ORDERS :-

Postal Order No :

Date of issue :

Issued from :

Payable at :

..... Verification .

VERIFICATION :

I, Sri Monotosh Das, aged anout 35 years, S/O -
Late Kirti Ch. Das, Resident of Village.-Bamirpar ,
P.O.-Salchapra, P.S.- Silchar, Dist.-Cachar, Assam,
do hereby verify the contents of Paragraph Nos.

1, 4, 6, 7, 12 to 16 of the application are true
to my personal knowledge and the contents of Paragraphs
No. 2, 3, 5, 8, 9, 10 & 11 are matters of records, which
I believe to be true and correct and the rest are my
humble prayer and submissions before this Hon'ble Tribunal .

And I sign this Verification on this the 9th day
of January, 2006 at Guwahati .

Date :-

Sri Monotosh Das .

Place :-

Signature of the Applicant .

3

ANNEXURE-1

-14-

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RAILWAY RECRUITMENT BOARD, GUWAHATI - 781 001

Keep this form and retain for your record

Name of the Candidate & Address MONOTOSIDAS PO SALCHAPRA VILL BARNIRPA DIST CACHAR ASSAM PIN - 786814	Catg No. & E.N. No.	Roll No.	Date of Examination
	1 of 1/2003	24886652	12-12-2004
Examination Centre GOVT. BOYS' HIG. SCHOOL, SILCHAR SILCHAR			

Read the "Instruction" Overleaf
ALL CANDIDATES WHO TICK MARK ANSWERS ON
THE QUESTION BOOKLET WILL BE DISQUALIFIED.

भद्रायक सचिव / Asst. Secy.

TRAVEL PASS
MUMBAI ONLY On production of this letter you are entitled to free travel by railway in second class only

SALCHAPRA

Stn to

SILCHAR

Stn and back

22/12/2004

(Authority: Railway Board's letter No. E (NG) II-84 / RSC/ 122 dtd. 23-11-84)

भद्रायक सचिव / Asst. Secy.

Certified to be true Copy

D. K.
ADVOCATE
8/1/06



RAILWAY RECRUITMENT BOARD - GUWAHATI
STATION ROAD, GUWAHATI-781 001

CALL LETTER FOR PHYSICAL EFFICIENCY TEST

Date: 10/03/2003

By REGISTERED POST

To,
MONTOPOSDAS
PO SALCHAPRA
VILL. BARNIRPA
CACHAR
DIST. CACHAR ASSAM Pin - 788814.

Call No.: 24086652

IMPORTANT
PASTE YOUR
RECENT PASTED
PHOTOGRAPH
HERE

Subject: Recruitment/Selection for the post of Group - D under
Category No.01 of Employment Notice No. 1/2003.

With reference to your application for the post mentioned above, in response to the
Employment Notice cited, you are hereby advised to report at Malligon Railway Station, on
23/03/2003 at 00:30 A.M. for Physical Efficiency Test.

Criteria for Physical Efficiency Test

Male Candidate: (I) Should be able to lift and carry 35 kg of weight for a distance of 100 meters in 2
minutes in one chance without pulling the weight down, and (II) Should be able to run for a distance of
1500 meters in 7 minutes in one chance.

Female Candidate: (I) Should be able to lift and carry 20 kg of weight for a distance of 100 meters in 2
minutes in one chance without pulling the weight down, and (II) Should be able to run for a distance of
400 meters in 4 minutes in one chance.

1. This Call Letter does not in itself entitle you for selection.
2. You are directed to bring your own sports kit (shorts, shoes etc.) required for the Physical Efficiency Test.
3. Result of the Physical Efficiency Test will be declared on the same day and those who qualify in the Physical Efficiency Test will be required to report to office of the Railway Recruitment Board, Station Road, Guwahati - 1, on the next day at 10.00 A.M. for Document Verification.
4. You should bring your original VIII Standard or above Certificate issued by the competent authority for verification of your date of birth, educational qualification etc. You should also bring all of your original certificate and mark sheets etc. of Matriculation and onwards issued by the respective Board/Council/University along with expenditure and other contribution, certificate etc. if any. If the originals of above certificate/mark sheets have not been received from respective Board/Council/University, then provisional pass certificate and mark sheets issued by the respective Board/Council/University should be produced.
5. You are also directed to bring the attested Photostat copies of all original certificates and mark sheets and other documents along with the originals.
6. You may be subjected to an examination during the process of verification of documents etc. and you should come prepared for the same.
7. Your attendance may be required for more than one day (i.e. date as mentioned above) and you should come prepared for that.
8. Request for postponement of the date mentioned above will not be considered and no further intimation will be given.
9. If you are in service please bring the 'Dropsheet Certificate' from your employer, indicating when you will be available for the post.
10. Approaching Chairman, RRB under his Secretary directly or indirectly by a candidate or anybody on his/her behalf requesting undue consideration for the recruitment will render a candidate liable for disqualification.
11. (For RRB candidates only)
On production of this letter you are entitled to travel free by the Railway in Second Class from SALCHAPRA to and from GUWAHATI Station and back. This pass will be valid up to 03/07/2003.
(Authority: Railway Board's letter no. 1 (103) B dated 03.12.2002 dated 2/11/03)

ATTESTED BY
[Signature]

Junior Engineer P. H. D.
Station Road, Guwahati

ASSISTANT SECRETARY
RAILWAY RECRUITMENT BOARD, GUWAHATI

certified to be true copy
Advocate
8/1/06



RAILWAY RECRUITMENT BOARD - GUWAHATI
STATION ROAD, GUWAHATI 781001

CALL LETTER for DOCUMENT VERIFICATION

No. RRW/3/1/10.

Date: 23/06/2005

To,
MONOTOSH DAS
PO SALCHAPRA
VILL. BARNIRPA
CACHAR
DIST. CACHAR, ASSAM Ph - 788814.

Roll No.: 24686652



Sub: Recruitment/Selection for the post of Group - D
under category No.01 of Employment Notice No. 1/2003.

As you have qualified in the Physical Efficiency Test, you are hereby advised to attend the office of Railway Recruitment Board, Station Road, Guwahati 781001, Assam, on 24/06/2005 at 10:00 A.M. for verification of original certificates, testimonials etc.

1. This Call Letter does not in itself entitle you for selection.
2. You should bring your original VIII Standard or above Certificate issued by the competent authority for verification of your date of birth, educational qualification etc. You should also bring all of your original certificates and marks sheets of Matriculation and onwards issued by the respective Board/Council/University along with experience and other certification, caste certificate, if any. If the originals of above certificates/marks sheets have not been received from respective Board/Council/University, then provisional pass certificate and marks sheets issued by the respective Board/Council/University should be produced.
3. You are also directed to bring the Attested Photostat copies of all original certificates and marks sheets and other certificates along with the originals.
4. You may be subjected to re-examination during the process of verification of documents etc. and you should come prepared for the same.
5. Your attendance may be required for more than one day (i.e. date as mentioned above) and you should come prepared for that.
6. Request for postponement of the date / venue mentioned above will not be considered and no further chance will be given.
7. If you are in service please bring "No Objection Certificate" from your employer, failing which you will not be considered for the post.
8. Approaching Chairman, RRB and/or his Secretary directly or indirectly by a candidate or anybody on his/her behalf requesting undue consideration for the recruitment will render a candidate liable for disqualification.
9. (For SC/ST candidates only)
On production of this letter you are entitled to travel free by the Railway in Second Class from SALCHAPRA Station to GUWAHATI Station and back. This pass will be valid up to 03/07/2005.
(Authority: Railway Board's letter no. E(10)R 04/18C/122, dated 23/1/84)

Certified to be true Copy
Sd/-
Advocate
S/H/arb

TESTIFIED BY
Sd/-
24/6/05

ADJUNCT SECRETARY
For CHAIRMAN, RRB - GUWAHATI

22/2/

ANNEXURE-4

To

The Chairman ,
Railway Recruitment Board ,
Station Road , Guwahati - 1 .

Sub: Prayer for allowing me to know the ground for
non-selection to the post of Group-D under
Category No. 01 of Employment Notice No. 1/2003.

Respected Sir ,

It is to bring forth to Your kind notice that I
qualified in the Selection for the post of Group-D under
Category No. 01 of Employment notice No. 1/2003. That after
passing the Written Exam , I was called for physical Effici-
ency test under Roll. No. 24686652 on 23/6/05 at 6.30 A.M.
and I also qualified in the same and thereby was called for
Document verification on 24/06/2005 at 10 A.M.

That, thereafter, the declaration of the result I
was very much taken aback when I found that my Roll No. was
not there in the result sheet . It is a matter of grave con-
cern as to why my name (Roll No.) was not published .

Therefore Sir , it is prayed to you to let me know
why my Roll. No. was not there in the result sheet since
I have produced before you all my original testimonials and
documents to your satisfaction as asked by your goodself .

Thanking you

Dated ,

The 22nd Aug/2005

Sri Monotosh Das
(Sri Monotosh Das)

Sri Monotosh Das
(Sri Monotosh Das)

Roll No. 24686652

Address for Communication :

MONOTOSH DAS ,

P.O. SALCHAPRA,

VILL. BARNIRPAR ,

DIST. CACHAR , ASSAM .

PIN .- 788814

Certified to be true Copy

Elker

Advocate

8/11/06

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH.

ORDER SHEET

Original Application No. 235/05

Misc. Petition No.

Contempt Petition No.

Review Application No.

Applicant(S) : Monotash Das

Respondant(S) : W-6 I 2nd

Advocate for the Applicant(S) : P.K. Deke, I.H. Laskar, Ms. I. Krishnabai

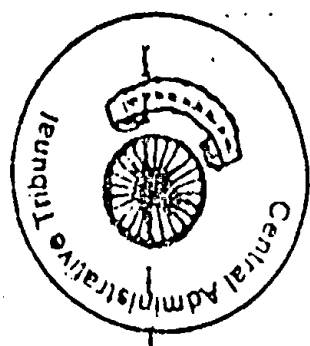
Advocate for the Respondant(S) : Rail Way Council

Notes of the Registry.	Date	Order of the Tribunal
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12.9.2005

Present: The Hon'ble Mr. Justice G. Sivarajan, Vice-Chairman.

The applicant, pursuant to an employment notice No.1/2003, applied for the post of Group 'D' (Trackman) under the respondents. His case is that he had passed the qualifying written examination, physical efficiency test and had also appeared before the respondents for document verification. His grievance is that his name is not seen in the final select list published by the respondents. It is his case that he made a representation dated 22.8.2005 (Annexure-13) before the second respondents on 22.9.2005, but the same was not accepted. It is also stated that the office of the second respondent had informed the applicant that his name was not included in the select list for the reason that there was dissimilarities in the photograph submitted by him in the application form in the year 2003 with that of his recent photograph. The applicant without pursuing the matter before the respondents have approached this Tribunal for direction to the second respondent to appoint him in the Group 'D' post (Trackman).



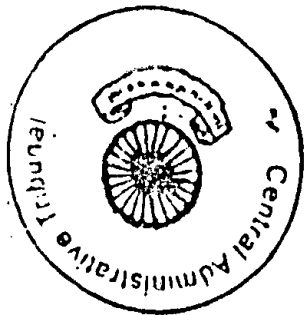
Certified to be true Copy
 Advocate
 8/11/06

Con. A

Contd.

12.9.2005

I have heard Mr. P.K. Deka, learned counsel for the applicant and Mr. J. L. Sarkar, learned counsel for the Railways. I am afraid the reliefs sought for by the applicant cannot be granted in this application. If the reason ~~alleged~~ alleged to have been given by the respondents to the applicant and mentioned above is correct, the respondents ought to have afforded an opportunity to the applicant but that does not mean that the applicant can straightway approach this Tribunal. If the applicant is so advised, he can file a fresh representation before the second respondent within two weeks from today. If any such representation is filed, the same will be disposed of by the second respondent by a speaking order expeditiously.



The O.A. is disposed of with the above observations. The applicant will produce this order before the second respondent along with the representation for compliance.

Sd/VICE CHAIRMAN

Date of Application : 13.9.05
 Date on which copy is ready : 13.9.05
 Date on which copy is delivered : 13.9.05
 Certified to be true copy

Section Officer (Adm)
 C. A. T. Guwahati Bench
 Guwahati

[Signature]
 13/9/05

ANNEXURE-6

30 - 20 -

To

The Chairman
Railway Recruitment Board,
Station Road, Guwahati - 1.

Sub:- Prayer for Appointment for the post of Group-D under
Category No. 01 of Employment Notice No. 1/2003 .

Respected Sir ,

It is to bring forth to your kind notice that I qualified in the selection for the post of Group-D under Category No.01 of Employment Notice No. 1/2003. That after passing the Written Examination , I was called for physical Efficiency Test under Roll No. 24686652 on 23/06/05 and also qualified in the same and thereby I was called for document verification on 24/06/2005 at 10 A.M.

That , thereafter on declaration of the result, I was very much shocked when I found that my Roll Number was not there in the result sheet .

Thereafter I approached the Hon'ble Central Administrative Tribunal, Guwahati Bench through an Original Application being No. 235/2005 and accordingly the Hon'ble Tribunal vide its Order dated 12.9.2005 disposed of the said Original Application with a direction to you to consider my claim for appointment and pass appropriate order expeditiously . I have enclosed a Copy of the said Hon'ble Tribunal's Order dated 12.9.2005 with this application.

Therefore Sir, I pray before you to consider my claim and to take initiative for my appointment for the abovesaid post keeping in view that I am a very poor person and an eligible candidate for the post and had qualified all the qualifying tests organised by you for selection of Candidate for the post of Group-D under Category No. 01 of Employment Notice No. 1/2003 . If any dissimilarity is there in my photograph as submitted in the application form in the year 2003 with that of the recent photograph , then I may be allowed to clarify the same so that I may not be deprived for getting appointment for this reason .

This is my humble prayer before You .

Date:- 16/09/05.

Address for Communication.

SHRI MONOTOSH DAS
S/O Lt. KIRTI CH. DAS
VILL. DARNIRPAR
P.O. SALCHAPRA
P.S. SILCHAR
DIST. JALPAIGURI, ASSAM

Yours faithfully
Sri Monotosh Das
(Sri- Monotosh Das)
Roll No. 24686652

Certified to be true Copy

Advocate
8/1/06

6/11/06

ANNEXURE-7

- 21 -

(REGD. WITH A/D)

RAILWAY RECRUITMENT BOARD & GUWAHATI.
PANBAZAR, STATION ROAD, GUWAHATI- 781 001 (ASSAM)

No. OA/235/05/RRB/M.D.)

Dt. 03-10-05

To : SHRI MONOTOSH DAS,
S/O KIRTI CHANDRA DAS,
VILL. BARNIRPAR, P.O. SALCHAPARA,
PA silchar, DIST. EACHAR,
ASSAM. PIN 788 814.

Subs:- Judgement/Order dated 12-09-2005 in OA
No. 235/05 Shri Monotosh Das- Vs.- Union
of India & others.

Refs:- Your letter (representation) dated 16.09.05

The competent authority i.e. Chairman, Railway Recruitment Board, Guwahati gone through your representation referred to above as well as the judgement/order dated 12-09-2005 in OA No. 235/05 .Shr

Your case is receiving due consideration and investigation. You will be indimated after the decision is taken finally by the competent authority.

This is for your information please.

R K Sonowal
03/10/05

(R K Sonowal)
Assistant Secretary
for Chairman/RRB/Guwahati
Railway Recruitment Board,
Guwahati

Copy to: - CPO/Maligaon for his kind information please.

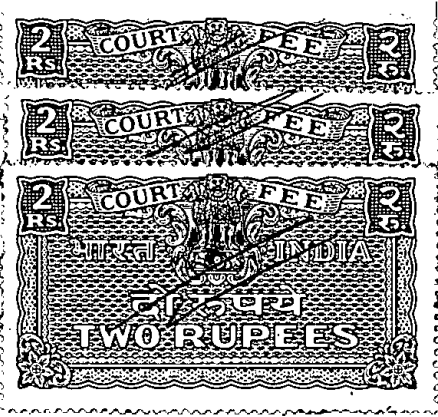
(R K Sonowal)
for Chairman/RRB/Guwahati

Certified to be true Copy

Dika

Advocate

8/11/06



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Sri Monotosh Das.

District : CACHAR VAKALATNAMA OA 9/06
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
ORIGINAL APPLICATION NO. 12006

Sri Monotosh Das

Applicant ✓
Petitioner

Versus

The Union of India & Ors.

Respondent
Opposite Party

Know all men by these presents that above-named Applicant

do hereby nominate, constitute and appoint Shri P. K. Deka & I. H. Laskar & Mr. I. Krishnaiah Advocate and such of the undermentioned Advocates as shall accept this Vakalatnama to be my/our true and lawful Advocates to appear and act for me/us in the matter noted above and in connection therewith and for that purpose to do all acts whatsoever in that connection including depositing or drawing money, filing in or taking out papers, deeds of composition etc. for me/us and on my/our behalf and I/we agree to ratify and confirm all acts so done by the said Advocates as mine/ours to all intents and purposes. In case of non-payment of the stipulated fee in full, no Advocate will be bound to appear and act on my/our behalf.

In witness whereof I/we hereunto set my/our hand this 8th day of January 2006

ADVOCATES

M. A. Laskar
B. L. Singh

✓ I. H. Laskar
✓ P. K. Deka

And Accepted

Pankaj Kumar Deka
Advocate

Received from the executant.
Satisfied and accepted.

Mr. _____ Sr. Advocate
leads me/us in this case.

Muhammed Hussain Laskar
8/1/06
Advocate

Advocate

33

NOTICE

Date
09/01/06

From,

Mr. Pankaj Kumar Deka,
Advocate.

TO. Mr. J. L. Sarkar
S.C. Railway.

Subj. - O.A. NO. _____/06

Spri - Monotosh Das

----- Applicant.

-vs-

The Union of India and ors.

Sir,

With reference to the subject cited above, please take notice of the aforesaid original Application NO _____/06, filed by the Applicant before this Honble Tribunal.

Kindly acknowledge the receipt of the same.

Thanking you.

Copy Received.

Yours faithfully

Deka

Advocate.

9/1/06

S.C. Railway.

Undertake to give charge
of Railway Council when
he is available.

Deka
9/1/06