

6

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

L
O.A/T.A No. 173/2006

R.A/C.P No.

E.P/M.A No.

1. Orders Sheet..... OAPg. 1to 5
2. Judgment/Order dtd.....Pg.....to.....
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A..... OA 173/2006Pg. 1to 47
5. E.P/M.P.....Pg.....to.....
6. R.A/C.P.....Pg.....to.....
7. W.S.....Pg.....to.....
8. Rejoinder.....Pg.....to.....
9. Reply.....Pg.....to.....
10. Any other Papers.....Pg.....to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendement Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

Kalita
25/10/17

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDERS SHEET

1. Original Application No. 173 /2006
2. Misc Petition No. _____
3. Contempt Petition No. _____
4. Review Application No. _____

Applicant(s) Mr Sukumar Chandra Dey

Respondant (S) U.O.I. & ONS.

Advocate for the Applicant(S). *D. C. Kati Hazarika*
S. Chakraborty...
S. B. Choudhury...

Advocate for the Respondant(s). Railway. ~~General~~ Counsel, K.K. Priya

| Notes of the Registry | Date | Order of the Tribunal |
|--|------------|---|
| | 20.07.2006 | Present : Hon'ble Sri K.V. Sachidanandan Vice-Chairman. |
| <p>This application is in form is filed for Rs. 10/- deposited vide I.P./BD No. 266/324839 Dated 10.7.06</p> <p><i>1/c By Registrar</i> <i>13-7-06</i></p> <p><i>Steps taken with envelopes.</i></p> <p><i>PF.</i></p> | | <p>The case of the applicant is that he had been promoted to the post of Liaison Inspector on double ad hoc basis with effect from 09.10.1990. According to the applicant, the respondent authorities utilized the services of the applicant in his promoted post for 12 years continuously till his superannuation on 30.06.2002 without any interruption and he had been paid salary. The applicant averred in the application that he should have been granted monthly pension on the basis of the last pay drawn, i.e. Rs. 8,500/- on the basis of the P.P.O. dated 30.06.2002 along with the arrear pension as per the procedure of law. As per the official communication dated 17.12.2002 issued by the Respondent No. 3, the applicant has been reverted to his original post of single ad hoc after his retirement. According to the applicant, no person can be reverted after superannuation. Aggrieved by the said action of the respondents, the applicant has filed this application.</p> |

Contd/-

20.07.2006

Heard Mr D.C. Kath Hazarika, learned counsel for the applicant and Dr. M.C. Sarma, learned railway counsel for the respondents.

Dr. M.C. Sarma, learned railway counsel on behalf of the respondents submitted that he would like to take instructions.

Considering that the issue involves larger legal importance, I am of the view that the O.A. has to be admitted. Admit.

Six weeks time is granted to the respondents to file reply statement. Post on 04.09.2006.

Mr D.C. Kath Hazarika, learned counsel for the applicant on the other hand insisted for interim order and submitted that he has not got any pension whatsoever mentioned in annexure - L in the application. The Hon'ble Supreme Court time and again cautioned that pensionary benefit is not a bounty; it is a right of employee to get it. If the submission is correct, i.e. the calculation re-fixed for pension as reflected in annexure - L has not been paid to the applicant, it is a great prejudice to the applicant. Learned counsel for the respondents is directed to take instructions and an interim order is given to the respondents to disburse the amount mentioned in the annexure - L forthwith to the applicant, if not already disbursed.

Vice-Chairman

fil. comply order
dated 20.7.06.

WS
20/7/06

Received
Mrs. S. Chakraborty
20.7.06.

Notice & order sent
to D/section for
issuing to resp.
nos. 1, 2, 3 & 4 by
regd. A/D post.

21/7/06. D/No = 767 to 770
dt = 25/7/06. /mb/

Notice duly served
on resp. no-2, 3.

12/8/06. No. 1016 has been filed.

04.09.2006 Present: Hon'ble Sri K.V. Sachidanandan
Vice-Chairman.

Learned Counsel for the Respondents was represented. Let the case be posted on 01.11.2006. In the meantime, learned Counsel for the Respondents is at liberty to file reply statement.

L

Vice-Chairman

/mb/

1.11.2006

Mr.K.K.Biswas, learned Railway counsel is said to be hospitalised. Let the case be posted after a month. In the meantime respondents shall file reply statement.

post on 1.12.2006. Interim order will continue till the next date.

L

Vice-Chairman

bb

1.12.06.

Counsel for the respondents wanted ~~xx~~ time to file written statement. Let it be done. Post the matter on 19.1.07.

L

Vice-Chairman

lm

19.1.07.

Counsel for the applicant prays for weeks time to file written statement. Let it be done. Post the matter on 14.2.07.

L

Vice-Chairman

lm

30/6/02

Retd

31-10-06

No Wks has been filed.

24

Order dt. 1/11/06 issuing to learned advocates for both the parties.

Case 2/11/06.

No Wks has been filed.

24
30.11.06

No Wks has been filed.

24
18.1.07.

No Wks has been filed.

24
13.2.07.

OA. 173/2006

14.2.2007

Post the case on 15.3.2007 verifying the name of the counsel for the Railways.

Vice-Chairman

/bb/

1-3-07

The counsel for the respondents has submitted that the matter is being processed by the Respondents. He may require further ~~xxx~~ two months time for decision of the matter. Post the matter on 3.5.07.

Member

Vice-Chairman

lm

3.5.2007

Mr.K.K.Biswas, learned Railway counsel prays for further time to file reply statement. Accordingly, four weeks' time is allowed for the same.

Post the case on 04.06.2007.

Vice-Chairman

/bb/

22.6.2007

Mr.K.K.Biswas, learned Railway counsel submitted that grant for pensionary benefits has been ordered from 2002 and he has produced a copy of the order dated 15.6.2007 to that effect which shall be kept on record. He is directed to serve a copy of the said letter to the counsel for the Applicant who will verify the same for submission of objection, if necessary.

Post on 5.7.2007.

Vice-Chairman

/bb/

27-2-07

① No vakalatnama filed by the Rly counsel.

② No W/S filed.

1-5-07

No W/S filed.


lm

No W/S has been filed.

21.6.07

W/S not yet filed.

4.7.07

| Notes of the Registry | Date | Order of the Tribunal |
|---|-----------------------------|--|
| <p><i>Recd copy of order K.K.Biswas 06/07/07 Rly. Advocate</i></p> <p><i>Recd copy of order Sely 06/07/07</i></p> | <p>5.7.2007</p> <p>/bb/</p> | <p>When the matter came up for hearing Mr.K.K.Biswas, learned Railway Counsel has produced a payment order dated 3.5.2007 which will be kept on record. Learned counsel for the Applicant Mrs.S.Chakraborty also submitted that reliefs have already been granted to the Applicant. Therefore, the O.A. has become infructuous.</p> <p>Accordingly, the O.A. is dismissed as infructuous.</p> <p> Vice-Chairman</p> |

X

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:
GUWAHATI BENCH

(An application under Section 19 of the Central Administrative Tribunal act, 1985)

C. A
~~TITLE OF THE CASE~~ NO 173 OF 2006

Filed by

Sri Sukumar Ch. Dey.

through

Mrs. Sumati Chakraborty
10/7/06

Sri Sukumar Chandra Dey,

-----Applicant

----- **VERSUS** -----

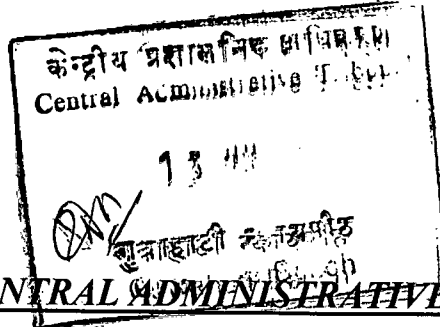
The Union of India and others

-----Respondents

S Y N O P S I S

That the applicant had been promoted to the post of Liasion Inspector on double ad-hoc basis w.e.f. 10.9.90 by the Respondents themselves. Thereafter they did not follow the Instructions guidelines dated 23.8.85 laid down by the Railway Board vide its letter particularly, clause (v) of the said Railway Board's letter dated 23.8.85 i.e. , adhoc promotions should not be allowed for unduly long periods say beyond three to four months and the Respondent authorities utilized the service of the applicant in his promoted post for 12 years continuously till his superannuation on 30.6.2002 without any interruption and he had also been paid his salary accordingly . So , after superannuation , the applicant should have been granted monthly pension on the basis of his last pay drawn i.e. Rs 8,500 on the basis of the P.P.O dated 30.6.2002 along with arrear pension as per the procedure of law . As per the Official Communication dated 17.12.2002 issued by the Respondent No. 3 , the applicant has been reverted to his original post of single adhoc after his retirement , which is not tenable in the eye of law as because no pension can be reverted after superannuation . Moreover, the Respondent authorities had been receiving finance concurrence during such a span of 12 years since 1990. But suddenly, the Finance Department raised such objection at the end of his lawful service.

Hence, this original application.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:

GUWAHATI BENCH

(An application under Section 19 of the Central Administrative Tribunal Act, 1985)

TITLE OF THE CASE NO 173 OF 2006

Sri Sukumar Chandra Dey,

S/O Late Krishnendra nath Dey

The Ex-Liasion Inspector/CON /MLG

Resident of Rly. Qrs. No DS/74/B,

Type-II, Rest Came, Pandu,

Guwahati -12.

-----Applicant

----- VERSUS -----

The Union of India and others

-----Respondents

I N D E X

| <u>SL. NOs.</u> | <u>Annexure</u> | <u>Particulars</u> | <u>Pages</u> |
|------------------------|------------------------|--|---------------------|
| 1. | A | Photocopy of the office order No.214/90 dated 9.10.90 issued by the General Manager,(CON), N.F. Railway | 17 |
| 2. | B | Office Note dated 14.3.2002 issued by the Chief Engineer/CON-II, N.F.Railway, Maligaon, Guwahati---11 | 18 |

Filed by
Shri Sukumar Ch. Dey.
through
Mrs. S. Chakraborty
Advocate
10/7/06

3. C Official Letter vide No.PNO/PN/010602
1928(S) by the F.A.&CAO, N. F.Railway.
Maligaon, dated 14.06.2002 issuing grant of
Pensioners Benefits on account of commuted
Value of 40% of pension to the applicant. 19
4. D P.P.O. of the applicant issued by FA & CAO,
Maligaon, N.F.Railway dated. 16.12.2002. 20 to 30
5. E Superannuation Certificate dated.30.06.2002
issued by the General Manager (Construction)
N. F.Railway, Maligaon. 31
6. F Pension Payment Order dated. 30.06.2002
issued by FA & CAO/PEN, N.F.Railway
Maligaon, granting Rs.4240/- as pension
on the basis of last pay drawn. 32
7. G Official Communication dated.01.08.2002 issued
by the General Manager (CON) N. F.Railway,
Maligaon, Guwahati-11 regarding payment of leave
Salary of the applicant. 33
8. H Official letter dated. 14.08.2002 issued by
Respondent No.4. 34
9. I Representation dated.07.10.2002 made by the
petitioner's wife before the Chairman, Rly.Board,
New Delhi. 35 to 37

10. J Official Communication dated.08.10.2002 issued by
by the General Manager (CON), N. F.Railway,
Maligaon, refusing to make the payment of pension
on the basis of last pay drawn. 38
11. K Representation dtd.05.11.2002 made by the
applicant to the General Manager (CON),
N. F.Railway, Maligaon, for payment of his pension. 39
12. K(1) Representation dated 16.12.2002 made by the
applicant before the General Manager /Con ,
N.F.Railway, Maligaon. 40
13. K(II) Rly. Bd's letter dated vide No. E(NG)I-85-PM5-III
dated.23.08.1985 issued by Respondent No.1 41 to 42
14. L. Impugned office Memo dated 17.12.02
issued by Respondent No.3 43
15. L(I) Gradation list of issued by Respondent No.2
dated.13.05.2002. 44 to 47

Filed by

Mrs. Sumati Chakraborty

(Advocate)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:

GUWAHATI BENCH

O. A. No.....173...../2006

Filed by
Sri Sukumar Ch. Dey
through
Mr. S. Chakraborty
Advocate
10/7/06

Sri Sukumar Chandra Dey,

S/O Late Krishnendra nath Dey

The Ex-Liasion Inspector/CON/ MLG

Resident of Rly. Qrs. No DS/74/B,

Type-II Rest Came, Pandu,

Guwahati -12.

-----Applicant

----- **VERSUS** -----

1. The Union Government, represented

by the Chairmen, Railway Board,

Ned Delhi – 110001

2. The General Manager (Construction),

N.F.Railway, Maligaon, Guwahati-11.

3. FA & CAO/ Pension, N.F.Railway,

Maligaon, Guwahati-11.

4. The Chief Engineer/ CON/2

for G. M./CON/Maligaon, N.F.Railway

Guwahati-11

-----Respondents

Sukumar Ch. Dey,

Contd.....2

1. The particulars of the order official communication against which this application is made:

The application is made against the following order /official Communication

“.....As a result the pay of Shri S.C. Dey is re-fixed in scale Rs.5500/- - 9000/- withdrawing the double ad-hoc promotion of Liasion Inspector. Scale Rs.6500/- -10500/- and put up to FA &CAO (C)/ MLG for final vetting. After finalization of pay, the pension to be paid to Shri S.C.Dey is recalculated and approach to FA&CAO/Maligaon for necessary payment FA&CAO, Maligaon has passed the payment of pension vide P.P.O.No.0106021928(s) dated 13.12.2002.

So far payment of other F.S. dues is concerned, it may be stated that following payment were made which involves some overpayment also.

| | To be drawn | Already drawn | Now to be drawn | Overpayment involved |
|------------------------------|-------------|---------------|-----------------|----------------------|
| 1. Pension | 4,240.00 | ----- | 3,897.00 | ----- |
| 2. Family pension | 2,550.00 | ----- | 2,385.00 | ----- |
| 3. Commuted value of pension | ----- | 1,99,654.00 | 1,83,408.00 | 16,246.00 |
| 4. DCRG | 2,08,973.00 | ----- | 1,95,451.00 | ----- |
| 5. Leave Salary | ----- | 1,26,650.00 | 1,18,455.00 | 8,195.00 |

2. JURISDICTION OF THE TRIBUNAL:

The applicant declares that the subject matter of the official Communication /order against which he wants redressal is within the jurisdiction of the Tribunal.

Sakumar Ch. Dey

Contd...3

3. LIMITATION

The applicant declares that the subject matter of the official Commutation against which he wants redressal is within the limitation prescribed by the Central Administrative Tribunal Act, 1985.

4. FACTS OF THE CASE

4.1. That the applicant is a citizen of India by birth and a permanent resident of District Kamrup, Assam. As such, he is legally entitled to all the rights and privileges guaranteed to a citizen of India by the Constitution of India and any other legal rights acquired under the statutory law /laws and rules framed there under which are in force.

4.2. That the applicant states that he had been working as MI/CON (ad-hoc) on the scale of pay of Rs.1,950/-(1600-2660)/-(RP) under the Respondents.

Subsequently he was promoted as Liaison Inspector on double – adhoc basis vide official order under Memo No. K/283/CON/MLG/Pt.XV dated. 09.10.90 issued by the Respondent No.2 on the scale of pay of Rs.2000/- - 3200/-(RP) on payoff Rs.2060/- against the post created vide Office Memo No. K/41/CON/NLG/Pt.I of 9.10.90. Vide the said office order dated 9.10.90. it was further stated that the applicant's case was treated as a "special case" and that he was liable to be reverted to his former post as and when a duly selected incumbent was available for posting. Further, it was also stated that the applicant would have no right to claim seniority over those already senior to him.

Copy of the Office Order dated.09.10.90 issued by Respondent No. 2 is annexed herewith and marked as Annexure -A.

Sankar Pr. Dey

4.3. That the applicant state that upon being so promoted the applicant had been working with utmost sincerity, honesty and dedication and to the satisfaction of the superior authority and for which he was also awarded a cash Award of Rs.1000/-by the RespondentNo.4 vide office Note dated 14,3,2002.

After serving in the said post for 12 years continuously the applicant went on superannuation on 30.6.2002.On the day of superannuation, pension payment order was also issued by the Respondent No. 3 whereby monthly pension of the applicant was fixed at Rs.4240/-. Before that, i.e., on 14.6.2002.vide Memo No. PNO/PN/0106021925(s) issued by the RespondentNo.3, commuted value of 40% pension based on last pay drawn. i.e. , Rs.8500/- amounting to Rs.1,99,654/-was passed for payment to the applicant.

Copies of the Office note dated 14.3.02 issued by Respondent No. 4, Official letter dated 14.6.02 issued by Respondent No.3 P.P.O. Superannuation Certificate issued by Respondent No. 2 and pension payment order dated 30.6.02issued by Respondent No. 3 are annexed herewith and marked as Annexure – B,C,D,E and F respectively.

4.4 That the applicant begs to state that after superannuation, the applicant did not receive his pension and other retrial benefits, ^{as Liaison Inspector.} Subsequently, Leave encashment of the applicant was paid to him pursuant to official Communication vide Memo No.E/283/Con/NG/Pt.XX (loose) dated. 01.08.02 issued by the Respondent No. 2 to the Respondent No 3.

Sukumar C. S.

Copy of the Official Communication dated 01.08.02 issued by Respondent No.2 is annexed herewith and marked as Annexure-G

- 4.5 That thereafter, vide Official communication dated 14.8.02, the Respondent No.4 requested the Respondent No. 3 to release the pension of the applicant on the basis of his last pay drawn, i.e., Rs.8500/-. But no positive action was taken in that regard.

Copy of the Official letter dated 14.8.02.issued by Respondent No .4 is annexed herewith and marked as Annexure-H.

- 4.6 That due to non - receipt of the pension since July 2002,the applicant's wife Smt. Anima Dey made a representation dated 7.10.2002 before the Respondent No. 1 with the prayer for payment of the particulars pension.

Subsequently vide Communication under Memo No.202E/CON/Pen (SKD) dated 8.10.02 issued by the Respondent No 2, the applicant was intimated that the Railway Board had banned all double ad-hoc promotion vide IREM/216A(iii)and Railway Boards letter No. E (NG)-85/PM/5-(iii) dated 23.8.85. As such, the pension calculation of the applicant was held up and that Respondent No.3also put an objection against the said payment. Further, it was intimated that his pay was being fixed by considering only one ad-hoc promotion instead of double adhoc promotion and that the pension would be calculated accordingly and sent to the F.A.&CAO/pension, Maligaon for early payment. In other wards, the applicant has been reverted to his original post after superannuation, which is against established rules.

Sankar Ch. Dey,

Copies of the representation dated 7.10.02 and Official Commutation dated 8.10.02 issued by Respondent No. 2 are annexed herewith and marked as Annexure—I and J respectively.

- 4.7. That thereafter, the applicant made another representation dated 5.11.02 before the Respondent No.2, stating that after a lapse of 12 years of regulars service in the promotional post and after going on superannuation, he had been reverted to his original post in terms of the Railway Boards letter dated 23.08.85. That the lapse /fault was on the part of the administration. It was their duty to follow the said Board's letter, which they failed to do so in time. So, the applicant did not agree to accept the payment of pension as per revised fixation (single adhoc) as his service had been utilized on the said post continuously for 12 years i.e., till the date of his retirement. Therefore, he made a prayer for payment of his pension as per P.P.O.No. PNO/PN /0106021928(s) dated 30.6.2002. Again on 16.12.02, the applicant made another representation before the Respondent No 2 with the prayer for payment of his pension as per PPO No .PNO/ PN/ 1016021928 (s) with interest which was duly received.

Copies of representations dated 15.11.02, 16.12.02 & Rly. Boards letter dated. 23.08.85 are annexed herewith and marked as Annexure-K, K (1) & K(II) respectively.

- 4.8. That inspite of repeated prayers made by the applicant, the Respondent did not consider the applicant's case by following the rules in force. On the contrary, a letter was issued to the applicant's wife by the Respondent No 3 vide No 202E/CON/PEN (SCD) dated 17.12.2002 & the applicant was qualified for the above mentioned post in terms of gradation list as his name appeared at Sl.No.4 & there is a legitimate expectation on the part of the applicant after 12 yrs. continuous service in the above substantive post which is still in existence. Issued by Respondent No. 2 dated.13.05.02, whereby it was shown that the applicant had already been overpaid on commuted value of pension and leave salary and that the pension amount has been reduced from Rs.4,240.00 to Rs. 3,897.00 which shows that the applicant has been reverted to his original post ie, from double adhoc to single adhoc after his superannuation on completion of 12 years of continuous service in the promotion post , i.e. ,double adhoc. The accounts shown in the said communication are as follows: -

Contd ... 7

Sankar Ch. Sg,

“so far payment of other F.S. dues is concerned, it may be stated that following payments were made which involves some over payment also .

| | <u>To be drawn</u> | <u>Already drawn</u> | <u>Now to be drawn</u> | <u>Over payment involved</u> |
|------------------------------|--------------------|----------------------|------------------------|------------------------------|
| 1. Pension | 4240.00 | ----- | 3897.00 | ----- |
| 2. Family Pension | 2550.00 | ----- | 2385.00 | ----- |
| 3. Commuted Value of pension | ----- | 1,99,654.00 | 1,83,408.00 | 16,246.00 |
| 4. DCRG | 208973.00 | ----- | 1,95,451.00 | ----- |
| 5. Leave salary | ----- | 1,26,650.00 | 1,18,455.00 | 8195.00 |
|” | | | | |

Copy of the impugned official communication dated 17.12.2002 issued by Respondent No. 3 & Gradation list issued by Respondent No. 2 dt.13.05.02 are annexed herewith and marked as Annexure—L & L(1)

4.9. That, since the issue of the impugned office Memo dated 17.12.02, the Respondents have been paying the pension of the applicant on the basis of the last pay drawn in the single ad-hoc post i.e., original post of the applicant. So, the Respondents reverted the applicant in his original post after superannuation when he was no longer their employee and also his pension has been paid against his original post till date by making deduction. So, the Railway Board circular dated 23.8.85 has lost its force and effect against the applicant after his retirement from service. Hence, the thing, which cannot be done directly, cannot also be done indirectly.

4.10. That the Railway Boards letter dated 23.8.85 which contains some instructions to the administration are as follows: -

Contd.....8

Sufamar Ch. G.

“As the Railway Administrations are aware, instructions have been issued from time to time discouraging promotions being ordered on ad-hoc basis in the exigencies of service. These instruction inter –alia enjoin the following:

- (i) ad-hoc promotions should not be resorted to for vacancies of regular nature;
- (ii) to avoid ad-hoc promotions, selections should be held regularly once a year;;
- (iii) if it becomes inescapable to make ad-hoc promotions against regular vacancies, only senior suitable persons should be appointed with the personal approval of the C.P.O. who should determine the reasons for non-finalization of selection. He should also keep a record of such approval having been accorded and review the progress made in filling up such posts by selected persons;
- (iv) any default in holding selections regularly should be viewed seriously and responsibility fixed ; and
- (v) ad-hoc promotions should not be allowed for unduly long periods say beyond three to four months;

2. Despite these instructions, instances have come to the notice of the Ministry where promotions on ad-hoc basis have been continued for long spells and in some cases even double ad-hoc promotions have been allowed, the justification for which was open to question.

3. The Ministry had the occasion to review the matter in the light of the for going. They wish reiterate the extant instructions requiring that ad-hoc promotions should be avoided as far as possible and where they have to be made, they should not be allowed to continue for long period. They have further decided that Railway administrations should not as a rule make double ad-hoc promotions. Accordingly, while the Railway Administrations will take all possible steps to discourage double ad-hoc promotions and order the same only when it is found unavoidable and in the manner as laid down in the instructions already obtaining, no second ad-hoc promotions shall be allowed “.

Sukumar Ch. D.

Contd ...9

The aforesaid instructions were given to the Railway administration, which were to be followed by them while giving ad-hoc promotions. But surprisingly enough, the Railway administration were sleeping over such instruction continuously for 12 years in case of the applicant. Therefore Respondents authorities promoted the applicant as Liaison Inspector on double ad-hoc basis w.e.f. 09.10.90. Therefore they did not hold any selection after 3/4 months of such promotion which is in violation of clause (V) of the said letter dated.23.08.85 and so that applicant was allowed to continue in his promotion post till his superannuation on 30.06.2002. Moreover as per the (P.P.O. (Pension Payment Order) his pension was fixed on the basis of the last pay drawn, i.e. Rs.8500/- and the pension was also passed on Bank calculating as per last basic pay. The pension was fixed at Rs.4,240.00 which was subsequently reduced to Rs.3,897.00 vide the impugned communication dated 17.12.2002 issued by the Respondent No.3. In other wards, the applicant has been reverted to his original post after his superannuation when he was no longer there employee and which is against established rules. Moreover, the Railway Board's Letter dated. 23.08.85 on the basis of which the impugned communication was issued by the Respondent No.3, had been issued 12 years prior to the applicant's superannuation. In fact, the said letter/ Railway Board's circular had been issued 5 years prior to his promotion. So, the lapse was on the part of the Respondent authorities. The applicant has nothing to do with the said instructions contained in the Railway Board's Letter dated.23.08.85 which were meant for the Administration / Respondents. Therefore, the applicant has been made to suffer due to the fault committed by the Respondents themselves who utilized the service of the applicant continuously for 12 years till the date of his retirements. After retirement such decision is totally arbitrary and bad in Law. In all the communications/replies of the Respondents, they have been persistently paying that the Railway Board's Letter dated 23.08.85 barred double ad-hoc and thereby misrepresenting the instruction contained in the said letter and trying to conceal there own shortcomings / faults. Moreover, for the whole span of 12 years of service in the promotion post, there was regular finance concurrence. But suddenly, after 12 years, the Respondent No.3 has raised objection, which is quite unreasonable, unfair and unjust.

Sufman Ch. G.

Thus, the impugned official communication dated 17.12.2002 is liable to be said aside or quashed.

--- G R O U N D S ---

A. That the applicant had been promoted to the post of Liaison Inspector on double ad-hoc basis w.e.f. 9.10.90 by the Respondents themselves. Thereafter they did not follow the Instructions guidelines dated 23.8.85 laid down by the Railway Board vide its letter particularly, clause (v) of the said Railway Board's letter dated 23.8.85, i.e., ad-hoc promotions should not be allowed for unduly long periods say beyond three to four months, and allowed the applicant to continue in his promoted post for 12 years continuously till his superannuation on 30.6.2002. In the meantime, the applicant was also honoured with a 'cash Award' of Rs 1,000/- for his performance by the Respondents No. 4. But during such a long span of 12 years the Respondents never remembered that as per the said Railway Board's letter, after 3/4 months of the applicant's promotion from single ad-hoc to double ad-hoc, the said post was supposed to be filled up by duly selected persons and the applicant was qualified for the above mentioned post in terms of gradation list as his name appeared at Sl.No.4 & there is a legitimate expectation on the part of the applicant after 12 yrs. continuous service in the above substantive post which is still in existence. Issued by Respondent No. 2 dated 13.05.02

B. That the Respondent authorities utilized the service of the applicant in his promotion post for 12 years without any interruption and he had also been paid his salary accordingly. So, after superannuation, the applicant should have been granted monthly pension on the basis of his last pay drawn as per the procedure of law.

C. That as per the Official Communication dated 17.12.2002 issued by the Respondent No.3; the applicant has been reverted to his original post of single ad-hoc after his retirement, which is not tenable in the eye of law as because no person can be reverted after superannuation. Moreover, the Respondent authorities had been receiving finance concurrence during such a span of 12 years since 1990. But suddenly, the Finance Department raised such objection at the end of his lawful service.

Sankar Ch. Dey,

Contd11

D. That the Railway Board's letter consists of the following instructions; .

“-----

- (i) ad-hoc promotions should not be resorted to for vacancies of regular nature;
- (ii) to avoid ad-hoc promotions, selections should be held regularly once a year;:
- (iii) if it becomes inescapable to make ad-hoc promotions against regular vacancies, only senior suitable persons should be appointed with the personal approval of the C.P.O. who should determine the reasons for non-finalization of selection. He should also keep a record of such approval having been accorded and review the progress made in filling up such posts by selected persons;
- (iv) any default in holding selections regularly should be viewed seriously and responsibility fixed ; and
- (v) ad-hoc promotions should not be allowed for unduly long periods say beyond three to four months;.....

.....”

So, the Respondents have totally failed to follow the said instructions themselves and for their own fault / lapses the applicant is made to suffer. Moreover, the said letter did not put any ban on double ad-hoc promotion but only laid down some guidelines in case of double ad-hoc promotions. But the Respondents have misinterpreted the contentions of the said letter and reverted the applicant from his promotion post after his retirement on the plea of “ban” which is completely false and misrepresented. In other words, the Respondents have all along been acting upon their whims and fancy and having playing with the life of the applicant. Therefore the maxim “what cannot be done directly, cannot be done indirectly” is very much applicable.

E. That such act on the part of the Respondents are illegal, malafide, colorable exercise of power, unfair and unreasonable. There is violation of natural justice and hence, did not take into account the various protections and privileges of the central Employees

Sukumar O. G.

5. **GROUND FOR RELIEF WITH LEGAL PROVISIONS.**

5.1. For that malafide , discrimination and undue harassment being the foundation of the impugned Official Memo vide No. 202E.CON.PEN(SCD) dated 17.12.2002 issued by the Respondent No.3 is not maintainable in the eye of law and hence, liable to be set aside or quashed.

5.2. For that, the said impugned Official Memo dated 17.12.2002 is not only illegal and arbitrary but also in gross violation of the principles of natural justice and administrative fairplay and fundamental rights and hence, liable to be set aside or quashed.

5.3. For that it is submitted that the impugned Office Memo dated 17.12.2002 has been issued whimsically, arbitrarily and in gross violation of the provisions of Article 14 and 16 of the Constitution of India and hence, liable to be set aside or quashed

6. **DETAILS OF REMEDIES EXHAUSTED :**

The applicant declares that he has exhausted the Departmental remedies by filing number of representations and there is no other alternative remedy available to him except by way of filing this application.

7. **MATTER NOT PRVIOUSLY FILED OR PENDING IN ANY OTHER COURT**

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

Sukumar Ch. G.

8. **RELIEF SOUGHT FOR:**

In view of the facts mentioned in paragraph 4 of above, the applicant prays for the following relief:

The instant application may please be admitted, records be called for and on perusal of the same and upon hearing the parties on the cause/ causes that may be shown, may be pleased to grant the following relief: -----

- (i) to set aside /quashed the impugned Office Memo vide No. 202ECON ,PEN, (SCD) dated 17.12.2002 issued by Respondent No. 3.
- (ii) to refund the cash amount of Rs. 16,246.00(Commuted value of pension) and Rs. 8,195.00(leave salary) by the Respondent No .3 as will as the deduction made from the monthly pension till date.
- (iii) Payment of pension w.e.f. July 2002 till date on the basis of the last pay drawn, ie,Rs .8500/-on the basis of the P.P.O.dated 30.6.2002 along with arrear pension .
- (iv) Cost of this application.
- (v) Any other relief to which the applicant is entitled to and as the Hon'ble Tribunal may deem fit and proper under the facts and circumstances of the case. .

9. **INTERIM ORDER PRAYED FOR:**

Pending disposed of this application, the applicant prays that the operation of the impugned Office Memo dated 17.12,2002 issued by the Respondent No.3 may be suspended /stayed for the ends of justice.

Contd....14

Sukumar Ch. Dey,

24

10. PARTICULARS OF THE I.P.O.

(i) No. of the I.P.O. - 26 6 3 24 839

(ii) Date. - 7/7/06

(iii) payable at GPO, Guwahati.

11. LIST OF ENCLOSURE:

As stated in the Index.

.....VERIFICATION.....

.....VERIFICATION.....

I, Shi Sukumar chandra Dey, Sn of Late Krisnendra Nath Dey aged about 65 years, Ex—Liasion Inspector, resident of Rly. Qrs. No. DS/74/B, Rest camp pandu, Guwahati -12, in the district of Kamrup, Assam, do hereby solemnly verify that the statements made in paragraphs 1 to 11 of the application are true to my knowledge, belief and information and I have not supposed any material facts ..

Place :Guwahati

Date:-- 7/7/06

Sukumar ch. Dey
(Sukumar ch. Dey)

Applicant.

AFFIDAVIT

I, Shri Sukumar chandra Dey, S/O . Late Krishnendra Nath Dey, aged about 65 years, R/O Rly. Qrs. No.DS/74/ B, Rest camp pandu, Guwahati - 12. P.O. Pandu, P. S, Jalukbari in the district of Kamrup, Assam, do hereby solemnly affirm and declares as follows :-.

1. That I am the applicant in the instant writ petition and as such I am well acquainted with the facts and circumstances of the case.
2. That the statements made in this affidavit and the statements made in paragraphs — are true to my knowledge and those made in paragraphs 1, 2, 3, 4, 5, 6 and 7 ^{1/2} are being the matter of records are true to my information as derived there from and rest are submission as and prayers before this Hon'ble Court which I also believe to be true.

And I sign this affidavit on 10th the day of July at Guwahati.

Identified by me:

Mrs. Sumati Chakraborty.
Advocate.

Sukumar Ch. Dey.
Deponent.

- 17 -

Annexure - A

INDIAN EAST FRONTIER RAILWAY.

Office of the
General Manager(CON)
Maligaon.

OFFICE ORDER NO 214/VQ

With immediate effect Sri Sukumar Dey, MI/
CON(ad-hoc) on pay B. 1950/- in scale B1600-
2660/-(RP) is hereby temporarily promoted as
Liaison Inspector purely on double ad-hoc basis
in scale B1 2100-3200/-(RP) on pay B. 2060/-
against the post created vide this office Memo
No.E/41/CON/MG/Pt.I of 7-10-90.

The promotion of Sri Dey is ordered purely
on double ad-hoc measure as a special case and he
is liable to be reverted to his former post as and
when a duly selected incumbent is available for
posting. Also it will not confer upon him any right
to claim seniority etc. over those already senior
to him.

This issues with the approval of CE/C/I.

(M.K.Chakraborty)
APO(CON)
for General Manager(CON)

NO:E/283/CON/MG/Pt.XV

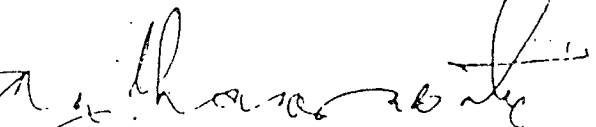
Dated 7-10-90

Copy forwarded for information and necessary action to :

1. FA & CAO/CON/MLG
2. Dy.CE/CON/MO
3. OS(O)/CON/MLG
4. OS/BILL/CON
5. Staff Concerned at Office
6. Spare copy for P/case.

9/10/90

certified to be true
S. Chakraborty
Adro cate
10/7/06.


(M.K.Chakraborty)
APO(CON)
for General Manager(CON)
9.10.90

8500/

- 18 -

Annexure - B

Office Memo :

Sub: Cash award.

Shri Sukumar Doy, LI/Construction has been performing his duties with sincerity and devotion. His performance during this year has been extremely satisfactory and praise-worthy.

In recognition to his sincerity and excellence in work, a Cash Award of Rs.1000/- (Rupees One thousand only) is sanctioned in favour of above said staff.

20/11/2012

(Sanjit Roy)
Chief Engineer/Con-II
N.F.Rly, Maligaon, Guwahati-11

By: CPO(Con).f.maff.

*Submitted to be paid
S. Chakrabarty
Adm. cell
10/7/08*

NORTHEAST FRONTIER RAILWAY

Annexure - C

Office of the

F. A. & Chief Accounts Officer
Maligaon, Guwahati-11

- 19 -

29

Dated



No. PN/PN/O/0602 1925(5)

To: *Sri/Smt. Suman Choudhary*

Sub: - Grant of Pensionary Benefits on account of commuted value of pension to Sri/Smt. *Suman Choudhary Ex-LI*

Ref: *202 E / 100 / Pex*

It is for your information that :

1. Computed value of pension i. e. Rs. *1696/-* amounting to Rs. *199,654/-*
one lakh ninety nine thousand six hundred and fifty four
has been passed for payment vide A. B. No. *25* PEN Dated *13-6-02*

Co. 7 No. *02/15* Dated *25/06*

2. Out of the sum of Rs. *199,654/-* a sum of Rs. *** has been withheld, a sum of Rs. *** has been recovered and arrangement has been made to pay the net amount of Rs. *199,654/-* the balance by M. O. less commission/cheque/in cash in presence of *S. Choudhary* as per mode of payment.

Particulars of recoveries are below :- *A/c No - 01190021 + 83*

For F. A. & Chief Accounts Officer/Pension
N. F. Rly, Maligaon

Copy for information to :-

1. C. P. O. (Budget), Maligaon.

2.

3. Sri/Smt. *Suman Choudhary PO - Deb nagar PS Rai Ganga*
At - Uttar Dindighur (1013)

He/She will kindly contact the D.C/N.F. Rly. Maligaon, Guwahati-11, in case of any delay in receipt of payment quoting AB No. & Co. 7 No. with date as cited above.

For F. A. & Chief Accounts Officer
N. F. Railway Maligaon

Submitted to the
S. Choudhary
Advocate
19/7/02

Amibious 8396519640027, 10T.

श्रवणं सौम्यं रत्नं

1240

1979

FRONTIER



पेंशन अदायगी आदेश
PENSION PAYMENT ORDER

पेंशन अदायगी आदेश
PENSIONER'S PORTION

पेंशन अदायगी आदेश संख्या

100 No. 0100021228 (S) dt. 16/12/07

नाम श्री/श्रीमती

Name Shri/Smt. Sukumar Chandra Dey

Ex-1/Com/mis. ands. Sh/Com/mis.

Certified to be
true
S. Chakraborty
Advocate
10/7/08

- 21 -

Annexure D (Contd)



OFFICE OF THE F. A. & C. O. N. F. Railway
MALIGUAN: GUWAHATI-- II or

Office of the F A & C A O / Pension / MLG.
Pension Payment Order (Debenture's / Pensioner's)

P. P. O. No. 0106021928 (S)

Date

Debitable to F A & C A O / N. F. Rly. Government.

Head of Account Grant No. 13

Minor Head-13100-99

Major Head-13000

Voted/Charged

Until Further Notice, and on the expiration of every month be pleased to Pay
Shri/Smt. Sukumar Chandra Deka Ex. L/Con/MLG.
II of this order. Family pension as set out in part III of this order (inapplicable
to be deleted) plus the amount of dearness relief as admissible from time to
time thereon after due identification of the pensioner/family pensioner. The pay-
ment should commence from 01-07-02
The income tax where deductible, should be deducted at source.

2. Arrears of pension/family pension at Rs. p. m.
(Rupees) per month) from

plus the admissible dearness relief thereon may also be paid to Shri/Smt.

3. Name of Paying Bank SBG Maligaon for No. 01190021703.
Treasury/P.O. A/c

"Countersigned"

Designated F A & C A O/Pension
N. F. Rly/ Maligaon

To
The Manager (Link Branch) Director of A/Cs (Postal)
Treasury Officer

State Bank of India

Panbazar, Guwahati B.

Guwahati - 781001

Signature
Designation

(Special Seal of the
PPO issuing authority)

2

37

PART-I

विवरण प्रमाणित/पूरा सरकारी कर्मचारी के सेवा का विवरण
Particulars of service of the person employed as Government servant.

1. सरकारी कर्मचारी/पूरा सरकारी कर्मचारी का नाम
Name of the Government Employee/Full Government Employee
Deceased Govt. Employee. Sri. Kumar Chandra Day

2. भारत सरकार के अन्तर्गत जिस मंत्रालय/विभाग/कार्यालय से सेवानिवृत्त हुए हैं उस का नाम तथा अन्त में धारण किया गया पद/ग्रेड/रैंक
Post/Grade/Rank last held and the name of the ministry/Dept. office from where retired under the Government of India. Lt/Comtender
Gm/Com/MLG

3. जन्म तिथि
Date of birth. 13-06-1942

4. सरकारी सेवा में शामिल होने की तारीख
Date of entry into Government service. 16-06-1962

5. सेवा समाप्त होने की तारीख (सेवा की अन्तिम दिन)
Date of ending service (last day of the service) 30-06-2002 (Supg)

6. सेवा में स्वीकार किया गया महत्व, यदि कोई हो
Details of weightage in service allowed, if any.

7. पेंशन के लिए अनर्हक सेवा अवधि
Period of service not qualifying for pension.

| से/From | तक/To | अवधि/Period | | | कारण/Reasons |
|---------|----------|-------------|---------|-------|---|
| | | वर्ष/Y | महीने/M | दिन/D | |
| 24-4-67 | 12-11-67 | - | 6 | 28 | Suspension Period Lwp for different Period. |
| | | | 5 | 28 | |
| | | 01 | - | 16 | |

8. अर्हक सेवा की कुल अवधि (कालम (5-4) + (6-7))
Total length of qualifying service (Col. (5-4) + (6-7)) 38 वर्ष 08 महीने 28 दिन
Years Months Days

i.e. 33 yrs. max. admissible

34

(3A)

| | | | |
|----|--|-------------|-----|
| 10 | औसत वेतन के लिए औसत परिसंख्या Average Emoluments for Pension | Rs 7192.50 | Rs. |
| 11 | परिवार पेंशन के लिए परिसंख्या तथा अंतिम वेतन Emoluments for family pension & Last pay | Rs 7950/- | Rs. |
| 12 | सेवा निवृत्ति उपदान/मृत्यु उपदान के लिए Emoluments for Retirement Gratuity/ | Rs 7950/- | Rs. |
| 13 | सेवा निवृत्ति उपदान/मृत्यु उपदान के लिए अंतिम वेतन अंतिम वेतन को माफ़ेगी। | Rs 3895.50 | Rs. |
| | | Rs 11845.50 | |

Amount of Retirement Gratuity (Death Gratuity) paid by this office separately

(रुपये/Rupees: One Lakh Ninety Five thousand) = Rs 195451/-
Four hundred Fifty one only.

25 -

Annexure-D (contd)

(4)

PART II

(मेरा निवृत्ति पर)
(Applicable on Retirement)

भाग I—पेंशन प्राप्तकर्ता का व्योम
Section I—Particulars of Pensioner

1. पति/पत्नी के साथ संयुक्त फोटोग्राफ
Joint photograph with spouse



2. सेवा निवृत्त हो रहे सरकारी कर्मचारी का नाम
Name of the retiring Govt. Servant

Sri Sukumar Ch. Deo

3. स्थायी पता
Permanent Address

W.P.O. Beninagar -
P.S. Raiganj -
Dist. Uttar Pradesh (W.B.)

4. पहचान के लिए व्यक्तिगत चिह्न
Personal marks of identification

(i) Scar mark on left eye brow.
(ii) Scar mark about 2 1/2" on the left hand

5. पेंशन प्राप्तकर्ता के हस्ताक्षर अथवा बाएं हाथ के अंगूठे की छाप (पेंशन प्रथम बार प्राप्त किया जाना है)
Signature or the left hand Thumb impression of the pensioner (to be obtained at the time of first payment of pension)

Sukumar Ch. Deo
Left hand impression

भाग-II पेंशन का ब्यौरा
Section-2 Details of pension.

संराशिकरण से पूर्व मासिक पेंशन का राशि

Amount of monthly pension before commutation (Rupees) 3897/-

Three thousand Eight hundred Ninety Seven (rs)

(क) हर महिना देय महंगाई राहत की दर
(महंगाई राहत की दर में जब बाद में वृद्धि होने पर भी लागू रहेगी)

(A) Rate of Dearness Relief payable per month 1.5% with effect 01-07-02
(Rate of Dearness Relief if increased later will be payable)

2. पेंशन की श्रेणी
Class of Pension Superannuation मृत्यु Death सेवानिवृत्ति Retiring

3. नियम, जिनके अन्तर्गत मंजूर की गई
Rules under which sanctioned. आर. पी. - 1950/एफ. पी. 1964
RP-1950/FPS-1964

4. पेंशन के प्रारंभ होने की तारीख
Date of commencement of pension.

5. पेंशन के संराशिकरण का अंश/को राशि
Fraction/Amount of pension commuted, if any.

01-07-02
रु. Rs. 1558/-

6. (क) पेंशन संवितरक अधिकारी संराशित मूल्य का
युक्तान द्वारा यदि प्राधिकृत हो, पेंशन प्राप्त
कर्ता के खाने में धारित करके दिया जाना
है। (..... रुपये)

(A) Commuted value is to be paid by the
pension Disbursing officer, if autho-
rized, by crediting pensioner's
account. (Rupees) X

Not to be Paid
by the Bank.

(ख) संराशिकरण का मूल्य और/विभाग (रुपये)
द्वारा अदायगी तारीख।
(..... रुपये)

(B) Commuted value and the date of
payment by Dept. (Rupees) Rs. 1,83,408/-

(Rupees) One Lakh Eighty three thousand Four
hundred Eighty only.

(5A)

8. कमिशन के बाद छोटी हुई मासिक पेंशन ।
Reduced monthly pension after commutation. Rs. 2,339/-
 9. छोटी हुई पेंशन का शुरू किए जाने की तारीख ।
Date of commencement of reduced pension. 01-07-02
 9. तारीख जिसमें संशोधित भाग पुनःवहान किया जायेगा (जो कि उक्त तारीख को पेंशन प्राप्तकर्ता के जीवित रहने की शर्त पर है)
Date from which commuted portion shall be taken (subject to pensioner being alive on that date.) 01-07-2017
 10. क्या पेंशन प्राप्तकर्ता/परिवार पेंशन प्राप्तकर्ता कोई अन्य पेंशन प्राप्त कर रहे हैं ? यदि हाँ, तो उसका व्योरा दे और यह किस स्रोत से ली जा रही है ।
Whether the pensioner/family pensioner is in receipt of any other pension. If so, particulars and source from which being drawn.
- टिप्पणी :—संबन्धित प्राधिकारी द्वारा पेंशन को कटौती पेंशन प्राप्तकर्ता के खाने में आकलन की तारीख के अगले दिन से की जाएगी (राशन नून पेंशन पर मुगलान की जानी चाहिए ।)
- N. B :—The reduction of pension is to be effected following the date of credit in pensioner account by the disbursing authority.
(Relief should be paid on original pension)

(b)

58

भाग-II जारी

Part-II Continued

भाग 3—पेंशन प्राप्तकर्ता की मृत्यु पर वेतन को होने वाली परिवार पेंशन का व्यय।

Section 3—Details of family pension payable on the death of the pensioner.

1. नियम जिसने अन्तर्गत परिवार पेंशन स्थापित है। सूचो पीएम-1963
FPS-1964
Rules under which family pension is established.

1. (a) पति/पत्नी का नाम और जन्म तिथि Smt. Anima Dey

(b) Name of the Husband/Wife with date of birth 20-03-1952

2. पेंशन प्राप्तकर्ता की मृत्यु होने की अवधि में परिवार पेंशन का व्यय पर परिवार के सदस्यों का व्यय।

Details of family members eligible for family pension in the event of the death of pensioners.

| क्र.सं./Sl. No. | नाम/Name | सरकारी कामसेवा में सम्बन्ध Relationship with the Govt. servant | जन्म तिथि (संस्था के लिए) Date of birth (For child) | वर्तमान पता Present Address | क्या बच्चा शारीरिक दृष्टि से कमजोर है Whether child is physically handicapped |
|-----------------|----------------|---|---|--------------------------------|---|
| 1. | Smt. Anima Dey | wife | 20-3-52 | 112 P.O. Debinagar | |
| 2. | Ms. Sumana Dey | u/s daughter | 25-3-82 | P.S. Raiganj | |
| 3. | | | | Dist. Uttar Dinajpur | |
| 4. | | | | (W.B.) | |
| 5. | | | | | |
| 6. | | | | | |
| 7. | | | | | |
| 8. | | | | | |

टिप्पणी:—उपरोक्त व्योरा, परिवार के सदस्यों की पात्रता के क्रम में दिया गया है।

Note:—Above particulars may be given in the order of eligibility of the family members.

- 29 -

Annexure-D (Contd)

परिवार की राशि
Amount of family pension

(A) अदायगी दर पर रुपये
At sanctioned Rate Rs.

3891/01-07-02

(B) सामान्य दर पर रुपये
At Normal Rate Rs.

2385/-

12-06-09

→ 13-06-09

परिवार की राशि की
राशि दिनांक 7
को जोर उतारे
मृत या
विधवा/रिमाइनिंग
जो वहाँ है

Signature

परिवारिक मामलों के निदेशक

परिवारिक मामलों के निदेशक

For FA & CAO

Mangos N. F. Rly

या

परिवारिक मामलों के निदेशक

परिवारिक मामलों के निदेशक

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परिवारिक मामलों के निदेशक

परिवारिक मामलों के निदेशक

-30-

~~Annexure D~~

Annexure-D (contd)

| | | |
|--|--|--|
| Government of India Ministry of Railways Northeast Frontier Railway | |  |
| EMPLOYMENT CERTIFICATE | | |
| Name: SRI SUKUMAR CH. DEY | | |
| Designation: LI/CON/ML6 | | |
| Date of Birth: 13-06-1942 | | |
| Basic Pay & Gr: Rs 8500/- (Rs 6,500-10,500/-) | | |
| Date of Retirement: 30-06-2002 | | |
| Date: 10/7/08 | | |
| Place: Melgaon | | |

Certified to be true
S. Chakraborty
Advocate
10/7/08

- 31 -



Annexure - E



भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS

पूर्वोत्तर सीमा रेलवे NORTHEAST FRONTIER RAILWAY
सेवा-प्रमाण पत्र SERVICE CERTIFICATE

श्री श्रीमती/कुमारो श्री सुकुमार चन्द्रा देव SRI SUKUMAR CHANDRA DEY.

सपुत्र/पत्नी/सपुत्री Son/Wife Daughter of Late Krishnendra Nath Dey.

जन्म तिथि Date of birth 13-06-1942.

पदनाम Designation LI/Con, under G/Con/N. E. Rly./Maligaon.

ग्रेड र. Grade Rs. 6500-10500/- मूल वेतन र Basic Pay Rs. 8500/-

has served Central Government from स 16-06-1962 To 30-06-2002 तक संवत्स रहे/रही म

उत्तमने इस मंत्रालय में and has worked in this Ministry from स 16-06-1962 To 30-06-2002 तक कार्य किया

वे अधिवर्षिता के बाद He/she has superannuated from service on 30-06-2002 को म

निवृत्त हुए/हूई।

दिनांक /Date 30-06-2002.

मालीगाँव /Maligaon,

Sub...
G. A. Bhatnagar, General Manager
GENERAL MANAGER

*Recd. Head Office
S. Chakraborty
Adm. Secy
10/7/06*

NORTHEAST FRONTIER RAILWAY पूर्वोत्तर सीमा रेलवे

Office of the F. A. & Chief Accounts Officer वित्त सहायक एवं मुख्य लेखा अधिकारी का कार्यालय

Maligaon, Guwahati-11 मालिगाँव, गुवाहाटी-11

पाबती देय सहित निबंधित Registered with A/D

सं. पं/पी एन No. PNO/PN 010602/1728 (5)

Dated: 30-6-2022, 4/

सेवा में / To

प्रबंधक / The Manager (संबन्ध शाखा / Link Branch Bank)

आवेदन शाखा / Maligaon, Guwahati-11

महोदय / Sir, Panbazar, Guwahati-01.

मैं फोटो को हटो प्रति पेंशनभोगी का नमूना इस्टाभर (प्रपत्र-10), फनम चिट (प्रपत्र-11) पेंशनर पेंशन का अग्रिम स्वीकृति स्थापन-पत्र, पेंशनभोगी की मृत्यु हो जाने पर पेंशन के बचत के भुगतान के लिये नामजारी के साथ श्री/श्रीमती

पत्र में स्थित भाग की भुगतान शाखा (आता सं) द्वारा दिनांक

से प्रतिमाह उसके बचत बैंक/चालू खाता में पेंशन रु. राहत रु. कुल

() रु के आकलन के लिए संलग्न पेंशन भुगतान आदेश सं. पी. ई. पं/

(संवितारक का हिस्सा और पेंशनभोगी का हिस्सा दोनों) अंग्रेजि कर का है।

रु. का विनिमय मूल्य रु. की राशि को भी उसके बचत बैंक खाता में जमाकर

दिया जाए। विनिमय पेंशन की राशि उसकी मूल पेंशन से घटा दी जाए, और विनिमय के बाद एडवर्ट सहित पेंशन की कुल देय राशि

रु. इस समय समय पर एडवर्ट बरोतरी को राशि मूल पेंशन रु. मात्र को राशि पर स्वीकार्य है।

I am forwarding herewith pension payment order No. PEN 010602/1728 (5) (both disbursement

portion and pensioner's portion) in favour of Shri/Smt. Sukumar et al. along with

two copies of photographs, specimen signature of the pensioner (form-10), Identification mark (form 11) advance sanction memorandum

of Family Pension and Nomination for payment of Arrears of pension on the death of pensioner for credit of pension of

Rs. 11241/- Relief Rs. 2078/- Total Rs. (3183/-) (Rupees) Six thousand one hundred and eighty three and 10/100

his/her S.B./Current account through your paying branch at Maligaon, Guwahati-11, per month in

Rs. 1996/- (Rupees) One thousand nine hundred and ninety six and 10/100 being the commuted value of Rs. 1677/-

(Rupees) One thousand six hundred and seventy seven and 10/100 of the amount of pension

commuted shall be reduced from his original pension and the total amount of pension with relief payable after commutation is

Rs. 11241/- (Rupees) Eleven thousand two hundred and forty one and 10/100 the date of payment.

Relief as increased from time to time is admissible on original pension of Rs. 11241/- only.

Two thousand six hundred and eighty three and 10/100 only has been

paid by the bank dept on 1-7-2022.

पेंशनभोगी की मृत्यु होने को तब में परिवार पेंशन का विवरण:

Details of family Pension in case of death pensioner:

नाम- श्री/श्रीमती Name Shri/Smt.: Anoma et al.

संबन्ध Relationship: m.c.c.

परिवार पेंशन की दर Rate of family Pension:

1) बधित Enhanced Rs. 11241/- 1-7-2022 To 12-6-2027

2) सामान्य Normal Rs. 2555/- M.E.L. 13-6-2027 →

विवरण पेंशन भुगतान आदेश में ही दिये गये हैं Details are embodied in the PRO itself

कृपया पाबती दें Kindly acknowledge receipt.

संलग्न पत्र एवं दो फोटो Encls. Two sheets & 2 photographs.

प्रतिलिपि सूचनाार्थ Copy for information to:

1. मुख्य कार्यालय अधिकारी, बजट व्. सी. रेलवे/मालिगाँव CPO/Budget/N. F. Rly/Maligaon

2. GM/CA/Maligaon.

3. श्री/श्रीमती Shri/Smt. Sukumar et al. 11241/- 1-7-2022 To 12-6-2027

उत्तरे अनुबंध है कि वे शाखा प्रबंधक से सूचना प्राप्त होने पर बैंक की भुगतान शाखा में उपस्थित हो He/She requested to appear before paying branch of the Bank on receipt of advance from the Branch Manager.

4. शाखा प्रबंधक को सूचनाार्थ। उत्तरे अनुबंध है कि वे इस योजना के पैरा 8-2 (i) के अनुसार पेंशनभोगी की सूचित करें और उसके बचत बैंक/चालू खाता में पेंशन का आकलन करें। Branch manager is requested to advise pensioner in terms of para 8.2 (i) of the scheme and credit pension in his/her S.B./Current Account. He is requested also to handover the PPO of pensioner's portion to pensioner.

5. वित्त सहायक एवं मुख्य लेखा अधिकारी/रेलवे

FA & CAO/Rly.

भवदीय Yours faithfully

For Designated FA & CAO/Pen

N. F. Railway, Maligaon

कृत पदनामित वित्त सहायक एवं

मुख्य लेखा अधिकारी/पेंशन

व्. सी. रेलवे, मालिगाँव

कृते वित्त सहायक एवं मुख्य लेखा अधिकारी/पेंशन

For F. A. & Chief Accounts Officer/Pen

व्. सी. रेलवे, मालिगाँव N. F. Railway, Maligaon

certified to be true
S. Chakraborty
19/7/06

Retd on
30/6/22

Northeast
Frontier
Railway

Office of the
General Manager (Con)
Maligaon: Guwahati-11

No. E/283/Con/NG/Pt. XX (Looso)

Dated: 01.08.2002

To

FA & CAO/Con/Maligaon
N. F. Railway.

Sub: Leave encashment bill of Shri Sukumar
Dey, Rtd. LI/Con/Maligaon.

Ref: Your letter No. PNO/BGC/ES/MISC/Ad-hoc
dtd. 08.07.2002.

Shri Sukumar Dey has been promoted on double ad-hoc basis and had been working on double ad-hoc since 1990. All the settlement benefit have to be drawn on the basis of pay drawn by the employee. Accordingly all FS dues have been passed except the payment of leave salary. Though Rly. Bd. have banned double ad-hoc promotion since long, but the fact remains that the double ad-hoc promotion of Shri Dey was withdrawn. The salary of Shri Dey for the month of July/2002 has also been passed on the basis of his position on double ad-hoc promotion. Since leave encashment have to be calculated on the basis of pay of the employee at the time of retirement, as such the bill drawn for leave encashment is correct.

L. H. 11/11/02

In view of the above facts, you are once again requested to pass the above leave encashment bill drawn in favour of Shri Sukumar Dey. Meanwhile all other double ad-hoc promotion cases will be put up for reviewed to the competent authority.

The bill which was returned under your above referred letter is re-submitted for payment please.

DA/- The Bill
(Leave encashment)

for by
(S. K. OSE)
APO/CON
for General Manager/Con

*Auth. Bled G. de. P. one
S. Chakraborty
Advocate
10/7/02*

44

**NORTHEAST FRONTIER RAILWAY
(CONSTRUCTION)**

Office of the
General Manager/Con
Maligaon, Guwahati 781 011

No.19E/P case/SCD/Con

Dated 14.8.2002

**FA&CAO/Pension,
N.F.Railway,
Maligaon**

**Sub : Release of payment of pension in favour of
Shri Sukumar Ch. Dey, ex.LI/Con.**

The dispute in respect of leave salary of Shri Sukumar Ch. Dey, ex.LI/Con has been settled and regularised by the order of competent authority and the payment of leave salary has been made taking into account the last basic pay of Rs.8500/- in scale of Rs.6500-10500/-.

It is, therefore, requested to release the payment of pension in favour of Shri Sukumar Ch. Dey, if still lying pending at your end.

(Sanjiv Roy)
Chief Engineer/Con/2
for GM/Con/Maligaon

*Recd filed to be
found
S. Chakraborty
Advocate
10/7/06*

To
The Chairman,
Railway Board,
New Delhi -110 001

- 35 -

Annexure-I

(For kind attention : Shri I.I.M.S.Rana)

Sub : Non-payment of Pension due from July'2002 onwards
in favour of my husband Shri Sukumar Ch. Dey, Ex.Liasion
Inspector/CON under GM/CON/N.F.Rly/Maligaon,
Guwahati-11.

Respected Sir,

With profound respect I am submitting the representation on compelling circumstances being failed to draw Pension by my husband due from July'2002 and seek your kind intervention for redressal action please.

That Sir, my husband Shri Sukumar Dey was promoted to the post of Liasion Inspector/CON in scale Rs.2000-3200 (RP) on double ad-hoc basis w.e.f. 09.10.1990 as a "Special Case" in terms of GM/CON, N.F.Railway's Office Order No.214/90 under endorsement No.E/283/CON/NG/Pl.XV dated 09.10.1990 (copy enclosed for ready reference) and superannuated from service on 30.6.2002 on pay of Rs/8500/- in scale of Rs.6500-10500/-.

That Sir, my husband Shri Sukumar Dey, Ex.Liasion Inspector/CON retired from Railway service on 30.6.2002 due to superannuation rendering prolonged 40 years loyal and sincere service with utmost satisfaction of administration. But here I beg to bring your notice with deep regret that my husband has not yet been paid the Pension due from July'2002. You may realize that monthly Pension is the only source of income to a Pensioner in his post retirement stage to maintain the expenses of livelihood though it becomes the half income as compared to serving person.

That Sir, my husband's Leave Salary and 40% Commutation of Pension have been paid based on last pay drawn of Rs.8500/- and Pension was also passed on Bank calculating as per last basic pay of Rs.8500/- (copies of PPO/letters are attached as documentary evidence for perusal). But it is learnt from Banker that FA&CAO/CON/Maligaon, N.F.Railway subsequently advised to stop payment of Pension of my husband on the plea of dispute which is contrary to rule in vogue. In this context it is very surprising to indicate that my husband has not received any communication from Railway Authority regarding non-payment of Pension.

Certified to be
true
S. Chakraborty
Advocate
19/7/08

That Sir, it is reiterated that in awarding double ad-hoc promotion to my husband long about 12 (twelve) years back was purely the affair of administration where individual staff has got no role to play. My husband always extended service to the administration with deep dedication even ignoring the proper attention to family members. For his loyalty and devotion to duty this sort of situation he has to face at post retirement stage which I feel a great reward for a dedicated worker.

That Sir, here in line I like to cite the example of under mentioned staff who retired from same organisation under GM/CON at Maligaon availing double ad-hoc promotional benefit and their pension were fixed and paid as per last pay on double ad-hoc promotion.

- 1) Shri Priyush Kanti Dutta Roy, Senior Clerk (Double ad-hoc) -
Superannuated from service on 31.01.1997.
- 2) Shri Sanjit Kumar Dey, Sr. Clerk (Double ad-hoc) -
Superannuated from service on 31.01.1998.

That Sir, it is heartening to mention that my husband met with major accident on 21.12.2001 at Maligaon while on duty and there was meager chance of his survival but with the grace of almighty he has somehow narrowly survived damaging his left arm. Necessary Certificate issued by Registrar, Guwahati Medical College is enclosed.

That Sir, due to non-payment of Pension my husband has been passing his days in a state of deep mental tension. Moreover, he is a patient of hypertension for the last few months' occurrences his mental tension has developed cardiac trouble being such sort of step-motherly treatment and indifferent attitude of Railway administration. Here I seek to point out why an innocent sincere employee has to suffer at post retirement stage for Pension having no fault of him and if any lapse is there which rests with the administration. For such harassment and mental torture my husband has been passing his days in deep frustration, most of the nights he spends in sleepless pillow and if any mis-happening occurs, Railway administration shall be solely responsible.

Under the circumstances envisaged above, I would, request your benign honour to kindly intervene into the matter and arrange to make payment of Pension in favour of my husband w.e.f. July 2002 based on the last basic pay of Rs.8500/- drawn in the same light as was done in case of above two staff (Shri Dutta Roy and Shri Dey), so that equity of justice is not denied in case of my husband. It is also obligatory on the part of Railway to grant Pension on last pay drawn as per Establishment Manual. I believe and hope, prayer of a house-wife shall not go in vain.

I finally beg to be excused for killing your valuable time.

With regards,

Encls : 4 (four).

Dated, Maligaon
on 07.10.2002.

Yours faithfully,

Anima Dey

(Mrs. Anima Dey)

wife of Shri Sukumar Dey,
Ex-Liasion Inspector/CON,
under General Manager/Con/N.F.Rly, Maligaon,
Railway Qrs. No.143/B,
East Maligaon, Guwahati-11 (Assam).

Copy for information and necessary action to :-

- 1) Member Staff, Railway Board, New Delhi-110001.
- 2) Financial Commissioner, Railway Board, New Delhi-110001.
- 3) Secretary, Railway Board, New Delhi-110001.
- 4) General Manager/CON, N.F.Railway, Maligaon.
- 5) FA&CAO/CON/N.F.Railway, Maligaon.

Encls : 4 (four).

Anima Dey

(Mrs. Anima Dey)

wife of Shri Sukumar Dey,
Ex-Liasion Inspector/CON,
under General Manager/Con/N.F.Rly, Maligaon,
Railway Qrs. No.143/B,
East Maligaon, Guwahati-11 (Assam).

etc

- 38 -

Annexure - J

~~Annexure - J~~
7/8

NORTHEAST FRONTIER RAILWAY

Office of the
General Manager/Con
Maligaon, Guwahati-11

No. 202E/CON/Pen(SKD)

Dated.08.10.2002.

To.

Shri Sukumar Chandra Dey
Ex. LI/Con/MLG
Rly. Qra. No-143/B, Type-III
East Maligaon, Guwahati-11.

Sub- Non payment of Pension due from July'2002 onwards.

Ref-Your letter No. nil dt.25.09.2002.

With reference to your letter No. nil dt.25.09.2002 it is for your information please that Railway Board have banned all double ad-hoc promotion vide IREM/216A(iii) and Railway Board's letter No. E(NG)1-85/PM/5-III dated 23-8-85. As such, your fixation of pay could not be finalised under Vth Pay Commission. Since the pay fixation could not be finalised, pension calculation was held up. FA & CAO/CON/MLG has also put an objection against payment of Pension as per the pay of Liaison Inspector and has asked to review the double adhoc promotion.

Now, your pay is being fixed by considering only one ad-hoc promotion instead of double ad-hoc promotion and pension will be calculated accordingly and the same will be sent to FA & CAO/Pension/Maligaon for early payment.

S. K. Bose
(S. K. Bose)

APO/Con/MLG 8/10/02

For General Manager/Con.
N.F.Railway, Maligaon.

*Certified to be true
S. Chakraborty
Advocate*



- 39 -

Annexure - K

Annexure K

49

Sub: Non-payment of Pension due from July'2002 onwards.

Ref: Your letter No.2002E/CON/Pen(SKD)dated 08.10.2002.

Respected Sir,

With reference to your letter quoted above I would like to state as under for your redressal action please.

That Sir, I had promoted to Liaison Inspector on double ad-hoc w.e.f. 09.10.1990 in terms of GM/CON's Office Order No.214/90 under endorsement No.E/283/CON/NG/Pt.XV dated 09.10.1990 and I finally retired from service on 30.6.2002. Reference of Board's letter dated 23.8.1985 as indicated at post retirement stage i.e. after a lapse of 12 (Twelve) years regular service is really a matter of astonishment and contrary to rule.

Moreover, in Board's letter dated 23.8.85 though stipulation made for discouraging ad-hoc promotion which is the affair of administration but there is no mentioning regarding payment of pension considering fixation on single ad-hoc/double ad-hoc. In this regard it is intimated that I am not agreeable to accept payment of pension as per revised fixation as proposed vide your letter under reference.

It is, therefore, requested to make necessary payment of pension in my favour w.e.f. July'2002 onwards as per P.P.O. No.PNO/PN/0106021928(S) dated 30.6.2002 immediately.

Thanking you,

Dated Maligaon,
on 05.11.2002.

Yours faithfully

Sukumar Dey
(Sukumar Dey)
Ex-LI/CON

Rly. Qrs. No.143/B
East Maligaon, Guwahati - 11

*Certified to be
true
S. Chakraborty
Advocate
10/7/06*

To
The General Manager/Construction,
N.F. Railway, Maligaon.

Through Proper Channel.

**Sub: Non-payment of Pension due from July'2002 onwards-
interest payment there to.**

**Ref: 1. Your letter No. 2002E/Con/Pen (SKD) dt. 08.10.202.
2. My representation dated 05.11.2002.**

Sir,

Kindly refer to my representation dated 05.11.2002 in reply to your letter under which I submitted my reservation for making payment of pension w.e.f. July'2002 onwards as per calculation made vide P.P.O. No. PNO/PN/0106021928(S) dated 30.6.2002. But regret to being your notice that although about 6(six) month's time is elapsed I have not received any communication from your end as such I am still in darkness about my legitimate pension in post retirement stage.

Due to such inordinate delay in making payment to me I have got no other alternative but to claim "Interest" w.e.f. July'2002.

Therefore, I would, request you to personally look in to the matter and make payment of my pension w.e.f. July'2002 with "interest" for entire period as I have been suffering from both mentally and financially.

A line in reply is requested please.

Dated, Maligaon.
On 16.12.2002.

Yours faithfully

Sukumar Dey
(Sukumar Dey)

Rly. Qrs. No.143/B.
East Maligaon, Guwahati - 11.

Received
16/12/02
Delivered to Mr. S. Chakraborty
Advocate
07/06

R.D.F. No. 231/85

219

allowance and additional dearness allowance. This will be subject to the condition that the overall ceiling of 30 days for encashment, which will include the 9 National Holidays, will continue to remain the same, with the further condition that for attendance on National Holidays, National Holiday Allowance will not be payable over and above the cash compensation.

3. These orders have the sanction of the President and issue with the concurrence of the Finance Directorate of the Ministry of Railways and take effect from the date of issue.

R.B.E. No. 230/85

Subject: Cadre Review and Restructuring of Groups 'C' and 'D' staff.

No. FC/11/84/UPG/19, dated 8-8-1985

In continuation of this office letter of even number dated 25-6-1985 on the above subject, the Ministry of Railways have, with the approval of the President, decided that 30% of posts of Guard 'A' grade Rs. 425-600 sanctioned for sub-urban EMU Trains should be upgraded as Guard 'A' special in scale Rs. 425-640.

2. Other conditions laid down in this office letter of even number dated 25-6-1985 on the above subject will equally apply to this order.

R.B.E. No. 231/85

Subject: Promotion on ad-hoc basis of non-gazetted railway staff—Instructions regarding.

No. E(NG)/I-85-PM5-3, dated 23-8-1985

As the Railway Administrations are aware, instructions have been issued from time to time discouraging promotions being ordered on ad-hoc basis in the exigencies of service. These instructions *inter-alia* enjoin the following:

- (i) ad-hoc promotions should not be resorted to for vacancies of regular nature;
- (ii) to avoid ad-hoc promotions, selections should be held regularly once in a year;
- (iii) if it becomes inescapable to make ad-hoc promotions against regular vacancies, only senior suitable persons should be appointed with the personal approval of the C.P.O. who should determine the reasons for non-finalisation of selection. He should also keep a record of such approval having been accorded and review the progress made in filling up such posts by selected persons;
- (iv) any default in holding selections regularly should be viewed seriously and responsibility fixed; and
- (v) ad-hoc promotions should not be allowed for unduly long periods say beyond three to four months.

2. Despite these instructions, instances have come to the notice of the Ministry where promotions on ad-hoc basis have been continued for long spells and in some cases even double ad-hoc promotions have been allowed, the justification for which was open to question.

3. The Ministry had had the occasion to review the matter in the light of the foregoing. They wish to reiterate the extant instructions requiring that ad-hoc promotions should be avoided as far as possible and where they have to be made, they should not be allowed to continue for long period. They have

certified to
be true
S. Chakraborty
Advocate
10/7/86

further decided that Railway Administrations should not as a rule make double ad-hoc promotions. Accordingly, while the Railway Administrations will take all possible steps to discourage ad-hoc promotions and order the same only when it is found unavoidable and in the manner as laid down in the instructions already obtaining, no second ad-hoc promotions shall be allowed.

R.B.E. No. 232/85

Subject : Authority competent to call for property statements from gazetted Railway servants.

No. E(D and A) 85GS1-9, dated 8-8-1985.

The Government in exercise of the powers conferred by Rule 24 of the Railway Services (Conduct) Rules, 1966, hereby directs that the powers exercisable by it under sub-rule (4) of Rule 10 of the said Rules, shall be exercised also by the General Managers of the Zonal Railways, Production Units and DG (RDSO) in respect of the gazetted officer up to and including JA Grade level.

R.B.E. No. 233/85

Subject : Appointment on compassionate grounds.

Reference : Your D.O. letter No. E/RE/Con/17/1/83, dated 27-3-1985.

No. E(NG) 1185/RC1/12, dated 9-8-1985.

Ministry of Railways have considered your proposal regarding General Managers of Construction Organisations/Projects being authorised to make appointments on compassionate grounds. After careful consideration, they have decided that appointments on compassionate grounds can be made by the Railway Electrification administration in their organisation subject to the following conditions :

- (i) It would be permissible only in the case of death of a serving employee of the Central Organisation Railway Electrification.
- (ii) The deceased should have been a regular employee drafted from the Zonal Railway or a production unit.
- (iii) The parent railway has agreed in writing to providing him (the compassionate appointee) a lien in one of their cadres in the relevant category.
- (iv) The appointment should be made only in the initial recruitment grade.
- (v) The appointment should be permissible in terms of general instructions governing compassionate appointments issued by the Ministry.
- (vi) A.C.M's approval will be obtained in every case of such appointment.

Copy of letter No. E/RE/Con/17/1/83, dated 27-3-1985 from Shri P.D. Joglekar, Chief Personnel Officer, Railway Electrification, Allahabad addressed to Addl. Director, Estt (N), Railway Board, New Delhi.

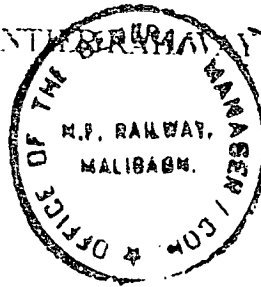
Subject : Appointment on compassionate ground.

AGM/RE in exercise of the powers of General Manager, made certain appointment on compassionate ground purely considering the straitened circumstances under which the family of the deceased Railway servant was passing through. When the papers were sent to the parent Zonal Railway of the deceased Railway servant for provision of paper lien to the appointee on compas-

- 43 -

Annexure - 2

NORTHEAST FRONTIER RAILWAY



Office of the
General Manager Con
Maligaon, Guwahati-11

Mrs. Anima Dey
Wife of Shri Sukumar Chandra Dey.
Ex. LICMLG under GM/CNRMILG
Railway qrs. No. 143 B, East Maligaon, Guwahati-11.

Sub- Non-payment of Pension due from July 2002 onwards in
In favour of my husband Shri Sukumar Chandra Dey.
Ex. LICMLG under GM/CMLG
Ref- Your appeal No. Nil dt.07.10.2002.

Dear Madam,

Your appeal dt.07.10.2002 in regards to non-payment of Pension due from July 2002 onwards in favour of your husband Shri Sukumar Chandra Dey, Ex. LICMLG under GM/CMLG has been examined by this office and the facts in detail for non-payment of pension in due time is appended.

The pension and other final settlement dues to be paid to Shri Sukumar Chandra Dey was prepared before his retirement and the same was submitted to FA & CAO/Maligaon for payment on the date of retirement. While passing the pension by the finance it was detected that the fixation of pay of Shri S.C.Dey in connection with 5th Pay Commission was vetted provisionally. As such, the proposal for final vetting of pay of Shri Dey had to put up to FA&CAO C Maligaon, but finance returned the case stating that the pay fixation can not be vetted since it had involved non regularization of double adhoc promotion in terms of Railway Board's Letter No. E(NG)I-85/PM/5-III dated 23.08.1985. As a result the pay of Shri S.C.Dey is refixed in scale Rs. 5500- 9000/- withdrawing the double adhoc promotion of Liaison Inspector.

scale Rs. 6500 - 10500/- and put up to FA&CAO/CMLG for final vetting. After finalization of pay, the pension to be paid to Shri S.C.Dey is recalculated and approach to FA&CAO/Maligaon for necessary payment. FA&CAO/Maligaon has passed the payment of pension vide PPO No. 0106021928(S) dt.13.12.2002.

So far payment of other F.S. dues is concerned, it may be stated that following payment were made which involves some overpayment also.

| | To be drawn | Already drawn | Now to be drawn | Overpayment Involved |
|------------------------------|-------------|---------------|-----------------|----------------------|
| 1. Pension | 4,240.00 | | 3,897.00 | |
| 2. Family Pension | 2,550.00 | | 2,385.00 | |
| 3. Commuted value of pension | | 1,99,654.00 | 1,83,408.00 | 16,246.00 |
| 4. DCRG | 2,08,973.00 | | 1,95,451.00 | |
| 5. Leave salary | | 1,26,650.00 | 1,18,455.00 | 8,195.00 |

Subase

For General Manager/Con 17/12/02
N.F.Railway, Maligaon

Dated. 17.12.2002.

No. 202E/CON/PEN(SCD)

Copy to

1. ED(PG), Railway Board New Delhi - This is in reference to their letter No.2002 PG-CFC/9-5/NFR-Spl.Mon-EDPG-188 dt.20.28.11.02.
2. AGM/NFR Maligaon - This is in reference to his letter No. Z/82/51/CFC-20/02 GM/C DT. 09.12.2002.

For General Manager/Con
N.F.Railway, Maligaon

*Certified to be true
S. Chakraborty
Advocate
10/7/08*

-44-

Annexure- L(1)

received
on 4/6/2002
at 8.30
M. S.

N. F. RAILWAY.

PROVISIONAL COMBINED SENIORITY LIST OF HEAD CLERK IN SCALE 5000-10000/-
OF MINISTERIAL RANK OF CE/MIG AND SA/DM/MIG'S
OFFICE AS ON 1-4-2002..

| Sl. No. | Name in order of seniority. | Whether SC/ST/OBC. | Station | Date of birth. | Date of appointment. | Subs/ offg. | Date of promotion. | REMARKS. |
|---------|---------------------------------|--------------------|-------------|----------------|----------------------|-------------|--------------------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 1. | Smt. Binapani Dania. | SC | CE/MIG | 1.3.50 | 9.5.78 | Offg. | 13.8.86 | |
| 2. | Sri Bhatesh Roy. | UR | -do- | 1.5.44 | 15.7.65 | -do- | 9.5.88 | |
| 3. | Smt. P. Dora. | ST | -do- | 1.3.56 | 23.8.77 | -do- | 9.5.88 | |
| 4. | Sri Sukumar Dey. Rehung on 20/6 | UR | GM/Con/ MIG | 13.6.42 | 16.2.62 | -do- | 9.5.88 | |
| 5. | Smt. Anjali Das. | ST | CE/MIG | 1.1.57 | 23.8.77 | -do- | 1.12.88 | |
| 6. | Smt. Saraswati Choudhury, | UR | -do- | 1.2.50 | 4.4.77 | -do- | 22.7.92 | |
| 7. | Sri Debashish Chakraborty | UR | -do- | 4.3.58 | 6.8.77 | -do- | 23.9.92 | |
| 8. | Smt. Nanda Dhar. | UR | GM/Con/ MIG | 2.3.49 | 27.9.77 | -do- | 23.9.92 | |
| 9. | Sri Swapn Er. Chaudhary | UR | CE/MIG | 5.4.50 | 1.4.71 | -do- | 23.9.92 | |
| 10. | Sri Susil Er. Dutta. | UR | SA/DM/ MIG. | 11.1.48 | 2.4.73 | -do- | 23.9.92 | |
| 11. | Sri Anil K. Bhattacharjee | UR | -do- | 14.4.55 | 5.1.81 | -do- | 23.9.92 | |
| 12. | Sri SE Sengupta. | UR | CE/MIG | 21.8.51 | 26.7.73 | -do- | 14.2.94 | |
| 13. | Smt. Gouri Ghosh. | UR | -do- | 31.12.58 | 2.9.77 | -do- | 14.2.94 | |
| 14. | Sri SP Dasumatory | ST | GM/CO/ MIG. | 1.3.53 | 23.8.79 | -do- | 20.4.95 | |
| 15. | Smt. Lalanya Choudhury | UR | CE/MIG | 1.4.57 | 26.12.79 | -do- | 26.5.95 | |
| 16. | Sri Swapn Er. Deb. | UR | -do- | 29.5.55 | 19.6.81 | -do- | 26.5.95 | |
| 17. | Sri Payadhar Deka. | UR | -do- | 1.1.56 | 17.6.81 | -do- | 26.5.95 | |

MT

regd 6/1/02

certified to be true
S. Chakraborty
Advocate
10/7/06

3/5/02

Contd...2/-

54

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|-----|-----------------------------|------|------------|----------|----------|-------|----------|---|
| 18. | Smt. Arati Devi. | UR | CE/MLG. | 24.4.62 | 19.6.81 | Offg. | 31.7.95 | |
| 19. | Sri Amal Ch. Das. | UR | -do- | 1.2.59 | 10.9.87 | -do- | 31.7.95 | |
| 20. | Sri J.H. Kakati. | UR | -do- | 27.1.57 | 10.9.87 | -do- | 11.10.95 | |
| 21. | Sri Dipak Ranjan Bhowmik. | UR | GM/Con/MLG | 8.5.53 | 16.2.79 | -do- | 19.8.96 | |
| 22. | Smt. Sibani Patya. | UR | -do- | 4.7.59 | 12.3.79 | -do- | 19.8.96 | |
| 23. | Sri Prasanta Kr. Borah | ST | -do- | 21.11.56 | 14.9.79 | Subs. | 19.8.96 | |
| 24. | Sri Ranjan Kr. Chakraborty. | UR | -do- | 10.12.58 | 8.6.81 | -do- | 19.8.96 | |
| 25. | Sri Biraj Kanti Roy. | -do- | CE/MLG | 27.7.59 | 19.6.81 | -do- | -do- | |
| 26. | Smt. Usha Dutta. | -do- | -do- | 1.11.45 | 20.4.82 | -do- | -do- | |
| 27. | Sri Dinesh Saikia. | -do- | -do- | 7.2.59 | 15.7.82 | -do- | -do- | |
| 28. | Smt. Bindu Bala Das Boro. | ST | -do- | 1.1.58 | 27.5.82 | -do- | -do- | |
| 29. | Sri P.S. Chakraborty. | UR | Gr. IV/MLG | 22.6.59 | 13.3.81 | -do- | 1.10.96 | |
| 30. | Sri Pradip Kr. Das. | SC | -do- | 1.1.61 | 2.4.83 | -do- | 1.10.96 | |
| 31. | Smt. Rita Rani Barman. | UR | -do- | 1.12.63 | 11.7.83 | -do- | 31.10.96 | |
| 32. | Sri Chatish Ch. Boro. | ST | -do- | 5.3.63 | 6.2.90 | -do- | 31.10.96 | |
| 33. | Sri Achyut Bhowmik. | UR | -do- | 6.7.55 | 27.9.84 | -do- | 16.5.97 | |
| 34. | Sri Bhiren Ch. Das. | UR | -do- | 1.2.66 | 15.11.84 | -do- | 15.6.99 | |
| 35. | Sri Dhan Ojha. | UR | CE/MLG | 1.4.47 | 19.5.82 | -do- | 20.11.97 | |
| 36. | Sri T.H. Sarma. | UR | -do- | 1.2.58 | 21.5.82 | -do- | -do- | |
| 37. | Smt. Kalpana Borah. | UR | -do- | 1.3.60 | 11.8.82 | -do- | -do- | |
| 38. | Smt. Suchalata Barman. | UR | -do- | 30.3.56 | 7.8.82 | -do- | -do- | |
| 39. | Sri Purn Bahadur. | SC | -do- | 25.1.51 | 22.3.73 | -do- | -do- | |
| 40. | Sri Ratneswar Swargiary | ST | -do- | 16.12.59 | 10.8.87 | -do- | -do- | |

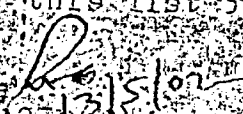
R⁴⁰
3/5/02

Contd...3/-

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|-----|-------------------------|----|-----------|----------|----------|-------|----------|---|
| 42. | Miss Jyotsna Das. | UR | CE/MIG | 30.12.63 | 21.11.90 | Subs. | 20.11.97 | |
| 42. | Sri SK Mandal. | SC | GM/CC/MIG | 1.6.60 | 21.8.86 | -do- | -do- | |
| 43. | Sri Mara Balaran. | SC | CE/MIG | 1.8.56 | 1.9.76 | -do- | -do- | |
| 44. | Sri Arun Kalita. | UR | -do- | 1.12.60 | 7.5.79 | -do- | 24.12.98 | |
| 45. | Smt. Minati Kalita. | UR | -do- | 1.3.60 | 7.8.82 | -do- | -do- | |
| 46. | Smt. Loni Borah. | UR | -do- | 1.11.56 | 15.7.35 | -do- | -do- | |
| 47. | Smt. Tanu Devi. | UR | -do- | 1.3.61 | 11.8.82 | -do- | -do- | |
| 48. | Sri Pradip Ex.Dey. | UR | -do- | 1.1.50 | 1.4.71 | -do- | -do- | |
| 49. | Sri Tridip Majumder. | UR | -do- | 22.1.62 | 9.3.84 | -do- | -do- | |
| 50. | Smt. Mahashi Dey. | UR | -do- | 2.1.66 | 14.3.84 | -do- | 17.6.99 | |
| 51. | Smt. Alpana Biswas. | UR | -do- | 3.1.54 | 4.7.84 | -do- | -do- | |
| 52. | Sri D.P. Bhattacharjee. | UR | -do- | 3.5.63 | 29.9.84 | -do- | -do- | |
| 53. | Sri H.K. Das. | UR | -do- | 1.3.64 | 19.2.84 | -do- | -do- | |
| 54. | Sri H.C. Kalita. | UR | -do- | 27.1.57 | 1.1.82 | -do- | -do- | |
| 55. | Sri Tapash Maha. | UR | -do- | 15.1.55 | 23.3.80 | -do- | -do- | |

NOTE: 1. Please check up the list & if there is any omission or interpolation of any name that should be intimated to this office with full particulars for correction of the list.

2. Any representation, if the staff desire to make regarding their seniority position should be submitted to this office with in one month from the date of issue of this list otherwise this list will be treated as final list.


 for GENERAL MANAGER (P)/MIG.

Contd. 4/-

4
NO: 4/255/28/Pl.V.1 (F)

Dated: 15-5-2002.

Copy for information and necessary action to:

1. CM/CON/MIG along with staff copies.
2. CE/MIG along with staff copies.
3. Mr. DEN/MIG along with staff copies.
4. CS/MIG.
5. Staff copies.
6. Spare copies for P/cases.
7. Secy. NFRMU/Pandu/NFREU/Pandu with ten spare copies each.
8. Secy. to AISCT REA/NFRORCA/MIG with ten spare copies each.

R. 40
13/5/02
for GENERAL MANAGER (P)/MIG.

nb/-

5

47
OS 2/255/23/PT.V.1 (E)

Annexure - 1 (D)
Dated 10-5-2002.

Copy for information and necessary action to :-

1. CM/CON/MIG along with staff copies.
2. CE/MIG along with staff copies.
3. Mr. DEW/MIG along with staff copies.
4. OS/1/MIG.
5. Staff copies.
6. Spare copies for P/cases.
7. Secy. NFRMU/Pandu/NFREU/Pandu with ten spare copies each.
8. Secy. to AISCT REA/NFRORCA/MIG with ten spare copies each.

R. K. 10/5/02
FOR GENERAL MANAGER (P)/MIG.

hb/-