

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

**INDEX**

✓  
O.A/T.A No. 175/2006....

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

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

1. Orders Sheet..... OA .....Pg. 1 .....to 3.....
2. Judgment/Order dtd. 18.7.2006 .....Pg. 4 .....to 10 Separate order
3. Judgment & Order dtd.....Received from H.C/Supreme Court 8/10
4. O.A..... 175/2006 .....Pg. 1 .....to 18.....
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. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

Bahla  
25/10/17

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDERS SHEET

1. Original Application No. 175/06
2. Misc Petition No. \_\_\_\_\_
3. Contempt Petition No. \_\_\_\_\_
4. Review Application No. \_\_\_\_\_

Applicant(S) Jitendra Nath Boroman

Respondant(S) U.O.I. Govt

Advocate for the Applicant(S) M. Chanda.....

Ms. B. Devi.....

Dr. J. K. Sarkar.....

Advocate for the Respondant(S) Railway Counsel

Notes of the Registry	Date	Order of the Tribunal
<p>This application is in form is filed C.F. for Rs. 50/- deposited vide IPC/23 No. <u>264 322584</u> Dated <u>13.7.06</u> <u>18.7.06</u> He Dy. Registrar</p>	<p>18.07.2006</p>	<p>Present: Hon'ble Sri K.V. Sachidanandan Vice-Chairman.</p> <p>The applicant is presently working as Chief Law Assistant in the N.F. Railway, Rangia Division. The applicant falls under the reserved category, i.e. SC and as such, he is entitled to certain privileges as per the rules. The applicant joined the Rangia Division in the year 2003. Vide order 05.07.2006 the applicant was transferred... to Tinsukia abolishing the post of CLA of Rangia Division. According to the applicant if he is required to be transferred to Tinsukia due to deletion of the post of CLA, Rangia Division, the applicant should be posted at Head Quarter, Maligaon instead of Tinsukia since Maligaon is the nearest to his home town. Because as per rules holding the field, the applicant being falls under SC category cannot be transferred frequently, and if the applicant transferred should be posted nearest to his hometown. The applicant averred that the</p>

Contd/-

18.07.2006 Respondent No. 4, the predecessor of the applicant, who was working at Tinsukia was operated his activities from the Headquarter. Aggrieved by the said action

of the respondents, the applicant has filed

this application seeking the following reliefs:

8.1 To direct the Respondents to set aside and quash the impugned order dated 5.7.06 and 10.7.06.

8.2 To allow the applicant to remain posted at the Head Quarter, Maligaon or in any place, which is near to his native place.

8.3 Cost of the application.

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

Mr M. Chanda, learned counsel for the applicant submitted that the

applicant's family and his two children are studying in Class IX and VIII at Nalbari and mid academic transfer will adversely

affect the study of his children since his attention is required in their study. Mr

Chanda, learned counsel also submitted that he will be satisfied if a direction is given to the respondents accommodating

the applicant like his predecessor, the Respondent No. 4 and as per rules with

special reference to rule 13.2 of "Concession and Facilities Admissible to

Scheduled Castes and Scheduled Tribes Other than in Direct Recruitment and

Promotion". Dr. J.L. Sarkar, learned standing counsel for the Railways

submitted that he has no objection in

Contd/-

Contd/-

18.07.2006 considering the representation of the applicant.

Considering the entire aspects, this Court is of the view that it will meet the ends of justice if a direction is given to the applicant to file a representation. Accordingly, the applicant is directed to file a comprehensive representation narrating all his grievances alongwith a copy of this O.A. and other documents before the respondents within 10 days from today. On receipt of such representation, the respondents shall consider the same and pass appropriate order and communicate the same to the applicant within three weeks thereafter.

The O.A. is disposed of at the admission stage itself. No order as to costs.

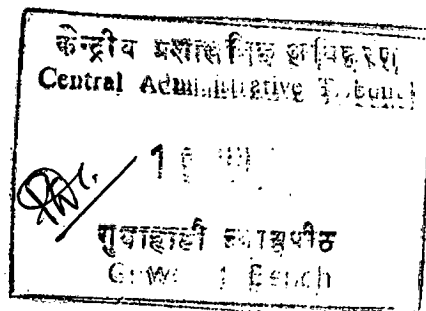
Vice-Chairman

/mb/

Received  
Comm  
19.7.06  
Applied

19.7.06

Copy of the  
order has been  
sent to the office  
for issuing the  
order to the Rty  
Standup Counsel  
etc



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

O.A. No. 175 of 2006

Shri Jitendra Nath Barman. .... Applicant.

-VS-

Union of India & ors ..... Respondents.

SYNOPSIS

The applicant at present working as Chief Law Asstt. in the N.F. Railway, Rangia Division. The applicant falls under the reserved category i.e, S.C and as such he is entitled to certain privileges as per the rules. The applicant joined the Rangia Division in the year 2003 and since then he has been working to the satisfaction of all concerned. But the Respondents with some ulterior motive issued an order dated 5.7.06 transferring the applicant to Tinsukia and thereby abolishing the post of CLA of Rangia Division. The applicant submits that if he is required to be transferred from Rangia Division due to deletion of the post of CLA/RNY, the respondents could have posted him in the Head Quarter, Maligaon instead of Tinsukia since Maligaon is nearest to his home town. Because, as per rules holding the field, the applicant being falls under SC category can, not be transferred frequently, and if transferred should be posted nearest to the home town. but the respondents however ignoring the settled proposition of law in this regard, only with the sole purpose to harass the applicant transferred him to Tinsukia which is far away from his home town. The applicant having no other alternative remedy has come under the protective hands of this Hon'ble Tribunal seeking redressal of his grievances.

Hence this application.

SC

Barman

b

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Title of the case : O.A. No. 175 of 2006

BETWEEN

Jitendra Nath Barman. .... Applicant.

AND

Union of India & ors. .... Respondents.

I N D E X

Sl.No.	Particulars	Page No.
1.	Application. ....	1 to 10
2.	Verification .....	11
3.	Annexure-1 .....	12
4.	Annexure-2 .....	13
5.	Annexure-3 .....	14
6.	Annexure-4 .....	15
7.	Annexure-5 .....	16

\*\*\*\*\*

Filed by : *Di*

Regn.No.:

File :D:\PRIVATE\jitendra

Date : 18.7.06

Filed by:-  
The Applicant  
through  
Bomdona Devi  
Advocate  
18.7.06

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

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

O.A.No. 175 of 2006.

BETWEEN

1. Sri Jitendra Nath Barman,  
son of late Thaneswar Barman,  
resident of Porakuchi,  
P.O.Sondha, Dist Nalbari.

..... Applicant.

- AND -

1. The Union of India,  
Represented by the General Manager (P)  
N.F.Railway, Maligaon. Guwahati -11.
2. The Divisional Railway Manager (P),  
N.F.Railway, Rangia Division, Rangia.
3. The Sr. Deputy General Manager,  
N.F.Railway Maligaon.
4. Sri Rajeswar Das  
S/O Sri Sarbeswar Das.  
R/O Nalbari, Assam.

..... Respondents.

DETAILS OF THE APPLICATION

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

This application is directed against the orders  
issued under memo No E/254/84/Pt. VII(T) Loose dated  
5.7.2006, issued by the General Manager (P) MLG, and order  
under memo NO E/283/I/RNY/PER dated 10.7.2006, issued by the  
DRM(P)/ RNY.

2. LIMITATION:

Barman

The applicant declares that the instant application has been filed within the limitation period prescribed under section 21 of the Central Administrative Tribunal Act, 1985.

3. JURISDICTION:

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

4. FACTS OF THE CASE:

4.1. That the applicant is a citizen of India and as such he is entitled to all the rights, privileges and protection as guaranteed by the Constitution of India and laws framed thereunder.

4.2. That the applicant at present working as Chief Law Asstt. (in short CLA) in the N.F. Railway, Rangia Division. The applicant falls under the reserved category i.e, S.C and as such he is entitled to certain privileges as per the rules. The applicant joined the Rangia Division in the year 2003 and since then he has been working to the satisfaction of all concerned. But the Respondents with some ulterior motive issued an order dated 5.7.06 transferring the applicant to Tinsukia and thereby abolishing the post of CLA of Rangia Division. The applicant submits that if he is required to be transferred from Rangia Division due to deletion of the post of CLA/RNY, the respondents could have

Handwritten signature/initials



posted him in the Head Quarter, Maligaon instead of Tinsukia since Maligaon is nearest to his home town. Because, as per rules holding the field, the applicant being a member of SC community can not be subjected to frequent transfer and if transferred he should be posted nearest to his home town. However, the respondents ignoring the settled proposition of law in this regard, only with the sole purpose to harass the applicant transferred him to Tinsukia where there is no existence of the said post of CLA, which is far away from his home town. The applicant having no other alternative remedy has come under the protective hands of this Hon'ble Tribunal seeking redressal of his grievances.

This is the crux of the matter. Details of the application is given below.

4.3. That the applicant was initially appointed as Law Asstt. (LA) on 1.11.89 and joined in the Head Quarter, Maligaon. In the year 1992 the respondents issued an order transferring him to Tinsukia vide order No. E/283/III/173/PT-III(I)/MLG dated 15.7.92. But the said transfer order has been stayed by the respondents by their own as that was against the rule holding the field. Thereafter, the applicant was promoted to the rank of Chief Law Asstt. (CLA) vide office order No.E/255/104/Pt-II(T) dated 19.5.95 w.e.f. 1.3.93.

In the year 2003 i.e. on 1.4.03 the applicant opted for transfer and posting at newly created Rangia Divn as it was near to his home town Nalbari ( 13 K.M. only ) and the respondents acting on his such option transferred him to

*JP Barmam*

Rangia and accordingly he joined the said place on 10.5.03. Since then he has been rendering his service without any blemish from any quarter.

A Copy of the said transfer order dated 1.4.03 is annexed herewith and marked as ANNEXURE - 1.

4.4 That the applicant begs to state that on 5.7.06 the respondent No.1 issued an order transferring him from Rangia to Tinsukia. Pursuant to the said order dated 5.7.06 the respondent No.2 vide order under memo No. E/283/I/RNY/PER dated 10.7.06 released the applicant from Rangia Division. It is further stated that the post of CLA of Rangia Divn has been variated with one post of LA at Tinsukia Divn temporarily for a period of one year or till such time the post of ALO attached to Rangia Divn. is filled up. But in reality there is no incumbent working at Tinsukia Divn and the works pertaining to Tinsukia Divn are at present being conducted from Head Quarter, Maligaon. Considering the quantum of work, the respondents withdrew the earlier incumbent from Tinsukia Divn and placed in the Head Quarter at Maligaon. In such a situation the applicant could not have been posted at Tinsukia Divn as he is the senior most CLA in the N.F.Railway. In case of any exigency, some other junior CLA Could have been posted at Tinsukia Divn. However, in the impugned order of transfer, there has been a mention that he has been transferred vise one Sri Rajeswar Das, where as said Sri Das never had occasion to work physically at Tinsukia. In case of Mr Das, he was allowed to perform duty from Head Quarter but in case of the

*Handwritten signature*

applicant he has been directed to report to Tinsukia personally, which shows malafide on the part of the respondents.

Copies of the orders dated 5.7.06 and 10.7.06 are annexed herewith and marked as ANNEXURE-2 and 3 respectively.

4.5. That the applicant begs to state that as per clause 13.2 (ii) of "Concessions and facilities admissible to scheduled castes and scheduled tribes other than in direct recruitment and promotions" an employee who belongs to reserve category can not be transferred unless there is any strong and valid reason. Having regard to the said observation, it is the duty of the respondents to incorporate the reasons in the order of transfer, but in the instant case there is no such indication. It is further submitted that if the applicant is to be transferred then it is apparent from the above clause that he should be posted at the nearest station of his home town. It is pertinent to mention here that there are numbers of vacancies exists in the Head Quarter i.e Maligaon, Guwahati where the applicant can easily be accommodated.

An extract of the said Rule is annexed herewith and marked as ANNEXURE-4.

4.6. That the applicant begs to state that his children are studying in class IX. and VII, and very few months left for their final examination. It is noteworthy to

*Barman*

12

- 6 -

mention here that in the mid-session of education of the children of the applicant, he can not be transferred out from his home town. It is also stated herewith that the transfer of the applicant will hamper in the study of his children.

4.7. That the applicant begs to state that the respondents have created two posts of Asstt. Law Officer (in short ALO) (Group B). vide Office Memorandum circulated vide GM(P)/MLG's letter No. E/254/III/16(o) dated 12.5.06, of which one post is meant for General category and other post is reserved for SC category, for which applications were invited. Accordingly, the applicant submitted his due application form and same has been accepted by the respondents. The examination for filling up of the post of ALO will be held shortly. It is pertinent to mention here that apart from being the senior most of all the eligible candidates, in the reserved category the applicant is the only candidate whose candidature has been accepted. Therefore, the respondents ought not have transferred the applicant to such a distant place that too when there are vacancies available in the Head Quarter which is nearer to his native place, so that he can easily appear in the examination scheduled to be held shortly. But the respondents only with the sole purpose to deprive the applicant and to appoint person of their choice, issued the impugned order dated 5.7.06.

A copy of the said letter dated 12.5.06 is annexed herewith and marked as ANNEXURE-5.

4.8. That the Applicant begs to state that he has completed hardly three years of service at Rangia and as per the rules holding the field frequent transfer in case of the officers fall under the reserved category is not permissible. The applicant further submits that the respondents knowing fully well about the in coming examination for the post of ALO, have issued the impugned order of transfer only with the purpose to harass him. That is why the applicant has come before this Hon'ble Tribunal praying for an interim order suspending the effect and operation of the order of transfer till disposal of the application. It is noteworthy to mention here that there is also a provision for in service pre examination training to be held in the head quarter for the SC & ST candidates and in the event of such transfer, the applicant would loose the opportunity of such pre-examination training for the in coming examination.

4.9 That the Applicant begs to state that the respondents have issued the impugned order of transfer without applying their mind and without following the relevant rules holding the field. The children of the applicant are in the mid-session of their study. Also the wife of the applicant is suffering from chronic nervous disease relating to the nerve and as such there is a requirement of his presence and regular attendance. Therefore the applicant at this situation could not have been transferred to such a distant place .

*Shoman*

5. GROUND'S FOR RELIEF WITH LEGAL PROVISION:

5.1. For that the action/inaction on the part of the Respondents in transferring the applicant to Tinsukia is illegal, arbitrary and same is liable to be set aside and quashed.

5.2. For that the respondents acted contrary to the settled proposition of law in transferring the applicant to a distant place when there is vacancy exist in the nearest place and therefore same is not sustainable and hence liable to set aside and quashed.

5.3. For that the respondents have acted illegally in transferring the applicant in mid-session of his children and as such the action on the part of the respondents is required to be interfered with by this Hon'ble Tribunal and to set aside the impugned order of transfer.

5.4. For that the respondents knowing fully well about the fact that examination for the post of ALO is going to be held shortly and the applicant is the only candidate in the SC category, have issued the impugned order of transfer only with the sole purpose to deprive the applicant from appearing in the examination and in service pre-examination training and hence same is not sustainable in the eye of law and required to be set aside and quashed.

5.5. For that in any view of the matter the impugned action of the respondents is not sustainable in the eye of

*Pranman*

law and liable to be set aside and quashed.

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

6. DETAILS OF REMEDIES EXHAUSTED:

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

7. MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT:

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

8. RELIEF SOUGHT FOR:

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

*Pranman*

the applicant:-

8.1. To direct the Respondents to set aside and quash the impugned orders dated 5.7.06 and 10.7.06.

8.2. To allow the applicant to remain posted at the Head Quarter, Maligaon or in any place which is near to his native place.

8.3. Cost of the application.

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

9. INTERIM ORDER PRAYED FOR:

Under the facts and circumstances of the case the applicant prays for an interim order directing the Respondents to suspend the effect and operation of the impugned orders dated 5.7.06 and 10.7.06 with a further prayer to allow him to continue in his present place of posting till disposal of this application.

10. ....

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

1. I.P.O. No. : 26 G 323584  
2. Date : 15.7.06  
3. Payable at : Guwahati.

12. LIST OF ENCLOSURES:

As stated in the Index.

*Handwritten signature*



VERIFICATION

I, Sri Jitendra Nath Barman, aged about 54 years, son of Late Thaneswar Barman, resident of Parakuchi, P.O. Sondha, Dist-Nalbari, do hereby solemnly affirm and verify that the statements made in paragraphs ..... 4.1-4.2, ..... are true to my knowledge and those made in paragraphs ..... 4.3-4.7 ..... are true to my information derived from the records and the rests are my humble submission before the Hon'ble Tribunal. I have not suppressed any material facts of the case.

I am the Applicant in the instant OA and I am entitled to swear this Verification .

And I sign on this Verification on this the 18<sup>th</sup> day of July of 2006.

Sri Jitendra Nath Barman.  
Signature.

(2)

-12-

ANNEXURE - 1

Dy. CCM (CCO/MLG)

copy

LB

03/8/03

2/4

H. P. RA-LWAY

## OFFICE ORDER

CCM(M) & CPO/A/Maligan have approved the inter-divisional transfer of the following staff (on option) of Commercial department from other divisions to Rangin division mentioned against each on their existing pay and scale, provided they are free from DAR/SFE/Viz. cases etc.

Sr.	Name & Designation	Scale	Working under	To be posted
1.	Sri Pradip Kr. Singh DCI/BDT	Rs. 5000-8000/-	CCM/TSK	RNY divn.
2.	" J.N. Barman, CLA	Rs. 7450-11500/-	CCO/MLG	- do -
3.	" M.C. Kalita, CCG/II	Rs. 5000-8000/-	CCM/TSK	- do -
4.	" Ramesh Rajbanshi Sr. Clerk	Rs. 4500-7000/-	CCM(G) MLG	- do -

Rangin Division

2003

They are eligible to get T.P., transfer allowance, joining time etc. as their transfer is on administrative ground.

( L. D. SINGH )  
AFO(T)

for GENERAL MANAGER(P)/MALIGAU

NO. RE/283/01/Comm/RNY(T)

dated: 01/04/03

Copy forwarded for information and necessary action to:

1. FA & CAO/MLG
2. CCM/MLG, CCM(M)/MLG
3. CCO/MLG, Dy. CCM(G) MLG
4. DRM(P)/TSK
5. CCM/TSK
6. Dy. CCM/Claims/MLG
7. OSD/RNY
8. DAO/TSK, RNY
9. AFO/Bill/HQ, ACM(Court)/MLG, APO(R) MLG
10. Staff concerned through their respective controlling officer
11. Mrs. P. Saikia, Sr. Clerk/ET
12. Mrs. C. Banerjee, asst. ET

They are requested to spare the staff with the instruction to report to OSD/RNY under intimation to this office their up-to-date P. Case, S/Sheet etc. may please be sent directly to OSD/RNY.

GENERAL MANAGER(P)  
MALIGAU

Attested  
Dri  
Advocate

Ch. os/cl  
S. N. Barman  
as per above order  
02/4/03

## N. F. RAILWAY

## OFFICE ORDER

1. SDGM/Maligaon has accorded his sanction to the temporary variation of 1 (one) post of CLA in scale Rs. 7,450 - 11,500/- attached to DRM(P)RNY and 1 (One) post of LA in scale Rs. 6,500 - 10,500/- attached to DRM(P)TSK have been varriated vice-versa in the public interest for a period of one year from the date of operation or till such time the post of ALO ( Group-B) in scale in scale Rs. 7,500 - 12,000/- attached to RNY Division, created vide this office memorandum no E/41/271/(Comml.)Rest/AGS(T)Legal Cadre dated 28.06.06 is filled up which ever is earlier. But the post of LA now varriated to RNY will continue to be operated at RNY.

As soon as the post of ALO ( Group B) in scale in scale Rs. 7,500 - 12,000/- attached to RNY Division is filled up, the post of CLA in scale Rs. 7,450 - 11,500/- attached to DRM(P)RNY now temporary varriated to DRM(P)TSK will stand surrendered in terms this office memorandum no. E/41/271/(Comml.)Rest/AGS(T)Legal Cadre dated 07.06.06 and will be deleted from the BOS.

2. Consequent on above, Shri J. N. Barman (SC) CLA in scale Rs. 7,450 - 11,500/- under DRM(P)RNY is hereby transferred in his existing pay & scale and posted under DRM(P)TSK on administrative ground with immediate effect. The above transfer order has been issued as per order of SDGM/MLG.

( S. R. Nandy )

Senior Personnel Officer (T)  
for General Manager (P)MLG

Dated 05.07.06

No. E/254/84/Pt. VII(T)Loose

Copy forwarded for information & necessary action to :-

- 1.FA & CAO/MLG
- 2.SDGM/MLG
- 3.DRM(P) RNY & TSK
- 4.Dy.CPO(G)MLG
- 5.DFM/RNY & TSK.
- 6.Staff concerned through DRM(P)RNY.

for General Manager (P)MLG

Attested  
Shri  
Advocate

N. F. Railway

20

Office of the  
Divl. Rly. Manager(P)  
Rangiya.  
Date 10.07.2006

Office Order

No.E/283/L/RNY/PER

In terms of GM(P)/Maligaon's office order No.E/254/84/Pt.VII(T)Loose dated 05.07.06, one post of CLA attached to DRM(P)/RNY in scale Rs.7450-11,500/- & one post of LA in scale Rs.6500-10,500/- attached to DRM(P)/TSK have been varied vice-versa in public interest for a period of one year.

Consequent on above, Shri J.N.Barman (SC) CLA in scale Rs.7450-11,500/- who has been ordered for transfer & posting under DRM(P)/TSK in his existing pay & scale vide GM(P)/Maligaon's above office orders, is hereby released from this office & directed to report to DRM(P)/TSK on administrative ground with effect from 10.07.06 (forenoon).

This issues with the approval of the competent authority.

(S.SARMAH)  
APO/RNY  
For DRM(P)/RNY

Copy forwarded for information and necessary action to :

1. FA & CAO /MLG
2. SDGM/MLG
3. DRM(P)/TSK
4. DFM/RNY & TSK
5. Staff concerned

*Se*  
10/7/06  
For DRM(P)/RNY

*Rajendra*

Attested  
By  
Advocate

# CHAPTER XIII

## CONCESSIONS AND FACILITIES ADMISSIBLE TO SCHEDULED CASTES AND SCHEDULED TRIBES OTHER THAN IN DIRECT RECRUITMENT AND PROMOTIONS

13.1. Security Deposits.—Security deposits from Scheduled Tribe candidates for employment on Indian Railways is 50 per cent of the normal security for training. It can be deposited in a lump sum or in instalments after the training actually started.

(Letter No. F(X)1-57-SC4/1 dated 15th November 1957)

13.2. Appointments/Transfers.—(i) At the time of initial appointment, the Scheduled Caste/Scheduled Tribe candidates should as far as practicable, be posted near to their home town or at a place where the administration can provide them with quarters, subject to their eligibility. These instructions would equally apply to cases of transfer on promotion provided the post is available.

(Letter No. 78E(SCT)15/25 dated 6th July 1971)

(ii) Subject to the exigencies of service, transfer of Scheduled Castes and Scheduled Tribes employees should be confined to their native districts or adjoining districts or the places where the Administration can provide quarters. They should be transferred very rarely and for very strong reasons only.

(Letter Nos. (i) E(SCT)70CM15/15/3 dated 19th November 1970 and (ii) E(SCT)74CM15/58 dated 14th January 1975)

13.3. Pre-Examination Training Courses at the University of Allahabad—Grant of leave to Scheduled Caste/Scheduled Tribe employees.—Scheduled Caste/Scheduled Tribe employees desirous of joining classes at the above-mentioned Training Centre may take leave (earned leave, etc.) as due to them under normal rules including extraordinary leave.

In cases where the leave due and extraordinary leave is not sufficient to cover the period of training, the General Managers may at their discretion grant extraordinary leave in excess of 90 days in relaxation of Rule 732-R. I.

(Letter Nos. (i) E(SCT)62CM15/14 dated 15th February 1962 and (ii) E(SCT)62CM9/57 dated 20th February 1963)

13.4. Complaint Register.—So far as complaints and grievances of Scheduled Caste/Scheduled Tribe employees are concerned, a separate Complaint Register should be maintained at various levels. All representations received from reserved community employees containing their grievances and complaints should be entered in this register and necessary action taken judiciously and

ANNEXURE 4

Attested  
By  
Advocate

# NORTHEAST FRONTIER RAILWAY

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

Dated: 12.05.2006.

No.E/254/III/16(O)

To,  
The General Manager(Construction)/Maligaon  
DRM(P) s/KIR, RNY & LMG; CCO/Maligaon,  
DGM(G)/Maligaon, Sr.DPO/KIR, Dy.CPO(CON)/MLG. Estate Officer/Maligaon.  
Law Officer/Maligaon, DPOs/RNY & LMG, APO/LC/Maligaon,  
Asstt. Law Officer/Maligaon, ACM/Court/Maligaon,

Sub:- Selection for the post of Asstt. Law Officer(ALO)/Group-'B'.

It has been decided with the approval of Competent Authority to form a panel of 02 (1 UR & 1 SC) persons for the post of Asstt. Law Officer/Group-'B'.

2. The selection will be based on candidates' performance both in written examination as well as Viva-voce test. The candidates, who qualify in the written examination, will only be eligible for the viva-voce test. The list of senior supervisory staff of Legal cadre, who are eligible to appear for the said selection are enclosed in the Main list and the Stand-by list under Annexure-'A' in order of seniority.

3. The written examination for said selection will consist of only one paper on the following subjects and maximum and minimum qualifying marks for the same are indicated as under:-

SUBJECT	MAXIMUM MARKS	QUALIFYING MARKS
Professional subject, Establishment & Financial Rules	150 (including at least 10% of the total marks on Official language Policy & Rules)	90

4. It may be noted that the question paper will be bi-lingual, i.e., English & Hindi. It will be candidates' choice whether they write either in English or in Hindi.

5. The Controlling officers should notify this widely amongst the staff of Law branch of this Railway mentioned in both the lists as per Annexure-'A' under their control and obtain their written WILLINGNESS/UNWILLINGNESS individually in the prescribed PROFORMA as enclosed at attached as Annexure-'B' of this notification and send the same to this office, so as to reach by 12.06.2006 without fail. If no option is received from any eligible staff from the Main list within the stipulated period mentioned above, it will be presumed that he/she is unwilling to appear in the above

Contd.....(2)

1/28/6

Attended  
Di  
Advocate

(2)

advised to express their willingness or unwillingness. The Controlling officer should ensure that all staff under their control, whose names appeared in the Main list and the Stand-by list, have expressed their willingness/unwillingness in writing to enable this office to accelerate the selection process.

6. Since one post is meant for SC, a pre-selection coaching for willing SC/ST candidates will be arranged before commencement of the written examination. Hence, controlling officer(s) will have to ensure sparing of those SC/ST candidates to attend the said coaching without fail. If anyone refuses to undergo pre-selection coaching, a written undertaking should be obtained from him/her to this effect and sent to this office in due course of time.

7. If any representation is received from any staff against the Integrated seniority position shown in the Annexure or any other particulars therein, the same should be forwarded to this office immediately. No representation against the Integrated seniority position will be entertained on a later date.

8. The final list of eligible candidates under zone of consideration will be published immediately after expiry of the target date.

9. A copy of Syllabus published vide Railway Board's letter No.E(GP)2003/2/32 dated 10.12.2003 is enclosed as Annexure-'C' with this notification for wide circulation amongst the eligible staff concerned.

The receipt of this notification may please be acknowledged.

DA : As above.

(P.K.SINGH)  
Dy.CPO/GAZ.

For GENERAL MANAGER(P)

ANNEXURE 'A'

INTER-SE-SENIORITY LIST OF CLA FOR THE SELECTION OF ALO / GROUP 'B'

MAIN LIST

SN	NAME OF THE STAFF	WHETHER SC/ST/UR	DESIGNATION & STATION
01	SHRI J.N. BARMAN	SC	CLA/DRM(P)/RNY
02	MISS Y. A.	ST	CLA/CCO(COURT)/MLG
03	SHRI RAJAB ALI	UR	CLA/GM(CON)/MLG
04	SHRI B. TALUKDAR	UR	CLA/CCO(COURT)/MLG
05	SMT. DIPALI KALITA PAINE	UR	CLA/GM(LAW)/MLG
06	SHRI PANKAJ KUMAR NEOG	UR	CLA/CCO(COURT)/MLG
07	SHRI H.C. PRASAD	UR	CLA/CPO(LC)/MLG
08	SHRI S.A. AHMED	UR	CLA/CCO(COURT)/MLG

STAND-BY LIST

SN	NAME OF THE STAFF	WHETHER SC/ST/UR	DESIGNATION & STATION
01	SHRI ARUP KUMAR ROY	UR	CLA/GM(LAW)/MLG
02	SHRI BASUDEV SARMA	UR	CLA/DRM(P)/MLG
03	SHRI A. BHATTACHARJEE	UR	CLA/CCO(COURT)/MLG
04	SHRI A.K. DOLEY	ST	CLA/CPO(LC)/MLG
05	SHRI MANARANJAN SHARMA	UR	CLA/CCO(COURT)/MLG
06	SHRI T. TALUKDAR	UR	CLA/GM(LAW)/MLG
07	SHRI GHANASHYAM RAM	SC	CLA/DRM(P)/KIR
08	SHRI SUNIL MUKHERJEE	UR	CLA/GM(LAW)/MLG

*[Handwritten signature]*