

FORM NO. ③
(See Rule 42.)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH.

ORDER SHEET

Original Application No. 37/06
Misc. Petition No. _____
Contempt Petition No. _____
Review Application No. _____

Applicant(s) Saumen Barman
Respondent(s) H. O. I. G. O. M.

Advocate for the Applicants S. S. Dey, M. Nath
D. P. Borah

Advocate for the Respondent(s) Mr. M. U. Ahmed CGSC
Add. CGSC. Rly St. Counsel

Notes of the Registry Date 14.2.2006 Order of the Tribunal

This application is in form
is filed/C.F. Rs. 50/-
deposited
No. 266 319105
Dated 3.2.06

N. S. Dey
Dy. Registrar 10/2/06 mb
28.2.06

Steps taken

1/3/06
Add. CGSC

1.3.06
Copy of the order has
been sent to the Dy. Sec. for
forwarding the same to the applicant
by Registered Post.

Post on 28.2.2006.

[Signature]
Vice-Chairman

The claim of the applicant is that pursuant to an advertisement dated 3.9.2003 by the Prasar Bharati, he has applied for the post of Technician reserved for ST category and after due process of selection he was selected for the said post but till date he is not given appointment order.

When the matter came up for admission, learned counsel for the applicant submits that he wants to withdraw this O.A. with a liberty to approach appropriate forum since this Tribunal does not have the jurisdiction to entertain the application. Liberty is granted. The O.A. is allowed to be withdrawn and the same is dismissed as withdrawn.

[Signature]
Vice-Chairman

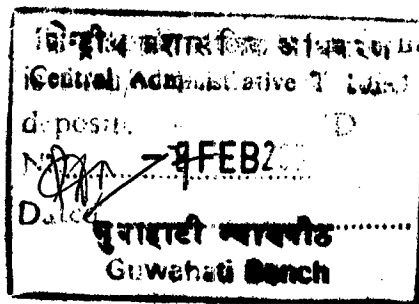
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

Original Application No. 37/06

1. a) Name of the Applicant:- S. Bauman
b) Respondants:- Union of India & Ors.
c) No. of Applicant(S):-
2. Is the application is the proper form:- Yes / No.
3. Whether name & description and address of the all the papers been furnished in cause title :- Yes / No.
4. Has the application been duly signed and verified :- Yes / No.
5. Have the copies duly signed :- Yes / No.
6. Have sufficient number of copies of the application been filed :- Yes / No.
7. Whether all the annexure ~~parties~~ are impleaded :- Yes / No.
8. Whether ~~English~~ translation of documents in the Language:- Yes / No.
9. Has the application is in time :- Yes / No.
10. Has the Vakalatnama/Memo of appearance /Authorisation is filed:- Yes / No.
11. Is the application by IPO/BD/for Rs. 50/- 266319105
12. Has the application is maintainable :- Yes / No.
13. Has the Impugned order original duly attested been filed:- Yes / No.
14. Has the legible copies of the annexure duly attested filed:- Yes / No.
15. Has the Index of the documents been filed all available :- Yes / No.
16. Has the required number of enveloped bearing full address of the respondents been filed:- Yes / No.
17. Has the declaration as required by item 17 of the form:- Yes / No.
18. Whether the relief sought for arises out of the Single: Yes / No.
19. Whether interim relief is prayed for :- Yes / No.
20. Is case of Condonation of delay is filed is it Supported :- Yes / No.
21. Whether this Case can be heard by Single Bench / Division Bench:
22. Any other pointd :-
23. Result of the Scrutiny with initial of the Scrutiny Clerk:
The application is in order.

SECTION OFFICER(J)

DEPUTY REGISTRAR



Dy. Registrar

-12-

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

O. A. No. 37 /2006

BETWEEN

SRI SOUMEN BARMAN

.....APPLICANT

-AND-

PRASAR BHARATI & ORS.

.....RESPONDENTS

I N D E X

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Filed by



(Dipankar Pd. Borah)

Advocate

-A-
~~13~~

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

O.A. No. 37 /2006

BETWEEN

SRI SOUMEN BARMAN

.....APPLICANT

-AND-

PRASAR BHARATI & ORS.

.....RESPONDENTS

SYNOPSIS

In pursuance of an advertised dated 3.9.2003 (Annexure - 1) published in Dainik Yugasangkha by the Doordarshan Kendra, Silchar, the applicant applied for the post of Technician reserved for Scheduled Tribe category. Thereafter, the applicant appeared for the written test, practical test and interview and after due process of selection he was duly selected for the said post of Technician reserved for ST category vide circular dated 30.9.2003 (Annexure - 3). But, till today no appointment letter has been issued to the applicant.

Filed by



(Dipankar Pd. Borah)

Advocate

-B-

~~-14-~~

LIST OF DATES

Para-4.2 Page-3	3.6.2003	Advertisement was issued. ANNEXURE - 1, PAGE - 12
Para-4.3 Page-4	18.7.03	Call letter along with Admission Slip for the written test was issued to the applicant. ANNEXURE - 2 & 2A, PAGE - 13 - 14
Para-4.4 Page-4	30.9.03	Applicant was provisionally selected for the post of Technician reserved for ST category. ANNEXURE - 3, PAGE - 15
Para-4.5 Page-5	7.6.04	Applicant submitted representation. ANNEXURE - 4, PAGE - 16
Para-4.6 Page-6	2.8.05	Applicant sent legal notice to the Respondents.
Para-4.7 Page-6	21.9.05	Respondent No. 4 wrote letter to the Respondent No. 3 inter alia forwarding a copy of the para-wise comments of aforesaid legal notice dated 2.8.2005 prepared by the Assistant Station Engineer, Doordarshan Kendra, Silchar regarding appointment of the applicant. ANNEXURE - 5, PAGE - 17 - 19

Filed by



(Dipankar Pd. Borah)
Advocate

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

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

O.A. No. 37 /2006

BETWEEN

SRI SOUMEN BARMAN

Son of Sri Satamnoi Barman,

Resident of Village - Darmikhal, P.O. - Rukni,

District - Cachar, Assam,

Presently residing at Gunomoyee Road,

Tarapur, Silchar - 3, District - Cachar, Assam

.....APPLICANT

-AND-

1. Prasar Bharati,

Broadcasting Corporation of India,

Doordarshan PTI building, Samsard Marg, New Delhi - 110001,

Represented by its Chief Executive Officer.

2. The Director General of Doordarshan,

Doordarshan, Doordarshan Bhawan,

Copernicus Marg, New Delhi - 1

3. Deputy Director General,

North Eastern Region, Doordarshan,

R.G. Baruah Road, Guwahati - 781024

Filed by
The applicant through
Dipankar Prasad Borah
Advocate

Soumen Barman

4. Station Director,

Prasar Bharati, Broadcasting Corporation of India,
Doordarshan, Chandmari, Tarapur, Silchar - 3, Assam

5. Administrative Officer,

Prasar Bharati, Broadcasting Corporation of India,
Doordarshan, Chandmari, Tarapur, Silchar - 3, Assam

6. The Chief Engineer,

Prasar Bharati, Broadcasting Corporation of India,
Radio & T.V., Dr. P. Kakoti Building, G.S. Road,
Ganesh Guri, Guwahati.

.....RESPONDENTS

PARTICULARS OF THE APPLICATION

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

The applicant is approaching the Hon'ble Tribunal for being denied appointment to the lone advertised post of Technician reserved for Scheduled Tribe candidates inspite of being duly selected for the said post.

2. LIMITATION :-

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.

Soumen Borah

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 permanent resident of the District of Cachar, Assam and he belongs to the Scheduled Tribe community. He passed out his High School Leaving Certificate Examination in the year 1993 by securing Third Division. Thereafter, he completed the course of Trade Test in the Trade of Electrician at Industrial Training Institute, Cachar in the year 1999.

The applicant got his name registered under the District Employment Exchange, Silchar in the year 1999 vide No. 5334/99/97, which has been renewed regularly from time to time. After completion of his studies the applicant worked as an Electrician under a Government Register Contractor for a period of 2(two) years.

Copies of the applicant's Caste Certificate dated 26.11.1990, H.S.L.C. pass certificate, ITI pass certificate, Employment Exchange - Registration Certificate & Work Experience Certificate will be produced before this Hon'ble Tribunal as and when called for.

4.2 That on 3.6.2003 an advertisement was issued by the Respondent No. 5 in the Dainik Yugasankha inter alia inviting application from the eligible Indian Nationals registered with Local Employment Exchange for filling up of the vacancy of Technicians at Doordarshan Kendra, Silchar as

Soumen Barman

per the following terms and conditions :-

(a) No. of Vacancy : 2 (two) (SC - 1 & ST - 1),

(b) Age Limit : 18-25 years as on 1.6.2003,

(c) Qualification :-

(i) Matriculation or equivalent.

(ii) A two years trade certificate from an ITI in Radio/TV/Electronics/Electrical or equivalent with one year practical experience after obtaining the certificate or a one year trade certificate from an ITI in Air Conditioning and Refrigeration with two years experience after obtaining the certificate.

A copy of the advertisement as appeared in the Dainik Yugasangkha dated 3.6.2003 is annexed herewith and marked as ANNEXURE - 1.

4.3 That since the applicant fulfilled all the criterias as stipulated in the aforesaid advertisement dated 3.6.2005, he applied for the post of Technician under ST category. After preliminary scrutiny, the applicant was found provisionally eligible for the written test to be held on 10.8.2003 at 2 P.M. at Kendriya Vidyalaya, Silchar and this was communicated to the applicant vide letter No. SLC-14(4)/2003-04/A&G/1773 dated 18.7.2003 issued by the Respondent No. 5 along with a Acknowledgement Slip/Admission Card vide Roll No. SLC-027.

A copy of the aforesaid letter dated 18.7.2003 along with a copy of the Admission Card are annexed herewith and marked as ANNEXURE - 2 & 2A respectively.

4.4. That accordingly, in pursuance of the call letter

Soumen Barmann

the applicant appeared for the written test on 10.8.2003 at Kendriya Vidyalaya, Silchar. Your applicant did extremely well in the said written test and on being qualified in the said test he was called for practical test and interview to be held on 18.9.2003 in the Office of the Doordarshan Kendra, Silchar. Accordingly, your applicant appeared before the authorities at Doordarshan Kendra, Silchar on 18.9.2003 along with all his original certificates for practical test and interview. Both in the practical test as well as in the interview the applicant fared very well and he answer all the questions in the interview to the full satisfaction of the authorities. Subsequently, on 30.9.2003 the Respondent No. 5 issued a circular under No. SLC-14(4)/2000-03/A&G/2339 inter alia stating that on the basis of the marks obtained in the written test, practical test and in the interview, your applicant (Roll No. SLC 027) has been provisionally selected for the lone post of Technician under ST category along with another person who has been selected under SC category.

A copy of the aforesaid circular dated 30.9.2003 is annexed herewith and marked as ANNEXURE - 3.

4.5 That on being duly selected by the Respondent authorities for the post of Technician under ST category your applicant was expecting he would be issued appointment letter in this regard by the authorities. However, after waiting for a considerable period when your applicant did not receive any appointment letter he approached the Station Engineer, Doordarshan Kendra, Silchar by submitting representation dated 7.6.2004 inter alia requesting him to

Soumen Borah

consider his regarding issuance of appointment letter.

A copy of the aforesaid representation dated 7.6.2004 is annexed herewith and marked as ANNEXURE - 4.

4.6 That when nothing was heard/communicated from the Respondents regarding issuance of appointment letter to your applicant, he sent a legal notice to the Respondents on 2.8.2005 inter alia demanding appointment of the applicant to the post of Technician under ST category by virtue of his selection to the said post.

4.7 That on 21.9.2005 the Respondent No. 4 vide his letter No. DTC/SLC/1(3)/2005/82628 wrote to the Respondent No. 3 inter alia forwarding a copy of the para-wise comments of aforesaid legal notice dated 2.8.2005 prepared by the Assistant Station Engineer, Doordarshan Kendra, Silchar regarding appointment of the applicant. In para 11 of the said para-wise comments it was stated that the Doordarshan Kendra, Silchar vide its letter dated 24.1.2005 sent a proposal to the Chief Engineer(North East Zone) to get the approval from screening committee for appointment of the applicant to the post of Technician under ST category, the reply whereof from the Chief Engineer(North East Zone) still awaited.

A copy of the aforesaid letter dated 21.9.2005 is annexed herewith and marked as ANNEXURE - 5.

4.8 That although the applicant was duly selected, the selection process of which began with the advertisement dated 3.6.2003, followed by written test on 10.8.2003,

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practical test and interview on 18.9.2003, ultimately culminating in the selection of the applicant vide Circular No. , SLC-14(4)/2000-03/A&G/2339 dated 30.9.2003, the Respondents authorities are now trying to deprive the applicant of being appointed by virtue of his selection on the plea that the selection procedure did not conform to the pre-requirements formalities like approval from screening committee constituted vide Director General, All India Radio's letter No. 4/11/2004-S-IV dated 5.5.2004 and 13/19.7.2004. Prima facie this is an untenable excuse meant to illegally deprive the applicant of his legitimate right of being appointed for the post he has been selected in as much as the entire selection process and the selection of your applicant was completed long before even the aforesaid letters No. 4/11/2004-S-IV dated 5.5.2004 and 13/19.7.2004 even saw the light of the day. The said letters being not retrospective in operation in any view of the matter, the applicant cannot be deprived of his legitimate right of appointment on such arbitrary and unreasonable ground.

4.9 That the circular dated 30.9.2003 by which the applicant has been provisionally selected for the post of Technician reserved for ST category is still in force and till date no other select list has been prepared by the Respondents for the said post nor the said circular/select list has been declared invalid.

5. GROUND FOR RELIEF WITH LEGAL PROVISION :-

5.1 For that the plea that mere selection of a candidate does not automatically entitle him to be appointed

Soumen Barmann

is not available with the Respondents in the instant case in as much as inspite of the post being specifically reserved for the Scheduled Tribe candidate, the applicant having been duly selected as the lone empanelled candidate by virtue of merit and there being nothing on record even to remotely indicate that the exigencies of administration or the interest of public service do not require filling up of the post, the applicant now cannot be denied his legitimate enforceable right of being appointed in the post for which he has been selected.

5.2 For that the Respondents are estopped under law for changing their stand after making the applicant undergo the grueling process of written test, practical test and interview on the plea of the process being not as per some non-statutory executive instructions which did not even exist when the selection process was conducted.

5.3 For that once being duly selected for the post of Technician reserved for ST category, the applicant has got enforceable legal right to be appointed in the said post. However, the Respondents by taking the plea of getting the approval from screening committee for appointment of the applicant to the post of Technician under ST category, the reply whereof from the Chief Engineer(North East Zone) still awaited have deprived your applicant from being appointed to the post of Technician reserved for ST category.

5.4 For that the action of the Respondents for not appointing your applicant to the lone post of Technician

Soumen Barmen

reserved for ST category being illegal, arbitrary and unreasonable and is also violative of the principles of natural justice and administrative fair play and as such the same is liable to be interfered with by this Hon'ble Tribunal.

6. DETAILS OF REMEDIES EXHAUSTED :-

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

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

That the applicant further declares that he has not filed previously any application, writ petition or suit regarding the aforesaid subject matter before any other Court or any other Bench of the Tribunal.

8. RELIEF SOUGHT FOR :-

Your applicant prays that this Hon'ble Tribunal may be pleased to admit this application, call for the records of the case and perusal of the records and after hearing the parties, be pleased to grant the following reliefs to the applicant :-

8.1 Direct the Respondent authorities to issue appointment letter to your applicant for appointment to the post of Technician reserved for ST category forthwith.

8.2 Cost of the application.

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8.3 Any other relief/reliefs as this Hon'ble Tribunal may deem fit and proper.

9. INTERIM ORDER PRAYED FOR :-

Considering the aforesaid facts and circumstances this Hon'ble Tribunal may be pleased to direct the Respondents not to fill up the post of Technician reserved for Scheduled Tribe category for which your applicant has been selected, till the final disposal of this application.

10. PARTICULARS OF THE I.P.O. :-

- (i) I.P.O. No. : 266319105 and 37C448537 for Regdt No. 6.
(ii) Date : 3.2.06
(iii) Payable at : Gumsahadi

11. LIST OF ENCLOSURES :-

As stated in the Index.

Soumen Barman

VERIFICATION

I, SRI SOUMEN BARMAN, Son of Sri Satamnoi Barman, aged about - 27 years, Resident of Village - Darmikhal, P.O. - Rukni, District - Cachar, Assam, Presently residing at Gunomoyee Road, Tarapur, Silchar - 3, District - Cachar, Assam, do hereby solemnly affirm and verify that the statements made in paragraphs 1, 2, 3, 4.8, 4.9, 5.1, 5.2, 5.3, 5.4, 6, 7 are true to my knowledge and those made in paragraphs 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7 being matters of record of the case are true to my knowledge and information derived therefrom which I believe to be true and the rest are my humble submission before the Hon'ble Tribunal.

And in proof I sign this verification on this the 2nd day of February, 2006.

Soumen Barman

SIGNATURE

3 June 03
3 June, 2003
Dainik Yugasangkha

এলাকার
মি ডাঃ
কামনা

রাখছেন
নিজস্ব

কোনও
নিচ্ছেন
হকদেব
& প্রকট
টব না
ম. সৃষ্টি
র চরম
চেষ্টার
বহুবার
ইভাঙ্গী
ইয়েছেন
& লাভ
স্থায়ী
বিলম্বে
সানোর
মনোমেল
কামনা

গণনা ৯৩১
লক্ষ্য হইল মোড়, ইলুয়া, শিলাচর-২, (ফোন: ২০৩) ২৪

**PRASAR BHARATI
(BROADCASTING CORPORA-
TION OF INDIA)**

**DOORDARSHAN KENDRA: SILCHAR
DIRECTOR, DOORDARSHAN
KENDRA, SILCHAR,** invites applica-

tion from the eligible Indian Nationals
registered with Local Employment Ex-
change for filling up of the vacancy of
Technicians at Doordarshan Kendra,
Silchar, as per terms and conditions of
recruitment for the post.

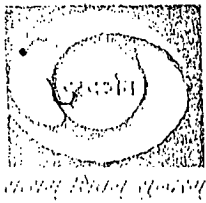
- (i) **No of Vacancy:** 2 (two) (Sc-1 & ST-1)
- (ii) **Pay Scale:** Rs. 4000/-100-6000/-
plus other allowances as admissible.
- (iii) **Age Limit:** 18-25 years as on
1.6.2003 (relaxation as per Rules)
- (iv) **Qualification:**

- (1) Matriculation or equivalent.
- (2) A two years trade certificate from
an ITI in Radio/TV/Electronics/
Electrical or equivalent with one
year practical experience after
obtaining the certificate or a one
year trade certificate from an ITI in
Air Conditioning and Refrigeration
with two years experience after
obtaining the certificate.

- (v) TADA as admissible as per rules.
- (vi) The format for application may be
obtained from this office during working
hours from 10.6.2003 to 18.6.2003
completed application has to be
addressed to the Director,
Doordarshan Kendra, Silchar and sent
by post. Application received after
27.06.2003 will not be considered.

Sd/-
**Administration Officer
Doordarshan Kendra
Silchar**

Certified to be true copy
RA
Advocate



-13-
ANNEXURE-2
16

Order Certificate
प्रसार भारती/ PRASAR BHARATI
(भारतीय प्रसारण निगम / BROADCASTING CORPORATION OF INDIA)
दूरदर्शन केन्द्र: शिलचर/ DOORDARSHAN KENDRA: SILCHAR

No. SLC-14(4)/2003-04/A&G/ 1773

Dated Silchar the 13th July, 2003

To

Shri/Shrimati: Soumen Barmen
S.P. Satamoni Barmen
Ginnamari Road, Tarapur
Silchar-3

S.I no. 2

On preliminary scrutiny you have been found provisionally eligible to appear in the written test to be held on 10.8.2003 at 2 p.m. for the post of Technician. It is informed that those who qualify the written test will only be called for practical test and interview on a date which will be communicated later. At that time the candidates will be required to produce the original certificate etc. without which they will not be allowed to appear in the practical test and interview under any circumstances.

Travelling allowances will be as per rules.

The candidates must bring the admit card without which he/she will not be allowed to seat for the written test under any circumstances. The candidates should report to the examination centre at 1 P.M. The written test will be of objective type and of one hour duration.

Venue for the written test :-

KENDRIYA VIDYALAYA
(NEAR DOORDARSHAN KENDRA)
CHANDMARI ROAD, TARAPUR
SILCHAR - 788 003 (ASSAM)

Date of Written Test :- 10.8.2003

Time of Test :- 2 P.M.

Enclosed :- Admission Card.

Received
(K C CHANDA)
Administrative Officer
For Director

Certified to be true copy
Advocate

ANNEXURE-2A

Roll No. SC-027

Acknowledgement Slip/Admission Card

(For office use only) , SL M 2

1. Your application is hereby accepted.

2. Name:--- Shri Soumen Barman

3. Registration No. 5334/99/97 dt. 22.12.97

4. Date of Test 10-8-2003

5. Time of Test 2 PM

6. Place o-f Test Silchar Kanchoya Vidyalaya
Chandman Road
Silchar

28.2.97

Affix
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(Signature)

Administrative Officer,

(for Director)

Prasar Bhawan (B&T)

Doordarshan Kendra, Silchar.

Certified to be true copy
Advocate

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ANNEXURE - 3

Prasar Bharati
(Broadcasting Corporation of India)
Doordarshan Kendra, Silchar

No. SLC-14(4)2000-03/A&G/2339

Date : 30/09/2003

Circular

On the basis of marks obtain by candidates in written test, Practical test and interview the following candidates have been provisionally selected in their respective category for the post of Technician in this office. Further action in this regards will be taken in due course.

S. C. Category

Shri Prasenjit Das

Roll no. SLC 022

S.T. Category

Shri Saumen Barman

Roll no. SLC 027

Sd/(illegible)

Administrative Officer

Copy to :

1. Notice Board (Doordarshan Kendra, Silchar)
2. Notice Board (District Employment Exchange, Silchar)

Certified to be true copy
As
Advocate

-16-

ANNEXURE-4

To

The Station Engineer,
Doordarshan Kendra,
SILCHAR

Sub :- Application for appointment letter.

Sir,

With due to respect that I have selected from your written test and practical test on dtd. 10/8/03 & 18/8/03 from S.T. Candidate as per your circular No. SLC-14(4)/2000-03/A & C/2332 dtd. 30.9.03.

But I have not got my appointment letter or any information from your office. May kindly be consider the subject cited above please.

Yours faithfully,

Soumen Barman

Dated :

The : 7/8 /04.

(SOUMEN BARMAN)

Roll No. SLC-027

Gunomoyee Road, Tarapur, Silchar-3.

EEE

Certified to be true copy

RG

Advocate

ANNEXURE-5

Prasar Bharati
Broadcasting Corporation of India
Doordarshan Kendra, Silchar.

NO.DTC/SLC/1(3)/2005/ 82628

Dated Silchar the 21st September 05

To,

The Deputy Director General(NER),
(By name: Shri H.Rachid,DDA),
Doordarshan,
R.G.Barua Road,
Guwahati-24.

Sub:- Recruitment of Technician at DDK, Silchar.

Ref:- DDG(NER),Guwahati's letter No.DDG(NER)/DD/GUW/
/Legal Notice/Saumen Barman-2005/1520 dt. 16.9.05

Sir,

Kindly refer to the DDG(NER) Doordarshan, Guwahati's letter
No. DDG(NER)/DD/GUW/LEGAL NOTICE/ Saumen Barman-2005 dated 16.9.05
regarding recruitment of Technician at DDK, Silchar.

As desired, the Para-wise comments have been prepared by the
Engineering Head of this Kendra and is forwarded herewith.

Encl:- As above.

Yours faithfully,

(Dr. Shailesh Pandit)
Director

Copy to:-

1. The Chief Engineer (NEZ), Prasar Bharati, Broadcasting Corporation of India, AIR & TV, Dr. P.Kakoti's Building, G.S. Road, Ganesh Guri Flyover, Guwahati-5 along with a copy of Parawise comments received from the Engineering Head of this Kendra.
2. The Asstt. Station Engineer, DDK, Silchar.

Director

Certified to be true copy

Advocate

Sub : Legal Notice regarding recruitment of Technician

This is the reference to a Notice under 80 C.P.C. submitted by Shri K.k. Das, Advocate, Silchar and handed over to me vide Letter No. DTC/SLC/I(2)/2005 dated 9.8.05 regarding the subject cited above, it is stated that various steps involved during recruitment process and present status is as follows:-

1. On the basis of written test, practical test and interview Shri Prasenjit Das under SC Category and Shri Soumen Barman St Category were selected for the post of Technician and was displayed on Notice Board vide letter No. 14(4)/2000-03/A&G dated 30/9/2003
2. It was revealed that one of the candidate Shri Prasenjit Das was the son of Shri D.K. Das working in DDK, Silchar at the post of SEA. So case was referred to Directorate vide letter no. DDK-SLC-14(4)/2003-A&G dated 24.9.2003 to seek the approval of Directorate as well as permission in respect of relationship angle.
3. DG, DD was reminded vide letter NO. even dt 15/17.10.2003 for kind perusal and further advice.
4. In the meantime candidate pressed hard for issue of appointment letter. So the Directorate was again requested vide letter No. even dt 1/7/04 to accord the kind approval for issue of appointment to selected candidate.
5. Consequent upon request made by Silchar District Anushuchit Jati Parishad to DG, Doordarshan regarding filling up of Sc quota in respect of Technician at DDK, Silchar, a letter No. 20/27/2004-SIV dt 22/7/2004 in this regard was received from the Directorate vide his office letter no. even dt 06/08/04 and requested for early kind advice from Directorate.
6. Refer to point 5 Directorate enquired from this station vide letter no. 20/27/2004-S-IV dt 27.08.04 whether pre-recruitment formalities like approval from Screening Committee constituted (as required vide DG AIR letter No. 4/11/2004-S-IV dt 05.05.2004 and 13/19.7.2004). For direct recruitment have been completed.
7. In reply to the para 6 this office sent its reply vide letter no. even dt. 20.09.04 that this case was not sent to the Screening Committee before processing as DOPT instructions received after the selection process was completed, so Directorate was directed to communicate kind advice.

An-5

8. Reference to para 6 Directorate vide its letter no. 20/27/2004-S IV dt 1.11.2004 communicated that since the case was not placed before the Screening Committee so the same cannot be approved.

9. This office vide letter No. even dt 3.12.2004 replied it again that since the recruitment process was started by this Kendra before the receipt of DOPT instructions, so it was requested to reconsider the matter and according the ex-post facto approval of Screening Committee.

10. The Directorate vide its letter no. 20/27/2004-S IV dt 28.12.2004 advised the Kendra to get the approval of Screening Committee through their Zonal office in the first instance.

11. This office vide its letter No. even dt 24.01.05 sent a proposal to CE(NER) to get the approval from Screening Committee in the prescribed proforma. The reply from the CE(NEZ) still awaited.

12. At this stage it is also mentioned here that as per incumbency position of subordinate Engineering staff of North East Zone issued by CE(NEZ) the staff strength in respect of Technician cadre is as follows:

Original Sanction	Re-deployed strength	Revised strength	Staff posted	Vacancy
07	(-) 02	05	04	01

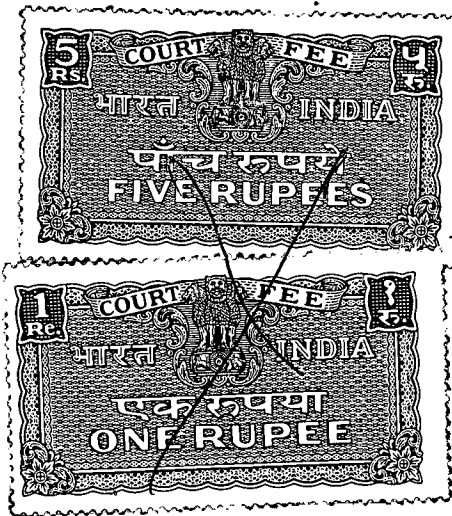
The table indicates that only one clear vacant post is existing at this Kendra. It is for your information please.

Sd/-(illegible)

22.8.05

(Pawan Tuei)

Assistant Station Engineer.



Soumen Barman

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DISTRICT :

VAKALATNAMA

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
IN THE GAUHATI HIGH COURT OF GUWAHATI BENCH
(THE HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)

O.A. No. 37 Of 2006

Sri Soumen Barman

APPELLANT(S)
PETITIONER(S) Applicant

VERSUS

Prasan Bhattacharya & Ors.

RESPONDENT(S)
OPPOSITE-PARTY

Know all men by these presents that the above named Applicant
do hereby nominate, constitute and appoint Sri/Smt. S.S. Dey, M. Nath,
D.P. Borah Advocate and such of the
under-mentioned Advocates as shall accept this Vakalatnama to be my/our true and
lawful Advocates to appear and act for me/us in the matter noted above and in
connection therewith and for that purpose to do all acts whatsoever in that
connection including depositing or drawing money, filling in or taking out papers,
deeds of composition etc. for me/us and my/our behalf and I/We agree to ratify and
confirm all acts to be done by the said Advocates as mine/ours for all intents and
purposes. In case of non-payment of the stipulated fee in full, no Advocates will be
bound to appear and act on my/our behalf.

In Witness Whereof I/We hereunto set my/our hand on this 2nd Day of February 2006

Mr. S.S. Dey
Mr. D.P. Borah

Mr. U.Rajsaikia
Ms. P.R. Mahanta
Ms. M. Laskar.

Mr. M. Nath
Mr. R. Chakravorty

Received from the Executant,
Satisfied and accepted

Mr/Ms. will lead And Accepted
us in case

Advocate

Dipankar P. Borah
Advocate

Advocate

And Accepted

And Accepted

Advocate

Advocate

Advocate

Advocate

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Notice

From,
Mr. D. P. Borah,
Advocate

Date: 8.2.2006

To,
Mr. M. U. Ahmed
Advocate, Addl. G.G.S.C.,

Sub: O.A. No. 12006

Soumen Barman --- Applicant

-Vs-

Prasar Bharati & Ors.
--- Respondents

Sir,

Kindly take notice that an Original Application in connection with the matter aforesaid is being filed before this Hon'ble Tribunal, a copy whereof is being served upon you. Kindly, acknowledge the receipt.

Thanking you,

Sincerely yours

Dipankar D. Borah

Advocate

8/2/06

Received
G.D. Borah
Sr. G.G.S.C.
8/2/06