

FROM NO. 4
(See Rule 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

Original Application No. 47/06

Misc Petition No. _____

3. Contempt Petition No. _____

4. Review Application No. _____

Applicant(s) Ajit Chandra Deka

Respondents U.O.I. Jones

Advocate for the Applicant(s) .. P. Sarema, S.K. Singha, O.P. Surai, B. Kumar
Mr. G. Baishya,

Advocate for the Respondant(s) Sp. Casl. ..

Notes of the Registry	Date	Order of the Tribunal
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Application filed form
is filed.
deposit
No. 26/03192/66
Dated 17.2.06

23/2/06

Mr. Dy. Registrar
20.2.06
P.M.

When the matter came up for hearing the learned counsel for the applicant submitted that he would like to make some correction in the relief portion. Let it be done. The learned counsel for the applicant will file separate M.P.

When the matter came up for hearing Mr. S.K. Singha learned counsel for the applicant submits that he would like to make some correction in the relief portion. Let it be done. The learned counsel for the applicant will file separate M.P.

Issue notice on the Respondents.
Post the matter on 29.3.06.

Steps taken with
envelops.

lm

Vice-Chairman

Rs. 25/- Paid as IPO
from Respondent Nos. 5 to 10.

Pl. copy order dated
23.2.06.

No 5
24.2.06

Received copy
by ~~Mr. G.~~
27.02.06
(P.O.V.)

29.3.2006 In view of the order passed in M.P. No.26/06 applicant is directed to carry out the correction in the O.A. within a week.

Mr.G.Baishya, learned Sr.C.G.S.C. submits that he requires six weeks time to file written statement. Let it be done. Post on 12.5.2006.

Notice duly

Served on

TCSP- nos 1 to 10.

Vice-Chairman

27/2/06

bb

12.5.2006 Mr.G.Baishya, learned Sr.C.G.S.C. for the respondents submits that he would like to have three more weeks time to file reply statement. Let it be done. Post on 9.6.2006. No further time will be granted to the respondents to file reply statement.

My

11-5-06

Vice-Chairman

bb

9.6.2006 None for the applicant. Mr.G. Baishya learned Sr.C.G.S.C. has filed reply statement today. Registry is directed to receive the same if it is otherwise in order.

Post on 30.6.2006. In the meantime applicant may file rejoinder, if any.

No W.L.S has been filed.

8.6.06

No W.L.S has been filed.

Vice-Chairman

12.6.06
W.L.S filed by the respondents.

My
bb

30.06.2006 Learned counsel for the applicant submitted that he has already filed rejoinder. Let it be brought on record if it is otherwise in order.

Post on 26.07.2006.

29-6-06
No rejoinder has been filed.

25-7-06
No rejoinder filed.

mb

Vice-Chairman

O.A. 47/2006

3

26.07.2006 Post on 08.08.2006 before the
Division Bench in the hearing list.

7-18-06
No Respondent has been
listed. Counsel for the applicant is not
present. Post before the next Division
Bench.

Vice-Chairman

28.07.2006 8.8.2006 Counsel for the applicant is not
present. Post before the next Division
Bench.

SA
Member (A)

Vice-Chairman

1.3.07 It appears that in the cause list
the names of the Advocates are wrongly
shown. The counsel for the applicant is
not present.

Post before next Division Bench.

Respondent has been
listed.

CP
Member

Vice-Chairman

12.3.07 Post the matter on 20.3.07.

The case is ready
for hearing.

DA
Member

Vice-Chairman

20.03.2007 The learned counsel for the
applicant is not present. Post the
matter on 22.03.07.

DA
Member

Vice-Chairman

22.3.07 When the matter came up for hearing counsel for the applicant is absent.

The applicant was provisionally appointed as E D Packer cum Mail Peon. He was called for to appear in the E D A Group D officials departmental examination but he was not selected. Aggrieved by the same selection he filed this O.A for setting aside and quashing the selection dated 23.10.06 and also for a direction to the respondents to consider the case of the applicant for promotion to the post of E.D.A.

There are four Advocates for the applicant in record. Mr G.Baishya, learned Sr. C.G.S.C is present for the respondents. From the docket sheet it appears that on 20.3.07 also nobody was appeared for the applicant. The case is finally fixed for hearing today. Neither the applicant nor any one of his counsel is present. It is found that the applicant is not interested to pursue his case.

The O.A is accordingly dismissed for default.

Member(A)

Vice-Chairman

Notes of the Registry	Date	Order of the Tribunal
Wb and accordingly has been filed.	25.05.2007 /bb/ 19.6.07. 18.6.07.	In view of the order passed in M.P.45/2007 the O.A. is restored to file. Post the case on 19.06.2007. Vice-Chairman
The case is ready for hearing.	10.7.2007 23 9.7.07.	Let the case be posted on 20.07.2007 and thereafter matter will be posted for hearing before the next Division Bench. Vice-Chairman
The case is ready for hearing.	20.7.2007 /bb/ 19.7.07.	Since the Division Bench is not available post the matter tentatively on 8.8.2007, thereafter matter will be posted before the next Division Bench. Vice-Chairman
The case is ready for hearing.	30.8.2007 /bb/ 13.5.08.	Let the case be posted before the next Division Bench for hearing on top priority. Vice-Chairman

OA 47106 1-6

14.05.2008

Mr S.K. Singha, learned Counsel appearing for the Applicant, is present. Mr G. Baishya, learned Sr. Standing Counsel for the Union of India, is also present. In this case Rejoinder has been filed by the Applicant, wherein very important/new points have been raised.

St. 14.5.08.

Pl. send copies of this Rejoinder to each of the Respondents.

Pl. send copies of this order to the Applicant and to the Respondents.

Free copies of this order are also to be supplied to Mr. S.K. Singha - learned Counsel for the Applicant and Mr. G. Baishya - learned Counsel for the Union of India.

✓
14.5.08

Order copy Received on 16/5/08

SK Singha for applicant.

order dt 14.5.08 receives
a copy of Mr. G. Baishya (Ex. C.48)
Replies due, 20
17.5.08

As per order dt. 14/5/08
Mr. S.K. Singha deposited
Rs = 250/- vide receipt
No - 2682 dated - 16/5/08
for issuing rejoinder to
the each of the Respondents.

The Rejoinder along with
order dt. 14/5/08, send to
D/Section 808 issuing to
respondents by post and
free copies of this order
handed over to learned
advocate's for both the
parties.

nkm

(Ex) D/No - 2357 to 2366
19/5/08; D/ = 19/5/08

In the aforesaid premises, learned Counsel for the Applicant undertakes to file 10 copies of the Rejoinder in the Registry in course of the day.

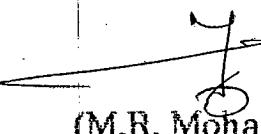
Registry to send copies of this Rejoinder to each of the Respondents in the addresses given in the O.A. (at the cost of the Applicant) and the Respondents should file their reply to the said Rejoinder by 27.06.2008. Mr S.K. Singha, learned Counsel appearing for the Applicant, undertakes to supply required postage and envelopes for service of the copies of the Rejoinder on the Respondents by day after tomorrow.

While filing reply to the Rejoinder, the Respondents (Official Respondents) should cause production of the connected departmental file for perusal of the Bench.

Send copies of this order to the Applicant and to the Respondents (in the addresses given in the O.A.) and free copies of this order be also supplied to Mr S.K. Singha, learned Counsel for the Applicant, and Mr G. Baishya, learned Sr. Standing Counsel for the Union of India.

Call this matter on 27.06.2008.


(Khushiram)
Member (A)


(M.R. Mohanty)
Vice-Chairman

The case is ready
for hearing.

3
26.6.08

27.06.08

Mr S.K.Singh, learned counsel for the Applicant is present. None appears for the Respondents.

Call this matter on 04.07.2008 for hearing.

Y
(M.R.Mohanty)
Vice-Chairman

Memo of appearance

filed by Mr. G. Baishya,
Sr. C.G.S.C.

pg

04.07.2008

None appears for the Applicant nor the
Applicant is present. Mr.G.Baishya, learned Sr.
C.G.S.C. is on accommodation.

3
3.07.08

3 - 7 - 08

This OA was dismissed in
default on 22-3-07 and
restored on 25-5-07
vide MP no. 45107.

by

/bb/

The case is ready
for hearing.

21
21.08.2008

22.08.2008 Heard Mr. S.K. Singh, learned
Counsel appearing for the Applicant, and
Mr G. Baishya, learned Sr. Standing
Counsel for the Union of India. It is stated
in para 6 of the written statement that the
Applicant appeared in a written test that
was conducted on 09.10.2005 with Roll
No.IZ-65/05 and that he could not come
out successful in the said examination and
that selected candidates, on the basis of
their merit, were given promotional benefit.
How much of percentage of marks that was
secured by the Applicant in the said written
test has not been disclosed by the
Respondents. It has also not been disclosed
as to how much of marks was secured by
Mr Haren Bhuyan, who was granted
promotion/appointment to the post of
Postman from out of the quota of outsiders

Agreed
(R.C.Panda)
Member (A)

Y
(M.R.Mohanty)
Vice-Chairman

(seniority-cum-fitness). The Respondents

have also not disclosed as to whether the said Haren Bhuyan appeared in that written test and got qualified to get the promotion/appointment in question.

Dt. 22.8.08

Pl. send copies of this order to the Respondents at the addresses given in the O.A.

Free copies of the order to be supplied to the learned Counsel for the parties.

Attn: Dr.

Parikh, DSC, CAI

Copy received
Bapuji das:
FOR

MR. G. BAIJYAN
SR. C. G. SC, CAI
1.9.08

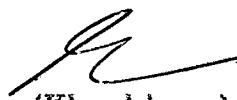
Copies of order dated
22/8/08 sent to D/Sec.
for issuing to
Respondents and learned
Counsel for the parties.

Call
1/9/08. D/No. 3827 to 3837
Dt. 21/9/08.

In the aforesaid premises, the Respondents are called upon to cause production of all details transparently to show as to why the Applicant (who alleges to be senior than the aforesaid Haren Bhuyan) was not granted promotion/appointment and as to how and why said Haren Bhuyan was granted promotion/appointment as Postman. Transparent details should be provided in writing alongwith supporting materials by the next date.

Call this matter on 15.09.2008

Send copies of this order to the Respondents at the addresses given in the O.A. and free copies of the order be supplied to the learned Counsel for the parties.



(Khushiram)
Member(A)

nkm



(M.R. Mohanty)
Vice-Chairman

15.09.2008 Heard Mr S.K.singha, learned counsel appearing for the Applicant and Mr G.Baishya, learned Sr. Standing counsel appearing for the Union of India. Perused the materials placed on record. Mr Baishya has produced the result sheet and copies of the minutes of the proceeding which are taken on record. Hearing concluded.

For the reasons recorded separately this O.A. stands disposed of.


(Khushiram)
Member(A)


(M.R. Mohanty)
Vice-Chairman

pg

copy received
Biplobes
for
H.R.C. 6798/04,
S.R. C.G. SC. 207
26.9.08

2.12.08

Copy of the order
and to the Spec.
for issue the same
to the Parties.



22.1.09

Final ride
D/NR 4795 to
4799 Dtd 16.12.08



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

.....

Original Application Nos. 47 of 2006.

DATE OF DECISION: 15-09-2008.

Sri Ajit Chandra Deka Applicant/s

Mr S.K. Singha Advocate for the
..... Applicant/s

-Versus -

Union of India & Ors. Respondent/s

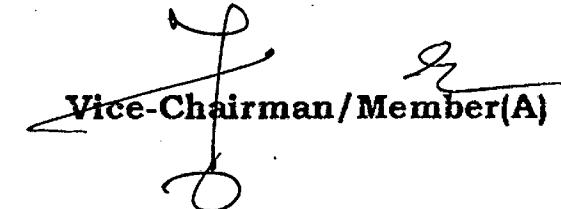
Mr. G. Baishya, Sr. C.G.S.C. Advocate for the
..... Respondent/s

CORAM

THE HON'BLE MR MANORANJAN MOHANTY, VICE CHAIRMAN

THE HON'BLE MR KHUSHIRAM, ADMINISTRATIVE MEMBER

1. Whether reporters of local newspapers may be allowed to see the judgment ? Yes/No
2. Whether to be referred to the Reporter or not ? Yes/No
3. Whether their Lordships wish to see the fair copy of the judgment ? Yes/No.


Vice-Chairman/Member(A)

13

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No. 47/2006.

Date of Order : This the 15th Day of September, 2008.

THE HON'BLE MR MANORANJAN MOHANTY, VICE CHAIRMAN

THE HON'BLE MR KHUSHIRAM, ADMINISTRATIVE MEMBER

**Sri Ajit Chandra Deka,
S/o Late Chandra Kanta Deka,
G.D.S. Packer,
Working in Routa Sub Post Office,
Resident of Vill. – Bhellapara,
P.O. Routa,
District – Darrang, Assam.**

.....Applicant

By Advocate Shri S.K. Singha

- Versus -

- 1. Union of India,
represented by the Secretary
to the Govt. of India,
Postal Department, New Delhi-1.**
- 2. The Chief Postmaster General,
Meghdoot Bhawan,
Pan Bazar, Guwahati-1.**
- 3. The Post Master General,
Assam Circle,
P.O. Dibrugarh,
Dist. Dibrugarh, Assam**
- 4. The Superintendent of Post Offices,
Darrang Division, Tezpur,
P.O. Tezpur,
Dist. Sonitpur, Assam.**
- 5. Sri Gokul Chandra Medhi (APS)
P.O. Tezpur,
Dist. Sonitpur, Assam.**
- 6. Mrs Karabi Saikia Baruah,
P.O. Dubia,
Dist. Sonitpur, Assam**
- 7. Sri Tarun Kumar Das Choudhury**



P.O. Balijuri,
Dist. Sonitpur, Assam.

8. Sri Sachin Tanti,
P.O. Dhekiajuli,
Dist. Sonitpur, Assam.

9. Sri Akan Rabha,
P.O. Bhekulikanda,
Via - Kaligaon,
Dist. Odalguri, (B.T.C)

10. Sri Haren Bhuyan,
Balijuri Branch Office,
P.O. Balijuri,
Dist. Sonitpur, Assam. Respondents

By Advocate Shri G.Baishya, Sr.C.G.S.C

O R D E R (ORAL)

KHUSHIRAM, MEMBER(A)

The Applicant was appointed as E D Packer-cum-Mail Peon in 1985. On 30.09.2005 he was called to appear in the Departmental Examination to be held on 09.10.2005 for considering Extra Departmental Agents and Departmental Group D Officials to go on promotion to the cadre of Postman. The Applicant appeared in the said Examination and the select list was published on 23.01.2006 which did not have his name. The Applicant filed representation before Chief Postmaster General at Meghdoott Bhawan/Guwahati for cancellation of the impugned select list dated 23.01.2006. Without hearing from the C.P.M.G, the instant Original Application has been filed to seek the following reliefs :-

"The Respondents may be directed to set aside and quash the impugned Selection List No.SP/Con/Postman Examination/2005 dtd



23.01.2006 and also be pleased to direct the Respondents to consider the case of the Applicant for promotion in the post of Postman under the Respondents."

2. The Respondents filed a written statement; wherein they have disclosed that the Applicant appeared in the Postman Examination (written test) on 9.10.2005 and no interview in the manner of viva voce was conducted during the selection process. The Respondents also stated that the merit is the sole criteria for promotion of GDS to the cadre of Postman. No weightage was given for his longer service and experience in GDS and selection was made as per departmental rules. The Applicant's case was rejected as he could not come out successful in the postman examination held on 09.10.2005. The mala fide, arbitrariness or any illegality in selection process has been vehemently denied by the Respondents.

3. The Applicant in his rejoinder stated that Respondent No.10 Shri Haren Bhuyan was selected for promotion to the post of Postman in violation of the departmental rules and in violation of the principles of natural justice. The Applicant has claimed that he has put in 15 years of service with the department and he fulfills the eligibility criteria for promotion. The applicant also alleged that Respondent No.10 is a choicest candidate of some of the Respondents for promotion to the post of Postman in spite of the fact that he is junior to Applicant which violates the legitimate expectation of the Applicant.

4. We have heard Mr S.K.Singha, learned counsel appearing for the Applicant and Mr G. Baishya, learned Sr. Standing counsel appearing for the official respondents. Learned counsel for the



Applicant stated that Respondent No.10 did not appear in the said examination and still he was selected; which makes the selection dehort the rules and ^{the} selection process and violative of principles of natural justice. Mr G.Baishya, learned Sr. Standing counsel for the Respondents has stated that there was no interview for the selection and he submitted copy of the EDA Conduct and Service Rules along with his written statement, wherein Section VIII relates to promotion prospects under the heading of "Filling up vacancies of Postmen/Village Postmen/Mail Guards"; the relevant portion of the said rule is reproduced as under :-

"(i) The existing method of recruitment to 50% of vacancies in the cadre of Postmen/Village Postmen by promotion of Group 'D' officials, who qualify in the test will continue.

(ii) The remaining 50% of the vacancies, which are for outsiders' quota and are filled in from amongst the ED Agents, should be further divided into two halves. One half of the 50% of the vacancies will be filled in from amongst ED Agents who have put in three years (now five years) regular service and are within the age limit on the basis of merit in the examination. The remaining half of the 50% of the vacancies will be filled in, on the basis of length of service, from EDAs who have put in three years of regular service and are within the age limit and who qualify in the examination under this quota will be five times of the vacancies announced under this quota."

He however, did not have any explanation as to how Shri Haren Bhuyan was selected as he did not appear in the selection test as per Annexure-3 to the written statement.

5. Admittedly these 6 posts had to be filled up i.e. 2 were from outsider and other 4 were from SC/ST as per recruitment rules cited above. Accordingly maximum 3 candidates could have been appointed

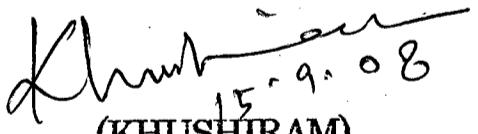


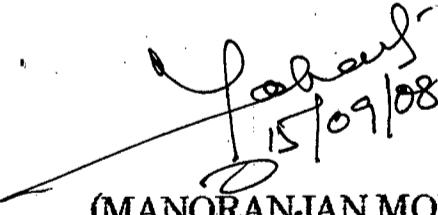
against the 6 vacancies. In the Vacancy circular for 2003-04 for the Examination that was held on 8.10.2005 (Annexure-4 to the written statement) the educational qualification for the post was as under :-

"ED officials who were in service on 25.9.87 would be eligible to appear in the examination without obtaining matriculation certificate. But other ED officials who entered in service after 25.9.87 should be matriculate."

6. Since selection of Respondent No.10 is neither according to the rules, nor he was allotted any Roll number, it makes the position clear that his selection is not according to procedure. Therefore, selection of Respondent No.10 (held on the basis of examination held on 09.10.2005) is not sustainable and is set aside and quashed. Accordingly the matter is remitted back to the Respondents to examine the case of the Applicant afresh on merits and pass appropriate reasoned speaking orders in accordance with rules within a period of 2 months from the date of receipt of a copy of this order.

7. With the above direction and observation, this O.A is disposed of.


 15.9.08
 (KHUSHIRAM)
 ADMINISTRATIVE MEMBER


 15/09/08
 (MANORANJAN MOHANTY)
 VICE CHAIRMAN

104

27 JAN 2009

Jud. Section

OA 47/06

Guwahati Bench

मुख्य प्रशासनिक न्यायालय मुख्य पोस्टमास्टर जनरल, असम परिमंडल, गुवाहाटी-781 001

Office of the Chief Postmaster General, Assam Circle, Guwahati-781 001

No. Staff/7-16/2005

Dated at Guwahati the January 22, 2009

SPEAKING ORDER

The applicant Shri Ajit Chandra Deka, S/o Late Chandra Kanta Deka, resident of village Bhellapara, PO- Routa, Dist.- Darrang (Assam) has been working as GDS Packer in Routa Sub-Post Office since 1985.

The examination for promotion to the cadre of Postman for the vacancies for the year 2003 and 2004 was held on 09.10.2005. GDS officials and the Group 'D' officials were eligible for appearing in the examination. Shri Deka applied for appearing in the examination and he was permitted to sit in the examination. Accordingly Shri Deka appeared in the examination but could not come out successful.

Being dissatisfied with the result of the Postman examination held on 09.10.2005, Shri Ajit Chandra Deka moved CAT, Guwahati and submitted his OA No.47/2006. He claimed that he did well in the written test held on 09.10.2005. But, he could not come out successful. He also claimed that he put 15 years valuable service to the Department and thereby he was eligible for promotion to the cadre of Postman. But, he was not given promotion though he has completed 15 years continuous service in the Department. He also stated that Shri Haren Bhuyan was selected as Postman on seniority basis though he was junior to the applicant.

On scrutiny of the official records, it is found that Shri Haren Bhuyan is not junior to Shri Ajit Chandra Deka as stated by him. But Shri Haren Bhuyan is senior to Shri Ajit Chandra Deka. Shri Haren Bhuyan was selected on seniority basis observing the prescribed Departmental rules and procedures. Hence, there is no violation of Departmental Rules in the selection of Shri Haren Bhuyan.

On the above, the question of considering Shri Ajit Chandra Deka for promotion to the cadre of Postman on seniority basis does not arise. As such, the case of Shri Ajit Chandra Deka cannot be considered for promotion to the cadre of Postman.

Pawan Kr. Singh
(Pawan Kr. Singh)
Director, Postal Services (HQ)
O/o the Chief Postmaster General
Assam Circle, Guwahati - 781 001

Copy to :-

1. Shri Ajit Chandra Deka, S/o Late Chandra Kanta Deka, GDS Packer, Routa SO, resident of vill- Bhellapara, PO- Routa , Dist.- Darrang (Assam) for information.
2. The Registrar, CAT, Guwahati for information.
3. Mr. S. K. Singha, Advocate, CAT, Guwahati for information.
4. The APMG(Vig), Circle Office, Guwahati for information.
5. The SPOs, Tezpur for information.

Domwp
For Chief Postmaster General
Assam Circle, Guwahati-781 001

File in Court on 15/01/08

Court Officer.

16

Minutes of the DPC meeting held on 04-01-06 in the chamber of the SPOs-Darang Division Tezpur to consider the cases of GDS officials for promotion to Postman cadre under seniority quota

The DPC meeting consisting the following members was held in the chamber of the SPOs-Tezpur on 04-01-06

1. Sri J. B. BISWAS, SPOs-Tezpur (chairman)
2. Sri B. R. Halder, SPOs-Nagaon (Member)
3. Sri Z. Islam, Asstt. Director, Employment-Tezpur (Member)
4. Sri A. H. Laskar, SDE (T), Tezpur (Member)

The following cases were placed before the DPC meeting:

1. Sri Sisu Ram Das, GDS Stamp vendor, Rangapara
2. Sri Pramod Pradhan, GDS MD/MC, Rampur Darrang BO
3. Sri Haren Bhuyan, GDS MD, Baliuri BO
4. Sri Basant Saikia, GDS Pkr, Bindukuri SO
5. Sri Ghanashyam Das, GDS MC, Mail Bazar BO
6. Sri Jagannath Deka, GDS MD, Kacharison BO

The DPC has examined and considered the following case for promotion to Postman cadre:

1. Sri Haren Bhuyan (OC), GDSMD-Baliuri BO, DOB - 31-10-55; DOE - 31-10-73 (Re-fixed w.e.f the date of attaining 18 years of age)

The following cases has not considered due to the reasons shown against each:

1. Sri Sisu Ram Das - Due to refixation of seniority w.e.f 02-03-75, the date the official attained 18 years of age
2. Sri Pramod Pradhan - Due to refixation of seniority w.e.f 01-11-75, the date the official attained 18 years of age
3. Sri Basanta Saikia, - Being junior to Sri Haren Bhuyan.
4. Sri Ghanashyam Das - ----- do -----
5. Sri Jagannath Deka - ----- do -----

Chd/CR 15/01/08
(A. H. Laskar),
Member,
SDE (T)
O/o the GMTD,
Tezpur

M. M. M.
(Z. Islam),
Member,
Asstt. Director,
Employment
Tezpur

*YH
CH/15/01/08*
(B. R. Halder),
Member,
SPOs, Nagaon

J. B. BISWAS 15/01/08
(J. B. Biswas),
Chairman,
SPOs-Tezpur

*Produced in
the Court on 15.09.08
Gaurav Bhuyan
SAC/CS
15.09.08*

*Handed over
(J. B. BISWAS)
Supdt. of Post Offices,
Darrang Division
Tezpur - 15-01*

SENIORITY LIST OF GRAMIN DAK SEVAKS OF DARRANG DIVISION, TEZPUR

Corrected upto 01-01-07

No.	Name of the officials	Educational Qualification	Community	Date of Birth	Date of Entry	Designation	Name of Office	Name of account office
1	Sri Rameswar Sarmah	VI	OC	01.03.48	14.02.58	GDS MD	Burha	Duni
2	Sri Ghana Kt. Nath	-	OBC	30.04.45	16.05.58	GDS MD	Johamari	Thelamara
3	Sri Nandeswar Deb Dutta	-	OC	16.12.41	01.06.60	GDS MD	Kamdewal	Howajan Retired 16/12/06
4	Sri Lakheswar Baishya	-	OC	18.10.42	01.02.61	GDS MD	Kabirali	Kalaigaon Retired on 17/10/07
5	Md. Samseruddin	X	OC	01.02.46	16.11.62	GDS BPM	Kunivaripukhuri	K.P. Ghat
6	Sri Kamal Baruah		OBC	19.11.41	12.12.62	GDS MD	Mazukuchi	Kaibari Retired 18/12/07
7	Sri Khagen Ch. Nath		OBC	07.08.45	09.01.63	GDS MD	Bapubheti	Bihaguri
8	Md. Rustom Ali		OC	20.08.44	13.02.63	GDS BPM	Shantipukhuri	Pathorighat
9	Sri Umesh Basumatary	VI	ST	31.12.46	03.03.63	GDS MC	Goroibari	Udalguri
10	Sri Nareswar Kalita		OC	06.02.42	23.07.63	GDS MC	Buraha	Duni Retired on 5/2/07
11	Sri Mohan Ch. Nath		OBC	31.04.44	02.12.63	GDS MD/MC	Aulachowka	Mangaldoi Exp 11/08
12	Sri Kameswar Gohain		OBC	08.04.42	29.06.65	GDS MD	Balijan	Barangabari Retd 7/7/08
13	Md. Fazlul Haque		OC	01.03.45	01.03.66	GDS MD	Khalihamari	Tezpur Expired on 11/12/07
14	Sri Rupendranath Talukdar		OC	26.06.46	11.05.66	GDS BPM	Andherighat	Duni
15	Sri Ghana H. Upadhyaya		OC	01.07.44	01.07.66	GDS MC	Gangamouthan	Borgang
16	Sri Tepuram Boro	IV	ST	01.01.51	01.02.67	GDS MC	Teliagaon	Thelamara
17	Sri Taiman Bagiari		ST	01.01.51	01.02.67	GDS MC	Silikhabari	Thelamara
18	Md. Idrish Ali	VI	OC	02.03.50	01.11.67	GDS MD/MC	Bherbheribil	Kalaigaon
19	Sri Abhinarayan Sarmah	VII	OC	31.10.50	02.01.68	GDS MGR	Jamugurihat	Tezpur
20	Sri Jagadish Patowary	X	OC	01.03.48	10.04.68	GDS BPM	Tiakurbari	Tezpur
21	Sri Khangi Ram Deka		OBC	03.04.42	01.06.68	GDS MD/MC	Palahgarh	Tangla Retired 24/12/07
22	Sri P.K. Singha Rai		OC	31.12.45	26.06.68	GDS PKR	Khalihamari	Tezpur
23	Sri Daneswar Baishya	IX	OC	31.11.47	01.08.68	GDS BPM	Dighirpar	Pathorighat Expired 14/08/06

File in Court on 15/9/08

Court Officer.

Attested by

डाक अधीक्षक
दरांग समण्डल, तेजपुर-784009
Supdt. of Post Offices
Darrang Division, Tezpur-784 001

63	Sri Bhumidhar Saikia	IX	OC	06.04.51	18.05.71	GDS PKR	Balipara	Tezpur
64	Sri Param Ch. Nath		OBC	27.04.45	01.06.71	GDS MD	Garukhuti	Sipajhar
55	Sri Sibonath Karmakar	IX	SC	15.01.52	01.08.71	GDS MD	Gingia	Tezpur
56	Sri Champa Ram Baruah		OBC	31.10.49	18.01.71	GDS PKR	Pathorighat	Mangaldoi
57	Sri Uma Kt. Barman		OC	02.02.55	26.08.71	GDS MD	Ambagan	Harisinga
58	Sri Tek Bahadur Chetry		OBC	15.04.46	27.08.71	GDS BPM	No.3Nalbari	Sootea
59	Sri Atul Sarmah		OC	01.09.46	01.09.71	GDS BPM	Panibharal	Charali
60	Sri Nabin Saikia		OBC	01.04.48	01.09.71	GDS MD	Panibharal	Charali
61	Sri Lalit Kalita		OC	07.08.52	08.10.71	GDS PKR	Tetenbari	Tezpur
62	Sri Biren Saikia		OBC	10.02.63	17.11.71	GDS MC	Lehugaon	Charali
63	Sri Jagat Saikia		OBC	19.09.52	25.11.71	GDS MD/MC	Niz-Sootea	Tezpur
64	Md. Habibur Rahman		OC	03.04.51	16.12.71	GDS MD	Chamuakhat	Kalaigaon
65	Sri Promod Pradhan		SC	21.07.57	22.12.71	GDS MD/MC	Rampur Darrang	Borgang
66	Sri Sudhangshu Biswakarma		SC	02.09.49	04.01.72	GDS BPM	Batasipur	Darrang Panbari
67	Sri Nirmal Baruah		OBC	30.06.54	04.01.72	GDS PKR	Sipajhar	Mangaldoi
68	Sri Gabriel Tanti		OBC	25.12.49	17.01.72	GDS MD	N.K. Patgaon	Balipara
69	Md. Abdul Khaleque		OC	31.10.50	04.06.72	GDS BPM	Balabari	Dhula
70	Sri Dasarath Saha		OC	11.10.53	10.06.72	GDS MD	Ekarabari	Lalpul Bazar
71	Md. Samser Ali		OC	01.07.53	21.02.72	GDS MD	Khanadajan	Sipajhar
72	Sri Bhupen Deka		OBC	01.02.47	01.07.72	GDS BPM	Ekrabari	Lalpul Bazar
73	Sri Hem CH. Borah		OBC	31.10.54	19.08.72	GDS MC	Behali	Tezpur
74	Sri Netra Bh. Chetry		OC	23.11.54	12.09.72	GDS MD	Borgaon	Thelamara
75	Sri Kusum Sanga		OBC	18.09.47	19.09.72	GDS BPM	Mansiri	Ghoramari
76	Sri Haren Bhuyan		OC	31.10.55	20.09.72	GDS MD	Balijuri	Naharbari
77	Sri Bhabananda Deka		OBC	07.02.50	01.11.72	GDS MD	Da-Parbarta	Besseria
78	Sri Sanjit Kr. Dey		OBC	20.07.53	02.12.72	GDS BPM	Daflagarh	Tetenbari
79	Sri Bipin Ch. Das		OBC	10.04.54	26.02.73	GDS MGR	Khoirabari	Mangaldoi
80	Sri Dolan Hazarika		OC	31.12.53	01.03.73	GDS MD	Haleswar	Salonibari
81	Sri Bidya Pd. Kumar		OC	12.02.53	18.03.73	GDS BPM	Hoograjuli	Mazbat

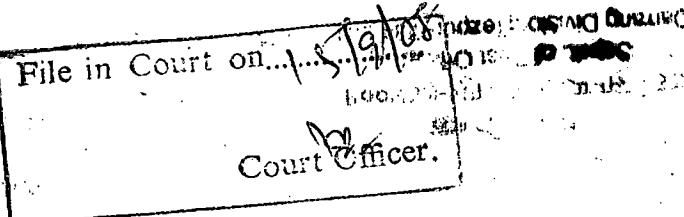
Supdt. of
Post Office

File in Court on... 15/10/88

Court Officer.

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टाक अधीक्षक
दरां समण्डल। तेजपुर-784009
Supdt. of Post Offices
Darrang Division; Tezpur- 784 001

431	Sri Sambar Boro		ST	01.12.65	01.11.84	GDS MD	Batakuchi	Harisinga
432	Sri Tapeswar Deka	HSLC	OBC	01.05.60	01.11.84	GDS BPM	Howlimohanpur	Mangaldoi
433	Sri Chena Kangori		SC	09.05.67	01.01.85	GDS MD	Mezenjuli	Darrang Panbari
434	Sri Saharai Aind		SC	01.01.60	01.01.85	GDS MD	Khalihamari	Tezpur
435	Sri Lachit Bania		SC	01.05.63	01.01.85	GDS MD	Janata	Bedeti
436	Sri Dibakar Borah		OBC	21.09.65	01.01.85	GDS MC	Simaluguri	Gohpur
437	Sri Arabinda Das		SC	01.06.54	07.01.85	GDS MGR	Lokra	Tezpur
438	Md. Mannas Ali		OC	30.01.60	21.01.85	GDS MD/MC	Fatasimalugaon	Sirajuli
439	Md. Iman Ali		OC	01.01.58	21.01.85	GDS MC	Rangagora Darrang	Dhekiajuli
440	Sri Basudev Baishya		OC		24.01.85	GDS MGR	Hatigarh	Mangaldoi
441	Sri Sishir Kumar Sararia		ST	09.03.53	01.02.85	GDS MD	Silikhabari	Thelamara
442	Sri Budha Ram Hansi			02.07.53	26.02.85	GDS MC	Gormara	Dhekiajuli
443	Md. Abdul Salam		OC	01.02.56	28.02.85	GDS STV	Kalaigaon	Mangaldoi
444	Md. Rafiqul Islam		OC	01.01.70	28.02.85	GDS MD/MC	Aminapara	Dalgaon
445	Sri Khemraj Subba		OC	18.10.71	28.02.85	GDS MC	Batakuchi	Harisinga
446	Sri Dulal Chandra Nath	HSLC	OBC	08.05.59	01.03.85	GDS BPM	Gahtua	Thelamara
447	Sri Kumud Borah		OBC	05.11.62	01.03.85	GDS PKR	Gingia	Tezpur
448	Sri Bijaya Hazarika	HSLC	OC	31.12.51	16.03.85	GDS BPM	Garukhuti	Sipajhar
449	Sri Pradeep Sil		SC	31.03.61	31.03.85	GDS PKR	Dhula	Mangaldoi
450	Sri Bipin Chandra Boro	HSLC	ST	01.08.50	01.04.85	GDS BPM	Khelmati Bazar	Balipara
451	Smt. Anu Goswami	HSLC	OC	01.04.60	01.04.85	GDS BPM	Nandikeswar	Jamugurihat
452	Smt. Purnima Orang	HSLC	ST	21.01.63	28.05.85	GDS BPM	Shakomato	Chariali
453	Sri Amrit Chandra Saharia		OBC	31.08.53	11.06.85	GDS MD/MC	Jaljali	Mangaldoi
454	Sri Surendra Sahu		OBC	23.05.63	01.07.85	GDS MD	Borgang	Tezpur
455	Sri Subhash Sil		SC	24.06.62	10.07.85	GDS MC	Rawanmukh	Howajan
456	Sri Mohan Chandra Sarma	HSLC	OC	02.10.51	20.08.85	GDS BPM	Haleswar	Salonibari
457	Sri Chandra Nohatia		OBC	20.08.50	01.09.85	GDS PKR	Howajan	Tezpur
458	Sri Ajit Deka		OBC		01.09.85	GDS PKR	Rowta	Mangaldoi
459	Sri Cheniram Borah		OC	30.09.62	02.09.85	GDS PKR	Ketekibari	Tezpur



Supdt. of Darrang Distt. डाक अधीक्षक
दरां समण्डल, तेजपुर-784009
Supdt. of Post Offices
Darrang Division; Tezpur- 784 001

Mark's Scored in Postman Examination Held on 9.10.05
For the Year 2005

SL.NO	ROLL NO	Community	Paper 1A	Paper 1B	Paper 1C	Total	Remarks
1	2	3	4	5	6	7	8
1	T2-01/05	OC	17	08	22k	47k	
2	T2-02/05	OBC	24	30	22	76	Selected
3	T2-03/05	SC	23	06	26	55	
4	T2-04/05	OBC	19	12	23	54	
5	T2-05/05	SC	06	38	28	72	
6	T2-06/05	SC	16	20	19	55	
7	T2-07/05	OBC	17	11	22k	50k	
8	T2-08/05	OC	20	06	19	45	
9	T2-09/05	OC	25	20	21	66	
10	T2-10/05	OC	ABSENT	ABSENT	ABSENT	ABSENT	
11	T2-11/05	OC	22	14	16	52	
12	T2-12/05	OBC	20	32	17	69	
13	T2-13/05	OBC	07	28	26	61	
14	T2-14/05	OBC	10	24	21	58	
15	T2-15/05	OBC	25	21	24	70	
16	T2-16/05	OC	ABSENT	ABSENT	ABSENT	ABSENT	
17	T2-17/05	OC	19	08	23	45	
18	T2-18/05	OBC	28	44	30	102	Selected
19	T2-19/05	OC	10	19	23	52	
20	T2-20/05	OBC	11	08	29	48	
21	T2-21/05	OC	21	08	21	50	
22	T2-22/05	OC	03	10	21	34	
23	T2-23/05	OBC	15	06	17	38	
24	T2-24/05	OBC	18	00	29	47	
25	T2-25/05	SC	25	48	28	101	Selected
26	T2-26/05	OBC	19	29	22k	76k	
27	T2-27/05	SC	14	14	23	51	
28	T2-28/05	OBC	11	08	21	40	
29	T2-29/05	SC	18	02	22k	42k	

File in Court on 15.10.05

Marks Secured in Postmen Examination Held on 9-10-05
for the year 2005

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SL NO	ROLL NO	Community	Paper 'A'	Paper 'B'	Paper 'C'	Total	Remarks
1	2	3	4	5	6	7	8
1	T2-01/05	OC	17	30	225	412	(Deaf ments)
2	T2-02/05	OBG	24	30	22	76	Selected
3	T2-03/05	SC	28	06	26	55	
4	T2-04/05	SC	19	12	23	54	
5	T2-05/05	SC	06	38	28	72	
6	T2-06/05	SC	16	20	19	55	
7	T2-07/05	OBG	17	11	225	505	
8	T2-08/05	OC	20	06	19	45	
9	T2-09/05	OC	25	20	21	66	
10	T2-10/05	OC	14	16	52		
11	T2-11/05	OBG	20	32	17	69	
12	T2-12/05	OBG	07	28	26	61	
13	T2-13/05	OBG	10	24	21	58	
14	T2-14/05	OBG	25	21	24	70	
15	T2-15/05	OC	19	08	23	45	
16	T2-16/05	OBG	28	44	30	102	Selected
17	T2-17/05	OC	10	19	23	52	
18	T2-18/05	OBG	11	08	29	48	
19	T2-19/05	OC	21	08	21	50	
20	T2-20/05	OC	03	10	21	34	
21	T2-21/05	OBG	15	06	17	38	
22	T2-22/05	OBG	18	00	29	47	
23	T2-23/05	SC	25	48	28	101	Selected
24	T2-24/05	OBG	19	29	225	705	
25	T2-25/05	SC	14	16	23	51	
26	T2-26/05	OBG	11	08	21	40	
27	T2-27/05	SC	18	02	225	425	

File in Court on....15/9/05

1	2	3	4	5	6	7	8
28	T2-30/05	OBC	19	12	33	64	
29	T2-31/05	OBC	13	38	29	80	
30	T2-32/05	OBC	20	36	21	77	
31	T2-33/05	ST	03	00	18	21	
32	T2-34/05	OBC	08	00	19	27	
33	T2-35/05	OBC	08	00	13	121	
34	T2-36/05	OC	08	06	06	20	
35	T2-37/05	OBC	07	06	16	29	
36	T2-38/05	OBC	18	06	21	45	
37	T2-39/05	OBC	ABSENT	ABSENT	PRESENT	ABSENT	
38	T2-40/05	OBC	ABSENT	ABSENT	PRESENT	ABSENT	
39	T2-41/05	ST	06	00	19	123	
40	T2-42/05	OC	19	10	18	47	
41	T2-43/05	ST	20	46	22	88	Selected
42	T2-44/05	ST	09	02	23	34	
43	T2-45/05	ST	07	14	28	49	
44	T2-46/05	ST	ABSENT	ABSENT	PRESENT	ABSENT	
45	T2-47/05	OC	ABSENT	ABSENT	PRESENT	ABSENT	
46	T2-48/05	OBC	03	00	29	132	
47	T2-49/05	ST	10	00	23	33	
48	T2-50/05	OC	10	06	31	47	
49	T2-51/05	OBC	00	04	30	34	
50	T2-52/05	OBC	ABSENT	ABSENT	PRESENT	ABSENT	
51	T2-53/05	OC	01	00	08	09	
52	T2-54/05	OC	06	00	14	20	
53	T2-55/05	OC	10	02	27	39	
54	T2-56/05	OC	ABSENT	ABSENT	PRESENT	ABSENT	
55	T2-57/05	OC	ABSENT	ABSENT	PRESENT	ABSENT	
56	T2-58/05	OBC	27	42	27	96	Selected
57	T2-59/05	OBC	19	00	22	41	
58	T2-60/05	OBC	19	08	21	48	
59	T2-61/05	ST	19	38	15	72	

File in Court on 15/9/05

1	2	3	4	5	6	7	8
60	T2-62/05	OBC	05	06	27	38	
61	T2-63/05	OC	09	40	17	66	
62	T2-64/05	OC	13	36	25	74	
63	T2-65/05	OBC	06	28	20	54	
64	T2-66/05	ST	12	20	17	49	
65	T2-67/05	ST	08	00	11	19	
66	T2-68/05	ST	07	00	21	28	
67	T2-69/05	ST	10	44	15	69	
68	T2-70/05	OBC	12	24	31	67	
69	T2-71/05	OBC	06	02	31	37	
70	T2-72/05	ST	08	22	16	46	
71	T2-73/05	OBC	PRESENT	PRESENT	PRESENT	PRESENT	
72	T2-74/05	OBC	PRESENT	PRESENT	PRESENT	PRESENT	
73	T2-75/05	OBC	18	06	20	44	
74	T2-76/05	OC	12	13	12	37	
75	T2-77/05	SC	11	12	20	43	
76	T2-78/05	OBC	15	08	35	58	
77	T2-79/05	OBC	15	24	22	61	
78	T2-80/05	ST	27	15	20	62	
79	T2-81/05	OBC	20	12	30	62	
80	T2-82/05	OBC	21	12	12	45	
81	T2-83/05	OBC	16	31	25	72	
82	T2-84/05	OBC	18	08	13	39	
83	T2-85/05	OBC	25	03	25	53	
84	T2-86/05	ST	11	20	18	44	
85	T2-87/05	OBC	11	04	18	33	
86	T2-88/05	OBC	16	04	28	48	
87	T2-89/05	OC	14	09	27	50	
88							

File in Court on 11/9/05

Court file

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Result of Postman Examination - 2005
(held on 9-10-05)

Vacancy Position

	OC	SC	ST	OBSC	Total
Departmental:	2	1	1	1	5
Out Side:	1	1	1	1	4
Merit:	1	1	1	1	4
Seniority:	1	1	1	1	4

In the departmental candidates only 2 NO. T-02/05. has come out successful and provisionally selected out of 3 (three) vacancies. Here 2 (two) unfilled departmental vacancies has been thrown open to outsiders. 1 NO. The Vacant position to outsider becomes as under.

	OC	SC	ST	OBSC	Total
Merit	1	1	1	1	4
Seniority	1	1	1	1	4
Total	2	2	2	2	8

The following outsider candidates have come out successful and provisionally selected as Postman departmental office:

1. T-10. Ref No. Name - (Comm. Marks Secured Total) ~~100~~

1. T-18/05 Mrs. Kavita Saitkar (OB) 28 44 30 = 100
(over)

2. T-25/05 Sri Tarun Kumar Das Ghoshal (SC) 25 48 28 = 100

3. T-58/05 Sri Sachin Ch. Tomhi (OB) 27 42 27 = 96

4. T-43/05 Sri Atanu Ch. Rava (ST) 20 46 22 = 88

25% of out side vacancies for selecting the basis of seniority cum fitness and as DPC, the remaining 60% office is provisionally selected.

File in Court on 15/9/05.

by
Court Officer.

SL. No. Name of GSS Comm. DOB DOE Qualification GL. NO
 1. Sri Warren Bhuyan OC 31-10-55 31-10-73 IX

Details of the result

Departmental (on merit)

Roll No.	Sl. No.	Community	Mark's Secured	Report	P	C	Total
T2-02/05	Sri Gobind Ch. Medhi	OC	214	30	21		76
	(MPS)						

Out Siders (on merit)

T2-18/05 Miss. Kanchi Saikia - OBC 28 196 30 = 102
 (SC/ST)

T2-25/05 Sri Tarun K. Das SC 25 18 28 = 101
 (SC/ST)

T2-58/05 " Sudin Ch. Tanti OBC 21 22 21 = 96

T2-48/05. " Akram Ch. Ravi ST 20 46 235 = 885

Out Siders (on Seniority cum fitness)

Name of GSS	Community	DOB	DOE	Qualification
Sri Warren Bhuyan	OC	31-10-55	31-10-73	IX

Supdt. of Post Offices
 Darrang Division
 Tezpur-784001

After Sd/-
 Supdt. of Post Offices
 Darrang Division
 Tezpur-784 001

File in Court on 15/10/2018
Court Officer.

CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

G. A. R. 6

[See Rule 22 (1)]

RECEIPT

No. 2682.....

Date: 16.5.2008

Received from Mr. S. K. Sinha, Adv. With

Letter No. OA 47/06 dated 20.....

the sum of Rupees Two hundred forty only

In cash/by IPO on account of Charges for 1st day
by bank draft re-jurisdiction to the Regd.

..... in payment of

Rs. 250/-

Signature

8/1
Cashier

OA/GP/RA/MF No. 62
1203/6

Order dated 25.3.2008

Call the matter for hearing

on 16.5.08.

(M. R. MOHANTY)
Vice-Chairman

30
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

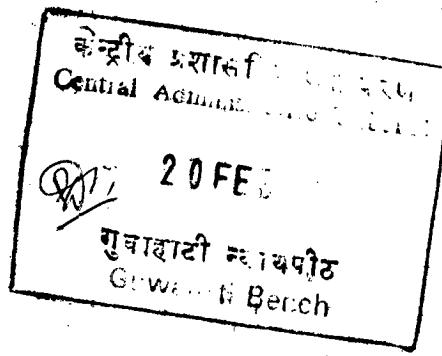
Original Application No. _____

47/06

1. a) Name of the Applicant :- A.C. Deka
b) Respondents :- Union of India & Ors.
c) No. of Applicant(S) :-
2. Is the application in 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. Is the application in time :- Yes / No.
10. Has the Vokatlatnama/Memo of appearance /Authorisation is filed :- Yes / No.
11. Is the application by IPO/BD/for Rs.50/- ~~Rs. 3192.66~~
12. Has the application is maintainable :- Yes / No.
13. Has the Impugned order original duly attested been filed :- Yes / No.
14. Has the legible copies of the annexurea duly attested filed :- Yes / No.
15. Has the Index of the documents been filed all available :- Yes / No.
16. Has the required number of enveloped bearing full address of the 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. *N. Sengupta* 20.2.06

SECTION OFFICER(J)

DR DEPUTY REGISTRAR



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GAUHATI BENCH AT GUWAHATI

ORIGINAL APPLICATION No. 47 /2005

Sri Ajit Chandra Deka Applicant

-Versus-

The Union of India & others. Respondents

INDEX OF PAPERS

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2.	Verification	13
3.	Annexure - A	14-15
4.	Annexure - B	16-17
5.	Annexure - C	18
6.	Annexure - D	19-20

Filed by :

S. K. Singh

Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GAUHATI BENCH AT GUWAHATI

ORIGINAL APPLICATION No. 47 /2005

Sri Ajit Chandra Deka Applicant

-Versus-

The Union of India & others. Respondents

LIST OF DATES AND SYNOPSIS

27-06-1985 The petitioner was provisionally appointed as E D Packer -cum-Mail Peon.

30-09-2005 The petitioner was called to appear in the Examination for promotion of E D A s (outsider) and Group D Officials (Deptl) to the cadre of Postman to be held on 09-10-2005.

09-10-2005 The petitioner appeared in the Examination at Tezpur centre.

23-01-2006 Impugned Select List No. SP/Con/Postman Examination / 2005 dated 23-01-2006 was published.

27-01-2006 The petitioner filed a representation before the Chief Post Master General, Meghdoot Bhawan, Pan Bazar, Guwahati for cancellation of the impugned select list dated 23-01-2006.

Contd.../-

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This Original application is made for seeking a direction from this Hon'ble Tribunal ^{authorities} for giving a direction to the Respondent for setting aside and quashing the impugned Selection List No. SP/Con/Postman Examination/ 2005 dated 23-01-2006 and also praying for a direction to the respondents to consider the case of the applicant for promotion to the post of E.D.A. under the Respondents..

Filed by

Sanjib Kumar Singh
(Advocate)

Filed by the petitioner
through
Sonindra K. Singh
Advocate

Sri Ajit Ch. Deka
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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GAUHATI BENCH AT GAUHATI.

(AN APPLICATION UNDER SECTION 19 OF THE
CENTRAL ADMINISTRATIVE TRIBUNAL ACT, 1985.)

ORIGINAL APPLICATION NO. 47 OF 2006.

BETWEEN

Sri Ajit Chandra Deka,

S/o Late Chandra Kanta Deka,

G.D.S. Packer,

Working in Routa Sub-Post Office,

Resident of Vill.-Bhellaapara,

P.O.-Routa,

District-Darrang, Assam.

-Applicant.

-AND-

- 1] Union of India,
represented by the Secretary
to the Government of India,
Postal Department, New Delhi-1.

Sri Ajit Ch. Deka

2] The Chief Post Master General,
Meghdoott Bhawan,
Pan Bazar, Guwahati-1.

3] The Post Master General,
Assam Circle,
P.O.-Dibrugarh,
Dist.-Dibrugarh, Assam.

4] The Superintendent of Post Offices
Darrang Division, Tezpur,
P.O.-Tezpur,
Dist.-Sonitpur, Assam.

5] Sri Gokul Chandra Medhi (APS)
P.O.-Tezpur,
Dist.-Sonitpur, Assam.

6] Mrs. Karabi Saikia Baruah
P.O.-Dubia,
Dist.-Sonitpur, Assam.

7] Sri Tarun Kumar Das Choudhury
P.O.-Balijuri,
Dist.-Sonitpur, Assam.

Sri Ajit Ch. Deka
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8] Sri Sachin Tanti,
P.O.-Dhekiajuli,
Dist.-Sonitpur, Assam.

9] Sri Akan Rabha,
P.O.-Bhekuli kanda,
Via-Kaligaon,
Dist.-Odalguami, (B.T.C.),

10] Sri Haren Bhuiyan,
Balijuri Branch Office,
P.O.-Balijuri,
Dist.-Sonitpur, Assam.

-Respondents.

DETAILS OF THE APPLICATION:

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

This application is made against the Letter No. SP/Con/Postman Examination/2005 Dated 23-01-2006 issued by the Superintendent of Post Offices, Darrang Division, Tezpur whereby the Superintendent has selected some fresh candidates without

Smt. Ajit Ch. Sefka

considering the case of experienced candidates.

2] JURISDICTION OF THE TRIBUNAL

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

3] LIMITATION

The applicant further declares that the application is within the limitation period prescribed under Section 21 of the Administrative Tribunal Act, 1985.

4] FACTS OF THE CASE:

Facts of the case in brief are given below:

4.1] That your humble applicant is a citizen of India and as such, he is entitled to all the rights and privileges guaranteed under the Constitution of India.

4.2] That your applicant begs to state that he was provisionally appointed as E D Packer-Cum-Mail Peon in Routa vide appointment Order No. A-1/Ajit Ch. Deka Dated 27-06-1985 issued by the Sub-Divisional Inspector of Post Offices, Dhekiajuli Sub-Division, Dhekiajuli. The petitioner's date of appointment was given effect from 01-07-1985.

Annexure-A is the copy of appointment Order No. A-1/Ajit Ch. Deka Dated 27-06-1985 issued by the Sub-Divisional Inspector of Post Offices, Dhekiajuli Sub-Division, Dhekiajuli.

4.3] That your applicant begs to state that the Superintendent of Post Offices, Darrang Division, Tezpur issued call letters for Promotion of EDAs (Outsider) and Group and Group D Officials (Dept'l.) to the cadre of Postman. The petitioner was also called for interview vide Letter No. BI-3/Postman Exam/05 date 30-09-2005. The date of interview was fixed on 09-10-05.

Annexure-B is the copy of call letter No. BI-3/Postman Exam/05 date 30-09-2005 issued by the Superintendent of Post Offices, Darrang Division, Tezpur.

4.4] That your applicant begs to state that he appeared the aforesaid interview alongwith other incumbents and had done his best. But at the time of selection the Respondents deviated from the recruitment rules and selected candidates having no work experience and/or having less experience. The Superintendent of Post Offices, Darrang Division, Tezpur prepared a select list depriving the genuine candidature of the applicant vide Selection List No. SP/Con/Postman Examination/2005 dated 23-01-2006.

Annexure-C is the copy of impugned Select List No. SP/Con/Postman Examination/2005 dated 23-01-2006 issued by the Superintendent of Post Offices, Darrang Division, Tezpur.

4.5] That your applicant begs to state that after coming to know about the Select List dtd

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Sri Ajit Ch. Deka

23-01-2006 the petitioner approached before the Chief Post Master General, Meghdoot Bhawan, Pan Bazar, Guwahati by filing a representation dated 27-01-2006 and requested him to set aside the impugned Select List dated 23-01-2006. He further requested him to consider his case for promotion to the post of E.D.A. as he is an experienced candidate.

Annexure-D is the copy of representation dated 27-01-2006 filed before the Chief Post Master General, Meghdoot Bhawan, Pan Bazar, Guwahati.

4.6] That your applicant begs to state that he is an experienced candidate having more than fifteen years experience. The respondents have not considered this aspect of the matter and without considering this fact arbitrarily prepared the Select List dated 27-01-2006.

4.7] That the applicant begs to state that if the Hon'ble Tribunal does not interfere immediately than irreparable loss will be caused to the applicant. As such, finding no

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En Ajit Ch. Deeka

other alternative your applicant compelled to approach this Hon'ble Tribunal for seeking justice.

4.8] That your applicant begs to state that the Respondents have violated the fundamental rights under the Constitution of India.

4.9] That your applicant begs to state that the action of the Respondents is illegal, mala fide, arbitrary and also violative of administrative fair-play.

4.10] That this application is filed bona fide and for the ends of justice.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISIONS:

5.1 For that, on the reasons and facts which are narrated above the action of the Respondents is prima facie illegal and without jurisdiction.

5.2 For that action of the Respondents in prima facie is mala fide, illegal, and

with a motive behind. As such, the action of the respondents is illegal, arbitrary and also violative of the natural justice!

5.3 For that it is not just and fair to deprive the applicant from promoting him in the existing vacant post under the Respondents.

5.4 For that the Central Government being a model employer cannot employer cannot be allowed to adopt a differential treatment to the applicant.

5.5 For that the action of the Respondents is not maintainable in the eye of law.

The applicant craves Leave of this Hon'ble Tribunal to advance further grounds at the time of hearing of the instant application.

6. DETAILS OF REMEDIES EXHAUSTED:

That there is no other alternative and efficacious remedy available to the applicants except invoking the jurisdiction of this Hon'ble Tribunal.

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

That the applicant further declares that he has not filed any application, writ petition or suit in respect of the subject matter of the instant application before any other Court, authority, or any other bench of this Hon'ble Tribunal 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 your Lordship

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Ajit Ch. Deeka
on

may be pleased to admit this petition, call for the records and after hearing both the parties the Hon'ble Tribunal may be pleased to direct the Respondents to give the following reliefs:

- a] that the Respondents may be directed by the Hon'ble Tribunal to set aside and quash the impugned Selection List No. SP/Con/Postman Examination/2005 dtd 23-01-2006 and also be pleased to direct the respondents to consider the case of the applicant for promotion in the post of E.D.A. under the Respondents.
- b] Cost of the application.

9. - INTERIM ORDER PRAYED FOR:

That this Hon'ble Tribunal may be pleased direct the Respondents not to appoint any other outsider depriving

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Sri Ajit Ch. Deba

the applicant who had served under the Respondent for long fifteen years.

10. Application Is Filed Through Advocate.

11] Particulars of I.P.O.:

I.P.O. NO. 26G 319266, 35F 289342 & 37C 44888

Date Of Issue 17/2/2006

Issued from G.P.O, Meghdoit Bhawan, Guwahati.

Payable at Guwahati

12. LIST OF ENCLOSURES:

As stated above.

- Verification.

VERIFICATION

I, Sri Ajit Chandra Deka, ~~S/o~~ Late Chandra Kanta Deka, G.D.S. Packer, Working in Roura Sub-Post Office, Resident of Vill.- Bhellapara, P.O.-Roura in the District of Darrang, Assam do hereby solemnly verify that the statements made in paragraphs are true to my knowledge, those made in paragraphs 4.2, 4.3, 4.4 and 4.5

— are being matters of records are true to information derived therefrom which I believe to be true and those made in paragraph 5 are true to my legal advice and rest are my humble submissions before this Hon'ble Tribunal I have not suppressed any material facts.

And I sign this verification today on this 20th day of Feb' 2006 at Guwahati.

Sri Ajit Ch. Deka.

Deponent

Annexure-A

Department of Posts

Sub-Divisional Inspector of Post Offices

Dhekiajuli Sub-Divisions

Dhekiajuli-784110.

No. A-1/Ajit Ch. Deka

Dated 27-06-85.

Sri Ajit Chandra Deka, S/o Late Chandra Kanta Deka of village Bhallapara, P.O.-Rowta is hereby provisionally appointed as E D packer cum mail peon of Rowta so with effect from 01-07-85. He shall be paid such allowances as are admissible from time to time.

Sri Deka should clearly understand that his employment as E D Packer cum mail peon at Rowta so is purely-temporary and liable to be terminated at any time without assigning any reason.

He shall also be governed by the posts and telegraphs. E D A (conduct & service) rules 1964 as amended from time to time.

Regular appointment letter will be issued only after receipt of P.V.R.

*Certified to be true copy
S. K. Singh
Advocate*

Sd/- J C Paul

Sub-Divisional Inspector of
Posts Offices,
Dhekiajuli Sub-Division
Dhekiajuli-784130.

Copy to:

- 1]. Sri Ajit Ch. Deka, Vill Bhellapara,
P.O.-Rowta.
- 2] Postmaster Mangaldoi HO for information
and valley action.
- 3] Sub-Postmaster Rowta so he will allow Sri
Deka to join as E D Packer cum mailpeon
relieving Sri Jibanath Upadhyaya, nominee
of Sri Sachin Ch. Das who has resigned
from the post.

Sd/- J C Paul

27/6/05

Sub-Divisional Inspector of
Posts Offices,
Dhekiajuli Sub-Division
Dhekiajuli-784130.

Annexure-B

DEPARTMENT OF POST
 OFFICE OF THE SUPDT. OF POST OFFICES:
 DARRANG DIVISION.
 TEZPUR: 784001.

No. BI-3/Postman Exam/05

Dated at Tezpur the 30-09-05.

HALL PERMIT

To

Sri Ajit Ch. Deka

GDS Packer, Rowta So.

Sub: Examination for promotion of EDAs (outsider) and Group D Officials (Dept'l) to the cadre of Postman to be held on 09-10-05 (Sunday) at Tezpur centre.

You are hereby permitted to appear in the above mentioned examination to be held on 09-10-05 (Sunday) at Tezpur centre.

1. Your Roll No. is : Tz-65/06
2. Venue of the Examination: Tezpur College
 Tezpur.

*Certified to be true copy
 Akhilgopal
 Advocate*

3. the Examination will commence from 1000 hrs. on 09-10-05. you should bring your pen and pencil and this Hall Permit should produced in the Examination Hall at the time of commencement.

4. Please put your signature below and get the signature attested by the Head of the Office/Unit.

Signature of

the candidate: Sri Ajit Ch. Deka

Attested by Head of the Office Unit

Sd/- illegible

5/10/05

(J. B. Biswas)

Supdt. Of post Offices

Darrang Division, Tezpur.

Annexure-C

DEPARTMENT OF POST
 OFFICE OF THE SUPDT. OF POST OFFICES DARRANG
 DIVISION: TEZPUR: 784001

Sub: Postman Examination Promotion,
 No. SP/Con/Postman Examination/2005
 Date-S P Tezpur 23/1/06.

(A) Gukul Ch. Medhi (APS) Tz. 02/05

(Tezpur)

(B i) Mr. Karabi Saikia Baruah - Tz- 18/05

ii] Tarun Kr Das Choudhury - Tz- 25/05

P.O.-Balijuri,

Dist.-Sonitpur, Assam.

iii] Sri Sachin Tanti, - Tz- 58/05

P.O.-Dhekiajuli,

Dist.-Sonitpur, Assam.

iv] Sri Akan Rabha, - Tz- 43/05

P.O.-Bhekulikanda,

Via-Kaligaon,

Dist.-Odalguli, (B.T.C.),

C] Sri Haren Bhuiyan, (O.C.)

Balijuri Branch Office,

P.O.-Balijuri,

Dist.-Sonitpur, Assam.

Sd/-Jagabandhu Biswas

Superintendent of Post Offices

Darrang Disision, Tezpur.

784001.

Certified to be true copy
 S. K. Singh
 Advocate

Annexure-D

To

The Chief Post Master General,
Meghdoott Bhawan, Pan Bazar, Guwahati.

Date: 27-01-2006.

Sub: Cancellation of Select List No. No.
SP/Con/Postman Examination/2005 dated
23-01-2006 issued by the Superinten-
dent of Post Offices Darrang Disision,
Tezpur.

Sir,

With due respect I beg to state that I
was provisionally appointed as E D Packer-Cum-
Mail Peon in Routa vide appointment Order No.
A-1/Ajit Ch. Deka Dated 27-06-1985 issued by
the Sub-Divisional Inspector of Post Offices,
Dhekiajuli Sub-Division, Dhekiajuli. The effect
of my appointment was given from 01-07-1985.

That Sir, the Superintendent of Post
Offices, Darrang Division, Tezpur issued call
letters for Promotion of EDAs (Outsider) and
Group and Group D Officials (Dept'l.) to the
cadre of Postman. I was also called for inter-
view vide Letter No. BI-3/Postman Exam/05 date
30-09-2005. The date of interview was fixed on
09-10-05.

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Certified to be true copy
S K Singh
Advocate

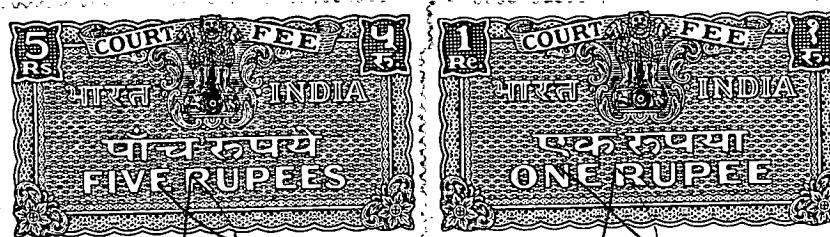
DG

That Sir, I appeared the aforesaid interview alongwith other incumbents and done my best. But at the time of selection the authorities deviated from the recruitment rules and selected candidates having no work experience and/or having less experience. The Superintendent of Post Offices, Darrang Division, Tezpur prepared a select list depriving my genuine candidature vide Selection List No. SP/Con/Postman Examination/2005 dated 23-01-2006.

I, therefore, requested you to set aside the Select List dated 23-01-2006 and further be kind enough to consider my case for promotion to the post of ^{Postman} ~~ELTA~~ as I am an experienced candidate.

Yours faithfully,
Sri Ajit Chandra Deka,
D/o Late Chandra Kanta Deka,
G.D.S. Packer,
Working in Routa Sub-Post Office,
Resident of Vill.-Bhellaapara,
P.O.-Routa, Dist.-Darrang, Assam.

Sl. No:
DIST:



VAKALATNAMA

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI

O. A. NO. 47 OF 2006

Sri Ajit Chandra Deka

Appellant
Petitioner

VERSUS

The Union of India & Ors.

Respondent
Opposite-party

Know all men by these present that the above named.....^{applicant}
do hereby nominate, constitute and appoint Sri/Smti.....^{P. Sarmah, S. C. Roy}

.....^{O. P. Sarker, B. Kumar} Advocate and such of the undermentioned Advocates as shall accept this Vakalatnama to be my / our true and lawful Advocates to appear and act for me / us in the matter noted above and in connection therewith and for that purpose to do all acts whatsoever in that connection including depositing or drawing money filing in or taking out papers, deeds of composition etc. for me / us and on my / our behalf and I / We agree to ratify and confirm all acts to be done by the said Advocate as mine / ours to all in intents and purposes. In case of non-payment of the stipulated fee in full, no Advocate will be bound to appear and act on my / our behalf.

In witness whereof I / We hereunto set my / our hand on this 20th day of Feb/2006

H. N. Sarmah
B. K. Sarmah
B. P. Kataki
R. P. Sarmah
S. C. Dutta Roy
Prem Sarmah
B. Sinha
D. Sarmah
Miss R. Newar

Received from the executant,
satisfied and accepted.
Advocate

Mr.....will lead
me/us in the ease.
Advocate

And Accepted
Bhupenwar Kumar
Advocate

And Accepted
Sanjib Kumar Singha
Advocate

And Accepted
Om Prasad Deka
Advocate

NOTICE

From

S.K. Singha. Advocate.

Dated: 20/02/2006

To,

The Sr. C.G.S.C., C.A.T.

Sub: Original Application No. 47/2006

Sri Ajit Ch. Deka

-vs-

Union of India & ors.

Sir.

Please find herewith ~~a~~ ^{an} extra copy of the above mention case which is going to be filed today for your necessary information.

Kindly accept and acknowledge the receipt of the same.

Received by

S.K. Singha
S.G.S.C.
20.02.06

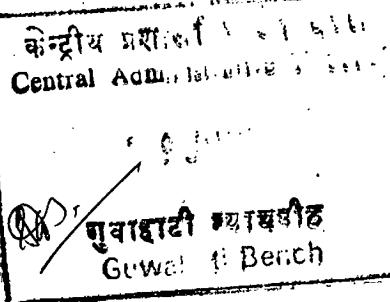
Yours faithfully

S.K. Singha.

Advocate.

I have personally served copy of the abovementioned case.

S.K. Singha.
Advocate.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH AT GUWAHATI

O.A. NO. 47 OF 2006

Sri Ajit Chandra Deka

Applicant

-vs-

Union of India & Ors... Respondents

The written statement on behalf of
the Respondents above named:-

WRITTEN STATEMENT OF THE RESPONDENTS

MOST RESPECTFULLY SHEWETH:

1. That with regard to the statements made in paragraph 1 of the application the respondents beg to state that the statement "whereby the Superintendent has selected some fresh candidates without considering the case of experienced candidates" is untrue and baseless, hence the same are denied. The selection was made on the basis of merit in the examination and not in the basis of experience.
2. That with regards to the statements made in paragraph 2 and 3 of the instant application the answering respondents beg to offer no comment.

Contd.... P/-

Filed by the respondents
through
Ganbari Singh
S/o G.G.S.C
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9. 6. 06

3. That with regards to the statements made in paragraph 4.1 of the instant application the answering respondents have no comment.

4. That with regards to the statements made in paragraph 4.2 of the instant application the respondents beg to state that those are matter of records and the respondents do not admit anything which are not borne out of records.

5. That as regard to the statements made in the paragraph 4.3 of the application, the respondents beg to state that the same are untrue, false and hence denied.

(The applicant was permitted to appear in the postman examination (written test) to be held on 9.10.2005 (Sunday) at Tezpur Centre under Roll No. TZ-65/05 } vide letter No. B1-3/Postman Exam/05 dated 30.9.2005.) The applicant was not called for any interview under Roll No. TZ-65/05 on 9.10.2005 as he claimed. No interview in the manner of viva voce was conducted as sought to be meant by the applicant. There is no provision in the relevant recruitment rules for holding interview (viva voce).

The copy of the call letter dated 30.9.05 and copy of EDA conduct and Service Rules are annexed herewith and marked as Annexure-i and

2.

6. That with regards to the statements made in paragraph 4.4 of the application the respondents beg to state that the applicant appeared in the examination and not for any interview on 9.10.2005. But he could not come out successful in the said examination. The selection was made on the basis of merit in the examination and not on the basis of experience from unsuccessful candidates. The selection list was prepared vide No. SP/Con/Postman Exam/2005 dated 23.1.2006 from the successful candidates on merit. Merit is the sole criteria for promotion and appointment of GDS to the cadre of Postman. No weightage is given for experience or longer service in GDS capacity. The alleged selection copy (Annexure-C of the OA) submitted by the applicant was not issued by the Superintendent of Post Officers, Tezpur. The applicant by submitting the documents (Annexure-C of the OA) has misinformed the Hon'ble Tribunal and suppressed the true fact, The selection was made as per Departmental Rules. Thus the allegation made by the applicant against the selection is incorrect, baseless and hence the same are denied.

The copies of the select list dated 23.1.2006 and letter dated 12.9.05 are annexed herewith and marked as Annexure-3 and 4.

7. That with regard to the statements made in paragraph 4.5 of the application the respondents beg to state that the applicant's case was not considered as he could not come out successful in the examination for

promotion of Group D(Dept) and GDS(Outsider) to the cadre of Postman which was held on 9.10.05. There is no provision to select unsuccessful candidates and experienced candidates when the list is prepared on the basis of merit in the examination.

8. That with regards to the statements made in paragraph 4.6 of the application the respondents beg to state that those are baseless and untrue statement and hence the same are denied. The selection was made from the successful candidates in the examination and not on the basis of the experience.

9. That with regards to the statements made in para 4.7 of the application the respondents beg to state that in view of the facts mentioned above it is not at all a fit case for the Hon'ble Tribunal to interfere with and to protect the rights and interest of the applicant and the application is liable to be dismissed.

10. That with regards to the statements made in paragraphs 4.8 and 4.9 of the application the respondents beg to state that the same are untrue, false and concocted and hence the same are denied. It is denied that there is any malafide, illegal and arbitrary action on the part of the Respondents for selecting the successful candidates as alleged by the applicant. The selection was made as per Departmental Rules; so the violation of fundamental rights of the applicant does not arise.

11. That with regards to the statements made in paragraph 4.10 of the application the respondents beg to offer no comment.

12. That with regards to the statements made in paragraph 5.1 and 5.2 of the instant application the respondents beg to state that those are incorrect, untrue, false and hence the same are denied. The respondents further beg to state that in view of the reasons and facts narrated above there is no *prima facie*, illegal malafide and ill motive on the part of the respondents and hence the application is liable to be dismissed.

13. That with regards to the statements made in paragraph 5.3, 5.4 and 5.5 of the instant application the respondents beg to state that those are untrue, false and baseless statement and hence the same are denied. The Respondents further beg to state that all the grounds set forth in the instant application are not at all good grounds for filling this application and hence the application is liable to be dismissed.

14. That with regards to the statements made in paragraph 6 of the application the answering respondents have no comment.

15. That with regards to the statements made in paragraph 7 of the instant application the respondents beg to state that the same are within the personal knowledge of the applicant, hence respondents cannot admit or deny the same.

16. That with regards to the statements made in paragraph 8 and 9 of the instant application the Respondents beg to state that in view of the facts and circumstances mentioned above the applicant is not entitled to any relief or interim as prayed for and the application is liable to be dismissed.

→

VERIFICATION

I , Sri J.B.Biswas presently working as Superintendent of Post Offices, Darrang Division , Tezpur being duly authorized and competent to sign the verification do hereby solemnly affirm and state that the statements made in paragraphs 1+4,7+6¹⁶ of the application are true to my best knowledge and belief , those made in paragraphs 5 & 6 being matter of record are true to my information derived there from and those made in the rest are humble submision before the Hon'ble Tribunal . I have not suppressed any material facts.

And I sign verification on this the 30 the day of May 2006

Deponent

एक व्यक्ति
दरां प्रमण्डन, ते.नपूर-784001
Supdt. of Post Offices
Darrang Division, Tezpur-784001

OFFICE OF THE SUPDT. OF POST OFFICES::DARRANG DIVISION::
TEZPUR :: 784001

No. BI-3/Postman Exam/05

Dated at Tezpur the 30-9-05

H A L L P E R M I T

To

Sri/Smt. Ajit Ch. Deka
GDS Teacher, Route 50

Sub:-

Examination for promotion of EDAs(Outsider) and Group D officials(Dept'l) to the cadre of Postman to be held on 09-10-05 (Sunday) at Tezpur centre.

You are hereby permitted to appear in the above mentioned examination to be held on 09-10-05 (Sunday) at Tezpur centre.

1. Your Roll No. is -- : T2-65/05
2. Venue of the Examination : Tezpur College, Tezpur.
3. The examination will commence from 1000 hrs on 09-10-05. You should bring your pen and pencil and this Hall Permit should be produced in the Examination Hall at the time of commencement.
4. Please put your signature below and get the signature attested by the Head of the office/Unit.

Signature of the candidate : Sri Ajit Ch. Deka

Attested by --

Head of the office/Unit
5/10/05

Sub-Postmaster
Rowta-784008
Darrang, Assam

(J.B.Biswas)
Supdt. of post offices
Darrang Division, Tezpur.

(PTO)

*attested
before typist
should be attested
in this space*

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TIME: TABLE

1. Paper A.

Part-I (for Postman):-

Time.
From 1000 hrs to
1045 hrs.

Making entries either in
Postman's book (MS.27) or
Village Postman's Register
(MS.58) according to the ~~xxx~~
choice of the candidate.

Paper-II (for Mailguard):-

Preparing of Mail List, filling -do-
up of mail abstract and writing.
Up of daily reports.

2. Paper- B : Arithmetic

-- From 1130 hrs to
1300 hrs.

3. Paper-C : Writing of dictation in -- From 1400 hrs to
English language and also
in local language. 1430 hrs.

SECTION III

EDA Conduct and Service Rules*

The following rules are issued under the authority of the Government of India:

1. Short Title

These rules may be called the Posts and Telegraphs Extra-Departmental Agents (Conduct and Service) Rules, 1964.

2. Definitions

In these rules, unless the context otherwise requires—

- (a) "Employee" means a person employed as an Extra-Departmental Agent;
- (b) "Extra-Departmental Agent" means—
 - (i) an Extra-Departmental Sub-Postmaster;
 - (ii) an Extra-Departmental Branch Postmaster;
 - (iii) an Extra-Departmental Delivery Agent;
 - (iv) an Extra-Departmental Mail Peon;
 - (v) an Extra-Departmental Letter Box Peon;
 - (vi) an Extra-Departmental Mail Carrier or Runner;
 - (vii) an Extra-Departmental Packer;
 - (viii) an Extra-Departmental Messenger;
 - (ix) an Extra-Departmental Chowkidar;
 - (x) an Extra-Departmental Stamp Vendor;
 - (xi) an Extra-Departmental Sorter in the Railway Mail Service;
 - (xii) an Extra-Departmental Sub-Record Clerk in the Railway Mail Service;
 - (xiii) an Extra-Departmental Porter.
- (c) "Government" means the "Central Government";
- (d) "Members of the family" in relation to an employee includes—
 - (i) the wife, child or stepchild of such employee, whether residing with him or not, and in relation to an employee who is a woman, the husband residing with her and dependent on her; and

* (Department of Communications—P & T Board) Notification No. 6/63/60-Disc., dated the 10th September, 1964.)

SECTION VIII

Promotion Prospects

(1) Filling up vacancies of Postmen/Village Postmen/Mail Guards.—With a view to rationalizing the existing system of recruitment to the cadre of Postmen/Village Postmen, the matter has been discussed with the Staff Side in the JCM (DC) and it has been decided that the existing method of filling up vacancies of Postmen/Village Postmen should be modified to the extent indicated below—

- (i) The existing method of recruitment to 50% of vacancies in the cadre of Postmen/Village Postmen by promotion of Group 'D' officials, who qualify in the test will continue.
- (ii) The remaining 50% of the vacancies, which are for outsiders' quota and are filled in from amongst the ED Agents, should be further divided into two halves. One half of the 50% of the vacancies will be filled in from amongst ED Agents who have put in three years (now five years) regular service and are within the age-limit on the basis of merit in the examination. The remaining half of the 50% of the vacancies will be filled in, on the basis of length of service, from EDAs who have put in three years of regular service and are within the age-limit and who qualify in the examination. The number of ED Agents to be permitted to take the examination under this quota will be five times of the vacancies announced under this quota.

It is hereby clarified that there is no restriction on number of ED Agents to be permitted to take the examination under 25% merit quota for outsider vacancies. In other words, all eligible ED Agents may be allowed under this quota for appearing in the examination. As far as seniority quota, on the basis of length of service, is concerned, the position will remain unchanged.

[D.G., Posts, Letter No. 44-2/21-SPB- I, dated the 3rd April, 1991.]

- (iii) If sufficient number of EDAs are not recruited from a Division, the vacancies shall be thrown open to all the EDAs of the Postal Divisions falling in the Zone of Regional Director instead of neighbouring divisions as provided in the instructions at present.
- (iv) In Group 'A' Post Offices, if sufficient EDAs cannot be recruited from that office, the vacancies shall be thrown open to all the EDAs of the Postal Divisions located at the same station. If there are still some vacancies left, such vacancies will be thrown open to the ED Agents in the region.

The examination for filling up vacancies of Postmen/Village Postmen/Mail Guards from amongst Group 'D' officials and EDAs will be conducted with the syllabus as communicated in Directorate Letter No. 10-6/

3
6

25 - Post in Exam (5 yrs + age limit)

25 - Length of Service (3 yrs + age limit + qualifying in Exam)

86/PCC/SPB-I, dated 28-4-1988 (Annexure) and the examination will be common for both Group 'D' and EDAs. It will be conducted only once a year. The Regional Director will be responsible for ensuring final action to hold the examination. He may set the question papers either himself or he may ask any other Director of Postal Services in the circle or nominate any other Group 'A' officer in Senior Time-Scale for setting question papers. The Regional Director may nominate officers, who are working in another Region of the same Circle, in consultation with the other Regional Directors for valuation of answer papers. If there is only one Region in the Circle, the valuation should be done by officers other than the concerned Divisional Head.

In the Application Form for appearing in the examination, the following column shall be prescribed in order to obtain option of the EDAs to work anywhere in the Region. "Whether the EDA is willing to work anywhere in the Region, if he qualifies in the examination. If so, he should mention three places of his choice."

The examination will be conducted under the supervision of the Divisional Head, who will also take all necessary action, like calling for applications, etc., for smooth conduct of the examination. After valuation, the answer papers will be sent to the concerned Divisional Heads or to the Senior Postmaster of Group 'A' Post Offices for tabulation of marks in respective units. Selection of candidates from the successful candidates will be made only for the number of vacancies announced, with respective break-down (i) on the basis of length of service of EDAs and (ii) merit, in respect of vacancies announced for these two batches of the outsiders quota. After absorbing the required number of candidates, as per announced vacancies in respective divisions, the Divisional Superintendent will send the statement of marks of the remaining qualified EDAs who could not be accommodated in the Division, to the Regional Director of Postal Services, indicating therein the choice of Divisions preferred by the respective EDA in his application. Thereupon, the Regional Office will allot the candidates on the basis of merit in the examination in the whole Region. The allotments will be to the Divisions/Group 'A' Post Offices which will have shortfall.

Before commencement of the examination, the Divisional Superintendent should announce the vacancies in the respective quota along with break-down for the respective communities.

The list of EDAs (candidates) to be selected on the basis of length of service for one half of the outsiders quota should also be circulated in advance.

The unfilled vacancies of the quota for selection on the basis of length of service will be added to the merit quota.

As per existing orders, the unfilled vacancies of Departmental quota will be added to the quota for EDAs. In future, the unfilled vacancies of Departmental quota will be added to the one half of the quota meant for ED candidates on merit only.

From among the 50% of the vacancies reserved for outsiders, one half will be filled in from amongst EDAs on merit and another half will be filled in from amongst ED Agents on the basis of length of service. Therefore, one roster of 100-points will be maintained. The reserved points should also be divided equally between the quota of length of service and that on merit. The add figure should be added to the quota for those based on length of service. If that vacancy is not filled in on the basis of length of service, the vacancy will go to the quota meant for those selected on merit.

The candidates who will be selected on the basis of length of service will be *en bloc* senior to the candidates who are selected on merit.

If in a Circle there is no separate Region, the Circle should be treated as a Region for the purpose of above instructions.

The above instructions and the revised procedure will not be applicable in the case of recruitment to the cadre of Group 'D' but only for recruitment to Postmen/Village Postmen/Mail Guards. The other conditions prescribed for filling up vacancies and conducting of examination not mentioned in the amendments as above will remain unaffected.

There instructions will be applicable to all the examinations for filling up vacancies in the cadre of Postmen/Village Postmen/Mail Guards to be announced after the date of issue of this letter.

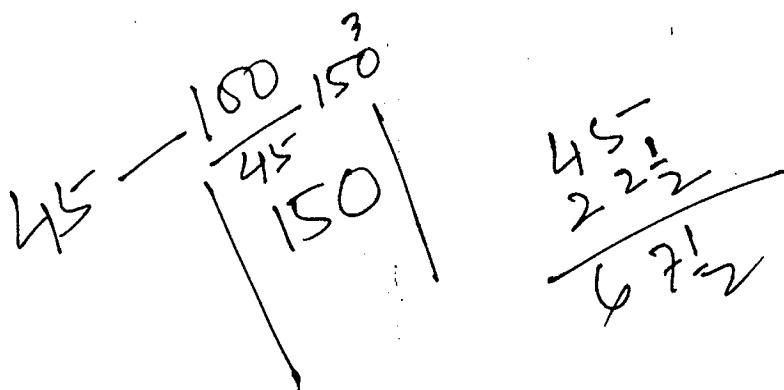
[D.G., Posts, Letter No. 44-44/82-SPB-I, dated the 7th April, 1989.]

ANNEXURE

It has now been decided that the existing syllabus for the Departmental candidates/EDAs for induction to the cadre of Postmen/Mail Guards/Village Postmen shall be substituted by the following:—

	Paper	Total Marks	Qualifying Marks	Duration
A (i)	Making entries either in Postmen's Book (MS 27) or Village Postmen's Register (MS 58) according to the choice of a candidate (for Postmen).	50	45%	45 minutes
(ii)	Preparation of mail lists, filling up of mail abstracts and writing up daily reports (for Mail Guard). The entries should be made either in English or in the recognized language of the State.	50	45%	45 minutes
B.	Arithmetic of 10th Standard of Board of Schools Education.	50	45%	90 minutes
C.	Writing from dictation in English language of Matriculation Standard and also in the regional language.	50	45%	30 minutes

(2) Removal of test for absorption of EDAs in Group 'D' cadre and raising of upper age-limit to appear in the Postmen examination.—A proposal on the above subject has been under consideration for quite some time



ANNEXURE C

Received Bill

Received the sum of Rs. (Rupees) * being the total of entitlement of Rs. from the Insurance Fund and/or of Rs. from the Savings Fund accrued to Name * , Designation under the Group Insurance Scheme for ED Employees, 1992.

Dated:

Signature(s) of Recipient(s)
Signature of DDO or (Name in Block Letters)

FOR USE IN DEPARTMENT/OFFICE

(a) Relevant bio-data of the member:

- (1) Date of Appointment
- (2) Year of acquiring membership of the Scheme
- (b) Countersigned for payment of Rs. (Rupees) to claimant(s). Crossed/cheque/demand draft to be issued in favour of claimant(s).

Signature
Designation of DDO

Dated:

FOR USE IN POSTAL ACCOUNTS OFFICE

Passed for payment of Rs. (Rupees) Payment
through Cheque(s) No. Date.

Accounts Officer

ANNEXURE D

Annual Statement for 19.... showing the No. of persons subscribing to the Group Insurance Scheme and the No. for whom payments were made.

Name and Address of the PAO:

Year of the Report:

[D.G., Posts, Letter No. 143/91-PA (Tech. II) 61-155, dated the 11th May, 1992.]

*Delete whichever is inapplicable.

b	n	d	Amount to Insure	Amount to be paid	Amount

and the matter was also discussed in the Departmental Council recently. The following orders are issued:—

1. Group 'D' Examination

1.1 The literacy test prescribed for EDAs for selection to Group 'D' posts is hereby abolished. Selection from EDAs to Group 'D' will be on the basis of seniority subject to satisfactory service. The seniority lists will be a combined one for all EDAs posts. The Selection Committee shall consist of the Head of the Division and a Gazetted Officer of the Department of Posts or any other Central Government Department at the station. Group 'D' vacancies occurring in a calendar year should be calculated in January each year and the select list will be drawn up strictly in order of seniority (subject to satisfactory service) and the EDAs put on the select panel should be allotted immediately to the Sub-Division/Recruiting Unit agreeably with the number of Group 'D' vacancies calculated for that Sub-Division/Recruiting Unit. If a vigilance or disciplinary case occurs against an EDA before he/she is actually appointed, his/her appointment will not be made and matter will be reviewed after conclusion of vigilance case/disciplinary proceedings. This recruitment procedure will be effective for vacancies occurring on or after 1-1-1991.

1.2 EDAs who are above the age of 50 years (55 years in the case of SC/ST communities) will not be eligible for appointment as Group 'D'. The crucial date of determining age will be 1st July of the year in which the recruitment is made.

2. Postman's Examination

2.1 In order to be eligible to take the examination for recruitment to Postman's cadre, an EDA should have completed a minimum of 5 years of satisfactory service as on the 1st January of the year in which the examination is held.

2.2 The standard of the examination will continue to be the same as it is now.

2.3 The present position of there being no age-limit for Group 'D' staff for taking Postman's examination will remain unchanged.

2.4 For EDAs, the age-limit will be 50 years with five years' relaxation for SC/ST candidates as on 1st July of the year in which the examination is held.

2.5 There will be no limit for the number of chances allowed to a Group 'D' official or EDA for sitting for the Postman's examination, provided he/she is within the age-limit as prescribed above.

2.6 An examination fee of Rs. 5 will be charged from all the applicants, whether they are from Group 'D' or EDAs.

2.7 All other existing conditions for recruitment to the cadre of Postman will remain unchanged.

2.8 The above instructions are equally applicable to the Mail Guards examination.

2.9. The new procedure now being laid down will apply to recruitment for vacancies occurring on or after 1-1-1991.

3. Further action may be taken accordingly. The required amendments to the Recruitment Rules are being notified separately.

[D.G., Posts, Ltr. No. 44-31/87-SPB. I, dated the 28th August, 1990.]

(3) **Departmental Promotion Committee for promotion to Group 'D'.**—It has been reported to the Directorate that in number of Circles, the Departmental Promotion Committee for ED Agents to Group 'D' is not being held in time. As the maximum age prescribed for promotion of ED Agents to Group 'D' is 50 years, some of the ED Agents lost their chance to get promoted as Group 'D'. It is, therefore, requested that the DPCs for promotion of ED Agents to Group 'D' should be held as per the prescribed schedule, particularly keeping in view those cases where some of the ED Agents due for promotion are nearing the age of 50 years as prescribed in the Recruitment Rules.

[D.G., Posts, Letter No. 47-11/93-SPB.I, dated the 25th August, 1993.]

(4) **Authority to consider appointment to Group 'D'.**—For appointment of ED Agents as Group 'D' as per the revised procedure, necessary action to hold DPCs may be initiated in the beginning of the year itself and the process of selection completed by March. The following shall be the composition of DPC for this purpose:—

- (i) Divisional Head/Group 'A' Postmaster as Chairman
- (ii) Another Group 'A' or Group 'B' Postal/RMS Officer at the station or in a Region as a Member
- (iii) A Group 'B' Officer from Telecom. Department at the station or in the Region as a Member

The composition of DPC in PTCs shall be as follows:—

- (i) Vice-Principal as Chairman
- (ii) Administration Officer as Member
- (iii) A Group 'B' Officer of Department of Telecom at the station//District as a Member

[D.G., Posts, Letter No. 47-11/93-SPB.I, dated the 31st March, 1994.]
XER 28/3/1994 9120000003 21-12-1994 RE 15/11/1994 21-12-1994
(5) **Minimum Educational Qualification of 8th pass for seniority quota.**—It has now been decided to prescribe a minimum educational qualification of 8th pass for EDAs under the 25% seniority quota. It is further clarified that the vacancies remaining unfulfilled under the 25% seniority quota may be added to the merit quota.

[D.G., Posts, No. 44-24/94-SPB-I (Pt. b), dated the 17th May, 1995.]
AGE (6) **Reservation for OBCs.**—It has now been decided to provide reservation for OBCs in case of recruitment of EDAs as Postman/Mail Guard as is being done in the case of SCs/STs.

[D.G., Posts, No. 44-18/94-SPB-I, dated the 1st June, 1995.]

(7) Vacancies remaining unfilled to be offered to eligible candidates of neighbouring divisions.—In case where vacancies remain unfilled in departmental cadres from ED candidates, casual labour candidates, etc., of any division under the existing orders and, if such of these vacancies are to be thrown open to the candidates of Employment Exchanges, these vacancies may be first offered to the eligible candidates of neighbouring divisions before approaching the Employment Exchanges. For this purpose, in the case of unfilled vacancies in RMS, they may be thrown open to the postal divisions where the appointing unit of RMS sub-division is situated and vice versa. In the case of a PSD or MMS, the unfilled vacancies may be given to the Postal Division or RMS division from which their clerical or Group 'D' staff are deputed, as the case may be. Before considering ED Agents of neighbouring division, it should be ensured that no eligible official is available in the recruiting divisions.

[D.G., P. & T., Letter No. 47-5/80-SPB-I/Pt, dated the 4th April, 1980.]

The term 'neighbouring division' mentioned in Para. (iii) of the P & T Directorate's Letter of even number, dated 7-4-1980, means that if there are unfilled vacancies in RMS, they will be thrown open to the eligible candidates of that Postal Division under whose jurisdiction the concerned appointing authority of RMS is located. If there are unfilled vacancies in Postal Division, they will be thrown open to the eligible candidates of those sub-recruiting units in the RMS Division which are located in the jurisdiction of that Postal Division. In cases of Postal Stores/Stamps Depot or RMS, the unfilled vacancies will be given to the Postal/RMS Division from which their clerical/Group 'D' officials are deputed, as the case may be. The intention is not to throw open the unfilled vacancies of the EDAs of the rest of the Circle.

[D.G., P. & T., ND, Letter No. 47/5/80-SPB-I, dated the 28th January, 1981.]

(8) How seniority of EDAs to be determined for purpose of appearing in departmental examination.—With reference to the Directorate's Letter of even number, dated 20-3-1979, doubts have been raised as to how the seniority of EDAs are to be determined for the purpose of appearing in the departmental examination of Class IV/Postmen. After examining the various aspects, the following decision has been taken:—

- (i) The seniority of an EDA will be determined with reference to the date from which an official is continuously working as EDA ignoring all spells of absence. In the case of unauthorized absence, if the absence is not regularized by grant of leave, it will constitute a break in service and only the post-break service period will count for seniority.
- (ii) In case an EDA, who is subsequently appointed as Class IV, appears in the test of Postman along with other EDAs, his seniority will be determined on the basis of his date of appointment as EDA.
- (iii) The past service of an EDA in case of his discharge from service on upgradation or abolition of the post and who was offered alternative appointment within one year, will be counted from the

DEPARTMENT OF POSTS .. INDIAN
OFFICE OF THE SUPDT. OF POST OFFICES :: DARRANG DIVISION
TEZPUR - 784 001

Anaesthesia - 3.

No. SP Con/Postman Exam/2005

Dated at Tezpur, the 23-01-2006

17

Sub: Postman Examination/2005 held on 09-10-05 - Declaration of Results
thereof - Regarding

The following Departmental and outsider candidates have come out successful in the Postman Examination/2005 held on 09-10-05 and the outsiders (GDS) have been selected on seniority cum fitness basis for appointment in Postman cadre in Darrang Division. The successful candidates are arranged in order of merit.

(A) DEPARTMENTAL QUOTA:

(A) DEPARTMENTAL QUOTA:			
Sl.no.	Name and Designation	Community	Roll.no.
1.	Sri Gokul Ch.Medhi (APS)	OC	Tz-02/05

(B) OUTSIDERS (GDS) QUOTA:

(B) OUTSIDERS (GDS) QUOTA:		Community	Roll.no.
Sl.no.	Name and Designation		
1.	Mrs. Karabi Saikia (Bora) BPM, Dubla BO	OBC	Tz-18/05
2.	Sri Tarun Kr. Das Choudhury BPM, Balijan Banua BO	SC	Tz-25/05
3.	Sri Sachin Ch. Tanti GDSMD, Dhekrajuli SO	OBC	Tz-58/05
4.	Sri Akan Ch. Rava BPM, Bhokellakanda BO	ST	Tz-43/05

(C) OUTSIDERS (ON SENIORITY CUM FITNESS):

(C) OUTSIDERS (ON SENIORITY CUM FITNESS).		
Sl.no.	Name and Designation	Community
1.	Sri Haren Bhuyan GDSMD Balitjuri BO	OC

(J. B. BISWAS),
Supdt. Of Post Offices,
Darrang Division :: Tezpur - 784 001

Copy to:

- 1-2 The Postmaster, Tezpur HO / Mangaldai HO for information.
- 3. The ASPOS (HQ), Divisional Office, Tezpur for information and to arrange necessary training to the selected Postman as per rules and procedure.
- 4-7 The SDI(P), Tezpur / Charali / Dhekiajuli / Mangaldai for information and n/a.
- 8. The Staff Branch, Divisional office for information and n/a
- 9-12 The candidate concerned
- 13. The OC, 4 Corps Postal Unit, C/o 99 APO
- 14-16. Spare.

Supdt. Of Post Offices,
Darrang Division :: Tezpur - 784 001

One ASPI
One school, one class, one per
(P. Textile)
One teacher, one class, one per

18

Annexure - 4
14/9/05

DEPARTMENT OF POST
OFFICE OF THE SUPDT. OF POST OFFICES: DARRANG DIVISION,
TEZPUR : 784001

No. BI-3/Postman Exam/05 Dated at Tezpur the 12-9-05.

To:

1. All HPMs } in Darrang Division.
2. All SDIPOS. }

Sub:-

Examination for promotion of Group D(Dept'l) and
GDS (outsider) to the cadre of Postman against the
vacancies of 2003-2004, to be held on 8-10-05
(Saturday).

The above mentioned examination is scheduled to be
held on 08-10-05 (Saturday) for the vacancies of 2003 and 2004.
You are, therefore requested to collect and forward the applications
(form enclosed) from the eligible candidates of your
Unit. The last date of receiving of the applications in Division
offices is fixed on 23-9-05. Applications received after this
date will not be entertained.

While forwarding the applications the particulars
of the candidates must be verified and your recommendation should
be furnished properly. Application received without recommendation
will not be considered.

Two copies of recent passport size photograph must be
sent with the application and photographs must be attested by you.
An examination fee of Rs. 5/- should be deposited in post office
and the receipt (ACG-67) should be attached with the application.
No money order as examination fees will be accepted.

ELIGIBILITY:-

- a) All Group D officials who have put in three (3) years regular service as on 23-9-05 can appear in the examination.
- (b) ED Officials should complete five (5) years service as on 1-1-05.

AGE LIMIT:- (a) For Group D officials there is no Age limit for appearing in the examination.

(b) ED Officials should not be more than 50 years of age as on 1-7-05. There is 5 years relaxation for SC/ST and 3 years for OBC candidates.

....2....

Educational qualification :-

ED officials who were in service on 25-9-87 would be eligible to appear in the examination without obtaining matriculation certificate. But other ED officials who entered in service after 25-9-87 should be matriculate.

Vacancy position:-

		Outsider(GDS)					Dept'l (Gr.			
		OC	OBC	SC	ST	Total.	OC	SC	ST	
1.	2003	--	1	1	-	-	2	1	-	1
2.	2004	--	1	-	-	-	1+1(Ex-SM)	1	-	-
			2	1	-	-	4	2	-	1

Sd/f (J.B.Biswas
Supdt. of post of
Darrang Division, 1

Copy to :-

1. All SPMs and BPPMs in Darrang Division Dn. i information and wide circulation. The application received from any candidate should be sent concerned SDIPOs who will further forward to office.

Supdt. of post
Darrang Division,

NOTICE

16

From :-

Mr. G. Baishya

Sr. C.A.S.C, C.A.T

To,

Mr. P. Sarma

Advocate, G.H.C

O.A. NO. 47 of 2006

Ajit Ch. Deka

—Applicant

-vs-

Union of India & Ors

— Respondents

Please find herewith a copy of written statement
with annexures which is going to be filed on
behalf of the abovesigned respondents in connection
with the abovesigned case.

Kindly acknowledge the receipt thereof.

Thanking you.

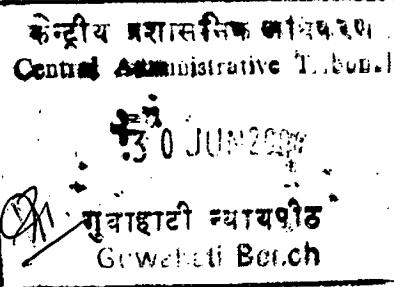
Yours faithfully

Mr. Gogoi

Advocate

Received Copy

Advocate



Filed by
S.K. Singh
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GAUHATI BENCH AT GUWAHATI

O. A. No. 47 of 2006.

Sri Ajit Chandra Deka,

APPLICANT.

-Versus-

The Union of India & Ors.

RESPONDENTS.

A rejoinder on behalf of the deponent above named:

MOST RESPECTFULLY SHEWETH: -

1. That your humble deponent begs to state that the criteria for selection for filling up of vacancies of Postman by promotion from amongst E D A / Outsiders is not only on the basis of merit but also on the basis of seniority i.e., length of service. Departmental Rules provide that 50% of the vacancies in the cadre of Postman is to be recruited by promotion from among Group - D officials who qualify in the test i.e., on merit basis. The remaining 50% of the vacancies are reserved for the Outsiders. One half of the remaining 50% vacancies will be filled up from amongst E DA on merit and the other half will be filled up from amongst E D A on the basis of length of service.

2. That your humble deponent begs to state that the Respondent No 10 of the above mentioned O. A., i.e., Sri Haren Bhuyan was selected for promotion to the post of Postman on the basis of seniority cum fitness i.e., on the basis of length of service who is junior to the deponent. As such the selection of the of the Respondent No. 10 of the above mentioned O. A. for promotion to the post of Postman is in violation of the Departmental Rules and also in violation of the principles of natural justice and administrative fair-play.

Ajit Ch. Deka

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3. That your humble deponent begs to state that the applicant has already put more than fifteen years of service in the Department under the respondent authority to the utmost satisfaction of all the superiors and possess all the eligibility criteria for promotion to the post of Postman on the basis of seniority cum fitness i.e., on the basis of length of service.

4. That the deponent begs to state that the respondent authority has picked up and selected Sri Haren Bhuyan, respondent No. 10 in the above mentioned O. A. as their choicest candidate for promotion to the post of Postman in-spite of the fact that he is junior to present deponent which violates the legitimate expectation of the applicant. Hence it is a fit case where the Hon'ble Tribunal may interfere directing the respondent authority to consider the case of the deponent for promotion to the post of Postman on the basis of seniority cum fitness.

5. That the deponent submits that the applicant in the above mentioned O.A. is senior to respondent No. 10 and hence the deponent is eligible for promotion to the post of Postman on the basis of seniority cum fitness as provided under the Departmental Rules. When promotion is by seniority subject to fitness, the senior most in the lower cadre will normally be promoted to the next higher post. Hence, the impugned actions of the respondents are illegal, arbitrary and unconstitutional.

6. That your humble deponent prays before the Hon'ble Tribunal that this Hon'ble Tribunal may kindly be pleased to call for the records of the case and after perusing the records the Ho'ble Tribunal may pass such order or other orders as to this the Hon'ble Tribunal may deem fit and proper.

Ajit-Ch. Dekha

VERIFICATION

I, Sri Ajit Chandra Deka, s/o Late Chandra Kanta Deka, G. D. S. Packer, working in Routa Sub - Post Office, Resident of Vill. - Bhellapara, P.O. - Routa in the District of Darrang, Assam do hereby solemnly verify that the statements made in the paragraphs No. 1, 2 3, & 4 of the petition are true to the best of my knowledge and belief and rest are my humble submissions before the Hon'ble Tribunal.

And I put my signature on this verification on this 30 th day of June 2006 at Guwahati.

Ajit Ch. Deka

SIGNATURE OF THE APPLICANT

From,

S. K. Singha, Advocate

To,

G. Baishya, C.G.S.C., C.A.T.

Sub : A rejoinder on behalf of the applicant

In Original Application No. 47 / 2006

Sri Ajit Chandra Deka.

.... Applicant

- VS -

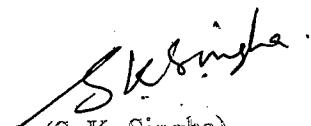
The Union of India & Ors

.... Respondents

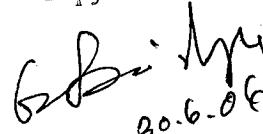
Sir,

The above mentioned rejoinder is going to be filed today and a copy of the same is sent for your needful. Please accept and acknowledge the receipt of the same.

Yours faithfully


(S. K. Singha)
Advocate

Copy received


30.6.06

G. Baishya, Advocate

SR.CGSC,CAT.
(GAUTAM BAIKYA)

Gautam Baishya

Date: 30.6.08

Place: Guwahati

for them in all matters in the aforesaid case.
no.....Respondent no. 1.....and undertake to plead and act
of the Administrative Tribunals Act, 1985, hereby appear for applicant
/.....Authority/Corporation/Society notified under section 14
Ministry of Law by the Central Government/Government Servants
1. Sh. Gautam Baishya having been authorized by

Respondent(s)

Umen of Guwahati

-18-

Applicant(s)

Aliitul Dehuri

OA/RAMP/PT NO. 47 OF 2006

GUWAHATI BENCH
CENTRAL ADMINISTRATIVE TRIBUNAL

FORM NO. II

