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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 112007
R.A/C.P No.
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SECTION OFFICER (Judl.)

20.9.17

C A D E N C H E B T

Notes of the Registry	Date	Order of the Tribunal
<p>This application is in form Filed/C. F. for Rs. 10/- posited with P. D. 280932673 dated 14.12.06.....</p> <p><i>[Signature]</i> L. J. Strat</p> <p><i>[Signature]</i> NS 5-1-07</p> <p>Ships taken</p> <p><i>[Signature]</i></p> <p>1-07</p> <p>Copy of The Budget has been sent to Office. for issuing same to the applicant as well as to the Rly, Council.</p>	<p>8.1.07</p> <p>lm</p>	<p>Judgment delivered in open Court Kept in separate sheets. Application is disposed of. No other costs.</p> <p><i>[Signature]</i> Vice-Chairman</p>

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

O.A. No. 1 of 2007

DATE OF DECISION : 08.01.2007

Sri S. C. Dutta & Others

..... Applicant/s

Mrs. R.S. Choudhury, Mr. G. Rahul

..... Advocate for the
Applicant/s.

- Versus -

U.O.I & Others

..... Respondent/s

Dr. J.L. Sarkar, Railway counsel

..... Advocate for the
Respondents

CORAM

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

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 to be forwarded for including in the Digest Being compiled at Jodhpur Bench & Other Benches ? Yes/No
4. Whether their Lordships wish to see the fair copy of the Judgment ? Yes/No

Vice-Chairman

9/1/07

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No.1 of 2007

Date of order: This the 8th Day of January, 2007.

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

1. Sri Samaresh Ch.Dutta
C/O.Swapan Roy,
Kamakhya Colony
Guwahati, Kamrup, Assam
781012
2. Sri Chandan Mazumdar
C/O.Sri Ashok Bhowmick
DS/36/G, Rest Camp
Guwahati-781012
3. Sri Ajit Mukherjyee
Resident of Railway Quarter No.107/B, BBBC Colony
P.O.Pandu District Kamrup Assam
4. Sri Dipak Nath
Resident of Loco Colony
Near Rly, Quarter Number 135/C
P.O.Pandu District Kamrup Assam
5. Sri Dipak Kumar Chakraborty
C/O. Santosh Chakraborty
Quarter No.2A Rest Camp
Guwahati-12
6. Sri Ratan Dey.
C/o.Ajit Mukherjyee
BBC Colony Near Quarter No.107/B
P.O. Pandu Guwahati-12
7. Sri Jaydev Chandra Dey
C/o Bimal Dey
American Colony
Near Ramkrishna Mission
Bye Lane No.3
House No.56/57
Guwahati-12

Applicants

By Advocates Mrs. R. S. Choudhury, Mr. G.Rahul

-Versus-

1. The Union of India,
Represented by the Secretary to the
Govt. of India,
Ministry of Railways
Rail Bhawan, New Delhi

2. General Manager(P)
N.F.Railway
Maligaon,Guwahati-11
3. Divisional Railway Manager(P)
N.F.Railway, Lumding
4. Railway Recruitment Board, Guwahati
Represented by its Chairman
Station Road,Guwahati-781001.

Respondents

By Advocate Dr.J. L. Sarkar, Railway Standing Counsel

ORDER(ORAL)

K.V.SACHIDANANDAN,V.C:

The claim of the applicants is that they have worked as Casual Labours at different places. During the different period the applicants have successfully completed the eligibility period for consideration of re-engagements of ex-casual labourer, which was formulated by Government of India as per policy decision. According to them the Railway Board has formulated various schemes from time to time for re-engagement or absorption of the ex-casual labourers in regular substantive posts and to regularise the services of existing casual employees. For absorption of ex-casual labourers the Railway Authorities are required to maintain the Live Register and supplementary live Register. The Govt. of India in the Department of Railway took a policy decision in the year 1998 to the effect that the casual labourers who were disengaged prior to 01.01.1981 would be engaged from time to time subject to availability of regular substantive posts.

2. The applicants have made several representations dated 8.12.2006(Annexure J series) individually before the 2nd Respondent.

But the Respondents have not yet considered their case. Being aggrieved the applicants have filed this O.A. seeking for the following reliefs:-

- (a) A direction to the Respondents to include the names of the applicants in the Live Register/Supplementary Live Register of Ex-casual workers.
- (b) A Direction to the Respondents to absorb the Applicants in the same way as has been done with regard to the 194 similarly situated ex-casual workers.
- (c) A direction to the Respondents to issue a similar Order in favour of the applicants like that of Order No.EW/261/1 Pt. II dated 03.02.2005 issued by the Railways appointing 25 Nos. of Khalasis.
- (d) A direction to the Respondents to consider the representations submitted by the applicants on 08.12.2006 and thereafter to pass speaking orders thereon."

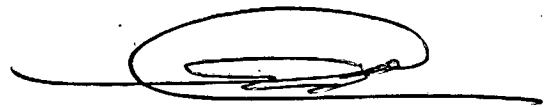
3. I have heard Mr. G. Rahul learned counsel for the applicant and Dr.J.L.Sarkar learned Railway counsel for the Respondents. When the matter came up for hearing the learned counsel for the applicants has submitted that in identical matters, in O.A.No.248 of 2006 and O.A.No.227 of 2004 this Tribunal vide orders dated 23.10.2006 and 12.03.2005 directed the Applicants to submit individual representations with relevant documents available with them before the Respondent authorities and on receipt of such representations the competent authority was directed to consider and dispose of the representations with speaking order within a period of four months. The counsel for the applicants has submitted that he will be satisfied if direction is given to the Respondents to dispose of the representations. Dr.J.L.Sarkar, counsel for the Respondents has submitted that the applicants have filed this O.A. after a long lapse

but it may be entertained. The counsel for the applicant has also submitted this Hon'ble Tribunal while disposing of the O.A.No.227 of 04 vide its order dated 12.03.2005 also made a specific observation which is reproduced below:-

"If the order dated 03.02.2005 was passed in the case of similarly situated persons, i.e. if those persons were also ex-casual labourers who did not furnish the required details in 1987 pursuant to the circular issued by the Railway Board and they had filed Original Application after long lapse as in the case of the Applicants certainly the Applicants if they do satisfy the requirement of the scheme, are also entitled to the same treatment. This will be borne in mind while passing the order disposing of the representation to be filed by the Applicants as directed herein above."

4. Considering all aspects of the matter, I am of the view that direction is to be given to the Respondent to consider the representation of the applicants. Therefore, I direct the 2nd respondent or any other competent authority to consider the representations, if filed, within a time frame of four weeks from to day and dispose of the same within 4 months thereafter by a speaking order.

The O.A. is accordingly, disposed of. There will be no order as to costs.



(K.V.SACHIDANANDAN)
VICE-CHAIRMAN

- 5 JAN 2007

गुवाहाटी बेंच
Guwahati Bench

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

O.A. No. 1 of 2007

Shri Samaresh Chandra Dutta & Ors. ... Applicants.

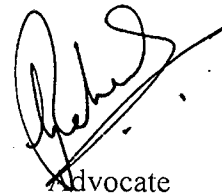
- VERSUS -

Union of India & Ors. ... Respondents.

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Filed by


Advocate

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH, GUWAHATI

ORIGINAL APPLICATION NO. 1 OF 2007SYNOPSIS/LIST OF DATES

1998 The Govt. of India in the department of Railways took a policy decision to the effect that the Casual labourers, who were disengaged prior to 01.01.1981, would be engage from time to time subject to availability of Register Sustentative Posts. Vide the said policy decision, concerned authorities were directed to prepare and maintain Live Register and Supplementary Register indicated names of Casual employees.

(Annexure – A Colly, Pg.)

The Applicants, who were engaged in several Divisions of the North-East Frontier Railway as casual labourers and disengaged subsequently, approached the concerned authorities enquiring if their names had figured in the Live Register or the Supplementary Live Register. As no positive response was forthcoming from the Respondents, several representations were submitted by them.

(Annexure – B Colly, Pg.)

25.03.1999 The Respondent authorities under some extraneous considerations prepared a list of Ex-Casual labourers, which was deemed as interpolated seniority list. However, the names of those persons who were included in the said list were engaged much later than the Applicants.

(Annexure – D, Pg.)

21.05.2005 Some of the ex-Casual labourers, who were similarly placed like that of the Applicants herein and who were denied absorption by the Respondents approached the Hon'ble Central Administrative Tribunal, Guwahati Bench by filing Original Application No. 140 of 2002. This Hon'ble Tribunal while disposing the said Original Application directed

Samar Ch. Dutta

the Applicants herein to submit individual representations and further directed the authorities to consider the same.

(Annexure – E, Pg.)

12.05.2005 The Applicants of the aforementioned Original Application No. 140 of 2002 submitted individual representations, which were rejected by the Respondents. Being aggrieved, the Applicants once again approached this Hon'ble Tribunal by filing a fresh Original Application, which was disposed of by the Hon'ble Tribunal with a direction to the Respondents to consider the representations submitted by the Applicants and to absorb the Applicants if they are not already absorb in the next vacancies that will arise at the earliest.

The Applicants herein being similarly situated have approached this Hon'ble Tribunal by preferring the present Original Application praying for a similar relief.

Samarachandra Ch. Datta

**BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI**

Filed by
The Applicant's
Through
Jantam Pahal
Advocate
5-1-2007

(An Application Under Section 19 of the Administrative Tribunal Act, 1985)

ORIGINAL APPLICATION NO. 1 OF 2007

BETWEEN

1. Sri Samaresh ch. Dutta
C/o Swapan Roy
Kamakhya Colony
Guwahati, Kamrup, Assam
781012
2. Sri Chandan Mazumdar
C/o Sri Ashok Bhowmick
DS/36/G, Rest Camp.
Guwahati 781012
3. Sri Ajit Mukherjyee
Resident of Railway Quarter No 107/B, BBC Colony
P.O. Pandu Dist Kamrup Assam
4. Sri Dipak Nath
Resident of Loco Colony
Near Rly. Quarter Number 135/C
P.O. Pandu District Kamrup Assam
5. Sri Dipak Kumar Chakraborty
C/O Santosh Chakraborty
Quarter No. 2/A, Rest Camp
Guwahati-12
6. Sri Ratan Dey
C/o Ajit Mukherjyee
BBC Colony Near Quarter No. 107/B
P.O. Pandu Guwahati 12

Samaresh ch. Dutta

- 7 Sri Jaydev Chandra Dey
C/o Bimal Dey
American Colony
Near Ramkrishna Mission
Bye Lane No 3
House No. 56/57
Guwahati 12

.....APPLICANTS.

-AND-

1. The Union of India.
Represented by the Secretary to the
Govt. of India
Ministry of Railways
Rail Bhawan, New Delhi
2. General Manager (P),
N.F. Railway,
Maligaon, Guwahati - 11.
3. Divisional Railway Manager (P),
N.F. Railway,
Lumding.
4. Railway Recruitment Board, Guwahati
Represented by its Chairman
Station Road, Guwahati - 781 001

... RESPONDENTS

DETAILS OF THE APPLICATION

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

That the present application has been directed against the refusal of the respondent authorities to re-engage the applicants as casual labourers in terms of the policy decision taken up by the Govt. of India, Department of Railways.

2. JURISDICTION OF THE TRIBUNAL:

The Applicants declare that the subject matter in respect of which the application is made is within the jurisdiction of this Hon'ble Tribunal.

2A. Prayer to Approach this Hon'ble Tribunal by a Joint Petition under Rule 4 (5) (a) of Central Administrative Tribunal (Procedure) Rules, 1987.

Samar Singh Ch. Datta

3. **LIMITATION:**

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

4. **FACTS OF THE CASE :**

4.1 That the Applicants are citizens of India having their permanent residences within the State of Assam and are as such entitled to all the rights, privileges and protections guaranteed to the citizens of India under the Constitution of India and the laws framed thereunder. The applicants have a common and identical cause of action and as such have approached this Hon'ble Tribunal by filing a common Original Application.

4.2 That the Indian Railway requires large number of casual labourers for carrying out the regular maintenance works and for undertaking various new projects. Such casual labourers so engaged either in maintenance works or in project works are called open line workers or project workers. The casual workers are generally engaged and disengaged from time to time. The Railway Board has formulated various schemes from time to time for reengagement or absorption of the ex-casual labourers in regular substantive posts and to regularize the services of existing casual employees. For absorption of ex-casual labourers the Railway Authorities are required to maintain two separate registers namely- Live Register and Supplementary Live Register. The Govt. of India in the Department of Railway took a policy decision in the year 1998 to the effect that the casual labourers who were disengaged prior to 01.01.1981 would be engaged from time to time subject to availability of regular substantive posts earmarked in this regard, as and when required. The concerned authorities were directed to prepare and maintain the Live Register and Supplementary Live Register to indicate the names of the casual employees and other particulars like their engagement, disengagement, place of work etc. The Ministry of Railway formulated various schemes and policies to absorb ex-casual labourers and thereby directed the concerned authorities to follow the necessary formalities at the time of such absorption. Be it stated herein that the casual labourers who were disengaged long back could not confine themselves to the respective place of works. They had to move from one place to another in search of livelihood. As such, it was incumbent on the part of the Respondent Authorities to give a proper and wide notice at the time of their decision to absorb ex-casual labourers in their establishments. In absence of such

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Samarash Ch. Datta

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notices being given proper and wide publicity, no effective consideration can be given to the cases of the various ex-casual labourers.

Copies of the relevant notifications regarding the policy decision of the Railway to absorb ex-casual labourers are annexed herewith and marked as ANNEXURE – A
Colly.

- 4.3 That, the Applicants herein were engaged in various Divisions of the N.F. Railway as casual labourers and were disengaged subsequently. Like other ex-casual labourers most of the Applicants had to leave their place of work in search of other sources of livelihood. Pursuant to the formulation of the scheme for regularisation of ex-casual labourers a large number of vacancies were sought to be filled up under the Lumding Division. In spite of taking such a decision of filling up of a large number of vacancies by ex-casual labourers, the Authorities failed to give a proper and wide notice. As such, the Applicants did not have the knowledge of such a decision taken by the concerned authorities at the relevant point of time. However, immediately upon coming to know about the said decision, the Applicants approached the Respondent Authorities enquiring if their names figured in the Live Register or the Supplementary Live Register. The Applicants submitted applications along with their discharged certificates for re-engagement as casual labourers. As no positive response was forthcoming from the Respondent Authorities, the Applicants submitted several representations. However, such representations failed to evoke any response from the concerned authorities.

Samaran D. D. D.

Copies of the representations submitted by some of the Applicants are annexed herewith and marked as ANNEXURE – B
Colly.

- 4.4. That, the Applicants were shocked and surprised when they came to know that the Respondent Authorities had absorbed a group of ex-casual labourers numbering about 194 (One hundred ninety-four) and most of whom were engaged much later than the Applicants herein. The Respondent Authorities had prepared a list of the 194 workers excluding the Applicants herein without any valid reasons or justifications. Being aggrieved, the Applicants approached the concerned authorities and they

were assured that enquiries shall be made from the work sites where they had last worked and on receipt of the records from the work sites their names will be considered for absorption. Be it stated herein that the authorities had given a commitment to absorb the applicants much prior to the aforementioned Policy Decision of 1998. During the tenure of their engagement as ex casual labourers service record books were duly issued to the applicants which revealed their nature and period of employment and also that the salaries were duly drawn by the Applicants. Despite receiving such reports in favour of the Applicants, the Respondent authorities refused to consider their cases for absorption.

Copies of the relevant portion of the service record books of the applicants showing their status is annexed herewith and marked as

ANNEXURE - C Colly.

- 4.5 That, the present Applicants are ex-casual labourers who had worked under the different Divisions of the NF Railway and at different work sites. As has already been stated herein above that after being discharged the Applicants had to move to some other places in search of livelihood, they were unaware of the relevant schemes and policies formulated by the Respondent Authorities for absorption of the ex-casual labourers. Moreover, for reasons best known, the Respondent Authorities did not give proper publicity of such schemes and policies and did not even notify any decisions taken based on such schemes in the offices concerned which again prevented the Applicants from getting any information. The Applicants who subsequently came to know about the schemes pertaining to absorption of ex-casual labourers, submitted their applications, but their applications were never considered by the concerned authorities. The authorities most deliberately did not consider the cases of the Applicants and the Applicants were deprived of the benefits conferred upon them by the aforesaid schemes for no fault of their own. Although, the 194 labourers who have been absorbed, were similarly situated like the Applicants, yet the Applicants were discriminated against and were denied their right for absorption. Be it stated herein that amongst the 194 labourers who were absorbed by the Respondent Authorities most of them were engaged much after the Applicants. As such, the actions of the Respondent Authorities in refusing to consider the cases of the Applicants for absorption are arbitrary, unfair, unreasonable, illegal, discriminatory, malafide and capricious.

Samaran Ch. Duba

- 4.6 That, the Respondent Authorities prepared a list dated 25.03.1999 of Ex-casual labourers which was deemed as interpolated seniority list. The said list was taken to be the basis while absorbing 194 numbers of ex-casual labourers. Be it stated herein that the workers who were included in the list dated 25.03.1999, were similarly situated like that of the present Applicants. Further, the cases of the present Applicants are more genuine than most of the workers included in the list, as they were engaged much later than the Applicants. The cases of the present Applicants were duly covered by the concerned circulars/schemes of the Railway Board but the Respondents deliberately rejected their applications arbitrarily for some extraneous considerations.

Copy of the said list dated 25.03.1999 is annexed herewith and marked as ANNEXURE – D.

- 4.7 That, the Applicants respectfully beg to state that the maintenance of Live Register or Supplementary Live Register is the responsibility of the Respondents. The Respondents have always kept those registers secret and there was no scope for the Applicants to ascertain whether their names were included in the said Register or not and the Respondents refused to inform the Applicants about the inclusion of their names in the Register. The Applicants were never given any opportunity to submit representation for registering their names in Supplementary Live Casual Register. Be it stated herein that even if any notice was issued by the Respondents to this effect, yet the same was neither notified in the Notice Board nor was published in the local Newspapers.
- 4.8 That, the Respondents have screened/selected a group of ex-casual labourers numbering 194 excluding the Applicants in a very arbitrary and unfair manner. Although the position of most of the Applicants were better than those Casual labourers included in the said list of 194 workers, they have not been considered for absorption/regularisation of their services without assigning any reason, whatsoever.
- 4.9 That, some other similarly situated ex-casual labourers under Lumding Division, who were also denied absorption by the Respondents approached the Hon'ble Central Administration Tribunal, Guwahati Bench by filing an Original Application being. O.A. No. 140/2002. This Hon'ble Tribunal after hearing the parties disposed of the said Original Application vide Judgment and Order dated 21.05.2003 directing the Applicants

Samaran Ch. Dutta

therein to submit individual representations before the Respondent Authorities and further directed the Respondent Authorities to consider their cases as per law and pass appropriate orders within a period of 6 (six) months from the receipt of such representations.

A copy of the Judgment and Order dated 21.05.2003 passed in O.A. No. 140/2002 is annexed herewith and marked as ANNEXURE – E.

4.10 That, thereafter the Applicants in Original Application No. 140/2002 submitted individual representations along with all the relevant documents before the Respondent Authorities. However, the Respondents rejected the representations submitted by the Applicants and thereby refused to consider their cases. Being highly aggrieved and dissatisfied by such actions of the Respondents, the Applicants once again approached this Hon'ble Tribunal by filing a fresh Original Application being O.A. No. 227/2004. This Hon'ble Tribunal after detailed deliberations vide Judgment and Order dated 12.05.2005 directed the Applicants to make fresh individual representation with all necessary documents along with copies of the Orders of the Tribunal dated 02.08.2000 and 03.02.2005. Be it stated herein that some similarly situated ex-casual labourers had approached the Hon'ble Central Administrative Tribunal, Calcutta Bench by filing an Original Application being O.A. No. 160/1990 which was disposed of vide Order dated 02.08.2000 directing the Respondents therein to absorb the Applicants as Khalasi, if not they are already absorbed in the next vacancies that will arise at the earliest. Pursuant thereto, the Applicants of Original Application No. 160/1990 were appointed as Khalasi vide Respondent's order No. EW/261/1 Pt.II. This aspect of the matter was brought to the notice of this Tribunal by the Applicants in Original Application No. 227/2004. As such, while disposing of the said Original Application by the Hon'ble Tribunal vide Order dated 12.05.2005 the Applicants were directed to produce a copy of the said Order dated 02.08.2000 and Order dated 03.02.2005 issued by the Railways before the Respondent Authorities. It was further directed that the Respondents must duly consider the cases of the Applicants with reference to the relevant scheme and appropriate orders be passed thereafter. This Hon'ble Tribunal while disposing of the O.A. No. 227/2004 vide its order dated 12.03.2005 also made a specific observation to the effect that

Samarendra Ch. Dutta

"..... if the order dated 03.02.2005 was passed in the case of similarly situated persons, i.e. if those persons were also ex-casual labourers who did not furnish the required details in 1987 pursuant to the circular issued by the Railway Board and they had filed Original Application after long lapse as in the case of the Applicants certainly the Applicants, if they do satisfy the requirement of the scheme, are also entitled to the same treatment. This will be borne in mind while passing the order disposing of the representation to be filed by the Applicants as directed herein above".

Copies of the Order dated 02.08.2000 passed by the Hon'ble Central Administrative Tribunal., Calcutta Bench passed in O.A. No. 160/1990,, letter of Appointments dated 03.02.2005 and Order dated 12.05.2005 passed by this Hon'ble Tribunal in O.A. No. 227/2004 are annexed herewith and marked as ANNEXURE – F, G & H respectively.

- 4.11 That, the Applicants respectfully beg to state that they are ex-casual labourers situated exactly in similar position to those of the Applicants in O.A. Nos. 140/2002, 160/1990 (filed before the Calcutta Bench) and O.A. No.227/2004. The Applicants have also been unfairly and unreasonably discriminated against and have been illegally denied the right of absorption by the Respondent Authorities. The Respondent Authorities, for reasons best known have refused to consider the applications and subsequent representations submitted by the Applicants for enrollment of their names in the Supplementary Live Registers
- 4.12 That the Applicants deem it pertinent to mention herein that as many as fifty five numbers of ex casual labourers who were denied consideration by the respondent authorities approached this Hon'ble Tribunal for ventilating their grievances by preferring an O.A., being O.A No 248/2006. This Hon'ble Tribunal while disposing of the said O.A vide Order dated 23.10.2006 was pleased to direct the applicants therein to submit individual representations with relevant records before the Respondent authorities and on receipt of the same the Respondent authorities were directed to dispose of the same with speaking orders within a period of four months.

Samarresh Ch. Dutta

Copy of the aforesaid Order dated 23.10.2006 passed by this Hon'ble Tribunal in O.A. No 248/2006 is annexed herewith and marked as ANNEXURE- I

- 4.13 That the Applicants herein have also submitted individual representations before the Respondent authorities on 08.12.2006 with all the relevant records available with them, making a prayer for their re absorption as casual labourers . However such representations submitted by the Applicants are yet to evoke any positive response from the Respondent authorities and the Applicants are yet to get any effective consideration at the hands of the respondents. . Being highly aggrieved and dissatisfied by such actions of the Respondents, the Applicants have no other option but to approach this Hon'ble Tribunal by filing the present Original Application.

Copies of the representations submitted by the Applicants on 08.12.2006 are annexed herewith and marked as ANNEXURE-J
Colly.

- 4.14 That, the present O.A. has been filed bonafide and in the interest of justice.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS:

- 5.1 For that the Railway Board, i.e. the Respondent No. 4 herein, has created certain legal rights for absorption of the Applicants as ex-casual labourers pursuant to a policy decision of the Government of India in the Department of Railways. However, the refusal on the part of the Respondents to consider the cases of the Applicants for absorption have taken away such rights bestowed upon the Applicants by the policy decision of the Government. As such, the actions of the Respondents are arbitrary, unreasonable, unfair, illegal and discriminatory and are liable to be interfered with by this Hon'ble Tribunal.
- 5.2 For that the purported circulars/Notices/Orders issued by the Railway Board from time to time regarding the absorption of ex-casual labourers were not properly published either by putting up in the Notice Boards of different offices functioning under the NF. Railways or by publishing the

Samaran Ch. Dutt

same in the local Newspaper. As such, the actions of the Respondents are violative of the principle of natural justice and administrative fair play. By resorting to such a course of action, the Respondents have most illegally and deliberately denied the rights of the Applicants of proper and effective consideration for absorption as ex casual labourers in terms of the policy decision of the Government of India. As such, the Applicants are entitled for appropriate reliefs before this Hon'ble Tribunal.

- 5.3 For that the Respondents while preparing the Supplementary Live Registers of ex-casual labourers have acted in a manner, which is contrary to the established norms and procedures. Hence, the actions of the Respondents are illegal, arbitrary, mala fide, unfair, unreasonable and capricious. The Respondents have acted in such a manner, under some extraneous and political considerations and hence, are liable to be interfered with at the hands of this Hon'ble Tribunal.
- 5.4 For that the Respondents have acted illegally and against the legal provisions by allowing 194 similarly situated ex-casual labourers like those of the Applicants herein to enjoy the benefits of the new policy of regularisation and absorption and at the same time denying the same benefits to the Applicants. Such actions of the Respondents are violative of the fundamental rights of the Applicants as guaranteed under Articles 14 and 16 of the Constitution of India.
- 5.5 For that the cases of the Applicants herein are similar to those of the Applicants in O.A. No. 140/2002, 227/2004, 248/2006 and in O.A. No. 160/1990 (preferred before the Hon'ble Central Administrative Tribunal, Calcutta Bench) and as such, the Applicants are also entitled to similar reliefs. Therefore, this Hon'ble Tribunal may be pleased to pass a similar order in favour of Applicants herein, as it had earlier passed on 12.05.2005 in respect of the Applicants in O.A. No. 227/2004.
- 5.6 For that, the cases of the Applicants are similar to those employees who were appointed vide order dated 03.02.2005 issued by the Railways pursuant to the order dated 02.08.2000 passed by the Hon'ble Central Administrative Tribunal, Calcutta Bench in O.A. No. 160/1990. As such, the Applicants herein are entitled for a direction by this Hon'ble Tribunal for absorption as ex-casual labourers.
- 5.7 For that, in any view of the matter, the actions of the Respondent Authorities are violative of the fundamental as well as other legal rights of

Samaran Ch. Dutt

the Applicants and as such, are liable to be interfered with by this Hon'ble Tribunal.

5.8 For that, this application is filed bonafide and in the interest of justice.

6. **DETAILS OF REMEDIES EXHAUSTED :**

The Applicants declare that they have no other alternative and efficacious remedy available to them except by way of this instant Original Application.

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

The applicants declare that no other application, writ petition or suit in respect of the subject matter of the instant application is filed before any other Court, Authority or any other Bench of the 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 prays that this application be admitted, records be called for and notice be issued to the Respondents to show cause as to why the reliefs sought for in this application should not be granted and upon hearing the parties and on perusal of the records, be pleased to grant the following reliefs:

- (a) A direction to the Respondents to include the names of the Applicants in the Live Register/Supplementary Live Register of ex-casual workers.
- (b) A direction to the Respondents to absorb the Applicants in the same way as has been done with regard to the 194 similarly situated ex-casual workers.
- (c) A direction to the Respondents to issue a similar Order in favour of the Applicants like that of Order No.EW/261/1 Pt.II dated 03.02.2005 issued by the Railways appointing 25 Nos. of Khalasis.
- (d) A direction to the Respondents to consider the representations submitted by the Applicants on 08.12.2006 and thereafter to pass speaking Orders thereon.

Samarresh Ch. Dutta

(e) Cost of the Application.

(f) Any other relief or reliefs to which the Applicants are entitled to, under the facts and circumstances of the case as may be deemed fit and proper by the Hon'ble Tribunal.

9. **INTERIM RELIEF:**

Direct the Respondents not to absorb any ex-casual labourers without considering the cases of the present Applicants.

The application is filed through Advocate.

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

(i) I.P.O No. 286932673

(ii) Date 14.12.06.

(iii) Payable at : Guwahati.

11. **LIST OF ENCLOSURES :**

As stated in the index.

Samar esh ch. Dubha

V E R I F I C A T I O N

I, Shri Samaresh Chandra Dutta, son of late Ramesh Chandra Dutta, aged about 47 years, resident of Kamakhya Colony, Guwahati-12, Assam, do hereby solemnly affirm and verify that I am the Applicant in the instant application and as such, I am fully conversant with the facts and circumstances of the case. I have been duly authorized to sign this verification on behalf of the other Applicants also. The statements made in Paragraphs 4.1, 4.3, 4.5, 4.7, 4.8, 4.11, 4.13 and 4.14 are true to my knowledge and those made in Paragraphs 4.2, 4.4, 4.6, 4.9, 4.10 and 4.12 are matters of records derived therefrom, which I believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

And I sign this verification on this the 5th day of January 2007 at Guwahati.

Samaresh Ch. Dutta

SIGNATURE OF THE APPLICANT

(Typed copy)

ANNEXURE-A colly

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS (RAILWAY BOARD)

RBE No.232/98

NO. EC(G) II/98/CL/32

New Delhi dated 09.10.98

To: The General Manager (P)s
All India Railways & Production Units etc.
(As per standard list)

Sub: Screening of casual labour borne on the live/supplementary live casual labour register.

1. As the Railways are aware, the extant instructions require that Casual Labour Live Register should be maintained for Open line casual labour (unit-wise) and for the Project casual labour (Division-wise) for each Department in each Division. The copies of these live registers are to be invariably maintained in the Divisional Office and updated every year.

1.1 Similarly Supplementary Casual Labour Live Registers are to be maintained Division-wise separate for both Open Line and Project casual labour who were discharged prior to 1.1.81 for want of work or due to completion of work and not re-engaged thereafter and who had applied by 31.3.87 for the purpose and were found eligible for the purpose by a Committee of Officers on each Division.

2. Now that the Casual Labour on roll have been absorbed under the special live during the period from 1.5.96 to 31.3.98, further, vacancies in the different departments of a Division/Unit may be filled up by screening the casual labour borne on the Live Register(s) and after exhausting them, by screening those borne on the Supplementary live register of the Division Unit.

2.1 In case of the casual labour borne on casual labour live registers, the Regularisation will continue to be as per their turn according to seniority based on the number of days put in by them as casual labour.

2.2 However, in case of the casual labour borne on supplementary live register, the extant instructions which stipulate that the persons borne on supplementary live register will be considered for regularisation based on the service after re-engagement after 1.1.81 (it may be noted that after such re-employment they would have in any case appeared in the live register as well) have now lost relevance. The same are therefore, modified to provide that the regularisation of casual labour borne in casual labour supplementary live register will be considered in accordance with the number of days in by them prior to 1.1.81, those falling in this category being placed enable below any who may have rendered service after re-engagement after 1.1.81.

3. Board desire the Notice of screening alongwith the lists of persons to be screened out of the persons borne on the Live Register and or Supplementary Live Register as the case may be (the total no. of persons on the List being equal to the no. of vacancies required to be filled up by the screening), shall be issued under the signature of as Officer of the Personnel Branch of the Division concerned. In addition to displaying the Notice alongwith the list, on the Notice Board(s), etc. he will also send a letter under his signature enclosing a copy of the Notice and the list to each of the individuals concerned by Registered Post. A/D advising that in case the individual does not turn up, his name will be deleted from the Casual Labour Live Register/Supplementary Casual Labour Registers as the case may be, and that thereafter he would have no further claim for consideration for absorption by screening in Group 'B', so that there is no difficulty in taking action for deletion of the names, of those who do not turn up.

Sd/- Devika Chhilara

Director, Establishment (N) Railway Board

CERTIFIED TO BE TRUE COPY

ADVOCATE

Northeast Frontier Railway

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

RECT 884

570 Pt.XII(C)

To:

GM (Con), Maligaon

All PHODs, ALL DRMs & All DAOs,

All controlling Officers of Non-Divisionalised Offices,

The GS/NFREU, NFRMU & AISCTREA

Sub: Screening of Casual Labour borne on the Live Supplementary Live
Casual Labour register.

A copy of Railway Boards letter No.E(NG)II/98/CL/32 dated 09.10.98 on the above mentioned subject is forwarded for information and necessary action. It is clarified that screening of ex-casual labour borne on the live/supplementary live Casual Labour Register against vacancies in the various departments would not be a matter of course and automatic but this process has to be decided based on justification regarding filling up of vacancies in a particular department. Proposals for appointment of ex-casual labour from these registers would continue to be sent to HQ for obtaining GM's approval and only after the approval is conveyed to the division, they would take further necessary action regarding appointment of such ex-Casual Labour against vacancies by screening them according to seniority. For any further clarifications of any doubts reference to HQ must invariably be made. Board's earlier letters mentioned in the margin on their present letter were circulated as under:-

<u>Board's letter No. & date</u>	<u>CPOs Circular No. & date</u>
1. E(NG)II/84/CL/41 date 02.03.87	1. E/57/11 (C) dated 13.03.87 (DRMs only)
2. E(NG)II/84/CL/41 date 21.10.87	2. DO No.E/57/11(C) dated 11.11.87
3. E(NG)II/78/CL/2 date 21.02.84	3. Rect.686.E/57/0Pt.X(C) dated 16.03.84
4. E(NG)II/78/CL/41 date 02.11.84	4. Rect.706.E/57/0 Pt.X (C) dated 10.01.85
5. E(NG)II/78/CL/2 date 25.04.86	5. Rect.732.E/57 Pt.XI(C) dated 21.05.86
6. E(NG)II/78/CL/38 date 12.06.87	6. E/57/0 Pt.XI(C) dated 09.07.87
7. E(NG)II/79/CL/2 date 03.03.82	7. Rect. 644/E/57/0 Pt.IX(C) dated 08.04.82
8. E(NG)II/88/CL/18 date 01.11.88	8. Rect.766/E/57/11 Pt.II(C) dated 25.11.88

Sd/ eligible
Dy. CPO/IR
For General Manager(P)
NF Railway, Maligaon

N.F. RAILWAY

No. E/41/CL (E)/Pt-II

Office of the
General Manager (Personnel)
Maligaon, Dtd. 8.9.2000

To:

DRM/LMG and others.

Sub: Regularisation and screening of Casual Labour borne on Live/Suppl. Live Casual Labour Register.

Attention is invited to the instruction contained to Railway Board's letter circulated under GM(P)'s No.Rect/628, E/57/0/Pt.IX (C) dtd. 4.12.98. On the above subject and it is clarified that screening of Ex-Casual Labour borne in Liv/Suppl. Live Casual Labour Register against the vacancies of various department would not be a matter of course and automatic. Instructions stipulated therein should be followed strictly before screening test is held.

In addition to all such instructions issued locally from GM(P) LMG and in addition to the existing system of check, the following system has been evolved which should be adhered to positively.

- (a) At the time of screening, concerned divisions should nominate one Office of P/Branch of at least Asstt. Scale alongwith the list of Casual labourers of the Divisions to verify it verification both the Officers should be prepare a confirmed list of the Casual Labourers of the Divn. and it should be signed by both of them. This verified list should be considered for further proceeding of screening.
- (b) Whenever there is a correspondence from any of the executives conveying fresh inclusion of names in the list of Ex-Casual Labour, name should be immediately verified from the concerned executives, before it is given cognizance by the P/Branch of the concerned Divin. In this regard it is also stated that whenever there is any recommendations from the executive conveying fresh inclusion of name in the list of Casual Labour, it must be ensured that this has the personnel approval of the GM (according to current instructions).
- (c) Whenever fresh appointees report to any of the fields units alongwith the appointment letter. it must be verified and cross-checked by the controlling officers of the field unit with the authority, who issued the

appointment letter, regarding genuineness of the letter and candidate so appointed before induction.

All concerned are requested to have a thorough review of all the candidates (Ex-Casual Labourer) who are under consideration for screening/appointment presently, before they are actually absorbed in Group 'D' category.

In addition to above, further efforts may be made to do away laguna, if any, in the system of screening/appointment of Ex-Casual Labourers to avoid fraudulent appointment.

Sd/-
Dy. CPO/HQ/Maligaon,
For General Manager (B),
N.F. Rly, Maligaon.

No.E/Rectt/208/0/Pt.VII

Lumding, dtd. 15.09.2000.

Copy forwarded for information and necessary action to:-

- 1) Sr. DFO, DPO, APOs, APO/GHY, AM/BFB, All Ms.
- 2) All Cadre sec. Incharges.
- 3) E/Rectt.

Sd/-
For Divl. Rly. Manager (P),
N. F. Rly, Lumding.

NORTH EAST FRONTIER RAILWAY

NO:RECT-914
NO.E/57/0 P.XII(C)

OFFICE OF THE
GENERAL MANAGER(P)
GUWAHATI-11.

Dated : 15.03.2001.

To:

GM/MIG, GM(CON)/MLG and AGM/MLG,
All PH&Ds, All DRMs and ADRMs. DAOs,
WAO/NDQ, D&WS, Dy. CME/NDO. D&WS,
All Area Manager, All Sr. DRGs and DPOs,
All Sr. DME(D), DEN/D&RT, MIG,
WM(EWS)/DNGN. All AENs, OSD/RNY,
Sr. AM/GHY & NJP.
The GS/NFREU/NFRMU, AISCTREA & NEROBCEA/MIG.

Sub: Absorption in the Railways of Ex-Casual Labour borne as the live/supplementary Live Casual labour registers.

A copy of Rly. Bd's letter No.E(NG)II-99/CL/19 dt. 20.2.2001 (RBE No.42/2001) on the above subject is forwarded for information and necessary action. Bd's earlier letter dt. 9.10.90, 4.12.90 and 5.7.91 and dated 1.6.99 as referred to in their present letter were circulated as under:-

	Rly. Bd's No. and date	GM(P)/MLG's No. and date
1	E(NG)I-95/BM1/1 dt. 1.6.99 E(NG)II/90/CL/32 dt.4.10.90	RECT-884/E/57/0 Pt.XII(C) dt.4.12.90
2	E(NG)II-90/RR-1/107 dt.4.10.90	RECT-893/E/227/144 P.X(C) dt.21.03.91
3	E(NG)II/91/CL/71 dt 25.7.91	RECT-310/E/227/144 P.X(C) dt.21.03.91
4	E(NG)II/91/MR-1/21 dt.16.9.91	Kept in CPO's confd.Sco.Not circulated to all concerned
5	E(NG)I-95/RM-1/1 dt.1.6.99	RECT-091/E/227/144 P.X(C) dt.8.6.99

Sd/ illegible
14.03.01
for General Manager (P) MIG

Sub: Absorption in the Railways of ex-Casual Labour borne on the live/Supplementary live casual labour registers.

In terms of the instructions contained in Board's letter No.E(NG)II/98/CL/32, dated 9.10.98: the ex-casual labour borne on live casual labour registers, will first be considered for absorption on the Railways strictly as per their turn according to seniority based on the total number of days put in by them as casual labour. Thereafter, the ex-casual labour borne on supplementary live casual labour register will be considered in accordance with the number of days put in by them prior to 1.1.81, those falling in this category being placed enbloc below any ex-casual labour who may have rendered service on re-engagement after 1.1.81, and his name is, therefore, borne on live casual labour register.

2. In terms of the instructions contained in Board's letter No.E(NG)II-98/RR-1/107 dated 4.12.98, minimum educational qualification for direct recruitment to Group 'D' posts in scale Rs.2610-3500 has been laid down as Class-VIII passed. Further in terms of Ministry of Railway's letter No.E(NG)II/91/CL/71 dated 25.7.91, age relaxation to the extent of service put in as casual labour/substitute, subject to upper age limit of 40 years in the case of general candidates and 45 years in the case of SC/ST candidates not being exceeded, may also be granted in the case of casual labour substitutes for recruitment against group 'C' and 'D' posts. The OBC candidates will also get age relaxation, upto the upper age limit of 43 years, as has been granted to the serving OBC Railway employees vide Board's letter No.E(NG)I-95/FMI/1 dt.1.6.99.

3. Both the Federations have been requesting for relaxation of the minimum educational qualification and age in the case ex-casual labour borne on the Live/Supplementary Live Casual Labour Registers,- while considering them for absorption against group 'D' vacancies.

4. After considering the views of both the recognized Federations, the Board have now decided that, for filling up 60% of the open market recruitment vacancies for each recruitment in the category of Gangmen, scale Rs.2610-3500, in the Civil Engineering Department, the minimum educational qualification of Class VIII passed need not be insisted upon while considering the ex-casual labour on live/supplementary live casual labour registers. The remaining 40% of open market recruitment vacancies in the category of gangmen, in Civil Engineering Department will be filled in through direct recruitment from open market. in which ex-casual labour, who are lower in the seniority position (based on the total number of days of casual service put in) in the

live/supplementary live registers, but possess minimum qualification of class VIII pass, can also apply. For all the other departments, only those ex-casual labour borne on live/supplementary live casual labour registers, who fulfill the minimum educational qualification of class-VIII pass would be considered for direct appointment against group 'D' vacancies.

5. Board's approval will however, be continued to be required for resorting to direct recruitment for filling up all Group 'D' vacancies on Railways, either by absorption of ex-casual labour borne on live/supplementary live casual labour registers or by doing fresh recruitment from open market. This is in line with the existing practice of taking Board's approval for such open market recruitments for filling up vacancies in Group 'D' in accordance with the instructions contained in Board's letter No.E(NG)II/91/RR-1/21 dated 16.9.91, wherein all Group 'D' recruitment on the Railways, from open market, had been stopped.

6. As far as age limit is concerned, it has been decided that the instructions contained in Board's letter No.E(NG)II/91/CL/71 dated 25.7.91 would continue to be applicable as before in the case of general, SC and ST candidates. In the case of OBC candidates however, the age relaxation to ex-casual labour will be available upto the upper age limit of 43 years.

Please acknowledge receipt.

Sd/-

23/2/2001

(Deika Chhikara)

Director Establishment (N)

Railway Board.

To,
The Divisional Personnel Officer,
Northeast Frontier Railway,
Alipurduar Jn.

SL No: 497

149

Sub: - Screening of Casual Labour as per
Circular of Rly Board, New Delhi.

Sir,
With due respect and humble submission I beg to state
that I worked as Casual Labour under SI/Con/BNGM, NE Rly, N.E.E.
from 16-3-81 to 15-6-81 = 90 days,

16-9-81 to 15-12-81 = 90 days,

16-4-82 to 15-7-82 = 90 days,

~~XXXXXXXXXXXX~~

15-9-82 to 16-12-82 = 90 days,

15-4-83 to 16-7-83 = 90 days,

(90 + 90 + 90 + 90 + 90 = 450 Days after that I was

discharged from service due to expiry of sanction. Although
I tried for reappointment I am till today sitting idle without
any work.

I therefore request your honour to kindly to
give me a chance of reappointment. I will leave no
stone unturned to satisfy my superior officers.

For this act of kindness I will remain ever grateful
to you.

Yours faithfully,

(Dipak Nath)

Ex-Casual Labour

Date:

Place:

CERTIFIED TO BE TRUE COPY

ADVOCATE

To
The General Manager(CON),
N.F.Railway/Maligaon.

Respected Sir,

Sub:- Inclusion of name in the Live
Register of Const. Org.

With due respect and humble submission I beg to state the following facts in favour of your kind consideration and sympathetic action please.

That Sir, I was initially engaged as casual labour on 16.3.81 in const.organisation under SI/CON/BNON and rendered 450 days casual service w.e.f.16.3.81 to 16.7.83 in different spells and discharged on 16.7.83 on expiry of sanction. In this connection casual labour service card is enclosed for your kind perusal please.

That Sir, as per my jurisdiction of initial engagement I belongs to APDS division. Accordingly, I have submitted a representation to DRM(P)/APDS for my screening and absorption which is duly received with seal by DRM(P)/APDJ copy enclosed.

Recently all the divisions has started conducting screening a ex-casual Labour who born in Live Register. It is understood from DRM(F)/APDJ that my name is not in Live Register of APDJ division.

I, therefore, requested to kindly arrange to send my service particulars to DRM(P)/APDJ for inclusion of my name in the Live Register and for this act of your kindness I and my family will remain ever grateful to you.

My bio-data is furnished below:-

1. Name :- Shri DIPAK NATH
2. Father's name :- Sri Jatra Mohan Nath
3. Date of birth :- 26.6.63
4. Date of appointment :- 16.3.81
5. Date of discharged :- 16.7.83
6. Total casual service :- 450 days
7. Worked under :- SI/CON/BNON
8. Caste :- OBC
9. Educational Qualification :- Class IX
10. Postal address :- C/o.Sri Jatra Mohan Nath
Triangular colony
Gr.No.135(C)
P.O.Guwahati-12.



With due regards.

Yours faithfully,

DIPAK NATH

ANNEXURE-

(TYPED COPY)

To

Date: 10.05.1989

PWI / BORPATHAR

Respected Sir,

I like to inform you that I had worked under your kind control from 15-5-1986 to 16-10-86 and 12-3-1987 to 24-8-1987. So I hope that you will be kind enough to take me on job, as I am involved of a family. So you will grant me my request as your kind consideration.

D/A

One Xerox copy of Service Book.

Yours faithfully

Sd/- Illegible

Ajit Mukherjee

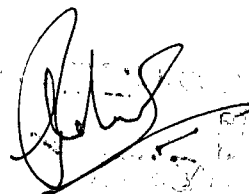
Received

Sd/-Illegible

Payment Works Inspector

N.F. Rly. Barpathar

10-5-1989.



पू० सी०-जी/N. F.— G. 299



उत्तर सीमा रेलवे
NORTHEAST FRONTIER RAILWAY

अनियमित मजदूर के रूप में सेवा का रेकार्ड
RECORD OF SERVICE AS CASUAL LABOUR

सं./No.

पू० सी० रेलवे / N. F. RAILWAY

कार्यालय/विभाग

Office / Department PWI/BXP

अनियमित मजदूर के रूप में सेवा का रेकार्ड

Service book for Casual Labour

पूरा नाम साफ-साफ

1. Name in full SRI SAMARESH CHANDRA
(In Block letters) DUTTA

पिता का नाम

2. Father's Name Late/Ramesh Chandra
Dutta

जन्म-तिथि

3. Date of Birth 27-5-59

प्रारम्भ में अनियमित नौकरी पाने के समय आयु

4. Age at initial casual employment

वर्ष/Year 18 माह/months 3

5. Personal marks of identification

प्रारम्भिक नियुक्ति के समय झुठी

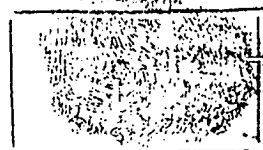
6. Nature of job on initial employment

Casual

दाये अंगुष्ठ का निशान

L. T. I.

Bowdler



Akshay

1. Bowdler Way Inspector
L. T. I. Bowdler

प्रथम नियुक्ति प्रवर पर्यवेक्षक वा हस्ताक्षर/

Signature of the First Appointing Senior Supervisor.

CERTIFIED TO BE TRUE COPY

Advocate

Statement of Service as Casual Labour.

क्रम सं. Sl. No.	नौकरी की अवधि Period of Employment		इसकी विवरण / Nature of assignment
	से/From	तक/To	
1	2	3	
1	15/5/78	15/10/78	अ. 2
2	16/5/79	15/10/79	अ. 0

Nature of assignment

आभियंता महिष प्रबोधक का
हस्ताक्षर और पदनाम
Signature and designation
of the Supervisor
with date

5

AKB 22/15/10

Inspection Way Inspection;
H. F. Dy. Engineer

AKB 22/15/10

Inspection Way Inspection.
H. F. Dy. Engineer



NORTHEAST FRONTIER RAILWAY

RECORD OF SERVICE AS CASUAL LABOUR

पू० सो०-जी/N.F. RAILWAY
 Name in Block letters
 (In-Block letters)

2. Father's name Shri Jatra Mohon Nath

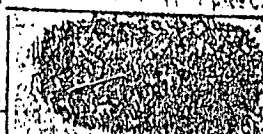
3. Date of Birth 26.6.63

4. Age at initial casual employment
 वर्ष/Year 18 माह/months 1

5. Personal marks of Identification. One and a half inch square on right fore finger and one and a half inch square on left fore finger.
 प्रारंभिक नियुक्ति के समय हवरी

6. Nature of job on Initial employment Casual Labour

बायें अंगुठे का निशान
L. T. I. 67
19/06/67



Signature of the First Appointed Senior Supervisor
N. P. Bhangul

RECORD OF SERVICE AS CASUAL LABOUR.

From		To	Nature of assignment	Signature and designation of the Supervisor with date
2	3	4		5
16/81	15/81	Branches & Installation of Bonding of Track circuiting & Grounding Construction work	Adding sun & shade 1/2 1/2 1/3 1/4 1/5 1/6 1/7 1/8 1/9 1/10 1/11 1/12 1/13 1/14 1/15 1/16 1/17 1/18 1/19 1/20 1/21 1/22 1/23 1/24 1/25 1/26 1/27 1/28 1/29 1/30 1/31 1/32 1/33 1/34 1/35 1/36 1/37 1/38 1/39 1/40 1/41 1/42 1/43 1/44 1/45 1/46 1/47 1/48 1/49 1/50 1/51 1/52 1/53 1/54 1/55 1/56 1/57 1/58 1/59 1/60 1/61 1/62 1/63 1/64 1/65 1/66 1/67 1/68 1/69 1/70 1/71 1/72 1/73 1/74 1/75 1/76 1/77 1/78 1/79 1/80 1/81 1/82 1/83 1/84 1/85 1/86 1/87 1/88 1/89 1/90 1/91 1/92 1/93 1/94 1/95 1/96 1/97 1/98 1/99 1/100 1/101 1/102 1/103 1/104 1/105 1/106 1/107 1/108 1/109 1/110 1/111 1/112 1/113 1/114 1/115 1/116 1/117 1/118 1/119 1/120 1/121 1/122 1/123 1/124 1/125 1/126 1/127 1/128 1/129 1/130 1/131 1/132 1/133 1/134 1/135 1/136 1/137 1/138 1/139 1/140 1/141 1/142 1/143 1/144 1/145 1/146 1/147 1/148 1/149 1/150 1/151 1/152 1/153 1/154 1/155 1/156 1/157 1/158 1/159 1/160 1/161 1/162 1/163 1/164 1/165 1/166 1/167 1/168 1/169 1/170 1/171 1/172 1/173 1/174 1/175 1/176 1/177 1/178 1/179 1/180 1/181 1/182 1/183 1/184 1/185 1/186 1/187 1/188 1/189 1/190 1/191 1/192 1/193 1/194 1/195 1/196 1/197 1/198 1/199 1/200 1/201 1/202 1/203 1/204 1/205 1/206 1/207 1/208 1/209 1/210 1/211 1/212 1/213 1/214 1/215 1/216 1/217 1/218 1/219 1/220 1/221 1/222 1/223 1/224 1/225 1/226 1/227 1/228 1/229 1/230 1/231 1/232 1/233 1/234 1/235 1/236 1/237 1/238 1/239 1/240 1/241 1/242 1/243 1/244 1/245 1/246 1/247 1/248 1/249 1/250 1/251 1/252 1/253 1/254 1/255 1/256 1/257 1/258 1/259 1/260 1/261 1/262 1/263 1/264 1/265 1/266 1/267 1/268 1/269 1/270 1/271 1/272 1/273 1/274 1/275 1/276 1/277 1/278 1/279 1/280 1/281 1/282 1/283 1/284 1/285 1/286 1/287 1/288 1/289 1/290 1/291 1/292 1/293 1/294 1/295 1/296 1/297 1/298 1/299 1/300 1/301 1/302 1/303 1/304 1/305 1/306 1/307 1/308 1/309 1/310 1/311 1/312 1/313 1/314 1/315 1/316 1/317 1/318 1/319 1/320 1/321 1/322 1/323 1/324 1/325 1/326 1/327 1/328 1/329 1/330 1/331 1/332 1/333 1/334 1/335 1/336 1/337 1/338 1/339 1/340 1/341 1/342 1/343 1/344 1/345 1/346 1/347 1/348 1/349 1/350 1/351 1/352 1/353 1/354 1/355 1/356 1/357 1/358 1/359 1/360 1/361 1/362 1/363 1/364 1/365 1/366 1/367 1/368 1/369 1/370 1/371 1/372 1/373 1/374 1/375 1/376 1/377 1/378 1/379 1/380 1/381 1/382 1/383 1/384 1/385 1/386 1/387 1/388 1/389 1/390 1/391 1/392 1/393 1/394 1/395 1/396 1/397 1/398 1/399 1/400 1/401 1/402 1/403 1/404 1/405 1/406 1/407 1/408 1/409 1/410 1/411 1/412 1/413 1/414 1/415 1/416 1/417 1/418 1/419 1/420 1/421 1/422 1/423 1/424 1/425 1/426 1/427 1/428 1/429 1/430 1/431 1/432 1/433 1/434 1/435 1/436 1/437 1/438 1/439 1/440 1/441 1/442 1/443 1/444 1/445 1/446 1/447 1/448 1/449 1/450 1/451 1/452 1/453 1/454 1/455 1/456 1/457 1/458 1/459 1/460 1/461 1/462 1/463 1/464 1/465 1/466 1/467 1/468 1/469 1/470 1/471 1/472 1/473 1/474 1/475 1/476 1/477 1/478 1/479 1/480 1/481 1/482 1/483 1/484 1/485 1/486 1/487 1/488 1/489 1/490 1/491 1/492 1/493 1/494 1/495 1/496 1/497 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1/830 1/831 1/832 1/833 1/834 1/835 1/836 1/837 1/838 1/839 1/840 1/841 1/842 1/843 1/844 1/845 1/846 1/847 1/848 1/849 1/850 1/851 1/852 1/853 1/854 1/855 1/856 1/857 1/858 1/859 1/860 1/861 1/862 1/863 1/864 1/865 1/866 1/867 1/868 1/869 1/870 1/871 1/872 1/873 1/874 1/875 1/876 1/877 1/878 1/879 1/880 1/881 1/882 1/883 1/884 1/885 1/886 1/887 1/888 1/889 1/890 1/891 1/892 1/893 1/894 1/895 1/896 1/897 1/898 1/899 1/900 1/901 1/902 1/903 1/904 1/905 1/906 1/907 1/908 1/909 1/910 1/911 1/912 1/913 1/914 1/915 1/916 1/917 1/918 1/919 1/920 1/921 1/922 1/923 1/924 1/925 1/926 1/927 1/928 1/929 1/930 1/931 1/932 1/933 1/934 1/935 1/936 1/937 1/938 1/939 1/940 1/941 1/942 1/943 1/944 1/945 1/946 1/947 1/948 1/949 1/950 1/951 1/952 1/953 1/954 1/955 1/956 1/957 1/958 1/959 1/960 1/961 1/962 1/963 1/964 1/965 1/966 1/967 1/968 1/969 1/970 1/971 1/972 1/973 1/974 1/975 1/976 1/977 1/978 1/979 1/980 1/981 1/982 1/983 1/984 1/985 1/986 1/987 1/988 1/989 1/990 1/991 1/992 1/993 1/994 1/995 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पू० सी०—जी/N. F.— G. 299



पूर्वांचल सीमा रेलवे
NORTHEAST FRONTIER RAILWAY

अल्पकालिक मजदूर के रूप में सेवा का रिकॉर्ड
RECORD OF SERVICE AS CASUAL LABOUR

पू० सी०—जी/N. F.— G. 299

पू० सी०—जी/N. F.— G. 299

Officer/Department

अल्पकालिक मजदूर के रूप में सेवा का रिकॉर्ड

Service book for Casual Labour

पूरा नाम जन्म-स्थान
Name in full **DIPAK KUMAR CHAKRABORTY**
(In Block letters)

पिता का नाम
Father's Name **SUNIL K. CHAKRABORTY**

जन्म-तिथि
Date of Birth

प्रारम्भ में अल्पकालिक मजदूरी करने के समय आयु

Age at initial casual employment

वर्ष/Year... 73 ... माह/month...

पू० सी०—जी/N. F.— G. 299
Personal marks of the right hand
of left hand

6. Nature of job on initial employment **Casual Labour**

बायें हाथ के निशान
L. T. I. of-
Dipak K. Chakrabarty

Signature of the First Appointing Senior Supervisor

Contract Labour.

Not to be used in
any other manner

Signature & designation
of the Supervisor
with date

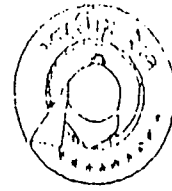
5

[Signature]
Permanent Work Inspector
N. T. Nay. Badarpur

Sl. No.	From	To	
1	4.5.50	16.5.50	Non-attendance
2	5.6.50	25.10.50	D.C.

30 -

पू० सी०-सी/14, P.--- G. 299



पूर्वोत्तर सीमा रेलवे
NORTHEAST FRONTIER RAILWAY

नियमित मजदूर के रूप में सेवा का रिकॉर्ड
RECORD OF SERVICE AS CASUAL LABOUR

सं०/No 345

पू० सी०-रेलवे / N. F. RAILWAY

कार्यालय/विभाग

Office / Department PWI/13XP

अनियमित मजदूर के रूप में सेवा का रिकॉर्ड
Service book for Casual Labour

पूरा नाम साफ-साफ

1. Name in full RATAN DEY
(In Block letters).

पिता का नाम

2. Father's Name Nareesh Dey

जन्म-तिथि

3. Date of Birth 5-1-64

प्रारम्भ में अनियमित नौकरी पाने के समय आयु

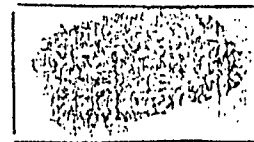
4. Age at initial casual employment
वर्ष/Year 18 माह/months

5. Personal marks of identification (1) One cut mark below the left leg knee.
(2) One cut mark left of the back side.

6. प्रारंभिक नियुक्ति के समय द्यूटी
Nature of job on initial employment Casual Labour

बायें अंगूठे का निशान
L. T. I.

Ratan Dey



Inspector
N. F. R. Railway

प्रथम नियुक्ति प्रथम पर्यवेक्षक का हस्ताक्षर/
Signature of the First Appointing Senior Supervisor.

32 -

42

No. 30/14, P. --- G. 299



पूर्वोत्तर सीमा रेलवे
NORTHEAST FRONTIER RAILWAY

अनिमित्त मजदूर के रूप में सेवा का रिकॉर्ड
RECORD OF SERVICE AS CASUAL LABOUR

सं०/No. 30/14

पूर्वोत्तर रेलवे / N. F. RAILWAY

कार्यालय/विभाग

Office / Department PNT/BJP

अनिमित्त मजदूर के रूप में सेवा का रिकॉर्ड
Service book for Casual Labour

पूरा नाम साफ-साफ

1. Name in full GOYDEB CH. DEY
(In Block letters)

पिता का नाम

2. Father's Name Lal Sukha Ranjan Dey

जन्म-तिथि

3. Date of Birth 8-1-67

प्रारम्भ में अनियमित नौकरी पाने के समय आयु

4. Age at initial casual employment

वर्ष/Year 1 / ६ माह/months 1

वर्ष पर पहचान के निशान

5. Personal marks of (b) One cut mark, identification left side of the forehead

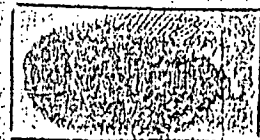
प्रारम्भिक नियुक्ति के समय दृष्टि

6. Nature of job on initial employment Casual labour

बायें प्रगूठे का निशान

L. T. I.

Goydeb Ch. Dey



[Signature]

Permanent Way Inspector

प्रथम नियुक्ति प्रवर पर्यवेक्षक का हस्ताक्षर/

Signature of the First Appointing Senior Supervisor

-34-

पू० सी०- बी/न. ए. - G. 299



पूर्वोत्तर सीमा रेलवे
NORTHEAST FRONTIER RAILWAY

अनियत मजदूर के रूप में सेवा का रेकार्ड
RECORD OF SERVICE AS CASUAL LABOUR

सं०/No. 232

पू० सी० रेलवे / N. F. RAILWAY

कार्यालय/विभाग

Office / Department PWI/BXP

अनियत मजदूर के रूप में सेवा का रेकार्ड
Service book for Casual Labour

पूरा नाम साफ-साफ

1. Name in full AJIT MUKHERJEE
(In Block letters)

पिता का नाम

2. Father's Name Shri. Sushil Ch. Mukherjee

जन्म-तिथि

3. Date of Birth 02-09-68

प्रारम्भ में अनियमित नौकरी पाने के समय आयु

4. Age at initial casual employment

वर्ष/Year 18 माह/months 2

शरीर पर पहचान के चिन्ह

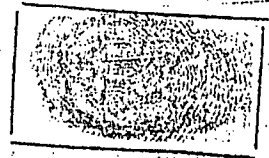
5. Personal marks of (1) One cut mark
identification on the right hand

प्रारंभिक नियुक्ति के समय ड्यूटी

6. Nature of job on initial
employment Casual labour

बायें अंगूठे का निशान
L. T. I.

Ajit Mukherjee



Permanent Inspector

N. F. R. Department

प्रथम नियुक्ति प्रवर पर्यवेक्षक का हस्ताक्षर/
Signature of the First Appointing Senior Supervisor.

Interpolated seniority list of Ex.CL/CPC of Open line and retrenched CL of Construction organization and CL/CPC worked under FCW (IOW/PCW/LMG). Reference Dy. CPO/IR/MLG's L/No. PE/41/CL(E) dtd. 9.6.98 and Dy. CPO/CON/MLG's D.O. L/No. E/283/CON/CL(2) dtd. 29.5.98 and GM(P)/ MLG's L/No.E/41/ CL(E)Pt II dt. 8.12.98 and SEN/FCW/MLG's L/No. W/FCS/MLG/E-14(B)Pt I DTD. 11.7.95.

S/No	Name	Father's Name.	Engage Under	Date of Birth	Date of Engagement.	Date of Discharge	Total Working days.
1	2	3	4	5	6	7	8
1	Najrul Islam	Najir Russain.	FWI/NOG	29.6.59	29.6.77	26.5.83	2166
2	Padmeswar Patar.	Barumath Patar.	-do-	27.3.55	20.5.55	15.10.82	1608
3	Sankar Roy	Talabir Roy	-do-	29.6.57	29.6.77	15.10.81	1560
4	Binoda Behari Sarkar.	G.C. Sarkar	ICW/FCW/LMG.		3.6.74	16.10.90	1359
5	Chandan Mazumder.	S.N. Mazumder	-do-		16.5.77	20.10.86	1161
6	Suresh Das	Umesh Das	FWI/NOG	29.9.49	29.6.81	7.8.84	1134
7	Suku Ram Kalita.	P. R. Kalita.	ICW/FCW/LMG		10.8.83	17.10.90	1031
8	Dilip Saikia.	B. Saikia	-do-		28.5.83	17.10.90	1130
9	Suren Ch. Talukdar.	H.C. Talukdar	-do-		29.5.83	17.10.90	1127
10	Guneswar Das.	N.C. Das	-do-		5.6.83	16.10.90	1124
11	Devakanta Das.	G.K. Das	-do-		10.6.83	18.10.90	1118
12	Bonsidhar Phukan.	K.R. Phukan	-do-		7.7.83	17.10.90	1101
13	Miss. Lili Sarania (S/C).	W/o P.	XEN/CON/SHIT.	21.1.62	9.11.82	31.7.85	1024
14	Jogen Ch. Deka.	Danda Ram Deka.	ICW/FSW/LMG		25.5.84	18.10.90	1005
15	Swapan Kt. Dey (No.3)	B.P. Dey.	-do-		12.5.84	17.10.90	990
16	Gopal Acharjee.	S.C. Acharjee	-do-		26.5.83	16.10.90	991
17	Dhiraj Kumar.	Maheswar Kumar.	-do-		30.5.84	18.10.90	978
18	Chandra Kr. Sarkar.	Sukumar Sarkar	FWI/NOG	28.5.60	15.10.79	18.4.81	912
19	Guan Mohan Mandal.	H.B. Mondal	IOW/FCW/LMG		27.6.75	20.10.81	861

CERTIFIED TO BE TRUE COPY

[Signature]
ADVOCATE

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1	2	3	4	5	6	7	8
20	Gopal Ch. Datta.	K.C.Dutta	IOW/FCW/IMG		22.5.85	18.10.90	837
21	Swapn Kr. Dey. (No.1)	M.K.Dey	-do-		17.8.78	20.10.85	776
22	Golap Das	Rupran	XEN/CON/SHTT.	1.1.62	28.9.83	13.10.85	775
23	Kamal Khaklary (ST)	B.	-do-	1.1.57	30.9.83	13.10.85	774
24	Dineswar Gogoi.	P. Gogoi	IOW/IMG		9.8.85	17.10.90	768
25	Deban Das (SC)	Karman	XEN/SHTT	16.10.58	7.10.83	13.10.85	766
26	Ananda Das	Narayan	-do-	16.12.64	12.10.83	15.10.85	761
27	Udai Dolmary (ST)	B. Daimary	-do-	1.7.56	17.10.83	13.10.85	756
28	Birendra Kalita	P.R.Kalita	IOW/FCW/IMG		13.7.86	16.10.90	600
29	Durganath Phukan	S.K.Phukan	-do-		6.6.83	20.10.86	556
30	Ram Chandra	Radhika	XEN/CON/CD	3.4.64	12.5.82	31.10.83	538
31	Naren Ch. Das	Kalicharan Das	HRI/NOG	12.7.37	2.6.81	15.10.82	500
32	Bishnupada Das	Monoranjn Das	-do-	2.11.58	2.6.81	15.10.82	500
33	Ranjit Kr. Dey	Rukmini Ch. Dey.	-do-	20.11.60	2.6.81	15.10.82	500
34	Siblal Putatunda	Makhan Lal Putatunda	IW/FCM/LGM		18.7.86	17.10.90	474
35	Suren Phukan	G.C. Phukan	-do-		25.5.84	19.10.86	444
36	Bishnupada Dey	Mahim	PWI/H/IMG		24.10.81	31.3.83	443
37	Azizul Haque	B.B.Haque	XEN/CCN/SHTT.	1.1.69	6.2.83 8.10.84	25.8.84 31.10.85	436
38	Uttam Bardhan	B.R.Bardhan	ICW/FCW/IMG	-	24.5.83	18.10.85	435
39	Pratap Ch. Das	S.C.Das	-do-		25.5.83	25.5.86	431
40	Cheni Ram Basumatary (ST)	Kuhiram	XEN/CON/SHTT.	25.6.62	4.10.84	13.10.85	404
41	Suren Bora	Nandeswar	-do-	30.7.59	8.10.84	13.10.85	400

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1	2	3	4	5	6	7	8
42	Hareswar Basumatary (ST)	Posuram	-do-	17.10.63	11.10.84	31.10.85	396
43	Dipak Barua	S. Barua	IOW/FCW/IMG		12.6.84	20.10.86	390
44	Parimal Acharjee.	B.K. Acharjee.	-do-		14.6.81	20.10.86	361
45	Ram Bahadur Vaujal.	R.S.Vaujal	-do-		26.7.83	18.10.85	370
46	Subhash Ch. Das.	Prafulla Kr. Das.	IOW/MBG.	1.1.53	1.1.77	15.5.83	362
47	Bhupen Bhuyan.	-	XEN/CON/SHTT	30.9.62	2.11.84	30.9.85	333
48	Biren Barua	Hemdhar	-do-	20.7.63	2.11.84	30.9.85	333
49	Prabnam Bhuyan.	Ghana Bhuyan	-do-	31.10.66	2.11.84	30.9.85	333
50	Bhogenwar Bora	Khageswar	-do-	9.6.60	5.11.84	30.9.85	330
51	Mitin Sana	Dhirendra	-do-	9.11.62	6.11.84	30.9.85	321
52	Dulal Mahanta	M.K.Mahanta	-do-	31.12.59	14.11.84	30.9.85	322
53	Sishir Kr. Singh	Kobinda	XEN/CON/SHTT.	31.7.64	14.11.84	30.9.85	321
54	Debo Kanta Rajkhowa.	Rabiman Rajkhowa	-do-	30.6.60	10.10.84	31.7.85	295
55	Puspa Kanta Bora.	Puniram	-do-	30.6.60	10.10.84	31.7.85	295
56	Dimbeswar Hazarika.	Rudra Kumar Hazarika.	-do-	1.3.65	10.10.84	31.7.85	295
57	Ranjan Kumar Bhuyan.	Biyaram	-do-	31.5.62	11.10.84	31.7.85	294
58	Ajit Gogoi	Chandra	-do-	1.4.60	12.10.84	31.7.85	295
59	Nintyananda Bayan.	Chandrajit	-do-	31.5.65	19.10.84	31.7.85	266
60	Prafulla Kalita.	Sewram.	XEN/CON/SHTT.	8.1.61	20.10.84	31.7.85	285
61	Swapan Kr. Das.	Ananta Kr. Das.	XEN/C/CD	16.5.59	10.7.81	5.4.82	272
62	Biren Das (SC)	Phanidhar	XEN/C/SHTT.	26.5.64	4.10.84 1.5.85	31.8.85 31.7.85	272
63	Naren Dora, II.	Sonaram.	-do-	1.4.55	3.11.84	31.7.85	271
64	Pushoa Barthakur.	Padma	-do-	1.2.63	4.11.84	31.7.85	270

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1	2	3	4	5	6	7	8
65	Mahendra Bora	Bhadram	-do-	1.1.61	5.11.84	31.7.85	269
66	Pradip Bora	Niron Ch. Bora.	-do-	28.8.63	5.11.84	31.7.85	269
67	Tarun Bora	Priyaram	-do-	1.3.64	5.11.84	31.7.85	269
68	Uttam Das (SC)	Tikhar	-do-	16.11.64	5.11.84	31.7.85	269
69	Bhudneswar Bora	Dimbeswar	-do-	1.4.65	5.11.84	31.7.85	269
70	Naba Krishna Manta	Lilaram	-do-	3.3.57	5.11.84	31.7.85	269
71	Nakul Ch. Das.	Tarun Ch. Das.	-do-	7.3.61	19.1.84	13.10.86	260
72	Miss. Jinu Bora	Dimbeswar	-do-	1.4.65	9.10.84 1.6.84	31.3.85 31.7.85	267
73	Kaliram Bhuyan	Khomen	-do-	9.3.60	14.11.84	31.7.85	260
74	Manik Hazarika	S. Hazarika	-do-	31.7.66	14.11.84	31.7.85	260
75	Bidhan Rajkhowa	Gita Hazarika	-do-	21.3.62	16.11.84	31.7.85	257
76	Manik Saikia	Aghono	-do-	31.12.58	19.10.84 1.5.85	31.3.85 31.7.85	255
77	Sachindra nath Sarma	S.N.Sarma	LOW/FCW/IMG		20.5.81	20.10.86	256
78	Naljan Rava	Pathuram	XEN/C-J/MLG.	30.9.61	26.10.84	1.7.86	249
79	Ajit Hazarika	Khargeswar	XEN/SHTT	1.1.60	26.11.84	31.7.85	248
80	Iswarwar Bora	Bhogeswar	-do-	5.6.65	26.11.84	31.7.85	249
81	Pradip Kr. Singh (OBC)	Daijalal	XEN/CON/GS/MLG.	13.1.59	28.11.84	31.7.85	245
82	Noren Bora. III.	Mahendra	XEN/CON/SHTT.	4.2.62	2.11.84 1.5.85	31.3.85 31.7.85	242
83	Pradip Saikia	Kamal Kt.	-do-	6.2.63	2.11.84 2.5.85	31.8.85 31.7.85	241
84	Krishna Kr. Singh	Jatindra	XEN/CON/CJ/MLG.	19.10.61	5.11.84	1.7.85	239
85	Samiran Ch. Roy (SC)	Satish Ch. Roy.	XEN/CON/CJ/MLG.	13.1.58	5.11.84	30.6.85	236
86	Mani Ram Panika.	Matilal Panika.	LOW/MLG.	16.1.55	16.1.77	24.6.83	231

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1	2	3	4	5	6	7	8
87	Monoj Rava (ST)	Metor	XEN/CON/ GJ/MLG.	14.1.60	12.11.84	1.7.85	232
88	Sankar Debnath	B.C.Debnath	-do-	27.12.63	12.11.84	1.7.85	232
89	Ratul Ch. Doy	Sukendar	-do-	3.1.62	30.11.84	17.7.85	230
90	Tarini Das (SC)	Lakhiram	-do-	30.7.61	1.12.84	17.7.85	229
91	Nabesh Rava (ST)	Fratap Rava	-do-	24.3.55	17.11.84	1.7.85	227
92	Md. Faizur Rahman.	Jafar Ali.	-do-	13.12.59	4.12.84	17.7.85	226
93	Dilip Chowdhury	Ratheswar	-do-	4.8.64	1.12.84	1.7.85	213
94	Anil Ch. Das	Upendra	PHI/H/ IMG	26.6.55	27.9.81	26.4.92	212
95	Ratan Kr. Doy	Gunandra	FWI/BXP	16.3.58	27.7.83	26.2.84	209
96	Shantoo Malakar	Upendra Malakar.	FWI/MPR	4.3.56	25.6.77	15.7.81	208
97	Purnadas Panica	Kuarsingh Das Panica	-do-	4.10.57	25.6.77	15.7.81	208
98	Kamala Kt. Saikia	-	XEN/CON/ SHTT.	1.12.62	16.1.85	31.7.85	197
99	Hareswar Das	Ananda Ram	-do-	8.4.62	18.8.85	31.7.85	195
100	Prabin Barkakati	Hem Kt. Barkakati	-do-	24.1.60	5.11.84	13.5.85	190
101	Lakheswar Nath	Bhumidhar	-do-	31.7.62	1.12.85	31.7.85	182
102	Dwijendra Mohan Deka	Nabin Ch. Deka.	XEN/CON/ CD	31.7.59	1.1.83	30.6.85	181
103	Anil Seal	R.C. Seal.	ICR/FCR/ IMG		13.7.86	16.10.90	181
104	Vhimal Upadhya	P. Upadhya	XEN/CON/ SHTT.	1.1.57	9.10.84	31.3.85	174
105	S.S. Purkayastha	S. Purkayastha	XEN/CON/ G-I.	24.12.60	8.1.85	30.6.85	170
106	Parash Ch. Kumar.	Jatindra Kumar.	-do-	31.4.60	9.1.85	1.7.85	174
107	Lakhinarayan Bora.	Nandi Ram Bora	XEN/CON/ SHTT.	25.11.62	9.10.84	31.3.85	174
108	Biren Ch. Das	Pratap Das	XEN/CON/ CS	1.1.63	9.1.85	30.6.85	173
109	Nilmani Bora	Hangadhar Bora	XEN/CON/ SHTT	29.9.59	11.10.84	31.3.85	172

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1	2	3	4	5	6	7	8
110	Padma Kt. Sarma.	Sibeswar Sarma.	-do-	1.2.61	11.10.84	31.3.85	172
111	Khargoswar Barman.	Anth Barman	XEN/CON/CP	15.1.59	11.1.85	1.7.85	172
112	Jogesh Ch. Das	Sandi Ram Das.	XEN/CON/GJ.	31.8.60	11.1.85	1.7.85	172
113	Basheb Ch. Thakuria.	Lohit Thakuria.	-do-	13.12.60	11.1.85	30.6.85	172
114	Sarhim Nath Das.	Krishna Das.	-do-	13.12.60	11.1.85	30.6.85	172
115	Jiban Ch. Dey	Dhirendra Ch. Dey.	ICW/MBG.	25.4.51	25.4.69	15.8.83	170
116	Ajit Bhowmick.	Monoram Bhowmick.	PWI/NOG	1.1.69	27.4.81	14.10.81	170
117	Dipak Ch. Das.	Gajen Das.	XEN/CON/SHTT	9.2.61	16.2.85	31.7.85	166
118	Niren Kalita.	Pitambar Kalita.	XEN/CON/SHTT	21.8.63	16.2.85	31.7.85	166
119	Biswanath Chakraborty.	Tapasi Ram Chakraborty	PWI/ROG	6.1.61	16.5.82	15.10.82	152
120	Kamandi Rava (ST)	Nani Rava	XEN/CON/SHTT.	6.3.55	2.2.85	1.7.85	152
121	Jiban Sutradhar.	Lal Mohan	PWI/LFG	6.11.58	19.5.83	16.10.83	151
122	Golap Ch. Nath.	Tularam Nath	XEN/CON/SHTT	30.11.60	15.11.84	14.4.85	151
123	Parimal Biswas (SC)	N. Biswas	-do-	31.4.58	6.11.84	31.3.85	147
124	Laxman Thapa	R.B. Thapa	ICW/FCW/IMG		26.5.83	20.10.83	147
125	Maya Pasulate	S.C. Pasulate	-do-		27.5.83	20.10.83	147
126	Ram Ranjan Acharjee.	S.R. Acharjee.	-do-		28.5.83	20.10.83	146
127	Chandra Katu Jadav	J. Yadav.	-do-		28.5.83	20.10.83	146
128	Rama Kr. Charasia	B.N. Charasia.	XEN/CON/GJ	3.2.57	13.2.85	1.7.85	140
129	Lakhi Pada Bora	Owram Bora	XEN/CON/SHTT	11.11.61	15.11.84	1.4.85	138
130	Bijoy Krishna Majumdar	S.D. Majumdar	ICW/FCW/IMG		23.6.83	0.6.84	136
131	Basanta Kanti Das	N.K. Das	-do-		.6.73	20.10.83	136

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1	2	3	4	5	6	7	8
132	Swapan Kr. Das.	Motilal Das	FWI/NOG	1.1.60	.6.81	15.10.81	135
133	Ananta Behari Chetri	H.B. Chetri	ICW/FCW/IMG		9.6.83	20.10.83	134
134	Adhir Das	N.C. Das	-do-		9.6.83	19.10.86	133
135	Surjmani Swain	D. Swain	XEN/CON/GJ		25.2.85	1.7.85	127
136	Abhijit Gupta	S.K. Gupta	ICW/FCW/IMG		16.6.83	20.10.83	127
137	Rabi Malakar	P.K. Malakar	-do-		16.7.86	7.7.89	127
138	Upen Mahanta	Deba Kt. Mahanta.	XEN/CON/SHTT	31.12.60	30.11.84	1.4.85	125
139	Bhabeswar Talukdar	L. Talukdar	ICW/FCW/IMG		20.6.86	17.10.86	120
140	Ashis Chakraborty	G.K. Chakraborty	ICW/T/JTG	1.11.60	24.1.83	15.5.83	112
141	Sukhendra Das	Bare Krishna Das	ICW/MBG	21.2.58	2.8.77	15.8.83	110
142	Dipak Prasad	N. Prasad	ICW/FCW/IMG		3.7.86	20.10.86	110
143	Bimal Dasak	S. Dasak	-do-		2.7.86	20.10.86	104
144	N.N. Deka	G.C. Deka	-do-		11.7.86	20.10.86	102
145	Pijush Kanti Nag.	S.C. Nag.	-do-		12.7.86	20.10.86	102
146	Subrata Kr. Deb	K.C. Deb.	-do-		12.7.86	20.10.86	101
147	Sambhu Mahato	R.B. Mahato	ICW/FCW/IMG		16.7.86	20.10.86	98
148	Purna Kt. Bora.	Phatic Ch. Bora.	XEN/CON/SHTT		14.1.85	14.4.85	91
149	Gopal Ch. Barua	Puhram Barua	-do-	31.9.60	14.8.85	14.4.85	91
150	Hara Kanta Saikia	Kaliram Saikia.	-do-	31.1.65	14.1.85	14.4.85	91
151	Bala Krishna Thapa.	Sekh Bahadur Thapa.	FWI/NOG	1.12.55	26.7.81	15.10.81	81
152	Swapan Sarkar	Nani Gopal Sarkar.	-do-	16.6.56	27.7.82	15.10.82	80
153	Jatindra Das	Jamini Mohan Das.	ICW/NOG		7.9.77	15.5.83	71
154	Sambu Majumdar	Satish	FWI/BXP	16.2.50	7.3.83	16.5.83	71

(8)

1	2	3	4	5	6	7	8
155	Kandra Mura	Matha	-do-	16.1.42	8.3.83	16.5.83	70
156	Nanda Kurmi	Kadhura	-do-	15.10.44	8.3.83	16.5.83	70
157	Monorajna Das	Paynee	FWI/BXP	17.3.48	8.3.83	16.5.83	70
158	Krishna Choudhury.	Kanti	-do-	16.11.40	8.3.83	16.5.83	70
159	Petoo Phukan	Tahiram	-do-	16.2.50	8.3.83	16.5.83	70
160	Ramsbit Roy	Dhanu Roy	XEN/CON/SHTT.	25.5.64	25.5.85	31.7.85	60
161	Sarbananda Rajbangshi	B. Rajbangshi	IOW/FCW/LMG		8.6.83	9.8.83	63
162	Swapan Dey	Girish Dey	IOW/MBG		21.8.82	15.10.82	66
163	Lalit Ch. Barman.	Laloo Ram Barman.	PIW/NOG		29.8.81	15.10.81	47
164	Mis. P. Rahaman	-	-		13.2.85	31.3.85	47
165	Ratneswar Chowdhury.	G. Chowdhury	IOW/FCW/LMG		11.6.83	25.7.83	45
167	Satya Pada Dhar.	Ramani Mohan Dhar.	IOW/MEG	1.10.59	8.7.83	15.8.83	39
169	Maresh Ch. Das.	T.R.Das.	IOW/FCW/LMG		14.6.83	4.7.83	21

Sd/- Illegible,
25.3.99
for DRM(P)/LMG.

List of Retrenched skilled Casual Labour.

1	Bahadur Patar (ST)	R.K. Patar	XEM/CMI/SHTP.	22.2.83	5.10.85	945
2	Miso. Lina Mahanta	Phatik Mahanta.	-do-	16.6.84	30.9.85	318
3	Kamal Ch. Dora.	P.R. Bora	-do-	14.3.83	10.7.85	793
4	Suren Saikia	T. Saikia	-do-	1.10.83	5.10.85	764
5	Dipankar Goswami	B. Goswami	-do-	8.10.84	30.9.85	356
6	Pitimbar Goswami	B. K. Goswami.	-do-	14.10.83	30.9.85	344

Sd/-Illegible,
25.3.99
for DRM(P)/LMG.

Original Application No. 140 of 2002.

Date of Order : This the 21st Day of May, 2003.

THE HON'BLE MR JUSTICE D.N. CHOWDHURY, VICE CHAIRMAN.

THE HON'BLE MR S.K. HAJRA, ADMINISTRATIVE MEMBER.

1. Sri Kantil Kumar Das
S/o Sri Tulsi Chandra Das
2. Sri Dilip Chandra Dey
S/o Late Karuna Sankar Dey
3. Sri Bhabatosh Acharjee
S/o Hari Mohan Acharjee
4. Sri Banerwar Chakraborty
S/o Manindra Chakraborty
5. L. Appa Rao
S/o Sri L. Ram Loo
6. Sri Sentu Aich
S/o Late Satindra Kr. Aich
7. Sri Rabi Malakar
S/o Manindra Malakar
8. Sri Prem Das
S/o Late Babin Lal
9. Sri Babul Chandra Dey
S/o Jatindra Ch. Dey
10. Sri Nishan Basfor
S/o Ram Prasad Basfor
11. Sri Binal Bhattacharjee
S/o Sudhir Kr. Bhattacharjee
12. Sri Nitai Das
S/o Sri Abhimanyu Das
13. Sri Sushil Kumar Dey
S/o Sri Birendra Kumar Dey
14. Sri Haradhan Dey
S/o Umesh Chandra Dey
15. Sri Monalal Chakraborty
S/o Late Nishi Das Chakraborty
16. Sri Biswanath Kumar Dey
S/o Prasanna Kumar Dey
17. Sri Uddab Das
S/o Navadeep Das
18. Sri Narayan Kuri
S/o Tarani Kuri
19. Sri Kartik Malakar
S/o Late Jatindra Malakar
20. Sri Pijush Kanti Deb
S/o Late Prakash Chandra Deb
21. Sri Sajal Kanti Dey
S/o Jatindra Mohan Dey.

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ADVOCATE

Contd./2

69. Sri Dulal Sarkar
S/o Late Jogesh Sarkar
70. Sri Puneswar Phukan
S/o Late Akaman Phukan
71. Sri Maran Mazumdar
S/o Prafulla Mazumdar
72. Sri Kartik Gore
S/o Dasarath Gore
73. Sri Subhash Chandra Debnath
S/o Late Nirod Ch. Debnath
74. Sri Jiban Chandra Sarkar
S/o Late Sachin Sarkar
75. Sri Minash Ali
S/o Rajib Ali
76. Sri Minash Ali
S/o Gobinda Dey

All the applicants are resident of Lunding in the District of Nagaon, Assam.

. . . Applicants.

By Advocates Mr. Sarbanda Das, Mr. G. Pathak.

- Versus -

1. Union of India
Represented by the Secretary to the
Government of India in the
Department of Railways
Anil Dhawan, Raisina Road
New Delhi - 110 001.

2. The General Manager (Personnel)
North-East Frontier Railway
Maligaon, Guwahati - 781 011.

3. Senior Divisional Railway Manager (P)
Lunding, District:- Nagaon
Assam.

. . . Respondents.

By Mr. S. Sarma, Railway Standing Counsel.

ORDER

CHOWDHURY J. (V.C.)

The applicants are 76 in number who claimed that they rendered services under the respondents as casual labourer and were subsequently retrenched. The applicants claimed that Railway Board introduced a scheme for absorption of such workers. The policy was introduced to absorb the casual labourers who were discharged before 1.1.1981 which included open line and project line casual labourers. These

Contd./5

applicants claimed that they also moved the authority for providing the benefits of the Railway Board Circular, 1997. But in the Live-Register/Supplementary Live Register prepared by the authority the name of the applicants were not included. According to the applicants, their case was not properly considered.

2. The respondents in the written statement denied and disputed the claim of the applicants and submitted that these applicants submitted representations at a belated stage, therefore the authority did not consider it fit to entertain their representations. In the written statement the respondents submitted that the authority considered the cases of all the persons those who filed applications in time and pursuant thereto 194 name of casual workers were registered. Since the applicants did not apply in time their case could not be considered.

3. We have heard Mr.S.Das, learned counsel for the applicants and also Mr.S.Sarma, learned standing counsel for the Railways.

We have given our anxious consideration on the matter. The issue raised in this application requires further verification of facts on verification of the records. Considering the facts and circumstances of the case, we are of the opinion that ends of justice will be met, if a direction is issued to the applicants to submit individual representations before the General Manager (P), N.F.Railway, Maligaon, Guwahati-11. Accordingly, the applicants are directed to submit individual representations before the aforesaid authority within a period of one month from the receipt of the order. If such applications are made, the authority shall consider their case as per law and pass appropriate order. It is expected that the authority shall

consider it expeditiously and preferably within a period of six months from the receipt of the individual representations.

Subject to the observations made above, the application is disposed of.

There shall, however, be no order as to costs.

SD/VICE-CHAIRMAN

SD/ MEMBER (A)



Referred to the C.O.P.
SWITCH 1/15/63
Section Officer (A)
C.A.T. GUY 1/11/63
C.A.T. GUY 1/11/63
1/15/63

In The Central Administrative Tribunal
Calcutta Bench

OA. 160 of 1990

Present : Hon'ble Mr. D.V.R.S.G. Dattatreya, Judicial Member
Hon'ble Mr. B.P. Singh, Administrative Member

Md. Nurul Hossain & 31 Others

- Vs -

- 1) Union of India, represented by the
General Manager, N.E. Railway,
Maligaon, Gauhati-11.
- 2) Deputy Chief Engineer, Bridge (Line),
N.E. Railway, Maligaon, Gauhati-11.
- 3) Bridge Inspector, N.E. Railway, Siliguri
Jurisdiction, Dist: Darjeeling.

... Respondents

For the Applicant : Mr. B. Chatterjee, Advocate

For the Respondents : Ms. U. Sanyal, Advocate

Heard on : 2-8-2000

Date of order : 2-8-2000

ORDER

D.V.R.S.G. DATTATREYA, JM

In this application the point for consideration is that 32 applicants pray for direction upon the respondents to absorb them in the Railway in the post of Pholasi.

We have heard 12 Advocates for the applicants as well as for the respondents. It is seen from the reply that the applicants were all casual labourers working under the Bridge Inspector excepting last four applicants (Sl.No.29, 30, 31 and 32). It is stated by the respondents that screening was done. According to the Ld. Advocate appearing for the respondents, though screening is admitted, it is not proper. As we could see from sub-para 3 of paragraph

Contd.

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ADVOCATE

- 2 -

5 of the reply at page 2 that the screening was conducted by a properly constituted screening committee. Therefore, there need not be any doubt about the screening of the present applicants excepting Sl.No. 20, 30, 31 and 32 and they are found eligible. Therefore, respondents are directed to absorb the present applicants as Khalasi, if not they are already absorbed, in the next vacancies that will arise at your earliest. Accordingly, the CA is disposed of with the above direction.

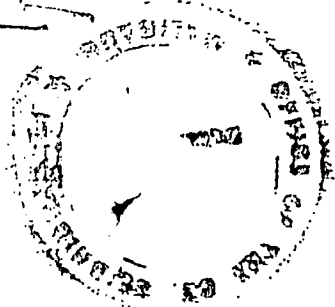


(B.P. Singh
Member (A)

(D.V.M. S.G. Maitrayulu)
Member (B.I.)

समाप्त मिति ११/११/०५
दस्तावेज को प्रतिलिपि
कोर्ट ऑफिस
कोर्ट ऑफिस
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14.05.05
12.8.2000
02
12.8.2000
12.8.2000



- 50 -

ANNEXURE-G

N.F. RAILWAY

OFFICE OF THE
DY.CE/BR/L/MLG

Dated 3.02.2005

NO: EW/261/1 Pt. II

To,

- | | | |
|--------------------------|---------------------------|------------------------|
| 1. Md. Nurul Hoda | 10. Sri Chamaru Rai (SC) | 19. Md. Ali Hussain |
| 2. Sri Nonda Kishore Rai | 11. Md. Khalil | 20. Sri Jainu Mahalder |
| 3. Sri Razzak II (SC) | 12. Sri Bidur Pd. Singh | 21. Rajak No. I |
| 4. Sri Hiralal Yadav | 13. Sri Dev Narayan Singh | 22. Md. Salimuddin |
| 5. Md. Usman Ali | 14. Sri Kedar Pd. Singh | 23. Jaharuddin |
| 6. Sri Gopal Chandra Sah | 15. Md. Azimuddin | 24. Jalim Roy (SC) |
| 7. Md. Neyazuddin | 16. Md. Sohrab | 25. Malabar Singh. |
| 8. Md. Mustak Alam | 17. Sri Sushil Sarma | |
| 9. Md. Mofizuddin | 18. Sri Satish Singh | |

Sub : Temporary Appointment as Khalasi in scale of Rs. 2550-3200/-
RSRP for implementation of Hon'ble Supreme Court's order.

In terms of GM (P)/MLG's letter number E/170/LC/2/HQ/Cal/2001 dated 09.11.2004, you are hereby appointed as Khalasi in scale of Rs. 2550-3200/- plus usual allowance as admissible for time to time and condition as applicable to temporary appointment in Group 'D' service and posted under SSE/BR/LMG.

This has approval of Competent Authority.

He has been certified Medically fit in B / One.

(J. Chakraborty)
AXEN /BR/HQ/MLG

Copy forwarded for information and necessary action to :-

1. FA & CAO/MLG
2. GM (P)/MLG - For information please. This has reference to his letter No. E/170/LC/2/HQ/Cal/2001 dated 09.11.2004.
3. SSE/BR/LMG - He is advised for absorption of the above mentioned Ex. Casual Labour in Group 'D' post of Khalasi in scale of Rs. 2550-3200/-.
4. OS / EW
5. S/Copy for P/Case.

(J. Chakraborty)
AXEN /BR/HQ/MLG

CERTIFIED TO BE TRUE COPY
ADVOCATE

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 227 of 2004.

Date of Order: This, the 12th Day of May, 2005.

THE HON'BLE MR. JUSTICE G. SIVARAJAN, VICE CHAIRMAN.

THE HON'BLE MR. K.V. PRAHLADAN, ADMINISTRATIVE MEMBER.

1. Sri Kanti Kumar Das
S/o Sri Tulsi Chandra Das
2. Sri Dilip Chandra Dev
S/o Late Karuna Sankar Dev
3. Sri Bhabatoshi Acharjee
S/o Hari Mohan Acharjee
4. Sri Baneswar Chakraborty
S/o Manindra Chakraborty
5. Sri L. Appa Rao
S/o Sri L. Ram Loo
6. Sri Sankar Das
S/o Sri Shyam Sundar Das
7. Sri Rabi Malakar
S/o Manindra Malakar
8. Sri Prem Lal
S/o Late Babin Lal.
9. Sri Babul Chandra Dey
S/o Jatindra Ch. Dey
10. Sri Nishan Basfor
S/o Ram Prasad Basfor
11. Sri Biman Bhattacharjee
S/o Sudhir Kr. Bhattacharjee
12. Sri Nitai Das
S/o Sri Abhimanya Das
13. Sri Sushil Kumar Dey
S/o Sri Birendra Kumar Dev
14. Sri Haradhan Dey
S/o Umesh Chandra Dey
15. Sri Monalal Chakraborty
S/o Nishi Lal Chakraborty

CERTIFIED TO BE TRUE

ADVOCATE

- Rail Bhawan, Baisina Road, New Delhi - 110 001.
2. The General Manager (Personnel)
North East Frontier Railway
Maligaon, Guwahati - 781 001.

3. The Senior Divisional Railway Manager (P)
Lumding, District: Nagaon, Assam.

... Respondents.

By Advocate Ms. B. Devi.

ORDER (ORAL)

SIVARAJAN, I.(V.C.)

The applicants are stated to be Ex-Casual Labours, worked in the Lumding Division of N.F.Railway. According to them, they had worked for quite some time in the past and thereafter they were discharged. It is stated that the Railway Board has introduced a Scheme for absorption of discharged Ex-Casual Labours in 1987 but it was implemented only in 1998 pursuant to circulars (Annexures B to F). It is the case of the applicants that though they had applied for the benefit of the Scheme before the authorities, they were not given the benefit of the Scheme. It is stated that the Railway had prepared a list of 194 Ex-Casual Workers vide Annexure -O and they were absorbed in the Railway but the applicants' cases were not considered. It is further stated that the applicants thereafter submitted representations through the association evidenced by Annexures G, H and I, but there was no response. The applicants thereafter filed O.A. No.140 of 2002 before this Tribunal which was disposed of by order dated 21.5.2003 (Annexure-K) with directions. Pursuant to the directions issued by this Tribunal, the applicants made individual representations before the Divisional Railway Manager which were disposed of by order dated 25.2.2004 (Annexure-N). It is stated therein that the Railway Board vide their letter No. E(NG) II-78/CL/2 dated 4.3.1987 gave chances to the discharged Casual Labourers to

Im

represent for registering their names in supplementary live casual labour register on or before 31.3.1987 giving the detailed particulars such as date of birth, date of engagement, educational qualification, personal mark of identification with adequate documentary proof in this regard along with a attested copy of the Casual Labour card and any other proof of having worked as Casual Labour for verification of the grievances of the claim for consideration of regular absorption in due course and that the applicant did not do so to register their names at that time. It is further stated that at this distance of time it is quite an impossible task to verify the genuineness of their claim. In the circumstances their claim could not be maintained as per rules and law. Thus it is clear from the impugned order that the case of the applicants on merits could not be considered due to difficulty in tracing the old records maintained by the Railways and also on the ground that the applicants did not avail the opportunity afforded to them at the earliest i.e. in 1987.

2. Mr. S. Das, learned counsel for the applicant submits that the applicants did not get sufficient opportunity and that only a short period is given to furnish the details and that the respondents in similar circumstances had considered the case of similarly situated persons and gave appointment pursuant to the directions issued by the Calcutta Bench of the Tribunal. He has placed before us a copy of the order of the Calcutta Bench of the Tribunal dated 2.8.2000 and an order passed absorbing 25 Ex-Casual Workers as Khalasi on 3.2.2005 and accordingly submitted that similar treatment ought to have been meted out to the applicants also.

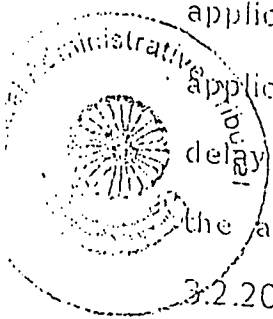
3. Ms. B. Devi, learned counsel appearing on behalf of Mr. S. Sarma, learned counsel for the Railways, on the other hand, submits

[Signature]

that the Scheme was implemented in 1987 itself by way of inviting the details of Ex-Casual Labours by issuing circular and that the applicants, if they had a case, ought to have furnished the requisite details to enable the respondents to consider their case also, which has not been done. Counsel further submits that at this distant time it is not possible to verify the correctness of the details, if any, furnished by the applicants. In other words, her submission is that their claim is highly belated.

4. We have considered the rival submissions. We find some merit in the submission of Ms. B. Devi, learned counsel representing Mr.S.Sarma, learned counsel for the respondents. Respondents have rejected the claim of the applicants on the technical grounds that the applicants did not apply in time i.e. in 1987 itself and there is difficulty in verifying the correctness of the details furnished by the applicants at this distance of time. In the normal course this application should have been rejected on the ground of inordinate delay and for the reasons stated by the respondents. However, since the applicants have placed before us a copy of the order dated 3.2.2005 giving appointment to 25 Ex-Casual Labours pursuant to the direction issued by the Calcutta Bench of the Tribunal, I direct the applicants to make fresh individual representations with all the details required to be furnished and mentioned in the impugned order along with copies of the order of the Tribunal dated 2.8.2000 and order dated 3.2.2005 issued by the Railway before the competent respondent within a period of six weeks from today. If such individual representations are filed with necessary details and the copies of the orders as directed are received, the same must be duly considered with reference to the Scheme and appropriate orders be passed

[Signature]



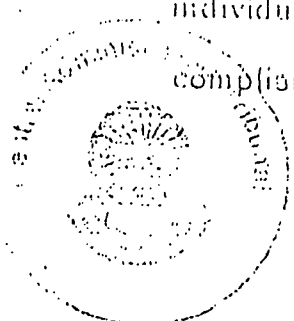
within a period of three months thereafter. If the orders dated 3.2.2005 was passed in the case of similarly situated persons i.e. if those persons were also Ex-Casual Workers who did not furnish the required details in 1987 pursuant to the circular issued by the Railway Board and they had filed O.A. after long lapse as in the case of the applicants, certainly the applicants, if they do satisfy the requirement of the Scheme, are also entitled to the same treatment. This will be borne in mind while passing the order disposing of the representations to be filed by the applicants as directed herein above.

5. The O.A. is disposed as above.

6. Applicants will produce copy of this order along with their individual representations before the concerned respondent for compliance.

SD/ VICE CHAIRMAN.

SD/ MEMBER (A)



Verified to be true Copy
प्रमाणित प्रतिलिपि

[Signature]
18/5/05
Section Officer (J)
C.I.E. GUWAHATI BRANCH
18/5/05

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 248 of 2006.

Date of Order: This the 23rd day of October 2006.

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

- ✓ 1. Sri Shyamal Bonik
Guwahati, Kamrup, Assam.
- ✓ 2. Sri Swapan Chanda
Lumding, Karbi Anglong, Assam.
- ✓ 3. Sri Subir Bhomik
Lumding, Karbi Anglong, Assam.
- ✓ 4. Sri Muhir Bhowmik
Lumding, Karbi Anglong, Assam.
- ✓ 5. Sri Tapan Bhattacharjee
Lumding, Karbi Anglong, Assam.
- ✓ 6. Sri Nakul Mazumdar
Guwahati, Kamrup, Assam.
- ✓ 7. Sri Ganesh Bahadur
Lumding, Karbi Anglong, Assam.
- ✓ 8. Sri Sita Nath Bhattacharjee
Lumding, Karbi Anglong, Assam.
- ✓ 9. Sri Biswajit Ghosh
Lumding, Karbi Anglong, Assam.
- ✓ 10. Sri Nakul Ch. Das
Lumding, Karbi Anglong, Assam.
- ✓ 11. Sri Rakhal Ch. Das

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ADVOCATE

Lanka, Karbi Anglong, Assam

✓ 12. Sri Pradip Kr. Bhattacharjee
Lumding, Karbi Anglong, Assam

✓ 13. Sri Bhupendra Kr. Das
Lumding, Karbi Anglong, Assam

✓ 14. Sri Sunil Chowdhury
Chaparmukh

✓ 15. Bhupab Kr. Das
Lumding, Karbi Anglong, Assam

✓ 16. Sri Anil Chatterjee
Lumding, Karbi Anglong, Assam

✓ 17. Sri Oopinath Das
Lumding, Karbi Anglong, Assam

✓ 18. Sri Ratan Singh
Lumding, Karbi Anglong, Assam

✓ 19. Sri Samiran Mazumdar
Lanka, Karbi Anglong, Assam

✓ 20. Sri Subash Ch. Das
Lumding, Karbi Anglong, Assam

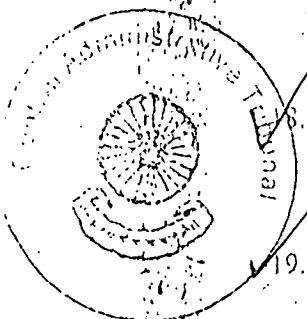
✓ 21. Tapan Sikdar
Lumding, Karbi Anglong, Assam

✓ 22. Sri Sanjib Karmakar
Lumding, Karbi Anglong, Assam

✓ 23. Sri Ajit Kr. Dutta
Haringajhow

✓ 24. Sri Susanta Bhattacharjee
Lumding, Karbi Anglong, Assam

✓ 25. Sri Gautam Biswas



- ✓ 53. Sri Sujit Deb Roy
Lumding, Karbi Anglong, Assam.
- ✓ 54. Sri Dipankar Paul
Lumding, Karbi Anglong, Assam.
- ✓ 55. Sri Sourabh Roy
Lumding, Karbi Anglong, Assam.

.... Applicants.

By Advocate : Mrs. R.S. Chowdhury, Mr Suman Shyam and Mr Gautam
Rahul, Advocates.

- Versus -

1. The Union of India,
Represented by the Secretary to the
Government of India
Ministry of Railways
Rail Bhawan, New Delhi.
2. General Manager (P),
N.F. Railway,
Maligaon, Guwahati - 11.
3. Divisional Railway Manager (P),
N.F. Railway,
Lumding.
4. Railway Recruitment Board, Guwahati
Represented by its Chairman
Station Road, Guwahati - 781 001.

... Respondents

By Advocate : Dr. J.L. Sarkar, Railway Standing Counsel.

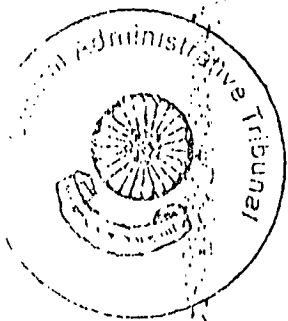
ORDER (ORAL)

K.V. SACHIDANANDAN (V.C.)

The Applicants contended that they were Casual Labours, who were dis-engaged prior to 01.01.1981 as per the policy decision of the Railways and they would be engaged from time to time subject to availability of regular substantive posts. In terms of the said policy decision, the concerned authorities were directed to prepare and maintain Live Register and Supplementary Register indicating the names of the Casual

employees. The Applicants, who were engaged in Lumbering Division of the Northwest Frontier Railway as casual labours and dis-engaged subsequently, approached the concerned authorities enquiring if their names had figured in the Live Register or the Supplementary Live Register. They made representations, but no positive response was forthcoming. According to the Applicants, identical and similarly situated casual employees approached this Tribunal by filing O.A. No. 140 of 2002 and this Tribunal directed the Applicants therein to submit individual representations and further directed the authorities to consider the same. This Tribunal also vide order dated 12.05.2005 disposed of another O.A. No. 227 of 2004 and according to the Applicants, those Applicants therein are identically placed employees, who were granted relief. Therefore, aggrieved by the said action of the Respondents, the Applicants have approached this Tribunal seeking the following reliefs :-

- (a) A direction to the Respondents to include the names of the Applicants in the Live Register/Supplementary Live Register of ex-casual workers.
- (b) A direction to the Respondents to absorb the Applicants in the same way as has been done with regard to the 194 similarly situated ex-casual workers.
- (c) A direction to the Respondents to issue a similar Order in favour of the Applicants like that of Order No. EW/261/1 Pt. II dated 03.02.2005 issued by the Railways appointing 25 Nos. of Khalasis.
- (d) Cost of the Application."



2. Heard Mr. G. Rahul, learned Counsel for the Applicants and Dr. J.L. Sarkar, learned Standing Counsel for the Railways. Mr. Rahul, learned Counsel for the Applicants submitted that he will be satisfied if a direction is given to the Respondent Authorities to consider the representations submitted by the Applicants and pass appropriate order in absorbing the

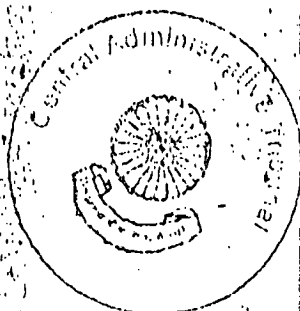
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Applicants in the next available vacancies. Dr. Sarkar, learned Standing Counsel for the Railways submitted that he has no objection if such a course is adopted.

3. In the interest of justice, this Tribunal directs the Applicants to submit individual representations with relevant records available with them to the Respondent Authorities and on receipt of such representations, the Competent Authority shall consider and dispose of the same with speaking order within a period of four months from the date of receipt of copy of this order.

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

Copy of this order be given to the learned Counsel for the parties.



SD/ VICE CHAIRMAN

Date of Application : 27.10.66
 on which copy is ready : 27.10.66
 on which copy is delivered : 27.10.66
 certified to be true copy

[Signature]
 27.10.66
 Section Officer (Jodl)
 C. A. T. Guwahati Bench
 Guwahati

[Signature]
 27/10

Date : 8-12-2006

To
The General Manger (P)
N.F. Railway
Maligaon

Sir,

Sub : Appeal for Re-engagement

With due respect and humble submission, I beg to submit the following few lines for favour of your kind consideration and favourable orders please.

5. That Sir, I had been working as casual labour under PWI/Barpathar during the period 16-05-78 to 15-10-1978 and 16-05-79 to 15-10-79 successfully and in support of my claim, I am enclosing photocopy of the "Record of service as casual labour".
6. That Sir, after the aforesaid period, I have neither been called for again to duties nor I have been given any opportunity to perform duties towards the Administration.
7. That Sir, during the long period, I approached the Administration time and gain, but Sir, my prayer for re-engagement has not given any cognigence.
8. That Sir, I am passing my days almost in starvation along with my children due to long disengagement from Railway Service.

In view of the above, Your Honour is requested kindly to arrange my Re-engagement in Railway Administration by the earliest, so that I may arrange bread for my children and thereby save them from the starvation and for the act of your kindness, I shall remain ever grateful to Your Honour, Sir,

DA - Photocopy of Record of
service as Casual Labour.

Yours faithfully,

Samaresh Ch Dutta
(Samaresh Chandra Duta)
Dis-engaged Casual Labour
Under PWI/Barpathar

Copy to DRM(P), N.F. Railway, Lunding for kind information and necessary action please. He is requested to arrange my early Re-engagement please

Yours faithfully,

Samaresh Ch Dutta
(Samaresh Chandra Duta)
Disengaged Casual Labour
Under PWI/Barpathar

Address for Communication

C/o Ajit Mukherjee
Near Rly Qr. No. 107/B, B.B.C Colony
P.O. Pandu
Guwahati - 781012

CERTIFIED TO BE TRUE COPY

ADVOCATE

To
The General Manger (P)
N.F. Railway
Maligaon

- 62 -

Date : 8-12-2006

Sir,

Sub : Appeal for Re-engagement

With due respect and humble submission, I beg to submit the following few lines for favour of your kind consideration and favourable orders please.

5. That Sir, I had been working as casual labour under PWI/DMV^{DMV} during the period 16-05-1980 to 16.10.1980 successfully and in support of my claim, I am enclosing photocopy of the "Record of service as casual labour".
6. That Sir, after the aforesaid period, I have neither been called for again to duties nor I have been given any opportunity to perform duties towards the Administration.
7. That Sir, during the long period, I approached the Administration time and gain, but Sir, my prayer for re-engagement has not given any cognigence.
8. That Sir, I am passing my days almost in starvation along with my children due to long disengagement from Railway Service.

In view of the above, Your Honour is requested kindly to arrange my Re-engagement in Railway Administration by the earliest, so that I may arrange bread for my children and thereby save them from the starvation and for the act of your kindness, I shall remain ever grateful to Your Honour, Sir,

DA - Photocopy of Record of
service as Casual Labour.

Yours faithfully,

✓ Chandan Majumder.
(Chandan Mazumdar)
Disengaged Casual Labour
Under PWI/DMV

Copy to DRM(P), N.F. Railway, Lumding for kind information and necessary action please. He is requested to arrange my early Re-engagement please

Yours faithfully,

✓ Chandan Majumder.
(Chandan Mazumdar)
Disengaged Casual Labour
Under PWI/DMV

Address for Communication

C/o Sri Bimal Dey,
House No. 56/57, R.K. Misson Road
By Lane No -3, P.O. Pandu
Guwahati - 781012

8C



To
The General Manger (P)
N.F. Railway
Maligaon

- 63 - Date : 8-12-2006

23

Sir,

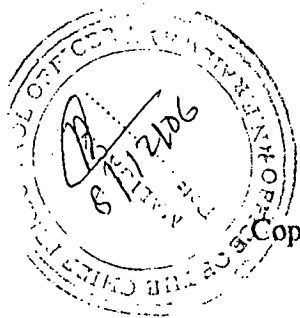
Sub : Appeal for Re-engagement

With due respect and humble submission, I beg to submit the following few lines for favour of your kind consideration and favourable orders please.

1. That Sir, I had been working as casual labour under PWI/Badarpur during the period 15.05.1986 to 16-10-1986 and 12-03-1987 to 24-08-87 successfully and in support of my claim, I am enclosing photocopy of the "Record of service as casual labour".
2. That Sir, after the aforesaid period, I have neither been called for again to duties nor I have been given any opportunity to perform duties towards the Administration.
3. That Sir, during the long period, I approached the Administration time and gain, but Sir, my prayer for re-engagement has not given any cognigence.
4. That Sir, I am passing my days almost in starvation along with my children due to long disengagement from Railway Service.

In view of the above, Your Honour is requested kindly to arrange my Re-engagement in Railway Administration by the earliest, so that I may arrange bread for my children and thereby save them from the starvation and for the act of your kindness, I shall remain ever grateful to Your Honour, Sir,

DA - Photocopy of Record of
service as Casual Labour.



Yours faithfully,

- Ajit Mukherjee

(Ajit Mukherjee)

Dis-engaged Casual Labour

Under PWI/Badarpur Barpathar

Copy to DRM(P), N.F. Railway, Lumding for kind information and necessary action please. He is requested to arrange my early Re-engagement please

Address for Communication

B.B.C Colony
Near Rly Qr. No. 107/B
P.O. Pandu
Guwahati - 781012

Yours faithfully,

- Ajit Mukherjee

(Ajit Mukherjee)

Dis-engaged Casual Labour

Under PWI/Badarpur Barpathar

de

To
The General Manager (P)
N.F. Railway
Maligaon

- 64 - Date : 8-12-2006

Sir,

Sub : Appeal for Re-engagement

With due respect and humble submission, I beg to submit the following few lines for favour of your kind consideration and favourable orders please.

- SI/CON/BNGN
1. That Sir, I had been working as casual labour under PW/Badarpur during the period 16-03-81 to 15-06-81, 16-09-81 to 15-12-81, 16.4.82 to 15-07-82, 15-09-82 to 16-12-82 and 15-04-83 to 16-07-83 successfully and in support of my claim, I am enclosing photocopy of the "Record of service as casual labour".
 2. That Sir, after the aforesaid period, I have neither been called for again to duties nor I have been given any opportunity to perform duties towards the Administration.
 3. That Sir, during the long period, I approached the Administration time and gain, but Sir, my prayer for re-engagement has not given any cognigence.
 4. That Sir, I am passing my days almost in starvation along with my children due to long disengagement from Railway Service.

In view of the above, Your Honour is requested kindly to arrange my Re-engagement in Railway Administration by the earliest, so that I may arrange bread for my children and thereby save them from the starvation and for the act of your kindness, I shall remain ever grateful to Your Honour, Sir,

DA - Photocopy of Record of service as Casual Labour)

Yours faithfully,

Dipak Nath

(Dipak Nath)

Disengaged Casual Labour
Under SI/CON/BNGN

Copy to CSTE/CON/N.F. Railway, Maligaon for kind information and necessary action please. He is requested to arrange my early Re-engagement please

Yours faithfully,

Dipak Nath

(Dipak Nath)

Disengaged Casual Labour
Under SI/CON/BNGN

Address for Communication

C/o Ajit Mukherjee
Near Rly Qr. No. 107/B, BSC colony
P.O. Pandu
Guwahati - 781012

To
The General Manger (P)
N.F. Railway
Maligaon

- 65 - Date : 8-12-2006

Sir,

Sub : Appeal for Re-engagement

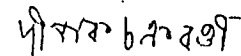
With due respect and humble submission, I beg to submit the following few lines for favour of your kind consideration and favourable orders please.

1. That Sir, I had been working as casual labour under PWI/Badarpur during the period 04-05-1980 to 16-10-1980 and 15-06-81 to 25-10-81 successfully and in support of my claim, I am enclosing photocopy of the "Record of service as casual labour".
2. That Sir, after the aforesaid period, I have neither been called for again to duties nor I have been given any opportunity to perform duties towards the Administration.
3. That Sir, during the long period, I approached the Administration time and gain, but Sir, my prayer for re-engagement has not given any cognigence.
4. That Sir, I am passing my days almost in starvation along with my children due to long disengagement from Railway Service.

In view of the above, Your Honour is requested kindly to arrange my Re-engagement in Railway Administration by the earliest, so that I may arrange bread for my children and thereby save them from the starvation and for the act of your kindness, I shall remain ever grateful to Your Honour, Sir,

DA - Photocopy of Record of
service as Casual Labour.

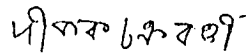
Yours faithfully,

✓ 

(Dipak Kumar Chakraborty)
Dis-engaged Casual Labour
Under PWI/Badarpur

Copy to DRM(P), N.F. Railway, Lunding for kind information and necessary action please. He is requested to arrange my early Re-engagement please

Yours faithfully,

✓ 

(Dipak Kumar Chakraborty)
Dis-engaged Casual Labour
Under PWI/Badarpur

Address for Communication

C/o Ajit Mukherjee
Near Rly Qr. No. 107/B, BB C Colony
P.O. Pandu
Guwahati - 781012



To
The General Manger (P)
N.F. Railway
Maligaon

- 66 -

Date : 8-12-2006

Sir,

Sub : Appeal for Re-engagement

With due respect and humble submission, I beg to submit the following few lines for favour of your kind consideration and favourable orders please.

1. That Sir, I had been working as casual labour under PWI/Barpathar during the period 15-05-82 to 10.1082 successfully and in support of my claim, I am enclosing photocopy of the "Record of service as casual labour".
2. That Sir, after the aforesaid period, I have neither been called for again to duties nor I have been given any opportunity to perform duties towards the Administration.
3. That Sir, during the long period, I approached the Administration time and gain, but Sir, my prayer for re-engagement has not given any cognice.
4. That Sir, I am passing my days almost in starvation along with my children due to long disengagement from Railway Service.

In view of the above, Your Honour is requested kindly to arrange my Re-engagement in Railway Administration by the earliest, so that I may arrange bread for my children and thereby save them from the starvation and for the act of your kindness, I shall remain ever grateful to Your Honour, Sir,

DA - Photocopy of Record of
service as Casual Labour.



Yours faithfully,

✓ Ratan Dey

(Ratan Dey)

Dis-engaged Casual Labour
Under PWI/Barpathar

Copy to DRM(P), N.F. Railway, Lunding for kind information and necessary action please. He is requested to arrange my early Re-engagement please

Address for Communication

C/o Ajit Mukherjee
Near Rly Qr. No. 107/B, BBC Colony
P.O. Pandu
Guwahati - 781012

Yours faithfully,

✓ Ratan Dey

(Ratan Dey)

Disengaged Casual Labour
Under PWI/Barpathar

9c
8/12/06

To
The General Manger (P)
N.F. Railway
Maligaon

- 67 - Date : 8-12-2006

Sir,

Sub : Appeal for Re-engagement

With due respect and humble submission, I beg to submit the following few lines for favour of your kind consideration and favourable orders please.

5. That Sir, I had been working as casual labour under PWI/Badarpur during the period 16-05-1985 to 15.10.1985 successfully and in support of my claim, I am enclosing photocopy of the "Record of service as casual labour".
6. That Sir, after the aforesaid period, I have neither been called for again to duties nor I have been given any opportunity to perform duties towards the Administration.
7. That Sir, during the long period, I approached the Administration time and gain, but Sir, my prayer for re-engagement has not given any cognigence.
8. That Sir, I am passing my days almost in starvation along with my children due to long disengagement from Railway Service.

In view of the above, Your Honour is requested kindly to arrange my Re-engagement in Railway Administration by the earliest, so that I may arrange bread for my children and thereby save them from the starvation and for the act of your kindness, I shall remain ever grateful to Your Honour, Sir,

DA - Photocopy of Record of
service as Casual Labour.

Yours faithfully,

Joydev Chandra Nay
(Joydev Chandra Nay)
Disengaged Casual Labour
Under PWI/Barpathar

Copy to DRM(P), N.F. Railway, Lunding for kind information and necessary action please. He is requested to arrange my early Re-engagement please

Address for Communication

C/o Sri Bimal Dey,
House No. 56/57, R.K. Misson Road
By Lane No -3, P.O. Pandu
Guwahati - 781012

Yours faithfully,

Joydev Chandra Nay
(Joydev Chandra Nay)
Disengaged Casual Labour
Under PWI/Barpathar

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