

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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✓ O.A/T.A No. 261/007

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

E.P/M.A No. 51/08

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SECTION OFFICER (Judl.)

*Galib*  
10/10/17

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

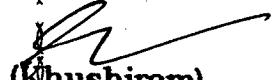
ORDERSHEET

1. Original Application No. 261/07  
 2. Mise Petition No. \_\_\_\_\_  
 3. Contempt Petition No. \_\_\_\_\_  
 4. Review Application No. \_\_\_\_\_

Applicant(s) Satebersual Saikia -VS- Union of India & Ors

Advocate for the Applicants:- Mrinmoy Khataniar

Advocate for the Respondents:- Railway advocate, J.L. Sarkar

Notes of the Registry	Date	Order of the Tribunal
This application is in form is filed/CL. F. for Rs. 50/- deposited vide IPO/DD No. 326 043037 Dated 25.9.07	26.9.2007	Mr. M. Khataniar, learned counsel for the Applicant and Dr. J. L. Sarkar, learned Standing counsel for the Railways are present.
Mr. Registrar <u>Mr.</u>		Heard. Issue notice to the Respondents requiring them to file reply within six weeks.
Petition's copy for issuement was one received with envelope. Copy served.		Call this matter on 14.11.2007.
<u>26.9.07.</u> Please issue Notice.	1/bb/ 14.11.2007	 (Khushiram) Member (A)
Notice & order sent to D/Section for issuing to R- 1, 2, 3 by regd/ A/D post. 1189 to 1191 26/10/07. DT= 12/11/07 -	1/bb/	 (M.R. Mohanty) Vice-Chairman
		No written statement has been filed in this case as yet.
		Call this matter on 04.01.2008 awaiting written statement from the Respondents.
		 (Khushiram) Member (A)
		 (M.R. Mohanty) Vice-Chairman

261/07

04.01.2008

Service Report awaited  
No Reply filed.

23  
13.11.07.

Notice duly served  
on R-3.

No written statement has yet been filed. Dr. J. L. Sarkar, learned Railway Standing Counsel appearing for the Respondents seeks four weeks time to file written statement.

Call this matter on 4<sup>th</sup> February, 2008 awaiting written statement from the Respondents.

K  
(Khushiram)  
Member(A)

M  
(M.R. Mohanty)  
Vice-Chairman

W/S not filed

Em

04.02.2008

No written statement has yet been filed in this case.

Call this matter on 04.03.2008 awaiting written statement from the Respondents/Railways.

K  
(Khushiram)  
Member (A)

M  
(M.R. Mohanty)  
Vice-Chairman

W/S not filed

23  
3.2.2008.

Khushiram  
Member (A)

Mohanty  
(M.R. Mohanty)

04.03.2008 Judgment pronounced in open Court.  
Kept in separate sheets. Application is  
disposed of. No costs.



(Khushiram)  
Member(A)

lm

Recd Cpt  
Grantam Rm 100  
In case  
13.03.08

17.3.08  
Copy of the Judgment  
and to D/see.  
for issuing the  
same to the parties  
alongwith a copy  
to the Rly. Counsel.



CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

O.A. No 261 of 2007

DATE OF DECISION: 04.03.2008

Shri Sarbeswar Saikia ..... Applicant/

Mr.G.Baishya, ..... Advocate for the  
..... Applicant/s.

- Versus -

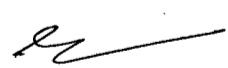
U.O.I. & Ors ..... Respondent/s

Dr.J.L.Sarkar. ..... Advocate for the  
..... Respondents

CORAM

THE HON'BLE MR.KHUSHIRAM, ADMINISTRATIVE MEMBER

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

  
Vice-Chairman/Member

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No.261 of 2008

Date of Order: This the 4<sup>th</sup> Day of March, 2008

**HON'BLE MR.KHUSHIRAM, ADMINISTRATIVE MEMBER.**

Sri Sarbeswar Saikia,  
S/O Late Clerela Saikia,  
Upper Nazira. Chanbosagaon  
P.O.Nazira, District Sibsagar  
Assam

Applicant.

By Advocate Mr. Mrinmoy Khatanier, Mr. G. Baishya,

-Versus-

1. The Union of India, represented by the Secretary to the Government of India, Ministry of Railways, New Delhi
2. The General Manager, N.F.Railway, Maligaon, Guwahati District Kamrup, Assam
3. The Divisional Railway Manager(Personnel), N.F.Railway, Tinsukia, Assam.

Respondents.

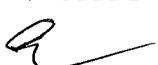
By Advocate, Dr.J.L.Sarkar

**ORDER (ORAL)**

**KHUSHIRAM**

Heard Mrs. U. Dutta, learned counsel on behalf of Dr.J.L.Sarkar, learned Railway counsel appearing for the respondents.

2. In this matter the Applicant had appeared in the promotional examination for the post of Assistant Station Master, Railway, and was subsequently reverted as Portsman at Ledo on 15.9.2004 on account of failed psychological/Aptitude test. He filed representation on against reversion on 19.4.2007. According to the revised Railway Board instructions dated 22.08.2003 the Aptitude test should be given a weightage of 20% in the selection for promotion as ASM and this test will no more be of qualifying nature. Shri

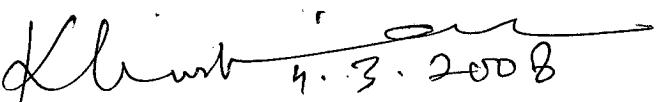


G.Baishya, learned counsel appearing for the Applicant also submitted a copy of the order passed on 30.11.2007 by this Tribunal in O.A.No.127 of 2007 in a similar matter.

4. Accordingly the Respondents are directed to consider the representation of the Applicant in the light of the latest instructions (correctional slip No.149 dated 22.8.2003) from the Railway Board within a period of three months from the date of receipt of a copy of this order.

5. In the aforesaid circumstances, the Respondents are directed to dispose of the representations of the Applicant. Accordingly, the O.A. stands disposed of without any order as to costs.

6. Send copies of the order alongwith the copies of the O.A. to the Respondents and free copies of this order be supplied to the learned counsel appearing for both the parties.

  
(KHUSHIRAM)

ADMINISTRATIVE MEMBER

LM

केन्द्रीय प्रशासनिक अदालत  
Central Administrative Tribunal

25 SEP 2007

गुवाहाटी न्यायालय  
Guwahati Bench

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GAUHATI BENCH

O.A. NO. 261/2007

BETWEEN: SARBESWAR SAIKIA -Vs- UNION OF INDIA & ORS

SYNOPSIS

The applicant who was working in the post of Pointsman at Ledo was called for selection to the post of Assistant Station Master (ASM) on 28/11/02. The applicant cleared the screening test for undergoing training for the post of ASM and appeared in the promotional examination on 2/4/04, 7/6/04 and was declared to be successful on 9/6/04 and subsequently underwent practical training to the post of ASM as per order of 15/6/04. On 12/7/04 directed that he was to undergo Psycho test in connection with his selection for the post of ASM after he was promoted to the post of ASM. On 8/9/04 applicant disqualified in psychological/Aptitude test. Applicant on being disqualified in psychological test reverted back to his former post of Pointsman at Ledo on 15/9/2004. Applicant again disqualified on 13/4/05 for the post of ASM on basis of the result for the post of ASM after conducting the Aptitude test which was given to him as second chance. The applicant came to know of the recommendation of a high level committee dtd. 22/8/2003 that psycho test will be of no more qualifying nature meaning thereby that Aptitude test should be given weightage of 20% in the selection process and qualifying marks for the same is NIL and the Indian Railways Establishment Manual was amended as in ACS No. 149.

Applicant on coming to about the recommendation of the high level committee dtd. 22/8/03 filed a representation on 19/4/07 before the respondent no: 3 praying for setting aside of the order of reverting him back to the post of Pointsman and give him the benefit of the correctional slip 149, dtd. 22/8/2003.

\*\*\*\*\*

Filed by  
Mrinmoy Deka  
Advocate

15  
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GAUHATI BENCH

O.A. NO. 261/2007

BETWEEN: SARBESWAR SAIKIA -Vs- UNION OF INDIA & ORS.

LIST OF DATES

17/12/2000:- Directed by Respondent no:3 to keep ready for selection to the post of ASM in the scale of Rs. 4500/- to Rs. 7000/-

18/7/2003:- Applicant called for selection and screening test for filling up vacancies in the post of ASM (Asst. Station Master)

19/12/2003:- Selected for empanelled to the post of ASM

24/12/2003:- Booked the applicant for promotional training for ASM commencing from 29/12/2003 to 20/5/2004.

22/8/03:- Recommendation of a high level committee that psycho test will be of no more qualifying nature meaning thereby that Aptitude test should be given weightage of 20% in the selection process and qualifying marks for the same is NIL and the Indian Railways Establishment Manual was amended as in ACS No. 149.

16/2/2004:- Booked for initial course training for ASM at Alipurduar

9/6/04:- Successfully completed training and placed at 7<sup>th</sup> position.

15/6/04:- Directed undergo practical training of ASM at different stations

12/7/2004: Order issued by respondent no:3 whereby it was directed that he was to under go Psycho test in connection with his selection for the post of ASM.

8/9/04:- Disqualified in psychological/Aptitude test.

15/9/2004:- Applicant on being disqualified in psychological test reverted back to his former post of Pointsman at Ledo.

2005-

19/4/2007:- Applicant filed a representation before the respondent no: 3 praying for setting aside of the order of reverting him back to the post of Head Trains Clerk and give him the benefit of the correctional slip 149, dtd. 22/8/2003.

Filed by  
Minny Deka

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GAUHATI BENCH

O.A. NO. 261/2007

BETWEEN:

Sarbeswas Saikia

-Vs-

UNION OF INDIA & ORS.

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*Mrinmoy Khataniar*  
(Mrinmoy Khataniar)

Signature of Advocate

For use in the Tribunals' Office.

Date of Filing:

Registration No.:

Signature.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GAUHATI BENCH

O.A. NO: 261/2007

BETWEEN:

Sri Sarbeswar Saikia  
S/o Late Clerela Saikia  
Upper Nazira, Chambosagaon  
P.O: Nazira, District Sibsagar  
Assam

.....Applicant.

-Vs-

1. The Union of India, represented by the Secretary to the Government of India, Ministry of Railways, New Delhi.
2. The General Manager, N.F. Railways,  
Maligaon, Guwahati District Kamrup, Assam
3. The Divisional Railway Manager (Personnel), N.F. Railway,  
Tinsukia, Assam.

.....Respondents.

DETAILS OF APPLICATION:

1. Particulars of the order against which the application is made:- This application is made against the order dtd. 8/9/2004 disqualifying the applicant for the post of Assistant Station Manager (hereinafter referred to as ASM the post in which he was selected for due promotion and successfully undergone practical training) due to result of the Aptitude Test conducted after promotion to that post vide Order No: E/43 (ASM). D.P Pt.II. and the order No.ES/B-172 dtd.15/9/2004 issued by the Divisional Railway Manager (P) N.F. Railway, Tinsukia reverting him back to post of Points Man 'A'/LLO in same pay and scale against existing vacancy at Ledo. To declare the order dtd. 13/4/2005 disqualifying the applicant to the post of ASM on basis of the aptitude test conducted for the second time to be non-est in the eye of law and void-abintio
2. Jurisdiction:- The Applicant declare that the subject matter of the applicants is within the jurisdiction of the Hon'ble Tribunal.
3. Limitation:- The Applicant declares that the application is within the period of Limitation under section 21 of the Administrative Tribunal Act, 1983.
4. Facts of the Case:-

Filed by  
Sarbeswar Saikia Esq  
Through Attorney of Chelarao  
Sinha  
26-9-07

- a) That the applicant is a citizen of India and he is a permanent resident of Nazira in the district of Sibsagar , Assam.
- b) That the applicant is about 49 years of age and joined in Group D post in the Northern frontier Railway on 26/1/79 as Porter and thereafter promoted to Pointsman 'B' in March/April 1979. In the year 1981 the applicant was again promoted and posted to the post of Pointsman Grade 'A'. The Applicant is presently holding the post of Pointsman (grade 'A') at Ledo under the office of the Respondent No:3.
- c) That the applicant begs to state that while he was working as Pointsman 'A"/LLO he received an office order dtd 7/12/2000 issued by the respondent no:3 vide No.E/43 (ASM) D.P. dtd 7/12/2000 for appearing for selection to post of Assistant Station Master (hereinafter referred to as ASM). Thereafter the applicant was called for written test/viva voce to be held for filling up vacancies in the post of ASM by order vide No. E/43(ASM) D.P. Pt.II dtd. 28/11/2002 passed by the respondent no: 3. That the respondent no:3 by order vide No.E/45 (ASM) D.P. Pt.II dtd. 18/7/2003 the applicant to appear for written test to be held on 7/8/03. The applicant was thereafter informed by the respondent no:3 by communication dtd. 19/12/2003 vide No.E/43(ASM) D.P. Pt.II that the applicant has come out successful to be empanelled for the post of ASM in the scale of Rs4500-7000/- against 25% D.P. quota stating inter-alia that the proceedings of the above selection was approved by the competent authority on 17/12/2003.

A copy of the order vide No. E/43(ASM) D.P. dtd. 7/12/2000 passed by the respondent no:3 is annexed hereto and marked as Annexure A and a copy of the order vide No.E/45 (ASM) D.P. Pt.II dtd. 18/7/2003 and the order dtd. 19/12/2003 is annexed hereto and marked as Annexure B

- d) That the applicant states that after the screening test for promotion to the post of ASM ~~on 24/12/03~~ the applicant was found suitable for the post of ASM after he passes the required training and accordingly order was passed to that effect by the respondent no:3 on 24/12/03 vide order dtd. E/43(ASM) D.P. pt.II. Thereafter on 16/2/04 vide order No.E/45(ASM) D.P. Pt.II was booked to undergo promotional course training of ASM at Zonal Training Centre at Alipurduar for which he was ordered to report to the Principal Zonal

Training Centre Alipurduar and the applicant successfully completed his training of the promotional course examination held on 2/4/04, 7/6/04 and 9/6/04 the results of which was declared on 9/6/2004 and his position was 7<sup>th</sup> on the merit list.

A copy of the order dtd. 24/2/03 and 16/2/04 vide order No.E/43(ASM) D.P. pt.II. passed by respondent no:3 and copy of the results of the promotional training to the post of ASM declared on 9/6/04 is annexed hereto and marked as Annexure 'C' & 'D'.

e) That the applicant states that after he completed his promotional training examination held on 2/4/04, 7/6/04 and 9/6/04 he was directed to undergo practical training in different station his respective Tinsukia Division by the respondent no: 3 on 15/6/04 vide No.E/43 (ASM) D.P. Pt.II for 7 days each. A copy of the order dtd. 15/6/2004 by order No. E/43 (ASM) D.P.Pt.II by the respondent no:3 and marked as Annexure 'E'.

f) That the applicant begs to state that while he was working as ASM in his respective post he was surprised to receive an order dtd. 12/7/2004 issued by respondent no:3 whereby it was directed that he was to undergo Psycho test before the Deputy Chief Scientific Officer , N.F. Railway Maligaon on 19/7/2004 and 23/7/2004, which was required as a part of the promotion process to the post of ASM to which he was already selected promoted and under went practical training. But never the less the applicant accordingly appeared for the Psycho Test. Thereafter the applicant was directed to undergo aptitude test in N.F. Railway Head Quarter Maligaon in accordance with respondent no:1 letter NO.E/227/81/TR ASM(T) Pt.I dtd. 2/8/04 and was disqualified on 8/9/04 vide order no.E/43(ASM) D.P pt. II for the post of ASM.

A copy of an order dtd. 12/7/2004 issued by respondent no:3 whereby it was directed that he was to undergo Psycho test before the Deputy Chief Scientific Officer , N.F. Railway Maligaon on 19/7/2004 and 23/7/2004 is annexed hereto and marked as Annexure 'F'.

A copy of the order dtd. 8/9/04 disqualifying the applicant in Aptitude Test vide order no.E/43(ASM) D.P pt. II for the post of ASM is annexed hereto and marked as Annexure 'F'.

Sarkis  
Son Basner  
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g) That the applicant begs to state that on being found disqualified in the Aptitude test he was reverted back to his former post of Pointsman at Ledo by order dtd. 15/9/2004 by order No. E/43 (ASM) D.P.Pt.II passed by the respondent no:3. Since then the petitioner was working in his earlier post of Pointsman quite oblivious of the fact that while the applicant was undergoing the process of screening and selection for promotion to the post of ASM there was recommendation of a high level committee that psycho test will be of no more qualifying nature meaning thereby that Aptitude test should be given weightage of 20% in the selection process and qualifying marks for the same is NIL and the Indian Railways Establishment Manual was amended as in ACS No. 149. Thus the whole process of reverting the applicant back to Head Trains Clerk (which is surplus) from the post of ASM due to non qualifying of the aptitude test is wholly illegal, arbitrary and against the established rules. Thereafter by communication dtd. 2/3/05 issued by respondent no:3 to respondent no:1 it was informed that the applicant did not come out successful and was again directed to undergo Psycho test on 10/3/2005 as second chance. The respondent no:2 then on 13/4/2005 again disqualified the applicant from the post of ASM on basis of the result for the post of ASM after conducting the Aptitude test in terms of Sr. DPO/TSk's office Note No.E/s-17/S-65/optg./Com/Pt.III dtd. 1/4/2005.

A copy of the order dtd. 15/9/2004 by order No. E/43(ASM) passed by the respondent no:3 reverting the applicant back to his former post of Pointsman at Ledo is annexed hereto and marked as Annexure 'H'.

A copy of the order dtd. 13/4/05 passed by respondent no:3 is annexed hereto and marked as annexure I.

A copy of the scope of Psychological test as recommended and adopted by the Railways on the recommendation of the High Level Committee dtd. 22/8/03 vide No. E(NG)1/2002/PM1/31 is annexed hereto and marked as Annexure J.

h) That the applicant states that that he on 19/4/2007 on coming to know that aptitude test is no longer of qualifying nature immediately filed a representation before the respondent no: 3 praying for setting aside of the order of reverting him back to the post of Pointsman and give him the benefit of the correctional slip 149 22/8/2003 a because when he was promoted to the post of ASM on 5/2/2004 the psychological test was not of qualifying nature

and he ought to have been given the benefit of the same, or promote him to the post Enquiry cum Reservation Clerk which is in the same grade of ASM and for which no aptitude test is required for which he has completed his required training which was included in the curriculum of the promotional training which he underwent for the promotion to the post of ASM and wherein psychological test was not required, however the respondents in a most illegal manner reverted him back to the post of Pointsman thereby did not adhere and violated their own Rules.

A copy of the representation dtd. 19/4/2007 is annexed hereto and marked as annexure K. ~~A copy of the chart showing the profile of surplus TNC (Trains Clerk) & Signaller as on 3/12/2004 is annexed and marked as Annexure J.~~

- i) That impugned order dtd. 8/9/04 disqualifying the applicant in the psychological/aptitude test and subsequent order dtd. 15/9/2004 passed by respondent no:3 reverting the applicant from the post of ASM to Pointsman does not attract any guidelines or rules for which the same is to be continued.
- j) That the applicant respectfully states that the applicant shall suffer irreparable loss and injury due to the continuance of the suspension order issued by the respondent authorities.

#### 5. GROUNDS FOR RELIEF WITH LEGAL PROVISIONS:

- 5.1) For that the stand of the respondents against the applicant is discriminatory and violative of Article 14 and 16 of the Constitution of India.
- 5.2) For that the impugned order of disqualifying the applicant in psychological/aptitude test dtd. 8/9/04 (Annexure G) and the order of reverting the applicant to the post of Pointsman from his promoted post of ASM dtd. 15/9/04 (Annexure H) is bad in law in as much as there was recommendation of a high level committee that psycho test will be of no more qualifying nature meaning thereby that Aptitude test should be given weightage of 20% in the selection process and qualifying marks for the same is NIL and the Indian Railways Establishment Manual was amended as in ACS No. 149. Thus the whole process of reverting the applicant back to Head Trains Clerk from the post of ASM due to non qualifying of the aptitude test is wholly illegal, arbitrary and against the established rules.
- 5.3) For that the second aptitude test for which the applicant was disqualified for the second time by order dtd. 13/4/2005 is non est in the eye of law in as much as the applicant was already by then reverted back to the post of Pointsman

from his promoted post of ASM vide Annexure H order dt. 14/9/2004, which is again illegal since there was a recommendation of a high level committee that psycho test will be of no more qualifying nature meaning thereby that Aptitude test should be given weightage of 20% in the selection process and qualifying marks for the same is NIL and the Indian Railways Establishment Manual was amended as in ACS No. 149. Thus the whole process of reverting the applicant back to Head Trains Clerk from the post of ASM due to non qualifying of the aptitude test is wholly illegal, arbitrary and against the established rules. Therefore the continuance of the impugned orders dtd. 8/9/04, 14/9/04 and 15/4/2005 has caused grave injustice to the applicant.

- 5.4) For that the continuance of impugned orders are bad in law in as much as continuance of the applicant as Pointsman inspite he being genuinely selected for promotion to the post of ASM will highly prejudice the applicant and will put a stigma in his service career which has otherwise been unblemished and is to the entire satisfaction of all concerned.
- 5.5) For that the continuance of impugned order of suspension is bad in law in as much the detention of the applicant does not involve his moral turpitude or wider public interest or corruption.
- 5.6) For that the continuance of the impugned orders are bad in law in as much as there was recommendation of a high level committee that psycho test will be of no more qualifying nature meaning thereby that Aptitude test should be given weightage of 20% in the selection process and qualifying marks for the same is NIL and the Indian Railways Establishment Manual was amended as in ACS No. 149. Thus the whole process of reverting the applicant back to Head Trains Clerk from the post of ASM due to non qualifying of the aptitude test is wholly illegal, arbitrary and against the established rules.
- 5.7) For that the respondents in allowing to the continuance of the impugned order dtd. 8/9/2004, 14/9/2004 and 13/4/2005 did not consider his appeal/representation under Rule 23(1) of the CCS Rules, 1965 for revocation of the impugned order of disqualifying him in psychological/aptitude test dtd 8/9/04 (Annexure G) and subsequent order dtd. 15/9/2004 (Annexure H) and to declare order dtd. 13/4/2005 (Annexure I) as non-est in the eve of law.

5.8) For that respondents while allowing the impugned orders to continue without there being any legal basis for the same, the respondents ought to have considered his appeal/representation and revoke the impugned orders dtd. 8/9/04 and 15.9.04 or ought to have accommodated the applicant to any other suitable equivalent post so as to mete out full and complete justice to the applicant.

5.9) For that in any view of the matter the impugned orders dtd 8/9/04 vide Annexure G and order dtd. 15/9/04 (Annexure E) and order dtd. 13/4/05 (annexure I) is bad in law and liable to be set aside.

**6. DETAILS OF REMEDIES EXHAUSTED:**

That the applicant has no other remedy left in any of the Rule and this Hon'ble Tribunal is the only forum for redressal of the grievances of the applicant.

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

The applicant declares that he had not filed any other case in any Tribunal, Court or any other forum against the impugned order.

**8. RELIEF SOUGHT FOR:**

Under the above facts and circumstances of the case the applicant prays for the following reliefs:-

A) The respondent authorities be directed to revoke and quash the impugned order of disqualifying the applicant in psychological/aptitude test dtd.8/9/04 vide Annexure G and order dtd. 15/9/04 ( annexure H) reverting the applicant back to the post of Pointsman at Ledo from his selected/promoted post of Assistant Station Master (ASM) vide Annexure E passed by the respondent no:3 and the direct the respondents to revert the applicant to the post of Assistant Station Master to which he was duly promoted as per the rules. Further Your Lordships may be please to declare the order dtd. 13/4/2005 (annexure I) disqualifying the applicant to the post of ASM on basis of the aptitude test conducted for the second time to be non-est in the eye of law and void-abintio in light of the recommendation of a

high level committee that psycho test will be of no more qualifying nature meaning thereby that Aptitude test should be given weightage of 20% in the selection process and qualifying marks for the same is NIL and the Indian Railways Establishment Manual was amended as in ACS No. 149.

- B) The respondent authorities be directed to appoint applicant in in the post of Assistant Station Master or appoint him as Enquiry cum Reservation Clerk terms of the appeal/representation filed by him on 19/4/2005.
- C) Any other relief /reliefs the Hon'ble Tribunal may deem fit and proper.
- D) The above reliefs are prayed for on the ground stated in paragraph 6 above.

**9. INTERIM RELIEF PRAYED FOR:**

During the pendency of this application the applicant prays for the following relief:

- a. That impugned order of disqualifying the applicant in psychological/aptitude test dtd.8/9/04 vide Annexure F and order dtd. 15/9/04 reverting the applicant back to the post of Pointsman from his promoted post of Assistant Station Master (ASM) vide Annexure G passed by the respondent no:3 be suspended and the direct the respondents to revert the applicant to the post of Assistant Station Master to which he was duly promoted as per the rules till the disposal of the instant application.

10. This application has been filed through Advocate.

**11. PARTICULARS OF POSTAL ORDER:**

1. I.P.O no:-
2. DATE:-
3. PAYABLE AT : GUWAHATI

**12. LIST OF ENCLOSURES:**

As stated in the 'INDEX'

VERIFICATION

I sri Sarbeswar Saikia aged about 49 years Son of Late Lerela Saikias, Pointsman Ledo under Tinsukia Division N.F. Railway , Tinsukia ,resident of Upper Nazira Chambosagaon P.O:Nazira District , Assam Assam. do hereby verify the contents of the statements of this accompanying Original Application as true to the best my belief and knowledge. And I sign this verification on this day of 25 th September'2007.

Sarbeswar Saikia

N. F. Railway.

OFFICE ORDER

Office of the  
Divl. Railway Manager (P),  
Tinsukia, Dt. 7.12.2000.

Sub: Selection for the post of ASM in scale Rs.4500-7000/-

Ref: This office letter No. E/43 (ASM) DP dt. 21.9.2000.

-ONE COPY-

The following staff are hereby advised to keep themselves in readiness to appear in the selection of ASM in scale Rs.4500-7000/- which will be held within short notice.

If anybody is unwilling to appear in the selection, written unwillingness must be intimated to this office before holding the selection.

1. Shri Ahegen ch. Gogoi, C. Man as Gateman/IIA.
2. " Hareswar Barman, LR. C. Man-II/TSK.
3. " Banamali Gogoi, C. Man-II/SPK.
4. " Subodh ch. Sarmah, C. Man-II/NZR.
5. Md. Derjauddin Ahmed, C. Man-II/CMA.
6. Md. Nurul Haque, II, C. Man-II/MZA.
7. Shri Sanjib Dey, C. Man-II/DKM.
8. " Prabhat Ch. Senwal, C. Man-I/CHB.
9. " Jiten Senwal, C. Man-I/MJN.
10. " Ashok Kanti Sangupta, C. Man-II under TI/MXN.
11. " Babul ch. Barman, LR. C. Man-II/TSK.
12. " Dandeswar Barrah, C. Man-II/JTTN.
13. Md. Sirajuddin Ahmed, C. Man as Gateman/JTTN.
14. Shri Lakheswar Gogoi, C. Man-I/CKW.
15. " Susanta Senwal, C. Man-II/DKM.
16. " Ajurba Kr. Das, C. Man-II/MJN.
17. " Bishnu Ram Baruah, C. Man-II/NMT.
18. " Bhakti Yukta Hazarika, C. Man-II/MXN.
19. " Lelan Prasad, C. Man, as Gateman/MRG.
20. " Banamali Gogoi, C. Man-I/MRG.
21. " Chandra Kanta Phukan, C. Man-II/LXA.
22. " Krishna Kanta Borgohain, C. Man-II/SPK.
23. " Shyamal Dey, P. Man 'A'/TII.
24. " Jiba ch. Gam, LR. P. Man 'A'/TSK.
25. S. Sarbeswar Saikia, P. Man 'A'/LDC.
26. " Susanta Chakrabarty, P. Man 'A'/NTSK.
27. " Sushas ch. Dey, P. Man 'A'/MRG.
28. " Bhabeswar Chotia, C. Man/MRG.

*7/12/2000*  
for Divl. Railway Manager (P),  
N. F. Railway, Tinsukia.

No. E/43 (ASM) D. P. dt. 7.12.2000.

Copy for information and necessary action to:-

1. Staff concerned.
2. SS/TSK, NTSK, MXN, SPK, NZR, CMA, MZA, DKM, CHB, JTTN, CKW, MJN, NMT, MRG, LXA, TII, LR, RAC/TSK.
3. TI/MXN.
4. DUM/TSK.

*7/12/2000*  
for Divl. Railway Manager (P),  
N. F. Railway, Tinsukia.

*Certified to be true copy*

*Advocate*

*Q. 2  
7.12.00*

N. F. Railway.

Office of the  
Divl. Railway Manager (P),  
Tinsukia, Dated 18.7.2003.

A. 3/43 (ASM) D.P. II.

To,

SS/TSK, NTSK, LLO, FKG, CMA, MRG, SLX, and RAC/TSK

Sub: Selection for the post of ASM in scale Rs.4500-7000/-  
against 25% U.P. Quota.

Ref: This office letter No. Nil dated 6.8.2003. 15-8-2003.

-00000-

Please spare and direct the following staff to attend  
selection (Written) of ASM in scale Rs.4500-7000/- which will be held on  
7.8.2003 in DRM (P) Office/TSK at 10.00 hrs.

Unwillingness if any, must be intimated to this office  
before holding the selection.

At further absentee test will be held.

1. Shri Sanjeev Likson, Sr. TNC/TSK Control.
2. " Tukheswar Borah, Sr. TNC/NTSK.
3. " Parishit Gogoi, Sr. TNC/LLO.
4. " B. C. Hazarika, Sr. TNC/FKG.
5. " Sarbeswar Saikia, P. Man 'A' /LLO.
6. " Jiba ch. Gam (ST), IR. P. Man 'A' /TSK.
7. " Prafulla Gogoi, Sr. TNC/NTSK.
8. Md. Dohrajuddin Ahmed, C. Man /CMA.
9. Shri Apurba kr. Das, (ST), C. Man /MRG.
10. " Binode kr. Gogoi, P. Man /SLX.
11. " Jogeswar Das, (SC) ; C. Man as G. Man /FKG.

Sl. No. 10 & 11 should produce their matriculation certificate  
before holding the selection. Otherwise their candidature will be cancelled.

*U.P.*  
for Divl. Railway Manager (P),  
N. F. Railway, Tinsukia.

Copy for information and necessary action to:-  
1. Staff concerned.

1. Staff concerned.
2. LOM/TSK.
3. Steno to DHO/TSK.
4. Steno to LOM/TSK.
5. TI/TSK, AXN. & HJN.

*U.P.*  
for Divl. Railway Manager (P),  
N. F. Railway, Tinsukia.

Certified to be true copy  
*M. H. Roy*  
Advocate

N. F. Railway.

No. F/43 (ASR) 4.5. Pt.II.

Office of the  
Div. Railway Manager (P),  
Tinsukia, dated 19.12.2003.

Sub: Result of the selection for promotion to the  
post of ASM in scale Rs.4500-7000/- against  
25% D. F. Quota.

-00000-

As a result of the selection for promotion to  
the post of ASM in scale Rs.4500-7000/-, held on 7.8.2003  
(written) and 2.12.2003 (Viva-Voce), the following two candidates  
have come out successful to be empanelled for promotion to the  
post of ASM in scale Rs.4500-7000/- against 25% D. F. Quota.

1. Suri B. G. Hazarika, (UR), Sr. TMC/THQ.
2. " Subodhwar Saikia, (UR), S. Man' A/THQ.

Proceedings of the above selection was approved  
by the competent authority on 17.12.2003.

for Div. Railway Manager (P),  
N. F. Railway, Tinsukia.

Copy for information and necessary action to:-

1. Staff concerned.
2. DDM/ TSD.

for Div. Railway Manager (P),  
N. F. Railway, Tinsukia.

Certified to be true copy

*[Signature]*  
Advocates

N.F. R.Y.

OFFICE ORDER.

OFFICER ON MTS  
DIVIL. R.Y. MANAGER(P)/TSK.  
Dt. 24.12.2003.

The following staff who have been selected for the post of ASM in scale Rs. 4500-700/- against 25% L.P. Quota and found medically fit, in all are hereby booked to undergo ASM's Initial course (No. G.I.(2)) training at ZTC/APDJ commencing from 29.12.2003 to 26.5.2004. They are hereby directed to report to the Principal, ZTC/APDJ at 7.00 AM on one day ahead from the date of commencement of the training positively. Concerning the same to spare them timely under intimation to this office.

1. Sri B.C. Hazarika (UR) Sr. TNC/FKG.
- ✓ 2. Sri Sarbeswar Sarker (UR) P/man/A/rrO.

for Divil. R.Y. Manager(P)  
N.F.R.Y, Tinsukia.

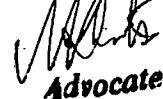
No. 3/43 (ASM) DP Pt- II dt. 24.12.2003.

Copy for information and necessary action please to :-

1. M/s concerned, 2. SS/ FKG and rrO, 3. OS(P)/ V/Pass at office to issue duly pass on this to APDJ & send back please.
4. C/o(F), 5/Divi's section at office.
5. D.O/TSK, AOM/ TSK, DFW/TSK.
6. Director of TNC & P/Man at office.
7. P.m.d-p.o, ZTC/APDJ.

for Divil. R.Y. Manager(P)  
N.F.R.Y, Tinsukia.

Certified to be true copy

  
Advocate

N. F. Railway.

## OFFICE ORDER

Off. of the  
Divl. Manager (P),  
Tinsukia, Dated 16.2.2004.

The following staff, who have been selected for the post of Asst in scale Rs.4500-7000/- against 25% L.F. quota and found medically fit in A'2, are hereby booked to undergo ASUs. Initial course training at ZTC/AFDJ commencing from 27.2.04 to 9.3.04. They are hereby directed to report to the Principal, ZTC/AFDJ at least one day ahead from the date of commencement of the training positively. Concerning SSs are to spare them timely convey intimation to this office.

1. Shri B. C. Hazarika, (UR), Sr. M/C/FAG.  
✓ 2. " Sarbajit Saikia, (UR), F. Man. 1<sup>st</sup> AF/LIO.

Divl. Manager (P),  
N. F. Railway, Tinsukia.

No. 3/43 (ASU) D.R. Pt.16 at 16.2.2004.

Copy for information and necessary action to:-

1. Staff concerned.
2. SS/MC & LIO.
3. S/Pass at office - to issue necessary duty pass ex. this to AFDJ and pack pass ex.
4. E/Bill at office.
5. LIO/TSA, MOM/TSA, DMR/TSA.
6. Dealer of F. Man & TMC at office.
7. Principal, ZTC/AFDJ.
8. D/C/TSK - to issue ex. to AFDJ.

Accordinging to the order for Divl. Manager (P),  
N. F. Railway, Tinsukia.

....., dated 16.2.2004, at 16.2.2004.

**Certified to be true copy**

*Abhijit*  
Advocate

Office of the  
Principal  
Central Navy Training Institute,  
Alipore, Calcutta 700

Date: 27/IV/2004/P-2-XIII.

Page No. 09/06/2004

To  
CII(P)/MLG  
CII(P)/LNG  
CII(P)/TSP

Date: 27/IV/2004/P-2-XIII.

### Sub: Combined Merit Figures of CII(P) duration Course

The combined merit figure of CII(P) course of your  
divisions are given below taking into account their marks  
obtained in Screening & Training Examination held  
at ZNI/P-13 on 02/04/2004 Screening and Test on 7/6/04  
and Screening 2nd chance held on 9/6/04

Sl. No.	Name	Designation	Mark
<u>1/2004</u>			
1.	ANUJ BAJAJ	CII(P)/MLG (LNG)	100
2.	PANKAJ RAJU	CII(P)/MLG (CII/MLG)	96
3.	SHREYA CHAUDHARY	CII(P)/LNG	95
4.	PRITI CHAKRABORTY	CII(P)/LNG	94
5.	SHIKHA KUMARI	CII(P)/MLG (CII/MLG)	93
6.	YOGITA SHRESTHA	CII(P)/LNG	86
7.	SARBOJEEB SARKAR	-	78

Principal  
Central Navy Training Institute  
Alipore, Calcutta 700

Certified to be true copy

*M. A. H.*  
Advocate

## N. F. RAILWAY

No. S/43 (ASM) D. F. Pt. II.

Office of the  
Divl. Railway Manager (P),  
Tinsukia, Dated. 15.6.2004.

S/ Shri Binanda Ch. Hazarika, Sr. INC/FMG and Sarboswar Saikia,  
F.Man' A'/LLO at office are hereby directed to undergo practical training  
at different stations -

7 days at MN from 16.6.2004 to 22.6.2004.  
7 days at DBRT from 23.6.2004 to 29.6.2004.  
7 days at NTSK from 30.6.2004 to 6.7.2004.

On completion of training he will be examined by  
TI & SI/TSK. After this will have to appear before RAC/TSK for final  
test. RAC/TSK will maintain his attendance register w.e.f. 14.6.2004.

(U. N. Mitra)

for Divl. Railway Manager (P),  
N. F. Railway, Tinsukia.

Copy for information and necessary action to:-

- 1) Shri Binanda Ch. Hazarika, Sr. INC/FMG at office.
- 2) Shri Sarboswar Saikia, F.Man' A'/LLO at office.
- 3) SS/FMG, LLO, MN, DBRT, NTSK
- 4) TI/TSK, SI/TSK
- 5) RAC/TSK
- 6) S/Officer (T) at office.
- 7) DDM/TSK
- 8) AM/TSK

for Divl. Railway Manager (P),  
N. F. Railway, Tinsukia.

Certified to be true copy.

  
Advocate

## N. F. RAILWAY.

No. S/43 (ASM) D.P. II.

CIRCUIT OF THE  
Divl. Railway Manager (F)  
Tinsukia, Dated. 12-7-2004.To,  
The Deputy Chief Scientific Officer/T,  
N. F. Railway/Maligaon.

Sub: Psycho test of ASM.

Ref: Your office Note No. T/2/48/Pt. VIII dated 1.7.2004.

-000000-

In reference to your office Note quoted above the following Tr. ASM who were selected against 25% D.P. Quota and 60% D.R. Quota are hereby directed at yours for their psycho test to be held from 19th to 23rd July/2004.

The names of the candidates with their photographs are shown as under -

N. F. RAILWAY.		
1. S. B. C. Hazarika, Sr. IN C/FKG.	2. Shri Sarbawar Saikia, P. Man' A/IIO.	3. Shri Biraj Kr. Das, LR ASM/MJN.
4. Deputy Chief Scientific Officer/T, N. F. Railway/Maligaon.	5. Asst. Secy. Gen. Secy. N. F. Railway, Tinsukia.	6. Asst. Secy. Gen. Secy. N. F. Railway, Tinsukia.
7. Asst. Secy. Gen. Secy. N. F. Railway, Tinsukia.	8. Asst. Secy. Gen. Secy. N. F. Railway, Tinsukia.	9. Asst. Secy. Gen. Secy. N. F. Railway, Tinsukia.
10. Asst. Secy. Gen. Secy. N. F. Railway, Tinsukia.	11. Asst. Secy. Gen. Secy. N. F. Railway, Tinsukia.	12. Asst. Secy. Gen. Secy. N. F. Railway, Tinsukia.

1. Sari B. C. Hazarika, 2. Shri Sarbawar Saikia, 3. Shri Biraj Kr. Das,  
Sr. IN C/FKG. P. Man' A/IIO. LR ASM/MJN.

In reference to your office Note quoted above the following Tr. ASM who were selected against 25% D.P. Quota and 60% D.R. Quota are hereby directed at yours for their psycho test to be held from 19th to 23rd July/2004.

As per your direction the following staff are directed to attend the psycho test to be held from 19th to 23rd July/2004.

1. S. B. C. Hazarika, Sr. IN C/FKG. 2. Shri Sarbawar Saikia, P. Man' A/IIO.

3. Shri Biraj Kr. Das, LR ASM/MJN.

4. S/Pass to issue necessary duty pass from ex. NTSK to GUY and banks.

5. S/Pass to issue necessary duty pass from ex. NTSK to GUY and banks.

6. S/Pass to issue necessary duty pass from ex. NTSK to GUY and banks.

for Divl. Railway Manager (F)  
N. F. Railway, Tinsukia.

Certified to be true copy

  
Advocate

N. F. Railway.

No. E/43 (ASM) D.P. Pt.II.

Office of the  
Div. Railway Manager (P),  
Tinsukia, Dated 3, Dec, 2004.

Sub: Final result for the post of ASM after  
conducting Aptitude Test against D.P. Quota.

Ref: This office letter of even No. dt. 19.12.2003.

-000000-

A. The following D.P. Quota candidate has come out  
successful for the post of ASM against D.P. Quota after conducting  
aptitude Test Hd. Gr/MLG vide GM(P)/MLG's confidential letter  
No. E/227/81/Tr. ASM (T) Pt.I dated 2.6.84.

Name of the Candidate.

1. Shri B. C. Hazarika, (UR), Sr. TNC/FKG.

B. The following candidate has been disqualified for the  
post of ASM Rs. 4500/- to 7000/- after appearing Aptitude Test as mentioned  
above.

Name of the Candidate.

1. Shri Sarboswar Saikia, P.Men 'A'/LZO.

( U. N. Mishra ),  
AO-II/TSK.  
for Divl. Railway Manager (P),  
N. F. Railway, Tinsukia.

Copy for information and necessary action to:-

- 1) Staff concerned.
- 2) DOM/TSK.
- 3) SS/FKG & IJO.

for Divl. Railway Manager (P),  
N. F. Railway, Tinsukia.

Certified to be true copy

*M. H. B. Z.*  
Advocate

N. F. RAILWAY.

OFFICE ORDER

Office of the  
Div. Railway Manager (P),  
Tinsukia, Dated. 15.09.04.

Being disqualified in the Aptitude Test for the  
post of ASM in scale Rs. 4500-7000/- Shri Sarbeswar Saikia, P. Man  
'A'/LLO is allowed to continue as P. Man 'A'/LLO in his same pay  
& scale against existing vacancy.

This is as per orders of the competent authority.

for Div. Railway Manager (P),  
N. F. Railway, Tinsukia.

No. B/43 (ASM) D. P. Pt. II dated. 15.09.04.

Copy for information and necessary action to:-

- 1) Shri Sarbeswar Saikia, P. Man 'A'/LLO.
- 2) DOM/TSK.
- 3) SS/LLO.

Q2000  
20/6/9/04  
for Div. Railway Manager (P),  
N. F. Railway, Tinsukia.

Certified to be true copy  
M. H. S.  
Advocate

Annexure - I

21  
H. P. Railway

Office of the  
Divl. Railway Manager (P),  
Tinsukia, Dated 15.04.2005.

No. E/43 (A31) D.P.

Sub: Result for the post of ASH after conducting Aptitude Test against D.P. Gonta.

-oooo-

In terms of Sr. DMO/TSK's Office Note No. E/S-17/265/ Optg./CON/Pt.III dt. 1.4.2005, the following D.P. Gonta candidates have been disqualified for the post of ASH after appearing in Aptitude Test.

1. Shri R. L. Das, Hd. DMO/TSK.  
2. " Sarbeswar Saikia, P. Man. A/ LIO.

for Divl. Railway Manager (P),  
H. P. Railway, Tinsukia.

Copy for information and necessary action to:-

1. Staff concerned.  
2. Sr. DMO/TSK.

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00000  
for Divl. Railway Manager (P),  
H. P. Railway, Tinsukia.

Certified to be true Copy

M. M. M. M.  
Advocate

Certified to be true copy

M. M. M.  
Advocate

GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(RAILWAY BOARD)

No. E(NG)I/2002/PM1/31

New Delhi, 22-08-2003

The General Managers,  
All Indian Railways.Sub: *Psychological Test in Departmental selections.*

In terms of this Ministry's letter No. E(NG)I/92/PM1/22 dt. 26.09.94, the serving staff are required to be subjected to psycho-test at the stage of promotion to the post of Switchman, ASM, Diesel/Elec. Assts., Goods Driver, Motorman and at the stage of deployment of Drivers on Rajdhani/Shatabdi Express trains. In this Ministry's letter No. E(NG)I/98/PM1/4 dt. 13.07.99 it was clarified that psycho test wherever prescribed will be of qualifying nature and part of the selection meaning thereby that a person who fails in the psycho test is not eligible to be included in the panel.

2. The scope of Psycho Test and its effect on the eligibility of staff for empanelment have been considered by a high level Committee. The recommendations of the Committee have been considered by the Board and following decisions have been taken:-

(i) The Psycho Test should henceforth be called as 'Aptitude Test'.

So far as in-service employees are concerned, the Aptitude test will now be applicable at the stage of promotion as ASM, Diesel/Elec. Assts. and Motorman (EMU/MEMU/DMU) and at the stage of deployment of Drivers on high speed trains running above 110 kmph. While the Aptitude test need not be given to Drivers of Rajdhani/Shatabdi Express trains running at lower speeds, the Drivers for deployment on non-Shatabdi/Rajdhani trains also running over 110 kmph should be subjected to the Aptitude Test.

(iii) The Aptitude test should be given a weightage of 20% in the selection for promotion as ASM, Diesel/Elec. Asst. and Motorman and should be integrated in the selection proceedings. In other words, the Aptitude test will no more be of qualifying nature.

....2/-

Certified to be true copy

M. Shrivastava  
Advocate

Certified to be true copy

J. John  
Advocate

23

8/11-116/1  
26

2.1. It has been decided further that weightage of 20 marks, that is required to be given to Aptitude test in the selection for promotion to the above categories should be given in lieu or by bifurcating the heading/marks under the heading Personality, address, leadership and academic/technical qualifications. Accordingly in the case of selection for promotion as ASM and Diesel/Elec. Assts. covered by procedure laid down for general (selection) posts, the existing heading "Personality, address, leadership and academic/technical qualifications should be bifurcated as under:-

	<u>Max. Marks</u>	<u>Qualifying Marks</u>
i) Academic/technical qualifications.....	10	Nil
ii) Aptitude Test.....	20	Nil

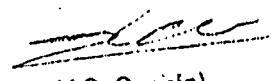
In the case of selection for promotion as Motorman the existing heading "Personality, address, leadership and academic/technical qualifications should be deleted and substituted by the following:-

	<u>Max. Marks</u>	<u>Qualifying Marks</u>
Aptitude Test .....	20	Nil

3. It has also been decided that only the staff who clear the written test held as part of the selection should be subjected to Aptitude Test.

4. The Indian Railway Establishment Manual should also be amended as in the ACS No. 149 enclosed.

Please acknowledge receipt.

  
(J.S. Gusain)  
Joint Director, Estt.(N)  
Railway Board

Encl: As above.

24/

SN-116/11  
JK

INDIAN RAILWAY ESTABLISHMENT MANUAL, VOLUME I, 1989 EDITION

Section 'B', Chapter II - Promotion of Group 'C' Staff

Advance Correction Slip No. 149

I. Insert the following as Note (v) after the existing Note (iv) below the existing para 219 (g):

"(v) in the case of selection for promotion as Motorman, substitute the following for the existing heading 'Personality, address, leadership and academic/technical qualifications' in the table below para 219 (g):-

	Max. Marks	Qualifying Marks
Aptitude test	20	Nil

II. Insert the following as Note (iv) after the existing Note below para 219(j):

"(iv) In the case of selection for promotion to the post of Diccel/Elect. Ass'ts. and ASMs, the heading (2) above shall be bifurcated as under:-

Max. marks   Qualifying marks

(a) Academic/  
Technical Qualifications      10      Nil

(b) Aptitude Test      20      Nil

(Authority: Ministry of Railways letter No. E(NG)I/2002/PM1/31 dt. 22-08-2003)

\*\*\*\*\*

To,

The Divisional Railway Manager,

(For personal attention of Mr. W. K. Pradhan, honourable DRM/TSK)

Annexure -

Date: \_\_\_\_\_

(K)

Sub : Deprival of promotional benefits after successful completion of promotional course training of ASM at ZRTI in violation of Rly Board Letter no-E(NG)I/2002/PMI/31 dt. 22.08.2003 circulated vide advance correction slip no 149 to IRGM Vol. I 1989 edition.

Hon'ble Sir,

With due respect & humble submission, I beg to lay before you the following case of my misfortune and deprivation with request for your kind reviewel and justice.

That Sir, I was selected for the post of ASM against 25% D.P. quota. I had undergone promotional training course of ASM at ZRTI vide office letter no E/43 (ASM) pt 16 dt.16-02-2004 commencing from 27-02-2004 to 9.06.2004

That Sir on successful completion of the course at ZRTI, I was directed to TSK division for further practical field training of 21 days vide Office order no. E/43 (ASM) DB Pt II dt. 15-06-2004.

That Sir, on 09-09-2004 I was again disqualified for the post of ASM vide no-E/43 (ASM) DP Pt II dt 9.-09-2004 as a result of Aptitude test, conducted by H.Q/ MLG in accordance with G.M.(P) / MLG's Letter no. E/227/81/ TR ASM(T) Pt I Dt. 2.08.2004.

That Sir, it is clearly mentioned in the Rly. Board Letter enclosed that Aptitude Test applicable for promotion as ASM will NO MORE BE OF QUALIFYING NATURE and there should given a weightage of 20 % in the selection proceedings only.

That Sir, I believe that a huge amount of resources involved in training up a fullfledged ASM Had the issue of utilization of resources was a priority. I could have expected at least one alternative post in commercial category or Guard, AYM to save me from humiliation in the society. But to my utmost misfortune, the Rly. Board letters and the corresponding Advance Correction Slip no 149 could not rescue me from being thrown to my original post P/Man "A" disregarding the question of utilizing my knowledge of commercial subject so, as to minimize loss of resources involved thereto. Moreover here was no acute shortage of P/Man "A" in the division at that time.

Under the above circumstances, I cordially request you to kindly review the case of my promotion as ASM once again in the light of Advance Correction Slip no 149 and for which act of kindness I shall remain ever grateful to you.

Yours faithfully,

*Sarbeswar Saikia*

( Sarbeswar Saikia )

P/Man "A" / Ledo

Forwarded  
To DPM  
W.K.  
Sarbeswar  
Saikia

RECEIVED  
9/09/04  
Date of the Divisional Manager, TSK  
9/09/04  
9/09/04

Certified to be true  
Advocate