

8

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

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17/7/2015
SECTION OFFICER (JUDL.)

17.7.2015

B R S H E E T1. Original Application No: 73 / 20092. Miscellaneous Petition No 3. Contempt Petition No 4. Review Application No Applicant(S) Lijush Ghose & OrsRespondant(S) M. O. I. ConsAdvocate for the Applicant(S): Adil Ahmed
N. AhmedAdvocate for the Respondant(S): 6 Railway advocate

Notes of the Registrar	Date	Order of the Tribunal
<p>Form 10</p> <p>69 F 3511 62 63 2</p> <p>Dated 20.4.09 69E999153</p> <p><i>[Signature]</i> Dy. Registrar 20/4/09</p> <p>20/4/09</p> <p>Petitioners (Spic for issue notices are received with envelopes, undertaking given for service.</p> <p><i>[Signature]</i> 20/4/09</p>	22.04.2009	<p>A copy of this O.A. is served (by Mr.A.Ahmed, learned counsel for the Applicants) on Dr.J.L.Sarkar, learned Standing counsel for the Railways.</p> <p>On the prayer of Mr.A.Ahmed, learned counsel for the Applicant, call this matter on 30.04.2009.</p> <p><i>[Signature]</i> (M.R.Mohanty) Vice-Chairman</p> <p>PTG</p>

O.A.73-09

30.04.2009

Mr.A.Ahmed

Applicant, undertakes to the consolidated O.A. (incorporating all the amendments) by 8th of May, 2009. He also undertakes to file 21 extra copies of the consolidated O.A. by 8th of May 2009 along with 21 envelopes clearly describing the addresses of the Respondents. He also undertakes to serve a copy of the consolidated O.A. on Dr.J.L.Sarkar, learned Railway Standing counsel by 8th May, 2009. The 4 extra copies of the unamended O.A. with blank envelopes, available in 'C' file are returned to Mr.A.Ahmed in court today.

Call this matter on 08.05.2009.

2.5.09

Amended petition

has been filed by the Applicant

/bb/

copy served.

2/5/09

08.05.2009

Mr. A. Ahmed, learned counsel for the Applicant is present. The Respondents, Railways are represented.

Heard. Issue notice to the Respondents requiring them to file their written statement by 24.06.2009.

Call this matter on 24.06.2009.

(M.R.Mohanty)
Vice-Chairman

lm

Notice copies of amended petition along with order dt. 8/5/2009 send to D/Sec. for issuing to R-1 to 21 by regd. A/D post. D/No-2453 to 2473

14/5/09

Contd.
09.06.20

& 14th June

of the present O.

copy of this M.P.No.55 on

already been supplied to
Dr.J.L.Sarkar, learned Standing for
Railways on 04.06.2009.

Heard Mr. A. Ahmed, learned
counsel appearing for the Applicant
and Dr.J.L.Sarkar, learned Standing
counsel for the Railways and perused
the materials placed on record. The
Applicants have already been directed
to appear at the written
examination/LDCE on 13th and 14th
June 2009. Without prejudice to the
rival claims to be adjudicated in the
present O.A. No.73 of 2009, the
Applicants should take the written
test in LDCE fixed on 13th & 14th
June 2009, and the result of the said
written test may not be declared
without leave of this Tribunal.

Send copies of this order to
the Applicants and to the
Respondents (along with the copies of
the M.P.No.55 of 2009) and free
copies of this order be handed over to
the learned counsel appearing for
both the parties.

(M.R.Mohanty)
Vice-Chairman

10.6.09
and copy of this
order to the Respondents,
to the Applicants.
urgently.

10/6/09

Respondent no: 16 (Tapas Subrahman) copy
received personally from the Court.

24/6/09
copy served on 16.6.09
11/6/09

Forwarded by
Advocate for Applicant
11/6/09

Copies of order
dated 9/6/09 along
with the copies of
the M.P. No-55/09 send
to D/Sec. for issuing
to respondents by
regl. post.

Free copies of this
order issuing to
applicant and learned
counsel appearing for
both the parties.

11/6/09. D/No-3191 to 3214
Dt= 16.6.09

19.6.08
Respondent - 1, notice
duly served.
18/6/09

06.2009

This case relates to

recruitment of AEN/Group B, against

30% vacancies through Limited

Departmental Competitive

Examination. Challenging the

previous recruitment, the Applicants

have approached this Tribunal with

the present O.A.No.73 of 2009; in

which the notices have been issued to

the Respondents to file their

reply/written statement by 24th June

2009. In the meantime, by notice

dated 13.05.2009, the Respondents

have fixed next Limited Departmental

Competitive Examination on 13th and 14th

June 2009 and the present

Applicants (Shri Pijush Gosh, Shri

Ashok Kumar, Shri / Jamaluddin

Khan, Shri Anjan Roy Bhumi and

Smti Jahanara Begum) have also

been called to attend the said Limited

Departmental Competitive

Examination (written) on 13th and

14th June, 2009.

By way of filing M.P.No.55 of

2009 the Applicants have prayed to

stay the written examination for

Limited Departmental Competitive

Examination, which is fixed on 13th

Contd./

Notes of the Registry

Date

Order of the Tribunal

19.6.09

Notice received back
as unserved from Respondents
Nos. 5, 6, 7, 9, 10, 11, 13,
14, 15, 16, 17, 19 and 20 (Total 13)
with postal remark as "Left"
at 1.6.09.

19/6/09

No Wks. billed

17.8.09

No Wks. billed

4.9.09

24.06.2009

Mr.N.Ahmed, learned counsel
appearing for the Applicant is
present. On the prayer of
Dr.J.L.Sarkar, learned Standing
counsel for the Railways, call this
matter on 18.08.2009 awaiting
written statement from the
Respondents.




(M.R.Mohanty)
Vice-Chairman

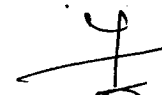
lm

18.08.2009

Mr.N.Ahmed, learned counsel
appearing for the Applicant is present.
Dr.M.C.Sarma, Advocate for the Railways,
undertakes to file vakalatnama and
written statement on behalf of the
Respondents by 4th of September, 2009.

Call this matter on 07.09.2009.


(M.K.Chaturvedi)
Member (A)


(M.R.Mohanty)
Vice-Chairman

/bb/

07.09.2009

Notices sent to Respondent Nos.5,
6, 7, 9, 10, 11, 13, 14, 15, 16, 17, 19 and 20
(total 13) have been sent back un-served by
postal authorities.

Registry to send fresh notices to the
aforesaid Respondents requiring them to file
their reply by 26.10.2009. The fresh notices be
sent to the aforesaid Respondents through
the Deputy Chief Personnel Officer
(Gazetted), North East Frontier Railway,
Maligaon, Guwahati-781 011; who should
serve the notices and report compliance of
service of notices of this Tribunal well before
the next date.

Notes of the Registry	Date	Order of the Tribunal
<p>Contd.</p> <p>07.09.2009</p> <p>8.9.09</p> <p>N/S filed by the Respondents in the on 7.9.09 through Dr. M.C. Sarma, Rly Counsel, copy served and he also filed Vakalatnamas at flp A. H/S/9/08.</p> <p>N/S filed. NO rejoinder to be. 23.10.09</p>	<p>07.09.2009</p> <p>/bb/</p> <p>10.09.2009</p> <p>nkm</p>	<p>Dr.M.C.Sarma, learned counsel for the Railways undertakes to give necessary instruction to Deputy Chief Personnel Officer, (Gazetted), North East Frontier Railway, Maligaon, Guwahati - 781 011 to do the needful.</p> <p>Dr.Sarma files written statement on behalf of the official Respondents in court today after serving a copy thereof on Mr.Nuruddin Ahmed, learned counsel for the Applicant. Mr.Nuruddin Ahmed prays for time to file rejoinder.</p> <p>Call this matter on 26.10.2009.</p> <p>(M.K.Chaturvedi) Member (A)</p> <p>(M.R.Mohanty) Vice-Chairman</p> <p>Call this matter on 26.10.2009 as already fixed.</p> <p>(M.K. Chaturvedi) Member (A)</p> <p>(M.R. Mohanty) Vice-Chairman</p>

26.10.2009

Fresh notices were to be issued to Respondent Nos. 5-7, 9-11, 13-17, 19 and 20 in terms of order dated 07.09.2009. Dr M.C. Sarma, learned counsel for the official respondents states that no such notices have been sent or handed over to them, so far, to effect service on the said respondents. In this view of the matter, issue fresh notices to said respondents at applicant's costs under Rule 11 (1) (i) of CAT (Procedure) Rules, 1987, to be served through official respondents.

K.DAS

By order dt 26.10.09
fresh notices ^{issue} to Respondent
Nos. 5-7, 9-11, 13-17, 19 and
20 at applicant's costs.
urgently.

28/10/09

28.10.09

Rejoinder has been
filed by the Applicant.
Copy served.

28/10/09

Notices are issue nkm

As per order dt. 26/10/09

through Shri S. Surkar,
secretary to the principal
chief Engineer, N.F. Rly,
as directed Dr. M.C. Sarma
Rly. Advocate.

Therefor service is
completed. lm

Ca
4/11/09

The case is ready
for hearing,

16/12/09

The case is ready
for hearing.

11.1.2010

List on 07.12.2009.

(Madan Kumar Chaturvedi)
Member (A)

(Mukesh Kumar Gupta)
Member (J)

07.12.2009 Shri. A. Bhattacharjee, learned
counsel enters appearance for Respondent
Nos. 5 to 21. Thus service is complete.

List O.A.No.73 of 2009 on
17.12.2009 for hearing.

(Mukesh Kumar Gupta)
Member (J)

17.12.2009

Dr. M. C. Sarma, learned counsel for
Respondent Nos. 1-4 prays for adjournment
on personal grounds.

List on 12th January, 2010.

(Madan Kumar Chaturvedi)
Member (A)

(Mukesh Kumar Gupta)
Member (J)

/PB/

O.A. No. 73 of 2009.

12.01.2010

On the request of Mr. A. Ahmed,
learned counsel for applicant, adjourned to
18th January, 2010.

The case is ready
for hearing.

20
15.1.2010

/PB/

(Madan Kumar Chaturvedi)
Member (A)

(Mukesh Kumar Gupta)
Member (J)

18.01.2010

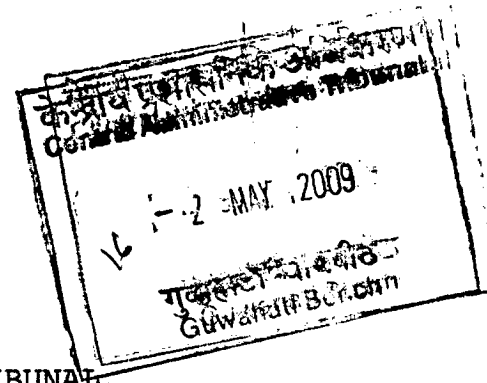
Learned counsel for the applicants
seek to withdraw present application with
liberty to file better application.

Dismissed as withdrawn with liberty
to file fresh application.

(Madan Kr. Chaturvedi)
Member (A)

(Mukesh Kr. Gupta)
Member (J)

/pg/



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO.73 OF 2009.

(AMENDED ORIGINAL APPLICATION)

Shri Pijush Ghose & Others

Applicants

- Versus -

The N.F. Railway & Others

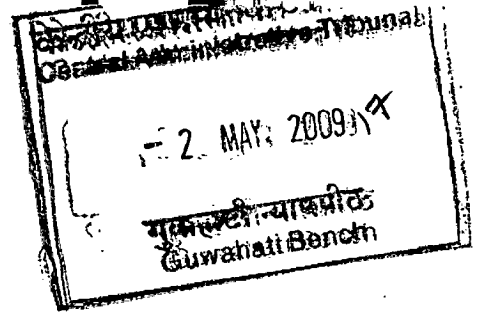
Respondents

S Y N O P S I S

Presently the applicants are working as Group 'C' Engineering Supervisory staff under the Control of Principal Chief Engineer, Northeast Frontier Railway, Maligaon. The next promotion of the applicants is Assistant Executive Engineer (AEN in short) Group 'B'. The respondent No.1 vide letter dated 10.11.2008 notified the selection for the post of AEN/Group 'B' against 70% vacancies in total nos. 29 posts including unreserved/General 18, Schedule Castes (SC) 07 and Schedule Tribes (ST) 04. The respondents deferred the written examination from 17.01.2009 to 24.01.2009 for the post of AEN/Group 'B' against 70% vacancies. Accordingly the instant applicants as being eligible appeared in the written examination held on 24.01.2009. In the said examination total 44 candidates including the instant applicants have been selected/empanelled for the post of AEN/Group 'B' unreserved/General 18 out of total 29 posts. Thereafter the viva-voce test was held on 26.02.2009 in the chamber of respondent No.2 subject to Medical fitness. All the instant applicants appeared in the viva-voce test. The promotion list for the post of AEN/Group 'B' against 70% vacancies was published 09.04.2009. However, in the said promotion list the respondents have promoted only 08 unreserved/general selected/empanelled candidates out of total 18 unreserved/General category vacant posts. It is to

Recd.
SC/29/29
30/4/09

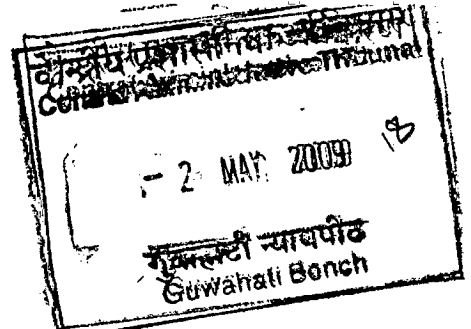
Pijush Ghose



be stated that in earlier examination in the year 2007 for the post of AEN/Group 'B' against 70% vacancies out of total 10 unreserved/General posts, all the said 10 posts of unreserved/general selected/empanelled candidates were promoted. In the instant year i.e. 2009 total 18 vacancies of unreserved/general categories posts are vacant and accordingly seniority position in the selected/empanelled unreserved/general candidates the instant applicants position are 13,14,15,16 and 17. Moreover, the applicants are having unblemished service records. Therefore, all the applicants are legally entitled for promotion to the post of AEN/ Group 'B' against 70% vacancies as notified vide letter dated 10.11.2008.

Hence, the Applicants have filed this Original Application before this Hon'ble Tribunal for seeking justice in this matter.

Piyush Ghose



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO. 73 OF 2009.

(AMENDED ORIGINAL APPLICATION)

Shri Pijush Ghose & Others

Applicants

- Versus -

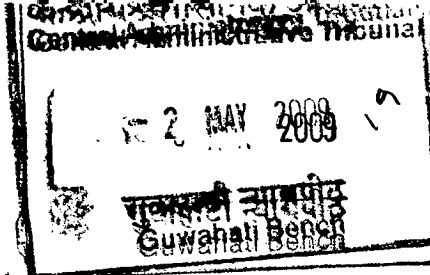
The N.F. Railway & Others

Respondents

LIST OF DATES

22.03.2007 Para:4.10 Annexure:5	The Respondent No.1 notified the selection for promotion to the post of AEN/Group 'B' against 70% vacancies in total nos.22 posts including Unreserved/General 10, Schedule Caste 09 and Schedule Tribe 03.
29.09.2007 & 13.10.2007 Para:4.10	The Written Examination was held for the post of AEN/Group 'B' against 70% vacancies in total nos. of 22 posts.
23.10.2007 Para:4.10 Annexure:6	The result of Written Examination for the post of AEN/Group 'B' against 70% vacancies was published. Out of 29 selected/empanelled candidates 18 General, 10 Schedule Caste and 01 Schedule Tribe category.
17.01.2008 Para:4.10 Annexure:7	The promotion list for the post of AEN/Group 'B' against 70% vacancies was published. 10 from General list, 08 from Schedule Caste category and 01 from Schedule Tribe category were promoted.
10.11.2008 Para:4.4 Annexure:1	The Respondent No.1 again notified the selection for promotion to the post of AEN/Group 'B' against 70% vacancies in total nos.29 posts including Unreserved/General 18, Schedule Caste 07 and Schedule Tribe 04.
17.01.2009 Para:4.6	The Respondent No.1 deferred the Written Examination for the post of AEN/Group 'B' against 70% vacancies.
24.01.2009 & 01.02.2009 Para:4.6	The Written Examination was held for the post of AEN/Group 'B' against 70% vacancies in total nos. of 29 posts.

Pijush Ghose



16.02.2009
Para:4.7
Annexure:3

The result of Written Examination for the post of AEN/Group 'B' against 70% vacancies was published. Out of 44 selected/empanelled candidates 30 candidates General category, 08 candidates Schedule Castes category and 06 candidates Schedule Tribes categories.

26.02.2009
Para:4.7

The viva-voce test held in the chamber of Respondent No.2.

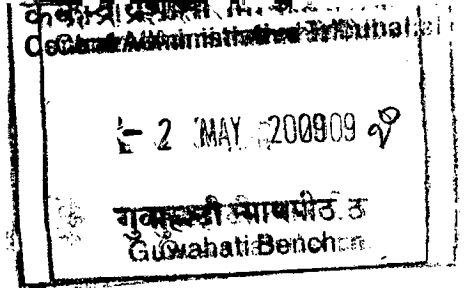
09.04.2009
Para:4.8
Annexure:4

The promotion list for the post of AEN/Group 'B' against 70% vacancies was published. Only 08 from General category out of 18 , 08 from Schedule Caste category and 01 from Schedule Tribe category were promoted .

Filed by:

Nuruddin Ahmad
Advocate

Pijush Ghose



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO. 73 OF 2009.

(AMENDED ORIGINAL APPLICATION)

Shri Pijush Ghose & Others

Applicants

- Versus -

The N.F. Railway & Others

Respondents

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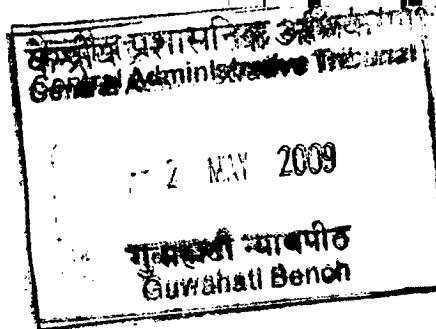
Sl. No.	Particulars	Annexures	Pages
1	Original Application		1 to 20
2	Verification		21
3	Copy of the letter No.E/254/17-Pt.XII(O) dated 10.11.2008.	1	22 to 25
4	Copy of the memorandum No.E/254/17-Pt.XII(O) dated 18.12.2008.	2	26 to 29
5	Copy of the selection test No.E/254/17-Pt.XII(O) dated 16.02.2009.	3	30 to 31
6	Copy of the office order No.10/2009 (ENGG.) dated 09.04.2009.	4	32 to 35
7	Copy of the notification No.E/254/17-Pt.XII (O) dated 22.03.2007.	5	36 to 39
8	Copy of the notification No.E/254/17-pt.XII (O) dated 23.10.2007.	6	40 to 41
9	Copy of the office order No.02/2008 (Engg.) dated 17.01.2008.	7	42 to 48

Date: 28.04.2009

Filed By:

Nuruddin Ahmad
Advocate

Pijush Ghose



FILED BY 21

Sri Pijush Ghose

Applicant No 1

through Nuruddin Ahmed Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

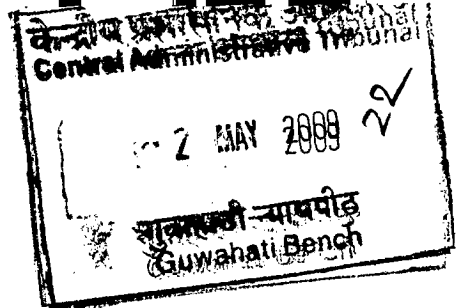
ORIGINAL APPLICATION NO. 73 OF 2009.

(AMENDED ORIGINAL APPLICATION)

BETWEEN

1. Shri Pijush Ghose
Son of late Prafulla Kumar Ghosh
Senior Section Engineer/Track
Machine/Maligaon,
Working under the office of the
Deputy Chief Engineer, Track
Machine Department,
Northeast Frontier Railway,
Maligaon, PIN code-781011.
2. Shri Ashok Kumar
Son of Shri Hari Govind Ram
Senior Section Engineer/Permanent
way/Special/Rangia,
Working under the office of the
Senior Divisional Engineer, (Co-
ordination), Northeast Frontier
Railway, Rangia,
PIN code-781354.
3. Shri Jamaluddin Khan
Son of late Md. Sirajuddin Khan
Senior Section Engineer/Permanent
way/Old Malda,
Working under the office of the
Senior Divisional Engineer, (Co-
ordination)/Katihar, Northeast
Frontier Railway, Katihar, Bihar,
PIN code-854105.
4. Shri Anjan Roy Bhowmick
Son of late Hemchandra Roy Bhumik
Senior Section Engineer/Track
Machine/Maligaon,
Working under the office of the
Deputy Chief Engineer, Track
Machine Department,
Northeast Frontier Railway,
Maligaon, PIN code-781011.
5. Smti. Jahanara Begum
Daughter of late Sadulla Ali
Section Engineer/Drawing/Track
Machine/Maligaon,

Pijush Ghose



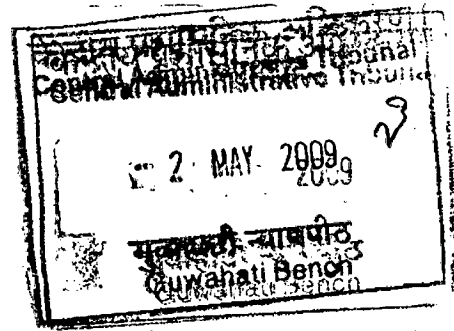
Working under the office of the
Principal Chief Engineer Office,
Northeast Frontier Railway,
Maligaon, PIN code-781011.

..Applicants

-AND-

1. The Northeast Frontier Railway,
represented by the General Manager,
Maligaon, Guwahati, PIN-781011.
2. The Principal Chief Engineer
Northeast Frontier Railway
Maligaon, Guwahati, PIN-781011.
3. The Chief Personnel Officer,
Northeast Frontier Railway,
Maligaon, Guwahati, PIN-781011.
4. The Deputy Chief Personal Officer
(GAZ), Northeast Frontier Railway,
Maligaon, Guwahati, PIN-781011.
5. Shri B.N. Das
Selected/empanelled candidate
promoted to Group 'B' service as AEN
against 70% vacancies.
C/O- The Deputy Chief Personal
Officer (GAZ), Northeast Frontier
Railway, Maligaon, Guwahati,
PIN-781011.
6. Shri Kiranjib Bayan
Selected/empanelled candidate
promoted to Group 'B' service as AEN
against 70% vacancies.
C/O- The Deputy Chief Personal
Officer (GAZ), Northeast Frontier
Railway, Maligaon, Guwahati,
PIN-781011.
7. Shri Anup Kumar Singh
Selected/empanelled candidate
promoted to Group 'B' service as AEN
against 70% vacancies.
C/O- The Deputy Chief Personal
Officer (GAZ), Northeast Frontier
Railway, Maligaon, Guwahati,
PIN-781011.
8. Shri Sonaton Swargiary
Selected/empanelled candidate
promoted to Group 'B' service as AEN
against 70% vacancies.

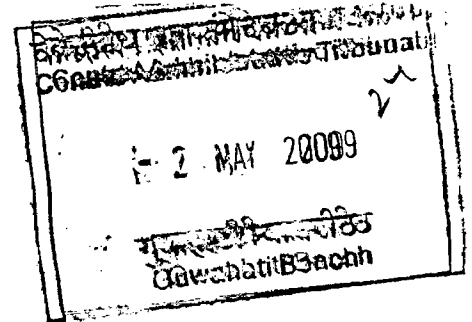
Pijush Ghose



C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

9. Shri Vinod Kumar Chowdhury
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
10. Shri Benu Gopal Basak
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
11. Shri Bhupal Chandra Nandi
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
12. Shri Nirmal Kanti Dey
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
13. Shri Nirmalaya Sarma
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
14. Shri Sudhangshu Sekhar
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.

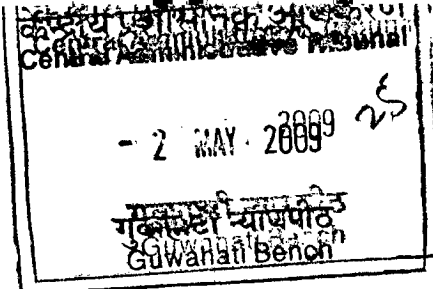
Piyush Bhowmik



C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

15. Shri Dipak Chandra Sarma
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
16. Shri Tapash Sutradhar
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
17. Shri Munindra Kalita
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
18. Shri Jaideep Das
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
19. Shri Pradip Kumar Biswas
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
20. Shri Hari Singh
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.

Pijush Choudhary



C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

21. Shri Sumit Sukla
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.

C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

...Respondents

DETAILS OF APPLICATION:

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

This application is made against the impugned office Order No.10/2009 (ENGG.) dated 09.04.2009 whereby the Respondent No.4 have promoted the empanelled candidates to Group 'B' service as AEN against 70% vacancies by violating the vacancy position of community wise break up of vacancies as notified earlier vide letter No.E/254/17-Pt.XII(0) dated 10.11.2008 and the Applicants further prays for a direction from this Hon'ble Tribunal to the Respondent No. 1 to 4 to take immediate steps for fill up the left over vacant 10 Unreserved/General posts of AEN/Group 'B' against 70% vacancies as notified vide letter No.E/254/17-Pt.XII(0) dated 10.11.2008.

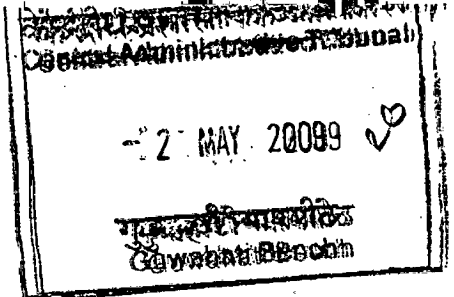
- 2) JURISDICTION OF THE TRIBUNAL:

The Applicants declare that the subject matter of the instant application is within the jurisdiction of this Hon'ble Tribunal.

- 3) LIMITATION:

The Applicants further declare that the subject matter of the instant application is within the

Pijish Ghose



limitation prescribed under Section 21 of the Administrative Tribunal Act 1985.

4) FACTS OF THE CASE:

Facts of the case in brief are given below:

4.1] That your humble Applicants are citizens of India and as such, they are entitled to all rights and privileges guaranteed under the Constitution of India.

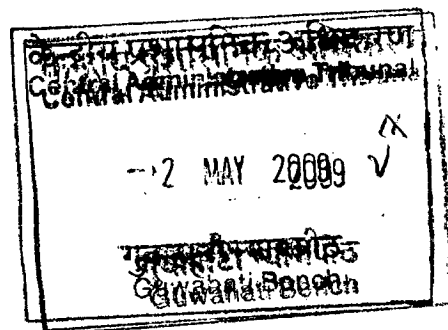
4.2] That your Applicants beg to state that all of them are working as Group- 'C' Engineering Supervisory staff under the control of Principal Chief Engineer, Northeast Frontier Railway (N.F. Railway in short), Maligaon. Presently, they have been posted in different places under the jurisdiction of the N.F. Railway, Maligaon, Guwahati-11. The next promotion of the Applicants is Assistant Executive Engineer (AEN in short) Group- 'B'.

4.3] That your Applicants beg to state that as the grievances and relief(s) prayed in this application are common, therefore, they pray for grant of permission under Section 4(5)(a) of the Administrative Tribunal (Procedure) Rules, 1987 to move this application jointly.

4.4] That your Applicants beg to state that the office of the Respondent No.1 vide its letter No.E/254/17-Pt.XII(O) dated 10.11.2008 notified the selection for the post of AEN/Group- 'B' against 70% vacancies in the N.F. Railway. The gist of the notification are quoted below for kind reference of this Hon'ble Tribunal-

"It has been decided with the approval of Competent Authority to hold a selection for forming a panel of 29 persons of AEN/Group- 'B' against 70% vacancies. The community wise break-up of vacancies of the post of AEN/Group- 'B' against 70% vacancies is as under:-

P. Jishu, More



UR= 18

SC= 07

ST= 04

Total= 29

2. The selection will be based on candidates' performance both in written examination as well as viva-voce test. The candidates, who qualify in the written examination and thereafter in the Medical examination in the prescribed Safety category, will only be eligible for the viva-voce test. As per extant instruction of the Railway Board, the placement of the candidates in the panel will be based on their performance in written examination/Viva-voce test/Record of service.

3. The cut-off date of eligibility on the length of required years of non-fortuitous services of the supervisory staff of Civil Engineering department is as on 01.09.2008 for 70% selection and corresponding 30% LDCE (to be processed later on).

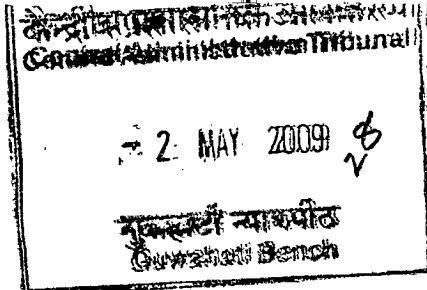
4. The written examination will consist of only one paper on the following subjects, the total & qualifying marks of which are indicated against it as under:-

Subject	Maximum marks	Qualifying marks
Professional subjects, Establishment, Financial Rules & Rajbhasha	150	90

It may be notified that the question paper will be bi-lingual, i.e., English & Hindi. It will be the candidates' choice to write in any one of the two languages."

Copy of the letter No.E/254/17-Pt.XII(O) dated 10.11.2008 is annexed herewith and marked as ANNEXURE-1.

Pijush Ghose



4.5] That your Applicants beg to state that in reference to the notification dated 10.11.2008 the office of the Respondent No.1 decided to hold the Written Examination on 17.01.2009 of total 29 posts of AEN/Group 'B' selection against 70% vacancies vide its memorandum No.E/254/17-Pt.XII(O) dated 18.12.2008. A list of eligible 126 candidates under zone of consideration for selection has been enclosed in Annexure-A. The Applicants No.1, 2, 3, 4 & 5 name appeared in the serial No.78 (UR), 80 (UR), 81 (UR), 92 (UR) & 83 (UR) respectively in the aforesaid Annexure-A.

Copy of the memorandum No.E/254/17-Pt.XII(O) dated 18.12.2008 is annexed herewith and marked as ANNEXURE-2.

4.6] That your Applicants beg to state that the Written Examination for the post of AEN/Group 'B' against 70% vacancies was deferred by the Respondent No.1 from 17.01.2009 to 24.01.2009. Accordingly, the written Examination was held on 24.01.2009. It is to be stated on the request of some of the absentee candidates who could not appear in the Written Examination held on 24.01.2009, the Respondents have allowed them to appear in the Written Examination on 01.02.2009.

4.7] That your Applicants beg to state that total 44 candidates have been qualified in the Written Examination for selection of 29 posts of AEN/Group 'B' against 70% vacancies vide selection list No.E/254/17-Pt.XII(O) dated 16.02.2009. Out of total 44 selected/empanelled candidates, 30 candidates are from unreserved category, 8 candidates are from Schedule Castes community and 6 candidates are from Scheduled Tribes community. It is to be stated that the Applicants No.1, 2, 3, 4 & 5 names appeared in serial No.20, 23, 17, 1 & 7 of the selection list. The selected/empanelled candidates were directed to obtained physical fitness certificate by the respective medical authorities before

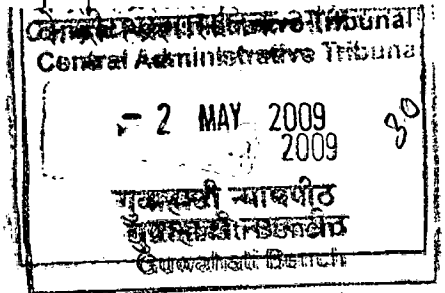
Pijush Ghose

appearing in the viva-voce test. The instant Applicants obtained their physical fitness certificate from the respective medical authorities. The viva-voce test was held on 26.02.2009 in the chamber of Respondent No.2. The instant Applicants appeared in the viva-voce test held on 26.02.2009. It is worth to mention here that the performance of the selected/empanelled candidates is also on the base of their 5 years confidential reports including their seniority position. For kind reference of this Hon'ble Tribunal the inter seniority of the selected/empanelled candidates who has qualified in the written examination are quoted below:-

Seniority Position of the Name & Designation of the Candidates
passed candidates in the
written examination

- 1 Jogendra Nath Daimary (ST),
SSE/P. WAY/CON
- 2 Kulwanth Kumar Lakra (ST),
SE/P.WAY/APDJ
- 3 Baidya Nath Das (SC),
SSE/W/TKG
- 4 Shyamal Ghosh (UR), ,
SSE/BRIDGE/NJP
- 5 Kiranjib Bayan (UR),
SSE/DRG/SR. DEN/MLG
- 6 Anup Kr. Singh (SC),
SSE/DRG/DY. CE/BR. LINE
- 7 Smti. Seema Khan (ST),
SSE/PLG
- 8 Uttam Kumar Som (UR),
SSE/W/NJP
- 9 Aruj Kr. Sonowal (ST),
SSE/BRIDGE/MLG
- 10 Sonaton Swargiary (ST),
SSE/TM/MLG
- 11 Vinod Kr. Chaudhary (SC),
SAFETY COUN./PW/KIR
- 12 P. Ramana Rao (UR),

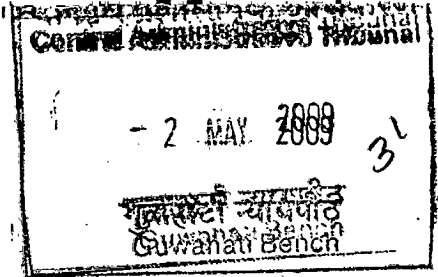
Piyush Anand



- 10 -

- 13 SSE/W/CON/NCB
Benu Gopal Basak (UR),
SSE/W/DRG/KIR
- 14 Bhupal Ch. Nandi (UR),
SSE/W/CON/NCB
- 15 Nirmal Kanti De (UR),
CVI/ENGG/MLG
- 16 L. C. Boro (ST),
SSE/W/C/JPZ
- 17 Nirmalya Sharma (UR),
SSE/W/BR. LINE
- 18 Sudhanshu Sekhar (UR),
SSE/P. WAY/NBQ
- 19 Dipak Ch. Sarma (UR),
SSE/W/NAMBARI
- 20 Tapash Sutradhar (SC),
SSE/W/CPK
- 21 Munindra Kalita (UR),
SSE/P. WAY/OMS/HQ
- 22 Rana Pratap Gogoi (UR),
SSE/P. WAY/GHY
- 23 Pijush Ghosh (UR),
SSE/TM/MLG
- 24 Ashok Kumar (UR),
SSE/SPL/RNY
- 25 Jamaluddin Khan (UR),
SSE/P. WAY/OMLF
- 26 Smti. Jahanara Begum (UR),
SE/DRG/TMC
- 27 Jaideep Das (SC),
SSE/TM/MLG
- 28 Anjan Roy Bhowmick (UR),
SSE/TM/KYQ
- 29 Pradip Kumar Biswas (SC),
SE/P. WAY/CON/KIR
- 30 Mihir Kumar Pal (UR),
SSE/P. Way/USF-II/LMG

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- 31 Praloy Dutta (UR),
SSE/P. WAY/FLK
- 32 Hari Singh (SC),
SSE/P. WAY/E/NLP
- 33 K. Nambi Alwan (UR),
SSE/P. WAY/BPRD
- 34 Pradip Bhattacharjee (UR),
SSE/P. WAY/S/NJP
- 35 Suhash Ranjan Deb (UR),
SSE/P. WAY/CNL & KIR
- 36 Md. Bakhtaruddin Laskar (UR),
SSE/P. WAY/CON/SCL
- 37 Prodip Kr. Sarmah (UR),
SSE/P. WAY/PNT
- 38 Biswanath Dasgupta (UR),
SSE/P. WAY/LMG (P)
- 39 Sobha Saikia (UR),
SSE/P. WAY/NAMRUP
- 40 Hrishikesh Rai (UR),
SSE/P. WAY/KNE
- 41 Partha Choudhuri (UR),
SSE/P. WAY/NMX
- 42 Deepak Gogoi (UR),
SSE/P. WAY/TKG
- 43 Sumit Sukla (SC),
SSE/P. WAY/DIPHU
- 44 Aminul Hassan Mazer Bhuiya (UR),
SSE/P. WAY/NGC

Copy of the selection test No.E/254/17-
Pt.XII(O) dated 16.02.2009 is annexed
herewith and marked as ANNEXURE-3.

4.8] That your Applicants beg to state that the Respondent No.4 vide its office order No.10/2009 (ENGG.) dated 09.04.2009 promoted only 17 selected/empanelled candidates out of 29 vacancies (General 18, Scheduled castes 07 and Scheduled Tribes 04) for promotion to the post of AEN/Group

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B against 70% vacancies. It is to be stated that the Respondent No.4 without any prior notice left over the 10 vacant Unreserved/General out of total 18 Unreserved/General category selected/empanelled candidates to the posts of AEN/Group 'B' against 70% vacancies as notified vide letter No.E/254/17-Pt.XII(O) dated 10.11.2008. The community wise break-up of the promoted persons are given below for kind reference of this Hon'ble Tribunal-

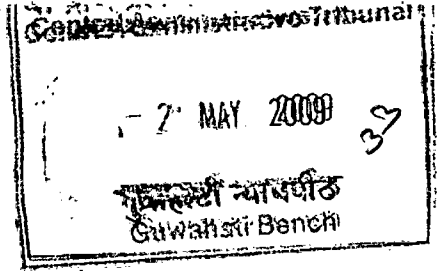
Unreserved	-08
Schedule Caste	-08
Schedule Tribes	-01

Copy of the office order No.10/2009 (ENGG.) dated 09.04.2009 is annexed herewith and marked as ANNEXURE-4.

4.8.(A) That your Applicants beg to state that their performance in viva-voce test is excellent and satisfactory before the Interview Board and their five years Annual Confidential Records(ACR in short) are unblemished.

4.9] That your Applicants beg to state that the office of the Respondent No.1 vide their letter No.E/254 /17-Pt.XII(O) dated 10.11.2008 (Annexure-1 of the instant application) notified 29 posts against the community wise break-up of vacancies to the post of AEN/Group-'B' against 70% vacancies as Unreserved/General 18, Schedule Castes 07 and Schedule Tribes 04. However, the Respondent No.1 without any prior notices or corrigendum to the Applicants changed the community wise break-up of vacancies vide their promotion order No.10.2009 (ENGG.) dated 09.04.2009 to the post of AEN/Group-'B'. In the aforesaid order the Respondent No.4 has promoted only 08 (eight) unreserved category persons in place of 18 (eighteen) unreserved vacancies, 08 (eight) schedule caste persons are promoted in place of 07 (seven) schedule caste vacancies as notified earlier and 01 (one) person in schedule tribe category is promoted under 04

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(four) nos. of Schedule Tribes vacancies as notified earlier.

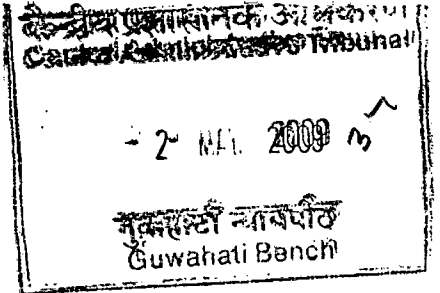
4.10] That it is worth to mention here that in the year 2007 the Respondent No.1 vide their notification No.E/254/17-Pt.XII(O) dated 22.03.2007 hold the selection for the post of AEN/Group-'B' against 70% vacancies as Unreserved/General 10, Schedule Caste 09 and Schedule Tribe 03. The written Examination was held on 29.09.2007 and 13.10.2007 and result was declared vide No.E/254/17-pt.XII (O) dated 23.10.2007. Total 29 (twenty nine) numbers of candidates were selected/empanelled qualified in the said written examination for viva-voce test and out of 29 (twenty nine) selected/empanelled qualified candidates 18(eighteen) candidates belongs to General i.e. unreserved category, 10 (ten) candidates belongs to Schedule Castes category and 1 (one) candidate belong to Scheduled Tribes category. After viva-voce test, 10 (ten) General i.e. unreserved candidates, 8 candidates of Scheduled castes category were promoted to Group 'B' service as AEN against 70% vacancies vide office order No.02/2008(Engg.) dated 17.01.2008. One post of Scheduled Castes category and 3 (three) post of Scheduled Tribes category was kept vacant due to non-availability of suitable candidates. The aforesaid promotion was made in accordance to break-up of vacancies as advertised vide memo No.E/254/17 pt XII(O) dated 22.03.2007.

Copy of the notification No.E/254/17-Pt.XII(O) dated 22.03.2007 is annexed herewith and marked as Annexure-5.

Copy of the notification No.E/254/17-pt.XII (O) dated 23.10.2007 is annexed herewith and marked as Annexure-6.

Copy of the office order No.02/2008(Engg.) dated 17.01.2008 is

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annexed herewith and marked as Annexure-7.

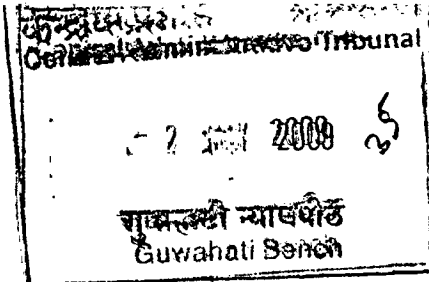
4.11] That your Applicants beg to state that all of them are having un-blemish service records and no adverse entries or adverse remarks are imputed in their service Books. There are total 18 vacancies of unreserved/General categories available in community wise break-up to Group 'B' service as AEN against 70% vacancies. The instant Applicants seniority position in the selected/empanelled Unreserved/General candidates for the post of AEN is Sri Pijush Ghosh (instant Applicant No.1) is in serial No.13, Sri Ashok Kumar (instant Applicant No.2) is in serial No.14, Md. Jamaluddin Khan (instant Applicant No.3) is in Serial No.15, Smti.Jahanara Begum (instant Applicant No.5) is in serial No.16 and Sri Anjan Roy Bhowmick (instant Applicant No.4) is in serial No.17. Therefore, all of the Applicant are legally entitled for promotion to the post of AEN/Group 'B' service against 70% vacancies.

4.12] That your Applicants submit that it is a fit case wherein your Lordships may be pleased to stay the impugned office Order No.10/2009 (ENGG.) dated 09.04.2009 issued by the Respondent No.4 till disposal of this Original Application. Otherwise, the Applicants would suffer irreparable loss and injuries as because the Applicants have a strong prima facie case and the balance of convenience is also in their favour.

4.13] That your Applicants submit that they have got reasons to believe that the Respondent No. 1 to 4 are resorting the colorable exercise of power only to deprive the Applicants from their legitimate rights.

4.14] That your Applicants submit that the action of the Respondent No. 1 to 4 are mala fide, illegal and with a motive behind.

Pijush Ghose



4.15] That your Applicants submit that the action of the Respondent No. 1 to 4 is highly illegal, improper, whimsical and also against the policy adopted by the Government of India.

4.16] That in view of the facts and circumstances it is a fit Case for interference by Hon'ble Tribunal to protect the interest of the Applicants.

4.17] That this application is filed bona fide and for the interest of justice.

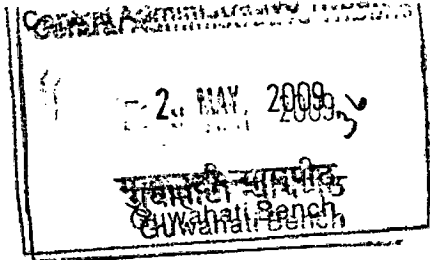
5) GROUNDS FOR RELIEF WITH LEGAL PROVISION:

In view of the above facts and circumstances narrated above the impugned promotion order of the selected/empanelled candidates for promotion to Group 'B' service as AEN against 70% vacancies under office Order No.10/2009 (ENGG.) dated 09.04.2009 issued by the Respondent No.4 is arbitrary, mala fide, discriminatory and illegal on the following amongst other grounds:-

5.1) For that, the action of the Respondent No. 1 to 4 without any prior notice or corrigendum left the 10 Unreserved/General category posts of AEN/Group 'B' out of 18 posts as notified vide letter dated 10.11.2008 against 70% vacancies is arbitrary, mala-fide, illegal and discriminatory. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

5.2) For that, the action of the Respondent No. 1 to 4 in not fulfilling the total 18 Unreserved vacancies of AEN/Group 'B' as notified vide letter No.E/254/17-Pt.XII(o) dated 10.11.2008 against 70% vacancies is illegal in as much as no prior notification or corrigendum was issued to the Applicant for changing the vacancy position in community

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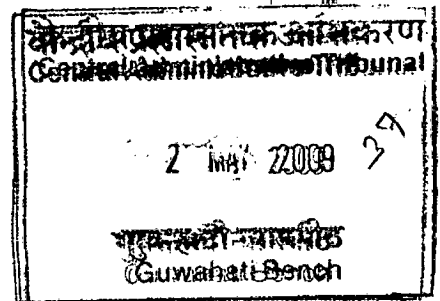
wise break up. Therefore, non-fulfilling the unreserved vacancies in total 18 is gross violation of the principle of natural justice. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

5.3) For that, the instant Applicants having unblemished service carrier without any adverse entries or remarks and their seniority with vacancy position of unreserved/General empanelled candidates to the posts of AEN/Group 'B' against 70% vacancies as notified vide letter dated 10.11.2008, they are fully entitled for promotion to the posts of AEN/Group 'B'. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

5.4) For that, the instant Applicants have not been qualified in the Written Examination for the posts of AEN/Group 'B' against 70% vacancy through any back door policy, all of them are duly qualified and selected/empanelled to the posts of AEN/Group 'B'. Moreover, their inter seniority position fully entitled them for selection to the posts of AEN/Group 'B' against 70% vacancies. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

5.5) For that, in earlier notification dated 22.03.2007 for selection to the posts of AEN/Group 'B' against 70% vacancies, the Respondent No. 1 to 4 have promoted and fill up all 10 Unreserved/General from the selected/empanelled candidates (as notified on 22.03.2007) to the post of AEN/Group 'B' against 70% vacancies. Therefore, the Respondent No. 1 to 4 can not discriminated the instant

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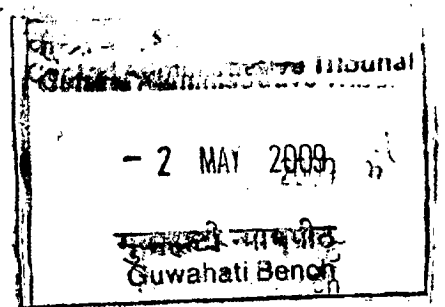
Applicants for their promotion to the posts of AEN/Group 'B' against 70% vacancies for the year 2009. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

5.6) For that, in the impugned promotion order No.10/2009 (ENGG.) dated 09.04.2009 the Respondent No. 1 to 4 have failed to mention any reason or causes for non-promoting the Unreserved/General empanelled candidates in remaining 10 unreserved category vacant posts of AEN/Group 'B' against 70% vacancies. The Respondents ought to have clarified the vacancy position of the Unreserved/General candidates before conducting the Written Test for empanelled of the candidates to the posts of AEN/Group 'B' against 70% vacancies. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

5.7) For that, since 10.11.2008 the Applicants have given their valuable time, energy and mental anxiety only to get selected to the post of AEN/Group 'B' against 70% vacancies. However the Respondents in an arbitrary and whimsical manner left the 10 Unreserved/General vacancies out of 18 vacancies. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

5.8) For that, the Respondent No. 1 to 4 being a model employer can not discriminated amongst the selected/empanelled Unreserved/General category candidates for the posts of AEN/Group 'B' against 70% vacancies.

P. J. Ghose



5.9) For that, the action of the Respondent No. 1 to 4 is arbitrary, mala-fide and discriminatory with an ill motive.

5.10) For that the Respondent No. 1 to 4 have violated the Article 14, 16 & 21 of the Fundamental rights guaranteed under the Constitution of India.

5.10.(A) For that, the Applicants performance in viva-voce test is excellent and full satisfactory before the Interview Board, as such, the Respondents can not deprived the Applicants from their legitimate claim of promotion to the Group 'B' post of AEN against 70% vacancies in the left over 10(ten) unreserved/General category vacancies.

5.11) For that, in any view of the matter the action of the Respondent No. 1 to 4 are not sustainable in the eye of law as well as fact.

The Applicant craves leave of this Hon'ble Tribunal advance further grounds the time of hearing of this instant application.

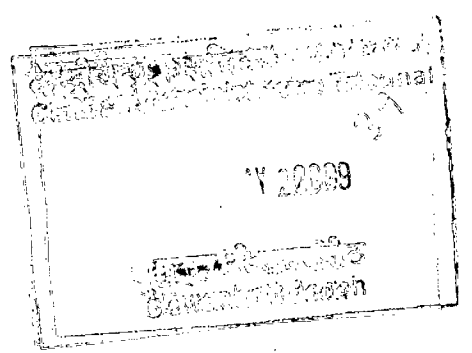
6) DETAILS OF REMEDIES EXHAUSTED:

That there is no other alternative and efficacious remedy available to the applicants except invoking the jurisdiction of this Hon'ble Tribunal under Section 19 of the Administrative Tribunal Act, 1985.

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

That the Applicants further declare that they have neither filed any application, writ petition or suit in respect of the subject matter of the instant application before any other Court or authority, nor any such application, writ petition or suit is pending before any such Court or authority.

Pijush Ghose



8) RELIEF SOUGHT FOR:

Under the facts and circum-stances stated above the applicants most respectfully pray that Your Lordships may be pleased to admit this application, call for the records of the case, issue notices to the Respondents as to why the relief or reliefs sought for by the applicants may not be granted and after hearing both the parties this Hon'ble Tribunal may be pleased to give the following reliefs:

8.1. That the Hon'ble Tribunal may be pleased to set aside and quash the impugned selected/empanelled candidates pertinent to Respondent No. 5 to 21 for promotion to the post of AEN/Group 'B' against 70% vacancies under order No.10/2009 (ENGG.) dated 09.04.2009 issued by the Respondent No.4.

8.2) To direct the Respondent No.1 to 4 to take immediate steps to fill up the 10 vacant posts of AEN/Group 'B' from the empanelled candidates under Unreserved/General categories as notified vide letter dated 10.11.2008.

8.3) To Pass any other relief or reliefs to which the Applicants may be entitled and as may be deem fit and proper by this Hon'ble Tribunal.

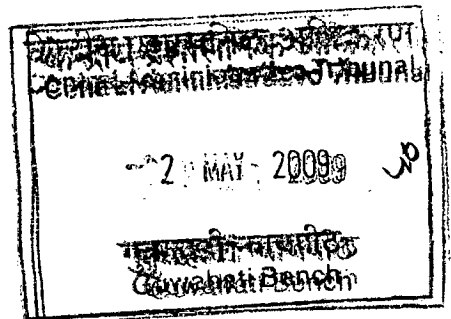
8.4) To pay the cost of the application.

9) INTERIM ORDER PRAYED FOR:

As an interim measure the Applicants most respectfully prayed before your Lordships that the Hon'ble Tribunal may

Piyush Kumar

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be pleased to stay the impugned promotion order of selected/empanelled candidates pertinent to Respondent No. 5 to 21 for promotion to the post of AEN/Group 'B' against 70% vacancies vide order No.10/2009 (ENGG.) dated 09.04.2009 issued by the Respondent No.4.

10) Application is filed through Advocate.

11) Particulars of I.P.O.:

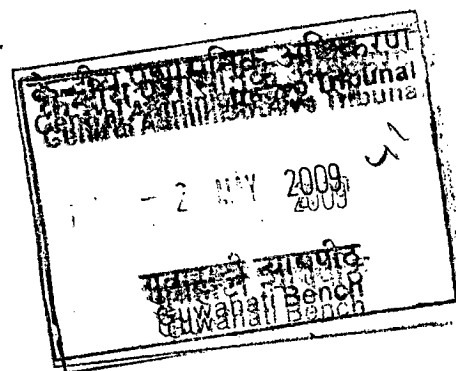
I.P.O. No. 69F 351162, 69F 351163, 69F 999153
Date of Issue- 20-04-09 (Filed in O.A. No. 73 of 2009)
Issued from- Guwahati G.P.O.
Payable at- Guwahati

12) LIST OF ENCLOSURES:

As stated above.

VERIFICATION

Piyush Bhose



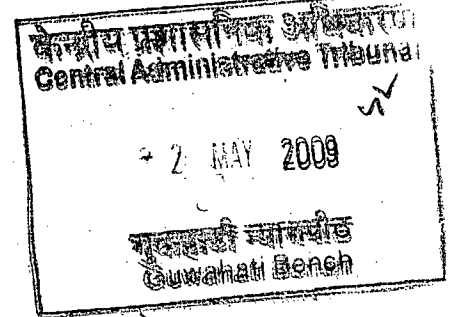
V E R I F I C A T I O N

I, Shri Pijush Ghosh, aged about 44 years, Son of late Prafulla Kumar Ghosh, Senior Section Engineer/Track Machine/Maligaon, Working under the office of the Deputy Chief Engineer, Track Machine Department, Northeast Frontier Railway, Maligaon, PIN code-781011 Assam do hereby solemnly verify that I am the Applicant No.1 of the instant Original Application. I am also authorized by the other Applicants to sign this verification on their behalf. That the statements made in paragraph Nos. 4.1 to 4.3, 4.6, 4.8(A), 4.9, 4.11 are true to my knowledge, those made in paragraph Nos. 4.4, 4.5, 4.7, 4.8, 4.10 are being matters of records are true to my information derived therefrom, which I believe to be true and those made in paragraph 5 are true to my legal advice and rests are my humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this the 27th day of April 2009 at Guwahati.

Pijush Ghose

DECLARANT



(TYPED COPY)

N.F. Railway

Office of the
General Manager (P)
Maligaon, Guwahati-11
Dated: 10.11.2008

No.E/254/17-Pt.XII(O)

To,
The General Manager (Construction)/Maligaon;
Pr.CE, CE(CON), CTE, CBE, CPDE & CGE/Maligaon;
DRM(P)s/KIR, APDJ, RNY, LMG & TSK; Dy.CVO(Engg.)/Maligaon,
Dy.CE/Br.Line/Maligaon, Sr.DENS/KIR, APDJ, RNY, LMG & TSK;
Dy.CE(CON)/Maligaon,
Dy.CE(CON)S/JPZ, SCL & Goalpara; WM/EWS/BNGN, XEN/FCW/Maligaon,
Principal/ZRTI/APDJ, Secy. To Pr.CE/Maligaon, AENS/MLDT, NJP,
SGUJ, NBQ, BPRD, RNY, RPAN, BPB & APO/Engg./Maligaon.

Sub:- Selection for the post of AEN/Group-'B' against 70% vacancies.

It has been decided with the approval of Competent Authority to hold a selection for forming a panel of 29 persons of AEN/Group-'B' against 70% vacancies. The community wise break-up of vacancies of the post of AEN/Group-'B' against 70% vacancies is as under:-

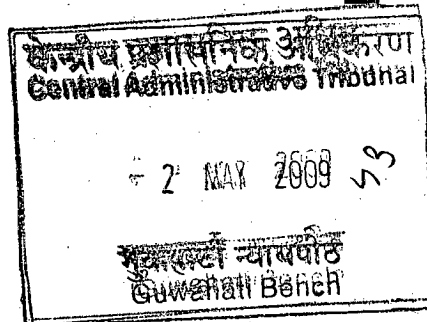
UR=	18
SC=	07
ST=	04
Total=	29

2. The selection will be based on candidates' performance both in written examination as well as viva-voce test. The candidates, who qualify in the written examination and thereafter in the Medical examination in the prescribed Safety category, will only be eligible for the viva-voce test. As per extant instruction of the Railway Board, the placement of the candidates in the panel will be based on their performance in written examination/Viva-voce test/Record of service.

3. The cut-off date of eligibility on the length of required years of non-fortuitous services of the supervisory staff of Civil Engineering department is as on 01.09.2008 for 70% selection and corresponding 30% LDCE (to be processed later on).

4. The written examination will consist of only one paper on the following subjects, the total & qualifying marks of which are indicated against it as under:-

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ADVOCATE



Subject	Maximum marks	Qualifying marks
Professional subject, Establishment, Financial Rules & Rajbhasha	150	90

It may be notified that the question paper will be bi-lingual, i.e., English & Hindi. It will be the candidates' choice to write in any one of the these two languages.

5. The Controlling officers should notify this widely amongst the staff of Civil Engineering department (taking clear acknowledgement from the staff in the enclosed Annexure-'A' containing the Main and the Stand-by list) and obtain their written willingness/unwillingness individually, in the prescribed proforma enclosed as Annexure-'B' attached with this office notification and sent the same to Dy.CPO/Gaz./Maligaon, so as to reach by 12.12.2008, without fail. Willingness/unwillingness options submitted by all the staff of the Main list and the Stand-by list within the target date, should be sent in a bunch with a forwarding letter to this office, certifying that no other options received by the controlling officers are left behind at their end. No options should be sent to this office in a piece-meal manner. It is the primary duties of the Controlling officers to obtain options (willingness/unwillingness) from each and every senior supervisory staff as per attached lists and send the same to this office in time.

6. Since, several posts are reserved for SC & ST communities, a pre-selection coaching for SC/ST candidates will have to be arranged by the department concerned for a period of 3/4 weeks and imparting such coaching to the SC/ST candidates is mandatory as against reserved vacancies. The date and venue of pre-selection coaching will be notified in due course.

7. A copy of syllabus is enclosed as Annexure-'C' for wide circulation amongst the staff concerned.

8. The willing staff (whoever submits willingness within the target date) should be advised to keep themselves in readiness to appear in the written examination at short notice. However, a formal letter in regard to the date of written examination will be issued from this office, after finalizing the list of eligible/willing staff.

Please acknowledge receipt.

DA: As above

Sd/- Illegible
(S.P. Sengupta)
APO/Gaz.
For GENERAL MANAGER(P)

ATTESTED
ADVOCATE

-24-

N.F. Railway

General Administrative Tribunal
PCE
2 MAR 2009
Guwahati Bench

Office of the
General Manager(P)
Maligaon, Guwahati-11
Dated: 10.11.2008.

No.E/254/17 - Pt.XII(O)

To,

The General Manager(Construction)/Maligaon;
Pr.CE,CE(CON),CTE, CBE,CPDE & CGE/Maligaon;
DRM(P)s/KIR, APDJ, RNY, LMG & TSK; Dy.CVO(Engg.)/Maligaon,
Dy.CE/Dr.Linc/Maligaon, Sr.DENS/KIR, APDJ, RNY, LMG & TSK; Dy.CE(CON)/Maligaon,
Dy.CE(CON)S/JPZ; SCL & Goalpara; WM/EWS/BNGN, XEN/FCW/Maligaon,
Principal/ZRTI/APDJ, Secy.to Pr.CE/Maligaon, AENS/MLDT, NJP, SGUJ, NBQ, BPRD, RNY,
RPAN, BPD & AFO/Engg./Maligaon.

Sub.: Selection for the post of AEN/Group-'B' against 70% vacancies.

It has been decided with the approval of Competent Authority to hold a selection for forming a panel of 29 persons of AEN/Group-'B' against 70% vacancies. The communitywise break-up of vacancies of the post of AEN/Group-'B' against 70% vacancies is as under:-

UR=	18
SC=	07
ST=	04
Total=	29

2. The selection will be based on candidates' performance both in written examination as well as viva-voce test. The candidates, who qualify in the written examination and thereafter in the Medical examination in the prescribed Safety category, will only be eligible for the viva-voce test. As per extant instruction of the Railway Board, the placement of the candidates in the panel will be based on their performance in written examination/viva-voce test/Record of service.

3. The cut-off date of eligibility on the length of required years of non-fortuitous services of the supervisory staff of Civil Engineering department is as on 01.09.2008 for 70% selection and corresponding 30% LDCE (to be processed later on).

4. The written examination will consist of only one paper on the following subjects, the total & qualifying marks of which are indicated against it as under:-

Subject	Maximum marks	Qualifying marks
Professional subject, Establishment, Financial Rules & Rajbhasha	150	90

It may be notified that the question paper will be bi-lingual, i.e., English & Hindi. It will be the candidates' choice to write in any one of the these two languages.

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ATTESTED

ADVOCATE

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केन्द्रीय प्रशासनिक आयोग
Central Administrative Tribunal
7 MAY 2009
पुणे बेंच
Pune Bench

(2)

5. The Controlling officers should notify this widely amongst the staff of Civil Engineering department (taking clear acknowledgement from the staff in the enclosed Annexure 'A' containing the Main and the Stand-by list) and obtain their written willingness/unwillingness individually, in the prescribed proforma enclosed as Annexure 'B' attached with this office notification and sent the same to Dy.CPO/Gaz./Malgaon, so as to reach by 12.12.2008, without fail. Willingness/unwillingness options submitted by all the staff of the Main list and the Stand-by list within the target date, should be sent in a bunch with a forwarding letter to this office, certifying that no other options received by the controlling officers are left behind at their end. No options should be sent to this office in a piece-meal manner. It is the primary duties of the Controlling officers to obtain options (willingness/unwillingness) from each and every senior supervisory staff as per attached lists and send the same to this office in time.

6. Since several posts are reserved for SC & ST communities, a pre-selection coaching for SC/ST candidates will have to be arranged by the department concerned for a period of 34 weeks and imparting such coaching to the SC/ST candidates is mandatory as against reserved vacancies. The date and venue of Pre-selection coaching will be notified in due course.

7. A copy of syllabus is enclosed as Annexure 'C' for wide circulation amongst the staff concerned.

8. The willing staff (whoever submits willingness within the target date) should be advised to keep themselves in readiness to appear in the written examination at short notice. However, a formal letter in regard to the date of written examination will be issued from this office, after finalising the list of eligible/willing staff.

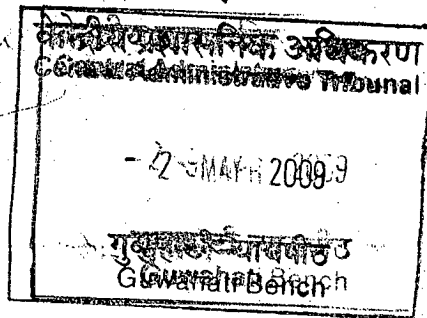
Please acknowledge receipt.

DA: As above.

S.P. Sengupta
10/11/08
(S.P. Sengupta)
APO/Gaz.
For GENERAL MANAGER(P)

ATTESTED


ADVOCATE

- 26 -
APO/Engg./Maligaon

NORTHEAST FRONTIER RAILWAY

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

No.E/254/17 - Pt.XII(O)

Dated: 18.12.2008.

To,
The General Manager(Construction)/Maligaon;
Pr.CE,CE(CON),CTE, CRE,CPDE & CGE/Maligaon;
DRM(P)/KIR, APDJ, RNY, LMG & TSK; Dy.CVO(Engg.)/Maligaon, Dy.CE/Br.Line/Maligaon,
Sr.DENs/KIR, APDJ, RNY, Maligaon, LMG & TSK; Dy.CE(Safety)/Maligaon,
Dy.CE(CON)/Maligaon, DGM(G)/Maligaon, Dy.CE(CON)/JPZ, SCL & Goalpara; WM/EWS/BNGN,
XFN/FCW/Maligaon, Principal/ZRTI/APDJ, Secy.to Pr.CE/Maligaon, AENs/MLDT, NJP, SGUJ, NBQ, BPRD,
RNY, RPAN, BPB & APO/Engg./Maligaon.

Sub.- Selection for the post of AEN/Group-'B' against 70% vacancies.

Ref :- This office Notification of even number dated 10.11.08. & 26.11.08.

It has been decided with the approval of the Competent Authority to hold written examination of AEN/(Gr.'B') selection against 70% vacancies as per programme mentioned below :-

01	Date of written examination	17.01.2009 (Saturday)
02	Time of written examination	From 10:00 hours to 13:00 hours
03	Venue of the written examination	Office of the Principal Chief Engineer/Maligaon

A list of eligible candidates under zone of consideration to appear in the above mentioned selection is enclosed herewith as Annexure-'A'

Before conducting written examination, a pre-selection coaching for eligible SC/ST candidates has been arranged for a period of 3 weeks w.e.f. 22.12.2008 to 12.01.2009 in the Conference Hall of PCE/Maligaon.

The Controlling officers of the staff concerned are requested to spare and direct all SC/ST eligible staff (highlighted at Annexure-'A'), under their control, to report to the Office of the Principal Chief Engineer positively by 22.12.2008 at 9.00 a.m. to attend the said coaching accordingly.

The Controlling officers are also requested to spare and direct all the staff under their control as per Annexure-'A' (enclosed) to appear in the written examination of above mentioned selection as per programme indicated above accordingly.

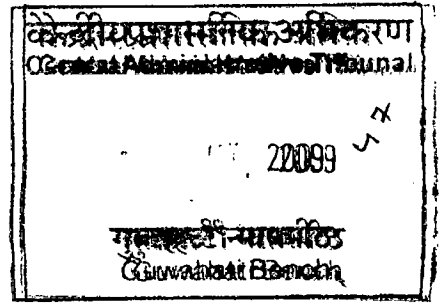
Please acknowledge receipt.

Encls :- One (Annexure - 'A')

(S.P. Sengupta)
APO/Gaz.
For GENERAL MANAGER(P)

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ADVOCATE



Annexure-'A'

List of the candidates under zone of consideration for Selection for the post of AEN/ Group-'B' against 70% vacancies.

SN	Name of the staff	Community	Designation & station
1	2	3	4
01	Shri T. Swargiary	ST	SSE/Drg./Dy.CE/Br.Line/Maligaon
02	Shri J.N. Daimary	ST	SSE/P.Way/RNY
03	Shri Virbhan	SC	SSE/P.Way/RNY
04	Shri K.K. Lakra	ST	SSE/P.Way/APDJ
05	Shri K.N. Patir	ST	SE/BTS/TSK
06	Shri B.N. Das	SC	SSE/Works/KIR
07	Shri Sukumar Das	SC	SSE/Works/GM(CON)/Maligaon
08	Shri C.M. Mandal	SC	SSE/Works/GM(CON)/Maligaon
09	Shri Sandip Sarkar	UR	SSE/Works/GM(CON)/Maligaon
10	Shri Prasanna Dhatta	UR	SSE/TM/PCE/Maligaon
11	Shri K. Rabidas	SC	SSE/P.Way/RNY
12	Shri Rajib Kumar Banik	UR	SSE/RTI Cell/DGM(G)/Maligaon
13	Shri Hiranya Kalita	UR	SSE/W/GM(CON)/Maligaon
14	Shri J.N. Bharali	ST	SSE/EWS/BNGN
15	Shri D.R. Bose	UR	SSE/P.Way/KIR
16	Shri Uttam Kumar Guha	UR	SSE/DRG/GM(CON)
17	Shri M.C. Swargiary	ST	SSE/DRG/GM(CON)
18	Smt. Kanika Das	SC	SSE/DRG/GM(CON)
19	Shri Gautam Deb	UR	SSE/W/GM(CON)
20	Shri A.K. Bhattacharjee	UR	SE/DRG/GM(CON)
21	Shri Diganta Phukan	UR	SE/DRG/GM(CON)
22	Shri H.C. Paul	UR	SE/DRG/KIR
23	Shri Shyamal Ghosh	UR	SSE/Bridge/NJP/Dy.CE/BL/ MLG
24	Shri S.K. Bhattacharjee	UR	SSE/W/Sr.DEN/Maligaon
25	Shri R.B. Majumder	UR	SSE/W/Sr.DEN/IMG
26	Shri Golok Das	UR	SSE/W/GM(CON)
27	Shri Dilip Kumar Dhar	UR	SSE/W/GM(CON)
28	Shri Biswajit Roy	UR	SSE/W/APDJ
29	Shri Arup Chakraborty	UR	SSE/ZRTI/APDJ
30	Shri T.C. Thakuria	UR	SSE/Sr.DEN/Maligaon
31	Shri Krishnendu Bhattacharjee	UR	SSE/Works/APDJ
32	Shri K. Bayan	UR	SSE/Sr.DEN/Maligaon
33	Shri S.K. Baishya	SC	SSE/GM(CON)
34	Shri A.K. Singh	SC	SSE/Dy.CE/Bridge Line/MLG
35	Smt. S. Khan	ST	SSE/DRG/PCE/Maligaon
36	Shri K.C. Roy	SC	SSE/DRG/APDJ
37	Shri N. Das	SC	SSE/GM(CON)/Maligaon
38	Shri S. Das	SC	SSE/IMG
39	Shri B.C. Saha	UR	Sr.DA/PCE/Maligaon
40	Shri P.K. Chakraborty	UR	SSE/BRI/NJP/Dy.CE/BL/MLG

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ATTESTED

(Signature)

ADVOCATE

- 21.1.2009 -

Guwahati Bench

(2)

41	Shri P.K. Routh	UR	SSE/W/GM(CON)
42	Shri R.S. Bhattacharjee	UR	SSE/Works/LMG
43	Shri R.C. Paul	UR	SSE/Works/APDJ
44	Shri P.K. Das	UR	SSE/Works/APDJ
45	Shri B.C. Goswami	UR	SSE/Works/GM(CON)
46	Shri U.K. Shome	UR	SSE/Works/KIR
47	Shri B.C. Hazarika	SC	SE/DRG/GM(CON)
48	Shri C.B. Kumar	UR	SE/P.Way/KIR
49	Shri Jayanta Chakraborty	UR	SE/DRG/PCE/Maligaon
50	Shri P. Bhatta	UR	SE/DRG/RNY
51	Shri Aruj Kumar Sonowal	ST	SSE/Bridge/Dy.CE/BL/MLG
52	Shri S. Swargiary	ST	SSE/TM/PCE/Maligaon
53	Shri V.K. Choudhury	SC	SSE/P.Way/KIR
54	Shri M.K. Iha	UR	SSE/P.Way/KIR
55	Shri Chinmoy Dey	UR	SSE/W/GM(CON)
56	Shri Parikshit Deka	UR	SSE/W/XEN/FCW/Maligaon
57	Shri Sarbeswar Kumar	UR	SSE/Works/RNY
58	Shri P. Ramana Rao	UR	SSE/Works/GM(CON)
59	Shri G.P. Sharma	UR	SSE/Works/KIR
60	Shri Subrata Roy Choudhury	UR	SSE/Works/APDJ
61	Shri Rakesh Nath Khare	UR	SSE/Works/LMG
62	Shri B.G. Basak	UR	SSE/Works/KIR
63	Shri Bhupal Ch. Nandy	UR	SSE/Works/GM(CON)
64	Shri Nirmal Kanti Dey	UR	SSE/Works/GM(CON)
65	Shri Dilip Kumar Roy	SC	SSE/Works/GM(CON)
66	Shri Dimbeswar Hazarika	ST	SSE/Works/GM(CON)
67	Shri L.C. Boro	ST	SSE/Works/GM(CON)
68	Shri P.R. Deb	UR	SSE/Works/GM(CON)
69	Shri Pradip Sarkar	UR	SSE/Works/GM(CON)
70	Shri Nirmalya Sarma	UR	SSE/W/Dy.CE/BL/MLG
71	Shri Sandip Kr. Sinha	SC	SSE/Works/GM(CON)
72	Shri Dulal Chandra Saha	SC	SSE/Works/GM(CON)
73	Shri Sudhangshu Sekhar	UR	SSE/P.Way/APDJ
74	Shri Dipak Kumar Sarma	UR	SSE/W/Sr.DEN/Maligaon
75	Shri T. Sutradhar	SC	SSE/Works/LMG
76	Shri Munindra Kalita	UR	SSE/P.Way/PCE/MLG
77	Shri Rana Pratap Gogoi	UR	SSE/P.Way/LMG
78	Shri Pijush Ghosh	UR	SSE/TM/Maligaon
79	Shri N.K. Singh	SC	SE/P.Way/LMG
80	Shri Ashok Kumar	UR	SSE/P.Way/RNY
81	Shri Jamaluddin Khan	UR	SSE/P.Way/KIR
82	Shri Bipul Kumar Das	SC	SE/DRG/PCE/Maligaon
83	Smt. Tahana Begum	UR	SE/DRG/PCE/Maligaon
84	Shri S.M. Ahmed	UR	SE/Design/GM(CON)
85	Smt. Nilzara Bora Saikia	UR	SE/DRG/GM(CON)
86	Shri R.K. Sarma	UR	SE/DRG/GM(CON)
87	Smt. Dipali Gohain	UR	SE/DRG/GM(CON)/MLG

Contd....(3)

ATTESTED

ADVOCATE

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(3)

88	Shri P.P. Choudhury	UR	SE/DRG/PCE/Maligaon
89	Shri P.K. Halder	SC	SSE/TM/PCE/Maligaon
90	Shri Prabodh Lalika	UR	SSE/TM/Maligaon
91	Shri JaidEEP Das	SC	SSE/TM/Maligaon
92	Shri A.R. Bhowmick	UR	SSE/TM/PCE/Maligaon
93	Shri T.K. Baishya	SC	SE/DRG/RNY
94	Shri P.K. Biswas	SC	SE/P.Way/GM(CON)
95	Shri Shyamal Mitra	UR	SSE/P.Way/KIR
96	Shri M.K. Paul	UR	SSE/P.Way/LMG
97	Shri P.N. Prasad	UR	SSE/P.Way/LMG
98	Shri Proloy Dutta	UR	SSE/P.Way/APDJ
99	Shri Hari Singh	SC	SSE/P.Way/RNY
100	Shri N. Alwan K	UR	SSE/P.Way/RNY
101	Shri S. Routh	UR	SSE/P.Way/KIR
102	Shri Sandeep Deb	UR	SSE/P.Way/PCE/MLG(Safety)
103	Shri N. Nandy	UR	SSE/P.Way/APDJ
104	Shri S.N. Deb	UR	SSE/P.Way/APDJ
105	Shri B. Deoraja	ST	SSE/P.Way/LMG
106	Shri Pradip Bhattacharjee	UR	SSE/P.Way/KIR
107	Shri Partha Sarathi Roy	UR	SSE/P.Way/KIR
108	Shri S.S. Dey	UR	SSE/P.Way/PCE/Maligaon
109	Shri S.K. Bagchi	UR	SSE/P.Way/PCE/Maligaon
110	Shri Suhash Ranjan Deb	UR	SSE/P.Way/KIR
111	Shri Amit K. Bhattacharjee	UR	SSE/P.Way/KIR
112	Shri D.U. Laskar	UR	SSE/P.Way/GM(CON)
113	Shri P.K. Sarma	UR	SSE/P.Way/TSK
114	Shri I.R. Guha	UR	SSE/P.Way/APDJ
115	Shri B. Desgupta	UR	SSE/P.Way/LMG
116	Shri Sobha Saikia	UR	SSE/P.Way/TSK
117	Shri Hrishikesh Roy	UR	SSE/P.Way/KIR
118	Shri P.K. Bora	UR	SSE/P.Way/LMG
119	Shri Partha Choudhury	UR	SSE/P.Way/APDJ
120	Shri Dipak Gogoi	SC	SSE/P.Way/KIR
121	Shri Diganta Bhagawati	UR	SE/P.Way/LMG
122	Shri Bedanta Bikash Borah	UR	SSE/P.Way/TSK
123	Shri Sumit Sukla	SC	SSE/P.Way/LMG
124	Shri A.H. Mazarbhuyan	UR	SE/P.Way/LMG
125	Shri A.H. Laskar	UR	SE/Drg./GM(CON)
126	Shri Arun Chakraborty	UR	SSE/W/LMG

R/18
A/4

R/19

R/20

R/21

ATTESTED
ADVOCATE

Northeast Frontier Railway

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

No. E/254/17-Pt.XII (O)

Dated: 16.02.2009

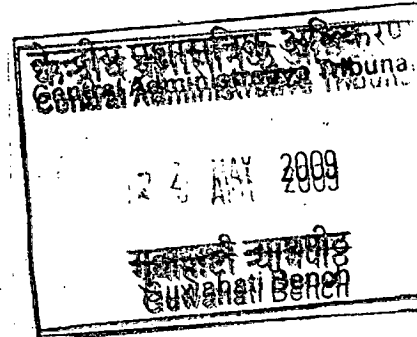
To
General Manager/Construction/MLG
PCE, CTE, CBE, CGE, CPDE, CE/TP & CSO/MLG
DRMs & DRM(P)s/KIR, LMG, RNY, APDJ & TSK.
CWM/NBQS, Dy.CSO/Engg, Dy.CVO/Engg, Dy.CE/CON/MLG, JPZ, SCL & GLPT; Dy.CE/Br.
Line/MLG, Sr. DEN/GHY, MLG, APDJ, RNY, LMG, TSK & LMG; WM/EWS/BNGN; Secy. to
PCE/MLG, SPC/Engg, AEN/BPRD, NBQ, SGUJ, NJP, MLDT, RNY, RPAH, BPB.

Sub: Selection for the post of AEN (Group-'B') against 70% vacancies.

Ref: This office letters of even number dated 10.11.2008, 26.11.2008
& 18.12.2008.

The following candidates under your control have qualified in the written
examination of above mentioned selection held on 24.01.2009 & 01.02.2009: -

SN	NAME & DESIGNATION OF THE CANDIDATES S/SHRI
1	ANJAN ROY BHOWMICK, SSE/TM/KYQ
2	HRISHIKESH RAI, SSE/P.WAY/KNE
3	JAIDEEP DAS (SC), SSE/TM/MLG
4	DIPAK CH. SARMA, SSE/W/NAMBARI
5	BISWANATH DASGUPTA, SSE/P.WAY/LMG (P)
6	AMINUL HASSAN MAZEDHUTYA, SSE/P.WAY/NGC
7	SMT. JAHANARA BEGUM, SE/DRG/TMC
8	MIHIR KUMAR PAL, SSE/P.WAY/USF-II/LMG
9	HARI SINGH (SC), SSE/P.WAY/E/NLP
10	PRADIP BHATTACHARJEE, SSE/P.WAY/S/NJP
11	SUHASH RANJAN DEB, SSE/P.WAY/CNL & KIR
12	PRADIP KUMAR BISWAS (SC), SE/P.WAY/CON/KIR
13	PRALOY DUTTA, SSE/P.WAY/FLK
14	PRODIP KR. SARMAH, SSE/P.WAY/PNT
15	MUNINDRA KALITA, SSE/P.WAY/OMS/HQ
16	SOBHA SAIKIA, SSE/P.WAY/NAMRUP
17	JAMALUDDIN KHAN, SSE/P.WAY/OMLF
18	MD. BAKHTARUDDIN LASKAR, SSE/P.WAY/CON/SCL
19	SUMIT SUKLA (SC), SSE/P.WAY/DIPHU
20	PIYUSH GHOSH, SSE/TM/MLG
21	DEEPAK GOGOI, SSE/P.WAY/TRG
22	SUDHANSHU SEKHAR, SSE/P.WAY/NBQ
23	ASHOK KUMAR, SSE/SPL/RNY
24	NIRMAL KANTI DE, CVI/ENG/MLG



(Contd...2)

ATTESTED

ADVOCATE

SN	NAME & DESIGNATION OF THE CANDIDATES S/SHRI
25	BHUPAL CH. NANDI, SSE/W/CON/NCB
26	JOGENDRA NATH DAIMARY (ST), SSE/P.WAY/CON
27	VINOD KR. CHAUDHARY (SC), SAFETY COUN./PW/KIR
28	BAIDYANATH DAS (SC), SSE/W/TKG
29	SONATON SWARGIARY (ST), SSE/TM/MLG
30	L. C. BORO (ST), SSE/W/C/JPZ
31	BENU GOPAL BASAK, SSE/W/DRG/KIR
32	ANUP KR. SINGH (SC), SSE/DRG/DY. CE/DR. LINE
33	P. RAMANA RAO, SSE/W/CON/NCB
34	KIRANJIB BAYAN, SSE/DRG/SR. DEN/MLG
35	KULWANTH KUMAR LAKRA (ST), SE/P.WAY/APDJ
36	SMT. SEEMA KHAN (ST), SSE/PLG.
37	NIRMALYA SHARMA, SSE/W/BR. LINE
38	RANA PRATAP GOGOI, SSE/P.WAY/GHY
39	SHYAMAL GHOSH, SSE/BRIDGE/NJP
40	TAPASH SUTRADHAR (SC), SSE/W/CPK
41	ARUJ KR. SONOWAL (ST), SSE/BRIDGE/MLG
42	PARTHA CHOUDHURI, SSE/P.WAY/NMX
43	UTTAM KUMAR SOM, SSE/W/NJP
44	K. NAMBI ALWAN, SSE/P.WAY/BPRD

General Manager
2 MAY 2009
Gumhati Ben

Candidates concerned should be directed to their respective Medical Authorities to obtain Physical fitness certificates to hold the Group-'B' post of AEN in Safety Category in the standard proforma (enclosed) before they appear in the viva-voce test. The Controlling Officers are also requested to send the departmental DAR clearance in the enclosed prescribed format along with the Physical fitness certificate to the undersigned or to Dy.CPO(Gaz) latest by 20.02.2009 positively. The date of viva-voce test has been fixed on 26.02.2009 in PCE's chamber.

Candidates concerned should be advised to keep themselves in readiness to appear in the viva-voce test to be held on 26.02.2009.

Please acknowledge receipt.

DA: As above.

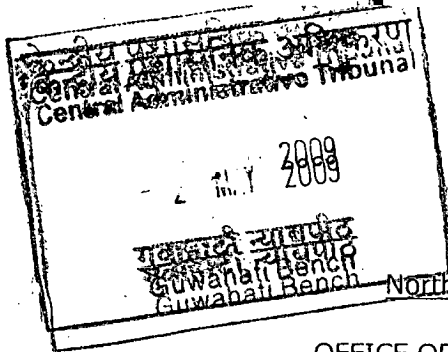
Sengupta
16/02/09
(S. P. Sengupta)
APO(Gaz.)
for General Manager (P)

Copy forwarded for information and necessary action to: -

PS to PCE/MLG. He is requested to collect the ACRs of last 05 years (i.e. from the period ending 31.03.2004 to 31.03.2009) of the staff concerned, to enable this office to produce the same before the Selection Committee at the time of viva-voce test. The ACRs may please be send to the undersigned latest by 20.02.2009.

Sengupta
16/02/09
for General Manager (P)
91 (SC)
92
94 (SC)
99 (SC)

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ADVOCATE



ANNEXURE-4

OFFICE ORDER NO. 10/2009 (ENGG.)

The following promotion, transfer and posting orders are issued with immediate effect: -

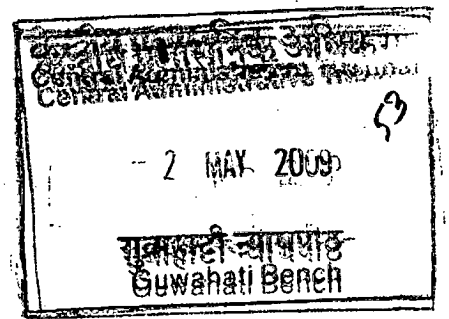
- (1) Shri Ravi Amrohi, Sr.DEN(C)/TSK, is transferred and posted as Dy.CE/Bridge/MLG by utilizing the JAG post of Sr.DEN/II/TSK.
- (2) Shri K. Narah, Sr.DEN/II/TSK, is transferred and posted as Sr.DEN(C)/TSK vice Shri Ravi Amrohi, Item-1 above.
- (3) Shri B. K. Poddar, Dy.CE/BD/MLG, is posted as Dy.CE/G/MLG by utilizing the vacant JAG post of Sr.DEN/IV/LMG.
- (4) Shri Pradeep Kumar, Dy.CE/LM/MLG, is posted as Dy.CE(Works Development)/MLG by utilizing the JAG post of Dy.CE/LM/MLG.
- (5) Ms. Ruth T. Changsan, Sr.DEN/IV/LMG, is transferred and posted as Dy.CE/BD/MLG vice Shri B.K.Poddar (Item-3 above).
- (6) Shri S. S. Khongrymmmai, Sr.DEN/III/LMG, is transferred and posted as Sr.DEN/III/APDJ by utilizing the post of Sr.DEN/III/LMG.
- (7) Shri T. R. Barbhuyan, Sr. DEN/II/LMG is posted as Sr. DEN/G/LMG by utilizing the existing post of Sr. DEN/II/LMG.
- (8) Shri D. Bhattacharjee, Sr. ADEN/I/BPB is transferred and posted as DEN/III/LMG by utilizing the post of Sr. ADEN/I/BPB.
- (9) Shri P. K. Das, Sr.ADEN/NBQ is transferred & posted as XEN/SD/MLG vice Shri S. Bandyopadhyay, superannuated on 31/3/09.
- (10) Shri S. C. Barman, XEN/Br/L/APDJ, is posted as DEN/II/APDJ vice Shri S. George.
- (11) Shri S. George, DEN/II/APDJ, is posted as SEN/ZRTI/APDJ vice Shri B. Paul.
- (12) Shri B. Paul, SEN/ZTRI/APDJ, is transferred and posted as XEN/BD/MLG by utilizing the post of DEN/III/KIR.
- (13) Shri P. K. Singh, DEN/III/APDJ, is transferred and posted as XEN/Bridge/L/APDJ vice Shri S.C. Barman (item No. 10 above).
- (14) Shri Gurjit Singh, XEN/TMC/MLG, is transferred and posted as DEN/II/TSK, by utilizing the vacant post of XEN/LM/MLG.
- (15) Shri T. K. Biswas, Sr.ADEN/MLDT, is transferred and posted as DEN/II/LMG, by utilizing the Senior Scale post of Sr.ADEN/MLDT.
- (16) Shri T. K. Bhowmick, ADEN/I/MLG, who has been empanelled for promotion to Senior Scale on ad hoc basis, is promoted to Senior Scale and transferred & posted as DEN/IV/LMG, by utilizing the vacant post of DEN/Track/TSK.

(Contd...2)

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9/4/09

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ADVOCATE

- 33 -



- (2) -

- (17) Shri T. N. Singh, AXEN/TMC-III/MLG, is posted as AXEN/Planning/II/MLG vice Shri S. S. Das, promoted to Sr. Scale (Item-19 below).
- (18) Shri T. Nanda, ADEN/GLPT, who has been empanelled for promotion to Senior Scale on ad hoc basis, is promoted to Senior Scale and transferred & posted as XEN/TMC/MLG vice Shri Gurjit Singh (Item-14 above).
- (19) Shri S. S. Das, AXEN/PL-II/MLG, who has been empanelled for promotion to Senior Scale on ad hoc basis, is promoted to Senior Scale and transferred & posted as DEN/G/KIR by utilizing the post of DEN/Track/KIR.
- (20) Shri S. S. Sarkar, ADEN/W/GHY, who has been empanelled for promotion to Senior Scale on ad hoc basis, is promoted to Senior Scale and transferred & posted as XEN/TD/MLG against an existing vacancy.
- (21) Shri J. Kumar, ADEN/II/KIR, who has been empanelled for promotion to Senior Scale on ad hoc basis, is promoted to Sr. Scale and transferred & posted as DEN/G/RNY, utilizing the post of Sr.ADEN/BPRD.
- (22) Shri Nripendra Bhatta, AXEN/Con, who has been empanelled for promotion to Senior Scale on ad hoc basis, is promoted to Sr. Scale and posted in Construction Organisation.
- (23) Shri S. R. Basak, AXEN/Br.Design-II/MLG, is transferred and posted as ADEN/Purnea by utilizing the post of ADEN/Spl-II/RNY.
- (24) Shri A. A. Deka, AXEN/ROB/MLG, is transferred and posted as ADEN/G/TSK by utilizing the existing post of AXEN/ROB/MLG.
- (25) Shri K. Senlaskar, ADEN/DBRT, is transferred and posted as AXEN/CS-Inspection/I/MLG vice Shri N. K. Goswami.
- (26) Shri Bhaskar Das, ADEN/II/BPB, is transferred and posted as ADEN/Agartala by utilizing the post of ADEN/Track/TSK.
- (27) Shri Gunindra Choudhury, ADEN/Spl/LMG is posted as ADEN/II/LMG vice Shri R. C. Verma.
- (28) Shri R. C. Verma, ADEN/II/LMG is transferred and posted as ADEN/II/BPB vice Shri Bhaskar Das (Item No. 26 above).
- (29) Mrs. J. Hazarika, ADEN/Track/TSK, is transferred and posted as ADEN/DBRT vice Shri K. Senlaskar (Item 25 above).
- (30) Shri Apurba Bandyopadhyay, ADEN/NLP, is transferred and posted as AWM/EWS/BNGN by utilizing the post of ADEN/Spl/LMG.
- (31) Shri N. K. Goswami, AXEN/CS-Inspection/I/MLG, is transferred and posted as ADEN/W/GHY vice Shri S. S. Sarkar (Item No. 20 above).

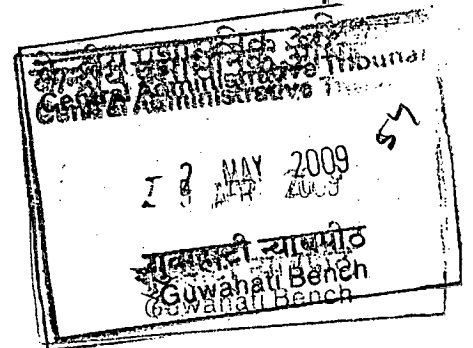
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- 34 -



- (3) -

- (32) Shri B. N. Das, SSE(W)/TKG, who has been empanelled for promotion to Group 'B' service as AEN against 70% vacancies, is promoted as AEN and transferred & posted as ADEN/II/KIR vice Shri J. Kumar, promoted to Sr. Scale (Item-21 above).
- (33) Shri Kiranjib Bayan, SSE/Drg/Sr.DEN/MLG's office, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation. U.R.
- (34) Shri Anup Kumar Singh, SSE/Drg/Dy.CE/Br/Line/MLG, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.
- (35) Shri Sonaton Swargiary, SSE/TM/MLG, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as AXEN/TMC/III/Maligaon vice Shri T.N.Singh (Item No. 17 above).
- (36) Shri Vinod Kumar Chowdhury, Safety Counsellor/P.Way/KIR, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.
- (37) Shri Benu Gopal Basak, SSE/W/Drg/KIR, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.
- (38) Shri Bhupal Chandra Nandi, SSE/Works/Con/NCB, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.
- (39) Shri Nirmal Kanti Dey, CVI/Engg/MLG, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/NLP vice Shri Apurba Bandyopadhyay (Item No. 30 above).
- (40) Shri Nirmalaya Sarma, SSE/W/Dy.CE/Br/Line/MLG, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.
- (41) Shri Sudhangshu Sekhar, SSE/P.Way/NBQ, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/GLPT vice Shri T. Nanda, promoted to Sr. Scale and transferred vide Item No. 18 above.
- (42) Shri Dipak Chandra Sarma, SSE/W/Nambari, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/NBQ vice Shri P.K.Das, transferred vide Item No. 7 above, by utilizing the post of AXEN/G/MLG.
- (43) Shri Tapash Sutradhar, SSE/Works/CPK, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/I/MLG vice Shri T.K.Bhowmick, promoted to Senior Scale and transferred vide Item-16 above.

(Contd...4)

(Signature)

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(Signature)
ADVOCATE

- (4) -

(44) Shri Munindra Kalita, SSE/P.Way/OMS/HQ, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.

(45) Shri Jaideep Das, SSE/TM/Maligaon, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as AXEN/TMC Depot/NJP by utilizing the post of AXEN/TMC/NJP.

(46) Shri Pradip Kumar Biswas, SE/P.Way/Con/KIR, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.

(47) Shri Hari Singh, SSE/P.Way/East/NLP, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/I/BPG vice Shri D. Bhattacharjee (Item-8 above), utilizing the existing vacancy.

(48) Shri Sumit Sukla, SSE/P.Way/Diphu, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/MLDT against the existing vacancy, vice Shri T. K. Biswas (Item-15 above).

This issues with the approval of General Manager.

(P. K. Singh)

Dy. Chief Personnel Officer (Gaz.)
for General Manager (P)

No. E/283/31/Pt./XIX (O)-1

Maligaon, dated: 09.04.2009

Copy forwarded for information and necessary action to: -

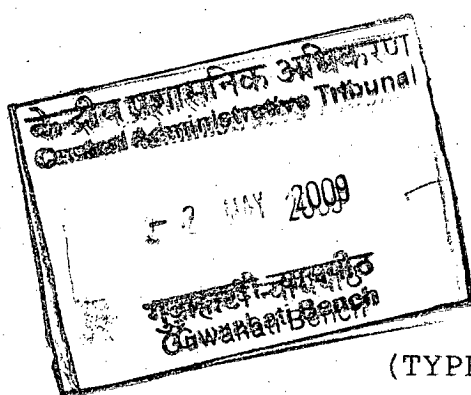
1. GM/CON
2. All PHODs, CHODs & HODs/N. F. Railway.
3. All DRMs & ADRMs/N. F. Railway
4. All DRM(P)s/N.F. Railway.
5. All Sr.DFM & DFMs/N. F. Railway.
6. All Sr. DEN(Co-ord)s/N. F. Railway.
7. FA&CAO/EGA & P.F./Maligaon.
8. Dy.CPO/HQ, Dy.CPO/RRC, Dy.CPO/CON & SPO/Engg/MLG.
9. Dy. Secy. and Secy. to G.M, ASY to GM & AGM, PPS to GM & GM(Con)/Maligaon.
10. OS/EO Bill. P. Branch.
11. GS/NFROA, NFRPOA, NFRMU & NFREU.
12. Officers concerned.

(P. K. Singh)

Dy. Chief Personnel Officer (Gaz.)
for General Manager (P)

ATTESTED

ADVOCATE



ANNEXURE-5

36 -

(TYPED COPY)

N.F. Railway

Office of the
General Manager(P)
Maligaon, Guwahati-11
Dated:22.03.2007

No.E/254/17-Pt.XII(O)

To,

The General Manager(Construction)/Maligaon;
CE(Co-Ordn.), CE(CON), CTE, CBE, CPDE, CGE/Maligaon;
DRM(P)s/KIR, APDJ, RNY, LMG & TSK; Dy.CVO(Engg.)/Maligaon,
Dy.CE/Br.Line/Maligaon, Sr.DENS/KIR, APDJ, RNY, LMG & TSK;
Dy.CE(CON)/Maligaon, JPZ, SCL & Goalpara; WM/EWS/BNGN,
XEN/FCW/Maligaon,
Principal/ZRTI/APDJ, Secy. to Pr.CE/Maligaon, AENS/MLDT, NJP,
SGUJ, NBQ, BPRD, RNY, RPAN, BPB & APO/Engg./Maligaon.

Sub:- Selection for the post of AEN/Group-'B' against 70% vacancies.

It has been decided with the approval of Competent Authority to hold a selection for forming a panel of 22 persons of AEN/Group-'B' against 70% vacancies. The communities break-up of AEN/Group-'B' against 70% vacancies is as under:-

1) UR= 10

2) SC= 09

3) ST= 03

Total= 22

2. The selection will be based on candidates' performance both in written examination as well as viva-voce test. The candidates, who qualify in the written examination and thereafter Medical examination will only be eligible for the viva-voce test. As per extant instruction of the Railway Board, the placement of the candidates in the panel will be based on their performance in written examination/Viva-voce test & Record of service.

3. The cut-off date of eligibility on the length of required years of non-fortuitous services of the supervisory staff of Civil Engineering Department is as on 01.03.2007 for 70% selection & corresponding 30% LDCE.

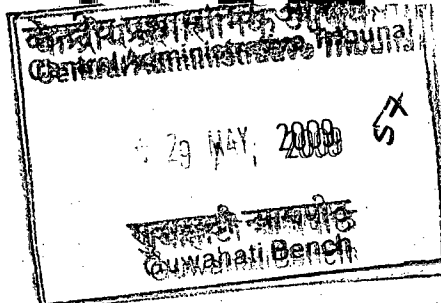
4. The written examination will consist of only one paper on the subjects as per, total & qualifying marks as indicated below:-

SUBJECT	MAXIMUM MARKS	QUALIFYING MARKS
Professional subject, Establishment, Financial Rules & Rajbhasha	150	90

5. It may be notified that the question paper will be bi-lingual, i.e., English & Hindi. It will be the candidates' choice to write in any one of the these languages.

ATTESTED

ADVOCATE



- 37 -

6. The Controlling officers should notify this widely amongst the staff of Civil Engineering department (taking clear acknowledgement from the staff in the enclosed Annexure-'A') and obtain their written Willingness/Unwillingness individually in the prescribed proforma (enclosed as Annexure-'B') and send the same to the undersigned, so as to reach this office on or before (27.04.2007) without fail. If no option is received from the staff of the Main list within the target date. It will be presumed that he/she is unwilling to appear in the above selection and in that case, willing staff from the Stand-by list will be given chance. The candidates mentioned in the Stand-by list should also be advised to express their written willingness or unwillingness. The willingness/unwillingness options submitted by all the staff of the Main list and the Stand-by list within the target date; should be sent in a bunch with a forwarding letter to this office, **certifying that no other options received by the controlling officers are left behind at their end.** No options should be sent to this office in a piece-meal manner. Options received and forwarded to this office after the target date **will not be entertained under any circumstances.** While the application is forwarded, correctness of service particulars should be ensured from Service Record.

7. In case, any representation is received from any staff against the integrated seniority position shown in the list vide Annexure-'A' or any other particulars shown therein, all such representations should be forwarded to the cadre controlling officer, i.e., APO/Engg/Maligaon directly in a bunch certifying the correct service particulars/record of the staff, as the case may be. No representation against the integrated seniority position will be entertained at a later date.

8. Since 12 (09 SC & 08 ST) posts are remarked for SC/ST communities, a pre-selection coaching for SC/ST candidates will have to be conducted and to be arranged by the department concerned for a period of 3/4 weeks, the same being mandatory as against reserved vacancies.

9. A copy of syllabus is enclosed as Annexure-'C' for wide circulation amongst the staff concerned.

10. The willing staff (whoever submits willingness within the target date) should be advised to keep themselves in readiness to appear in the written examination at short notice. However, a formal letter in regard to the date of Written Examination will be issued from this office, after finalizing the list of eligible/willing staff.

Please acknowledge receipt.

- DA: 1) Proforma (Annexure-'B')
2) Syllabus (Annexure-'C')

Sd/- Illegible
(S.P. Sengupta)
APO/Gaz
For GENERAL MANAGER(P)

ATTESTED

ADVOCATE

32y. to P/O Maligaon
Railway
Guwahati-781011

NORTHEAST FRONTIER RAILWAY

General Administrative Tribunal
22 MAY 2009
Guwahati Bench

- 38 -

Office of the
General Manager (P)
Maligaon, Guwahati-781
Dated: 22.03.2007

OS/W-8

No.E/254/17 PLXTR(O)

To,
The General Manager(Construction)/Maligaon,
CE(CO-Ord.), CE(CON), CTE, CSE, CPDE, CGE/Maligaon;
DRM(P)/KIR, APDJ, RNY, LMG & TSK; Dy.CM/Engg/Maligaon,
Dy.CE/Br.Line/Maligaon, Sr.DEMs/KIR, APDJ, RNY, LMG & TSK;
Dy.CE(CON)/Maligaon, JPZ, SCL & Goalpara; Dy.CE/Br.Line/Maligaon,
Principal/ZRTJ/APDJ, Secy.to Fr.CE/Maligaon, Asst.Pr.Dy.CE, SCL, RNY, RFPAN, BPB & APO/Engg/Maligaon.
General Manager, Maligaon Railway, Palapali Road, 22/1, Ekbaringhee Road, Kollam - 71

Subj:- Selection for the post of AEM/Group-B' against 70% vacancies.

It has been decided with the approval of Competent Authority to hold a selection for forming a panel of 22 person of AEM/Group-B' against 70% vacancies. The communities break-up of AEM/Group-B' against 70% vacancies is as under:-

- 1) UR :- 10
- 2) SC :- 09
- 3) ST :- 03
- Total :- 22

2. The selection will be based on candidates' performance both in Written Examination as well as Viva-voce test. The candidates, who qualify in the Written Examination and thereafter medical examination, will only be eligible for the Viva-voce test. As per extant instruction of Railway Board, the placement of the candidates in the panel will be based on their performance in written examination, Viva-voce test & Record of service.

3. The cut-off date of eligibility in the services of the supervisory staff of Civil Engineering Department is as on 01.01.2007 for 70% selection & corresponding 30% LDC.

The written examination will consist of only one paper on the subjects as per total & qualifying marks as indicated below:-

SUBJECT	MAXIMUM MARKS	QUALIFYING MARKS
Professional subject, Establishment, Financial Rules & Rajbhasha	150	90

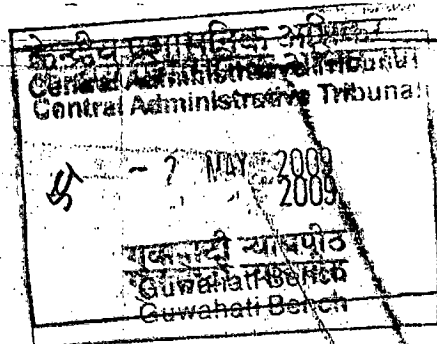
5. It may be notified that the question paper will be bi-lingual, i.e., English & Hindi. It will be the candidates' choice to write in any one of the these languages.

[Handwritten signature]
22/03/07

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[Signature]
ADVOCATE

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(2)

6. The Controlling Officers should notify this widely amongst the staff of Civil Engineering Department (taking clear acknowledgement from all the staff in the enclosed list in Annexure 'A') and obtain their written Willingness/Unwillingness individually in the prescribed proforma (enclosed as Annexure 'B') and send the same to the undersigned, so as to reach this office on or before (27.04.2007) without fail. If no option is received from the staff of the Main list within the target date, it will be presumed that he/she is unwilling to appear in the above selection and in that case, willing staff from the Stand-by list will be given chance. The candidates mentioned in the Stand-by list should also be advised to express their written willingness or unwillingness. The willingness/unwillingness options submitted by all the staff of the Main list and the Stand-by list within the target date, should be sent in a bunch with a forwarding letter to this office, certifying that no other options received by the controlling officers are left behind at their end. No options should be sent to this office in a piece-meal manner. Options received and forwarded to this office after the target date will not be entertained under any circumstances. While the application is forwarded, correctness of service particulars should be ensured from Service Record.

7. In case, any representation is received from any staff against the integrated seniority position shown in the list vide Annexure 'A' or any other particulars shown therein, all such representations should be forwarded to the cadre controlling officer, i.e., APO/Engg/Maligaon directly in a bunch certifying the correct service particulars/record of the staff, as the case may be. No representation against the integrated seniority position will be entertained at a later date.

8. Since 12 (09 SC & 03 ST) posts are earmarked for SC/ST communities, a pre-selection coaching for SC/ST candidates will have to be conducted and to be arranged by the department concerned for a period of 3/4 weeks, the same being mandatory as against reserved vacancies.

9. A copy of syllabus is enclosed as Annexure 'C' for wide circulation amongst the staff concerned.

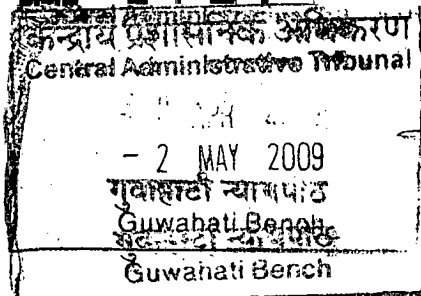
10. The willing staff (whoever submits willingness within the target date) should be advised to keep themselves in readiness to appear in the written examination at short notice. However, a formal letter in regard to the date of Written Examination will be issued from this office, after finalising the list of eligible/willing staff.

Please acknowledge receipt.

DA : 1) Proforma (Annexure 'B')
2) Syllabus (Annexure 'C')

S.P. Sengupta
22/03/09
(S.P. Sengupta)
APO/Gaz.
For GENERAL MANAGER(P)

ATTESTED
(M)
ADVOCATE



ANNEXURE-- 6

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

Dated : 23-10-2007.

No. E/254/17-pt, XII(O)

To,
The General Manager(Con)/Maligaon

Sub :- Selection for the Post of AEN(Group - 'B') against 70% vacancies, .

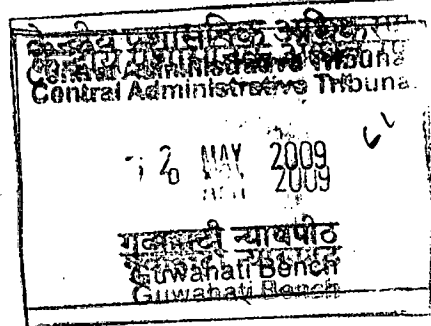
Ref :- This office notification of even number dated 22.03.2007.

The following candidates have qualified in the written examination of above mentioned selection held on 29-09-07 and 13-10-2007.

Sl.	Name of the Candidates	Designation & Station
01.	Shri Munindra Kalita	SSE/P.Way/OMS/PCE/Maligaon
02.	Shri Pradip Kumar DAS(SC)	SSE/W/MJBT
03.	smt Gayatri Banik	SE/DRG/DY.CE(Br.Line/Maligaon
04.	Shri Gunindra Choudhury	SSE/DRG/sr.DEN/Maligaon
05.	Shri S.K. Acharjee	SSE/P.Way/CGON
06.	Shri Bhagawati Prasad(SC)	SSE/Works/CON/FGS
07.	Shri Khokan Chandra Roy (SC)	Instructor/ZRTI/ADDJ
08.	Shri C.M.Roy (SC)	SSE(W)/CON / KIR
09.	Shri Umesh Kumar	SSE(Con)/Works/NJP
10.	Shri Collapudi Kaliprasad	SSE/WORKS/Dangtol
11.	Shri Pijush Ghosh	SSE/TN/Maligaon
12.	Shri Rana Pratap Gogoi	SSE/P.Way/GHY
13.	Shri Ramesh Ch. Mandal(SC)	SSE/Works/CON/RGJ
14.	Shri Dipak Dastidar	SSE/P.Way/Old Malda
15.	Shri Swapan Mitra	SSE/W/CON/NJP
16.	Shri Surendra Nath Brahma (ST)	SSE/P.Way/HQ
17.	Shri Vir Bham(SC)	SSE/P.Way/MTS/RNY
18.	Shri Kinkar Das(SC)	SSE/DRG/LMB
19.	Shri Ashok Kumar	SSE/P.Way/RNY
20.	Shri Jaydeb Mandal	SSE/W/CON SCL

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21.	Shri Dhani Ram Kakati	SSE/W/CGON
22.	Shri Pranjal Gogoi	SSE(W)/CS/Maligaon
23.	Shri Surendra Chandra Saikia	SSE/W(C)/DBRT
24.	Shri Bhupal Chandra Nandi	SSE/(W)/CON/NCB
25.	Shri Birendra Nath Das (SC)	SE(CON Design/Maligaon
26.	Shri Hemanta Kumar DAS(SC)	SE/DRG/Dy.CE/Br.Line/Maligaon
27.	Shri Birendra Nath Roy(SC)	SSE/DRG/APDJ
28.	Mrs Jahanara Begum	SE/DRG/PCE/Maligaon,
29.	Shri Ashok Chakrabarti	SSE/Works/FLK.

You are therefore requested to spare all the above mentioned staf under your control to the respective Railway Medical Authorities for Medical Examination and to obtained Physical fitness certificate in the prescribed formet (attached herewith) for holding the Group-B, Post in Technical safety category of Civil Enginerring Department and same to the undersigned by 12.11.07 positively.

The Departmental DAR Clearance of the candidates concerned should also be sand to the prescribed format(enclosed)alongwith the physical fitness certifi ates on 12.11.07

Candidates concerned should be advised to keep themselves in readiness to appear in the viva-voce test at short notice.

Please acknowledge receipt

(P.K. Singh)
Dy.CPO/GAZ
FOR GENERAL MANAGER(P).

ATTESTED

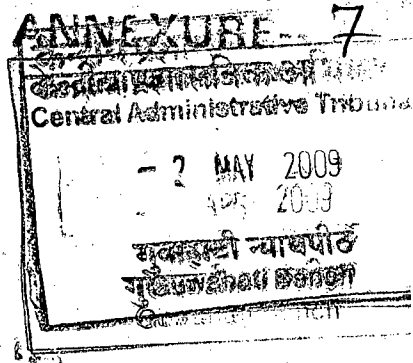
ADVOCATE

- 42 -

(TYPED COPY)

N.F. RAILWAY

OFFICE ORDER No-02/2008 (Engg.)



The following promotion, transfer and posting orders are issued with immediate effect:-

1. Shri Ram Samuj, AXEN/CON, on being empanelled for promotion to Sr. Scale on ad-hoc basis promoted to Sr. Scale(ad-hoc) as XEN and posted in Construction Organization under GM/CON/MLG.

2. Shri S. Sengupta, AXEN/CON, on being empanelled for promotion to Sr. Scale on ad-hoc basis promoted to Sr. Scale(ad-hoc) as XEN and posted in Construction Organization under GM/CON/MLG.

3. Shri A.K. Sharma, AXEN/CON, on being empanelled for promotion to Sr. Scale on ad-hoc basis promoted to Sr. Scale(ad-hoc) as XEN and posted in Construction Organization under GM/CON/MLG.

4. Shri Ajoy Majumder, AXEN/CON, on being empanelled for promotion to Sr. Scale on ad-hoc basis promoted to Sr. Scale(ad-hoc) as XEN and posted as XEN/Br./Spl-II/MLG against existing vacancy.

5. Shri Ashok Chakraborty, SSE(W)/FLK, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/RNY vice Shri Utpal Talukder.

6. Shri Utpal Talukder, ADEN/RNY, on being relieved, is transferred and posted as ADEN/BPRD vice Shri Brijesh Galav.

7. Shri Brijesh Galav, Sr. ADEN/BPRD, on being relieved is transferred and posted as DEN-I/TSK, vide Shri Ram Ratan.

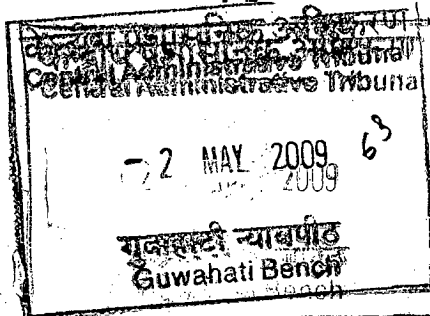
8. Shri Ram Ratan, DEN-I/TSK is transferred and posted as XEN/Br./Spl/MLG against an existing vacancy.

9. Shri Sekhar Krishna Acharjee, SSE(P.Way)/CGON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/FKM at NBQ vice Shri T. Nanda, who is already under order of transfer to GLPT.

10. Shri Dipak Dastidar, SSE(P.Way)/OMLF, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/BG/KNE vice Shri Sujit Kumar Paul.

ATTESTED

(M) ADVOCATE



11. Shri Sujit Kumar Paul, ADEN/BG/KNE, on being relieved, is transferred and posted in Construction Organization under GM/CON/MLG.

12. Shri Swapan Mitra, SSE(W)/Con/NJP, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.

13. Smt. Gayatri Banik, SE(Drg.)/Dy.CE/BR./Line/MLG's office, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as AXEN/Br./Design-I/MLG by utilizing the vacant permanent post of ABE/HQ/MLG.

14. Shri Gunindra Choudhury, SSE(Drg.)Sr.DEN (C)/MLG's office, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ABE/East/MLG by utilizing the vacant permanent post of AEN/G/MLG.

15. Shri Joydeb Mandal, SSE(W)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.

16. Shri Dhani Ram Kakoti, SSE(W)/CGON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.

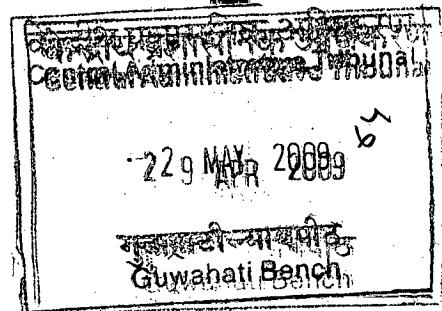
17. Shri Suren Chandra Saikia, SSE(W)/Con/DBRT, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.

18. Shri Umesh Kumar, SSE(Works)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.

19. Shri Ramesh Chandra Mandal, SSE(Works)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG. SC

20. Shri Kinkar Das, SSE(Drg.)/LMG, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/III/LMG against an existing vacancy.

A TESTED
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ADVOCATE



21. Shri Hemanta Kumar Das, SE(Drg)/Dy.CE/Br./Line/MLG's office on being empanelled for promotion to Group-B Service as AEN against 70% vacancies is promoted as AEN and posted as ADEN/HQ/LMG vide Shri T.N. Singh redesignating the post ADEN/Spl/LMG as ADEN/HQ/LMG.
22. Shri T.N. Singh ADEN/Spl/LMG on being relieved being transferred and posted as AXEN/TMC/III/MLG vide Shri P.S. Ravindran Supersession of this office order No.23/2007/(ENGG) dated 30.05.2007.
23. Shri P.S. Rabindran, AXEN/TMC-III/MLG, is transferred and posted as AXEN/TS/MLG by utilizing the vacant workcharged post of AXEN/LR/MLG.
24. Shri Bhagwati Prasad, SSE(Works)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.
25. Shri Birendra Nath Das, SE(Desing)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.
26. Shri Birendra Nath Roy, SSE(Drg.)/APDJ, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/Spl/II/RNY by utilizing the vacant workcharged post of AXEN/CS-III.
27. Shri Nripendra Bhatta, AXEN/CON, is transferred from Construction Organization and posted in Open Line as ADEN/MXN vice Shri Rajveer.
28. Shri Rana Kumar Das, AXEN/CON, is transferred from Construction Organization and posted in Open Line as ADEN/TSK vice Shri J. Chakraaborty.
29. Shri J. Chakraborty, ADEN/I/TSK, on being relieved, is transferred and posted as ADEN/Br./Spl/RPAN by utilizing the vacant newly created workcharged post of AXEN/CS-IV.
30. Shri Rajveer, Sr.ADEN/MXN, is transferred and posted as DEN/II/KIR against an existing vacancy.
31. Shri Chandra Mohan Ray, SSE(W)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.

A TESTED
ADVOCATE

32. Shri S.R. Basak, AXEN/CON, is transferred from Construction Organization and posted in Open Line as AXEN/Br./Design-II/MLG by utilizing the vacant permanent post of ADEN/SGUJ.

This issues with the approval of competent authorities.

Sd/- Illegible
(S.P.Sengupta)
APO/GAZ
For GENERAL MANAGER (P)

No. E/283/31 Pt.-XIX(O)

Date:-17.01.08

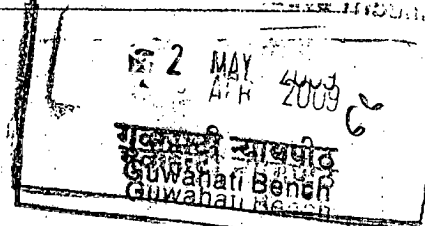
Copy for information and necessary action to:-

1. GM/CON/MLG.
2. PCE, CPO, CVO, CTE, CBE, CGE, CPDE, CE (TP), CAO (CON) /MLG.
3. FA&CAO/EGA, PF/MLG; FA&CAO/CON/MLG.
4. DRM, DRM (P), DFM/APDJ, KIR, RNY, LMG, TSK.
5. Sr.DEN/Cord/KIR, APDJ, RNY, LMG, TSK; Dy.CPO/CON/MLG.
6. Dy.CE/Br./Line/MLG; Dy.CPO/HQ; APO/Engg./MLG
7. DGM & secretary to GM; DGM(G)/MLG; CPRO/MLG.
8. PPS to GM/GM(CON), ASY to AGM, PS to PCE.
9. GS/NFROA, NFRPOA, NFRMU, NFREU/MLG.
10. OS/EO-Bill.
11. Officers concerned.

Sd/- Illegible
(S.P.Sengupta)
APO/GAZ
For GENERAL MANAGER (P)

ATTESTED

(M)
ADVOCATE



The following promotion, transfer and posting orders are issued with immediate effect :-

1. Shri Ram Samuj, AXEN/CON, on being empanelled for promotion to Sr.Scale on ad-hoc basis is promoted to Sr.Scale(ad-hoc) as XEN and posted in Construction Organisation under GM/CON/MLG.
2. Sri S.Sengupta, , AXEN/CON, on being empanelled for promotion to Sr.Scale on ad-hoc basis is promoted to Sr.Scale(ad-hoc) as XEN and posted in Construction Organisation under GM/CON/MLG.
3. Shri A.K.Sharma, , AXEN/CON, on being empanelled for promotion to Sr.Scale on ad-hoc basis is promoted to Sr.Scale(ad-hoc) as XEN and posted in Construction Organisation under GM/CON/MLG.
4. Shri Ajoy Majumder, AXEN/CON, on being empanelled for promotion to Sr.Scale on ad-hoc basis is promoted to Sr.Scale(ad-hoc) as XEN and posted as XEN/Br./Spl-II/MLG against existing vacancy.
5. Shri Ashok Chakraborty, SSE(W)/FLK, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/RNY vice Shri Utpal Talukder.
6. Shri Utpal Talukder, ADEN/RNY, on being relieved, is transferred and posted as ADEN/BPRD vice Shri Brijesh Galav.
7. Shri Brijesh Galav, Sr ADEN/BPRD on being relieved, is transferred and

XEN/Br./Spl/MLG against an existing vacancy.

- ✓ 9. Shri Sekhar Krishna Acharjee, SSE(P.Way)/CGON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/FKM at NBQ vice Shri T.Nanda, who is already under order of transfer to GLPT.
- ✓ 10. Shri Dipak Dastidar, SSE(P.Way)/OMLF, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/BG/KNE vice Shri Sujit Kumar Paul.
11. Shri Sujit Kumar Paul, ADEN/BG/KNE, on being relieved, is transferred and posted in Construction Organisation under GM/CON/MLG.
12. Shri Swapan Mitra, SSE(W)/Con/NJP, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation under GM/CON/MLG.
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ATTESTED



ADVOCATE

2-9 APR 2005

GUYANA BENCH

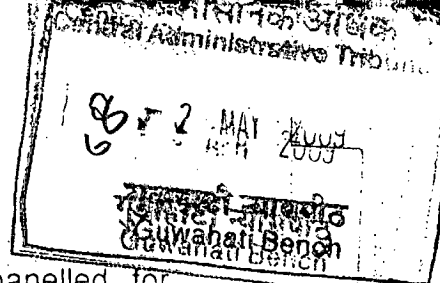
- 42
14. Shri Gunindra Chowdhury, SSE(Drg.)/Sr.DEN (C)/MLG's office, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ABE/East/MLG by utilizing the vacant permanent post of AEN/G/MLG.
 15. Shri Joydeb Mandal, SSE(W)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction organization under GM/CON/MLG.
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 17. Shri Suren Chandra Saikia, SSE(W)/Con/DBRT, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.
 18. Shri Umesh Kumar, SSE(Works)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation under GM/CON/MLG.
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 20. Shri Kinkar Das, SSE(Drg.)/LMG, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/III/LMG against an existing vacancy.
 21. Shri Hemanta Kumar Das, SE(Drg.)/Dy.CE/Br./Line/MLG's office, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/III/LMG.
 22. Shri T.N. Singh, SE(Drg.)/Dy.CE/Br./Line/MLG's office, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/III/LMG.
 23. Shri P.S. Ravindran, AXEN/TMC-III/MLG, is transferred and posted as AXEN/TS/MLG by utilizing the vacant workcharged post of AXEN/LR/MLG.
 24. Shri Bhagwati Prasad, SSE(works)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation under GM/CON/MLG.
 25. Shri Birendra Nath Das, SE(Desing)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction organization under GM/CON/MLG.

Contd. to page 3

ATTESTED

ADVOCATE

- 48 -
[3]



26. Shri Birendra Nath Roy, SSE(Drg.)/APDJ, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/Spl/III/RNY by utilizing the vacant workcharged post of AXEN/CS-III.
27. Shri Nripendra Bhatta, AXEN/CON, is transferred from Construction Organisation and posted in Open Line as ADEN/MXN vice Shri Rajveer.
28. Shri Rana Kumar Das, AXEN/con, is transferred from Construction Organisation and posted in Open Line as ADEN/I/TSK vice Shri J. Chakraborty.
29. Shri J. Chakraborty, ADEN/I/TSK, on being relieved, is transferred and posted as ADEN/Br./Spl/RPAN by utilizing the vacant newly created workcharged post of AXEN/CS-IV.
30. Shri Rajveer, Sr.ADEN/MXN, is transferred and posted as DEN/II/KIR against an existing vacancy.
31. Shri Chandra Mohan Ray, SSE(W)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation under GM/CON/MLG.
32. Shri S.R. Basak, AXEN/CON, is transferred from Construction Organisation and posted in Open Line as AXEN/Br./Design-II/MLG by utilizing the vacant permanent post of ADEN/SGUJ.

This issues with the approval of competent authorities.


(S.P. Sengupta)
APO/GAZ

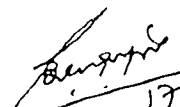
For GENERAL MANAGER(P)

No. E/283/31 Pt.-XIX(O)

Date. 17-01-08


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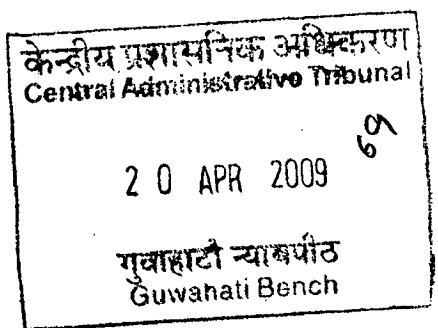
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5. Sr. DEN/Cord/KIR, APDJ, RNY, LMG, TSK; Dy. CPO/CON/MLG.
6. Dy. CE/Br./Line/MLG; Dy. CPO/HQ; APO/Engg./MLG.
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7. PPS to GM/GM(CON), ASY to AGM, PS to PCE.
8. GS/NFROA, NFRPOA, NFRMU, NFREU/MLG.
9. OS/EO-Bill.
10. Officers concerned.


(S.P. Sengupta)
APO/GAZ

For GENERAL MANAGER(P)

ATTESTED


ADVOCATE



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO. 73 OF 2009.

Shri Pijush Ghose & Others

Applicants

- Versus -

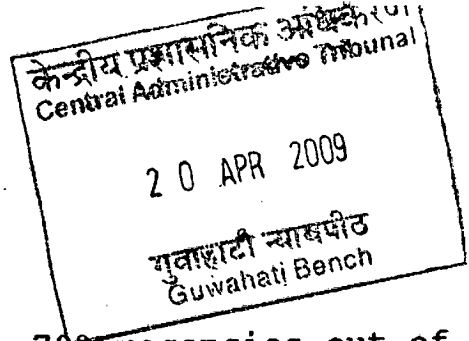
The N.F. Railway & Others

Respondents

S Y N O P S I S

Presently the applicants are working as Group 'C' Engineering Supervisory staff under the Control of Principal Chief Engineer, Northeast Frontier Railway, Maligaon. The next promotion of the applicants is Assistant Executive Engineer (AEN in short) Group 'B'. The respondent No.1 vide letter dated 10.11.2008 notified the selection for the post of AEN/Group 'B' against 70% vacancies in total nos. 29 posts (including unreserved/General 18, Schedule Castes (SC) 07 and Schedule Tribes (ST) 04). The respondents deferred the written examination from 17.01.2009 to 24.01.2009 for the post of AEN/Group 'B' against 70% vacancies. Accordingly the instant applicants as being eligible appeared in the written examination held on 24.01.2009. In the said examination total 44 candidates including the instant applicants have been selected/empanelled for the post of AEN/Group 'B' unreserved/General 18 out of total 29 posts. Thereafter the viva-voce test was held on 26.02.2009 in the chamber of respondent No.2 subject to Medical fitness. All the instant applicants appeared in the viva-voce test. The promotion list for the post of AEN/Group 'B' against 70% vacancies was published 09.04.2009. However, in the said promotion list the respondents have promoted only 08 unreserved/general selected/empanelled candidates out of total 18 unreserved/General category vacant posts. It is to be stated that in earlier examination in the year 2007 for

Pijush Ghose



the post of AEN/Group 'B' against 70% vacancies out of total 10 unreserved/General posts, all the said 10 posts of unreserved/general selected/empanelled candidates were promoted. In the instant year i.e. 2009 total 18 vacancies of unreserved/general categories posts are vacant and accordingly seniority position in the selected/empanelled unreserved/general candidates the instant applicants position are 13,14,15,16 and 17. Moreover, the applicants are having unblemished service records. Therefore, all the applicants are legally entitled for promotion to the post of AEN/ Group 'B' against 70% vacancies as notified vide letter dated 10.11.2008.

Hence, the Applicants have filed this Original Application before this Hon'ble Tribunal for seeking justice in this matter.

Pijush Ghose

20 APR 2009

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

গুৱাহাটী বেন্চ
Guwahati Bench

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

ORIGINAL APPLICATION NO. 73 OF 2009.

Shri Pijush Ghose & Others

Applicants

- Versus -

The N.F. Railway & Others

Respondents

LIST OF DATES

22.03.2007 Para:4.10 Annexure:5	The Respondent No.1 notified the selection for promotion to the post of AEN/Group 'B' against 70% vacancies in total nos.22 posts including Unreserved/General 10, Schedule Caste 09 and Schedule Tribe 03.
29.09.2007 & 13.10.2007 Para:4.10	The Written Examination was held for the post of AEN/Group 'B' against 70% vacancies in total nos. of 22 posts.
23.10.2007 Para:4.10 Annexure:6	The result of Written Examination for the post of AEN/Group 'B' against 70% vacancies was published. Out of 29 selected/empanelled candidates 18 General, 10 Schedule Caste and 01 Schedule Tribe category.
17.01.2008 Para:4.10 Annexure:7	The promotion list for the post of AEN/Group 'B' against 70% vacancies was published. 10 from General list, 08 from Schedule Caste category and 01 from Schedule Tribe category were promoted.
10.11.2008 Para:4.4 Annexure:1	The Respondent No.1 again notified the selection for promotion to the post of AEN/Group 'B' against 70% vacancies in total nos.29 posts including Unreserved/General 18, Schedule Caste 07 and Schedule Tribe 04.
17.01.2009 Para:4.6	The Respondents deferred the Written Examination for the post of AEN/Group 'B' against 70% vacancies.
24.01.2009 & 01.02.2009 Para:4.6	The Written Examination was held for the post of AEN/Group 'B' against 70% vacancies in total nos. of 29 posts.

Pijush Ghose

20 APR 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

16.02.2009 The result of Written Examination for the post of
Para:4.7 AEN/Group 'B' against 70% vacancies was published.
Annexure:3 Out of 44 selected/empanelled candidates 30
 candidates General category, 08 candidates
 Schedule Castes category and 06 candidates
 Schedule Tribes categories.

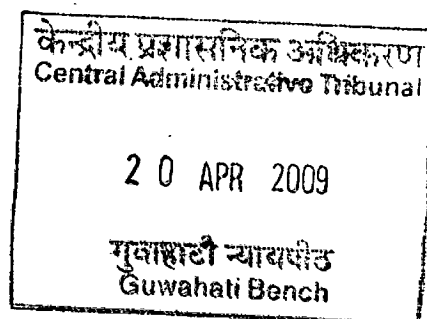
26.02.2009 The viva-voce test held in the chamber of
Para:4.7 Respondent No.2.

09.04.2009 The promotion list for the post of AEN/Group 'B'
Para:4.8 against 70% vacancies was published. Only 08 from
Annexure:4 General category out of 18 , 08 from Schedule
 Caste category and 01 from Schedule Tribe category
 were promoted .

Filed by:

Nuruddin Ahmad
Advocate

Pijush Bose



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO. 73 OF 2009.

Shri Pijush Ghose & Others

Applicants

- Versus -

The N.F. Railway & Others

Respondents

INDEX

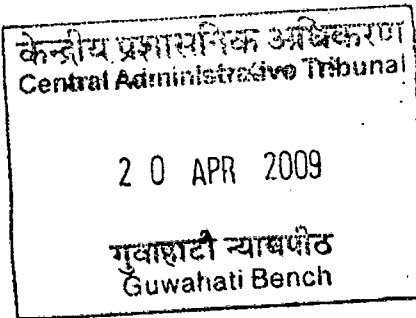
Sl. No.	Particulars	Annexures	Pages
1	Original Application		1 to 17
2	Verification		18
3	Copy of the letter No.E/254/17-Pt.XII(O) dated 10.11.2008.	1	19 to 22
4	Copy of the memorandum No.E/254/17-Pt.XII(O) dated 18.12.2008.	2	23 to 26
5	Copy of the selection test No.E/254/17-Pt.XII(O) dated 16.02.2009.	3	27 to 28
6	Copy of the office order No.10/2009 (ENGG.) dated 09.04.2009.	4	29 to 32
7	Copy of the notification No.E/254/17-Pt.XII (O) dated 22.03.2007.	5	33 to 36
8	Copy of the notification No.E/254/17-pt.XII (O) dated 23.10.2007.	6	37 to 38
9	Copy of the office order No.02/2008 (Engg.) dated 17.01.2008.	7	39 to 45
10.	W/S by R Nos. 1, 2, 3 & 4		46-55
11.	Rejoinder		56-61

Date: 20.04.2009

Filed By:

12. W/S by R Nos. 5 to 21 } 62-66 Nuruddin Ahmad
Advocate

Pijush Ghose



FILED BY
Sri Pijush Ghose
Applicant No. 1
through Muddudin Ahmed
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO. 73 OF 2009.

BETWEEN

1. Shri Pijush Ghose
Son of late Prafulla Kumar Ghosh
Senior Section Engineer/Track
Machine/Maligaon,
Working under the office of the
Deputy Chief Engineer, Track
Machine Department,
Northeast Frontier Railway,
Maligaon, PIN code-781011.
2. Shri Ashok Kumar
Son of Shri Hari Govind Ram
Senior Section Engineer/Permanent
way/Special/Rangia,
Working under the office of the
Senior Divisional Engineer, (Co-
ordination), Northeast Frontier
Railway, Rangia,
PIN code-781354.
3. Shri Jamaluddin Khan
Son of late Md. Sirajuddin Khan
Senior Section Engineer/Permanent
way/Old Malda,
Working under the office of the
Senior Divisional Engineer, (Co-
ordination)/Katihar, Northeast
Frontier Railway, Katihar, Bihar,
PIN code-854105.
4. Shri Anjan Roy Bhowmick
Son of late Hemchandra Roy Bhumik
Senior Section Engineer/Track
Machine/Maligaon,
Working under the office of the
Deputy Chief Engineer, Track
Machine Department,
Northeast Frontier Railway,
Maligaon, PIN code-781011.
5. Smti. Jahanara Begum
Daughter of late Sadulla Ali
Section Engineer/Drawing/Track
Machine/Maligaon,

Pijush Ghose

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গুৱাহাটী ন্যায়ালয়
Guwahati Bench

Working under the office of the
Principal Chief Engineer Office,
Northeast Frontier Railway,
Maligaon, PIN code-781011.

...Applicants

-AND-

1. The Northeast Frontier Railway,
represented by the General Manager,
Maligaon, Guwahati, PIN-781011.
2. The Principal Chief Engineer
Northeast Frontier Railway
Maligaon, Guwahati, PIN-781011.
3. The Chief Personnel Officer,
Northeast Frontier Railway,
Maligaon, Guwahati, PIN-781011.
4. The Deputy Chief Personal Officer
(GAZ), Northeast Frontier Railway,
Maligaon, Guwahati, PIN-781011.

...Respondents

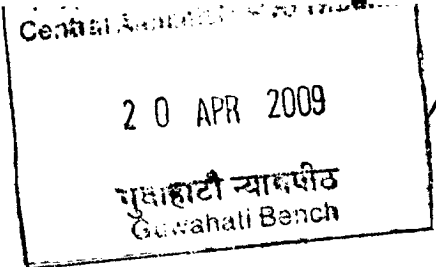
DETAILS OF APPLICATION:

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

This application is made against the impugned
office Order No.10/2009 (ENGG.) dated 28.03.2009
whereby the Respondent No.4 have promoted the
empanelled candidates to Group 'B' service as AEN
against 70% vacancies by violating the vacancy position
of community wise break up of vacancies as notified
earlier vide letter No.E/254/17-Pt.XII(0) dated
10.11.2008 and the Applicants further prays for a
direction from this Hon'ble Tribunal to the Respondents
to take immediate steps for fill up the left over
vacant 10 Unreserved/General posts of AEN/Group 'B'
against 70% vacancies as notified vide letter
No.E/254/17-Pt.XII(0) dated 10.11.2008.

- 2) JURISDICTION OF THE TRIBUNAL:

Piyush Ghose



The Applicants declare that the subject matter of the instant application is within the jurisdiction of this Hon'ble Tribunal.

3) LIMITATION:

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

4) FACTS OF THE CASE:

Facts of the case in brief are given below:

4.1] That your humble Applicants are citizens of India and as such, they are entitled to all rights and privileges guaranteed under the Constitution of India.

4.2] That your Applicants beg to state that all of them are working as Group-'C' Engineering Supervisory staff under the control of Principal Chief Engineer, Northeast Frontier Railway (N.F. Railway in short), Maligaon. Presently, they have been posted in different places under the jurisdiction of the N.F. Railway, Maligaon, Guwahati-11. The next promotion of the Applicants is Assistant Executive Engineer (AEN in short) Group-'B'.

4.3] That your Applicants beg to state that as the grievances and relief(s) prayed in this application are common, therefore, they pray for grant of permission under Section 4(5)(a) of the Administrative Tribunal (Procedure) Rules, 1987 to move this application jointly.

4.4] That your Applicants beg to state that the office of the Respondent No.1 vide its letter No.E/254/17-Pt.XII(O) dated 10.11.2008 notified the selection for the post of AEN/Group-'B' against 70% vacancies in the N.F. Railway. The

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gist of the notification are quoted below for kind reference of this Hon'ble Tribunal-

"It has been decided with the approval of Competent Authority to hold a selection for forming a panel of 29 persons of AEN/Group-'B' against 70% vacancies. The community wise break-up of vacancies of the post of AEN/Group-'B' against 70% vacancies is as under:-

UR= 18
SC= 07
ST= 04
<hr/>
Total= 29

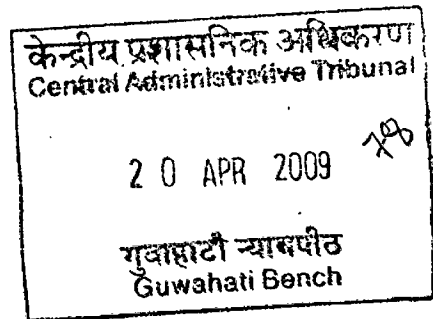
2. The selection will be based on candidates' performance both in written examination as well as viva-voce test. The candidates, who qualify in the written examination and thereafter in the Medical examination in the prescribed Safety category, will only be eligible for the viva-voce test. As per extant instruction of the Railway Board, the placement of the candidates in the panel will be based on their performance in written examination/Viva-voce test/Record of service.

3. The cut-off date of eligibility on the length of required years of non-fortuitous services of the supervisory staff of Civil Engineering department is as on 01.09.2008 for 70% selection and corresponding 30% LDCE (to be processed later on).

4. The written examination will consist of only one paper on the following subjects, the total & qualifying marks of which are indicated against it as under:-

Subject	Maximum marks	Qualifying marks
Professional subjects, Establishment, Financial Rules & Rajbhasha	150	90

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It may be notified that the question paper will be bi-lingual, i.e., English & Hindi. It will be the candidates' choice to write in any one of the two languages."

Copy of the letter No.E/254/17-Pt.XII(O) dated 10.11.2008 is annexed herewith and marked as ANNEXURE-1.

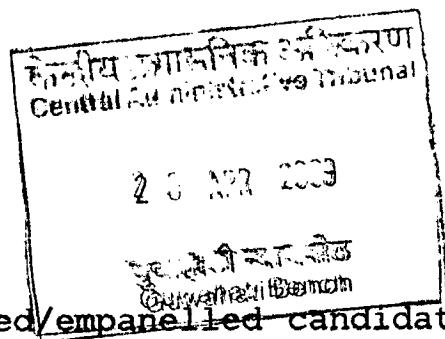
4.5] That your Applicants beg to state that in reference to the notification dated 10.11.2008 the office of the Respondent No.1 decided to hold the Written Examination on 17.01.2009 of total 29 posts of AEN/Group 'B' selection against 70% vacancies vide its memorandum No.E/254/17-Pt.XII(O) dated 18.12.2008. A list of eligible 126 candidates under zone of consideration for selection has been enclosed in Annexure-A. The Applicants No.1, 2, 3, 4 & 5 name appeared in the serial No.78 (UR), 80 (UR), 81 (UR), 92 (UR) & 83 (UR) respectively in the aforesaid Annexure-A.

Copy of the memorandum No.E/254/17-Pt.XII(O) dated 18.12.2008 is annexed herewith and marked as ANNEXURE-2.

4.6] That your Applicants beg to state that the Written Examination for the post of AEN/Group 'B' against 70% vacancies was deferred by the Respondents from 17.01.2009 to 24.01.2009. Accordingly, the written Examination was held on 24.01.2009. It is to be stated on the request of some of the absentee candidates who could not appear in the Written Examination held on 24.01.2009, the Respondents have allowed them to appear in the Written Examination on 01.02.2009.

4.7] That your Applicants beg to state that total 44 candidates have been qualified in the Written Examination for selection of 29 posts of AEN/Group 'B' against 70% vacancies vide selection list No.E/254/17-Pt.XII(O) dated

Pijish Ghose



16.02.2009. Out of total 44 selected/empanelled candidates, 30 candidates are from unreserved category, 8 candidates are from Schedule Castes community and 6 candidates are from Scheduled Tribes community. It is to be stated that the Applicants No.1, 2, 3, 4 & 5 names appeared in serial No.20, 23, 17, 1 & 7 of the selection list. The selected/empanelled candidates were directed to obtained physical fitness certificate by the respective medical authorities before appearing in the viva-voce test. The instant Applicants obtained their physical fitness certificate from the respective medical authorities. The viva-voce test was held on 26.02.2009 in the chamber of Respondent No.2. The instant Applicants appeared in the viva-voce test held on 26.02.2009. It is worth to mention here that the performance of the selected/empanelled candidates is also on the base of their 5 years confidential reports including their seniority position. For kind reference of this Hon'ble Tribunal the inter seniority of the selected/empanelled candidates who has qualified in the written examination are quoted below:-

Seniority Position of the Name & Designation of the Candidates
passed candidates in the
written examination

- | | |
|---|---|
| 1 | Jogendra Nath Daimary (ST),
SSE/P. WAY/CON |
| 2 | Kulwanth Kumar Lakra (ST),
SE/P.WAY/APDJ |
| 3 | Baidya Nath Das (SC),
SSE/W/TKG |
| 4 | Shyamal Ghosh (UR),
SSE/BRIDGE/NJP |
| 5 | Kiranjib Bayan (UR),
SSE/DRG/SR. DEN/MLG |
| 6 | Anup Kr. Singh (SC),
SSE/DRG/DY. CE/BR. LINE |
| 7 | Smti. Seema Khan (ST),
SSE/PLG |

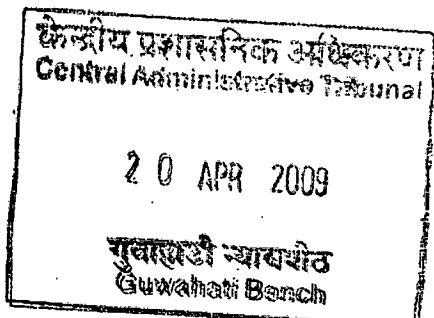
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गुवाहाटी न्यायपीठ
Guwahati Bench

- 8 Uttam Kumar Som (UR),
SSE/W/NJP
- 9 Aruj Kr. Sonowal (ST),
SSE/BRIDGE/MLG
- 10 Sonaton Swargiary (ST),
SSE/TM/MLG
- 11 Vinod Kr. Chaudhary (SC),
SAFETY COUN./PW/KIR
- 12 P. Ramana Rao (UR),
SSE/W/CON/NCB
- 13 Benu Gopal Basak (UR),
SSE/W/DRG/KIR
- 14 Bhupal Ch. Nandi (UR),
SSE/W/CON/NCB
- 15 Nirmal Kanti De (UR),
CVI/ENGG/MLG
- 16 L. C. Boro (ST),
SSE/W/C/JPZ
- 17 Nirmalya Sharma (UR),
SSE/W/BR. LINE
- 18 Sudhanshu Sekhar (UR),
SSE/P. WAY/NBQ
- 19 Dipak Ch. Sarma (UR),
SSE/W/NAMBARI
- 20 Tapash Sutradhar (SC),
SSE/W/CPK
- 21 Munindra Kalita (UR),
SSE/P. WAY/OMS/HQ
- 22 Rana Pratap Gogoi (UR),
SSE/P. WAY/GHY
- 23 Pijush Ghosh (UR),
SSE/TM/MLG
- 24 Ashok Kumar (UR),
SSE/SPL/RNY
- 25 Jamaluddin Khan (UR),
SSE/P. WAY/OMLF
- 26 Smti. Jahanara Begum (UR),
SE/DRG/TMC

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- 27 Jaideep Das (SC),
SSE/TM/MLG
- 28 Anjan Roy Bhowmick (UR),
SSE/TM/KYQ
- 29 Pradip Kumar Biswas (SC),
SE/P. WAY/CON/KIR
- 30 Mihir Kumar Pal (UR),
SSE/P. Way/USF-II/LMG
- 31 Praloy Dutta (UR),
SSE/P. WAY/FLK
- 32 Hari Singh (SC),
SSE/P. WAY/E/NLP
- 33 K. Nambi Alwan (UR),
SSE/P. WAY/BPRD
- 34 Pradip Bhattacharjee (UR),
SSE/P. WAY/S/NJP
- 35 Suhash Ranjan Deb (UR),
SSE/P. WAY/CNL & KIR
- 36 Md. Bakhtaruddin Laskar (UR),
SSE/P. WAY/CON/SCL
- 37 Prodip Kr. Sarmah (UR),
SSE/P. WAY/PNT
- 38 Biswanath Dasgupta (UR),
SSE/P. WAY/LMG (P)
- 39 Sobha Saikia (UR),
SSE/P. WAY/NAMRUP
- 40 Hrishikesh Rai (UR),
SSE/P. WAY/KNE
- 41 Partha Choudhuri (UR),
SSE/P. WAY/NMX
- 42 Deepak Gogoi (UR),
SSE/P. WAY/TKG
- 43 Sumit Sukla (SC),
SSE/P. WAY/DIPHU
- 44 Aminul Hassan Mazer Bhuiya (UR),
SSE/P. WAY/NGC

Copy of the selection test No.E/254/17-Pt.XII(O) dated 16.02.2009 is annexed herewith and marked as ANNEXURE-3.

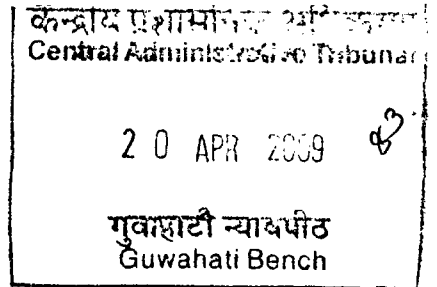
4.8] That your Applicants beg to state that the Respondent No.4 vide its office order No.10/2009 (ENGG.) dated 09.04.2009 promoted only 17 selected/empanelled candidates out of 29 vacancies (General 18, Scheduled castes 07 and Scheduled Tribes 04) for promotion to the post of AEN/Group B against 70% vacancies. It is to be stated that the Respondent No.4 without any prior notice left over the 10 vacant Unreserved/General out of total 18 Unreserved/General category selected/empanelled candidates to the posts of AEN/Group 'B' against 70% vacancies as notified vide letter No.E/254/17-Pt.XII(O) dated 10.11.2008. The community wise break-up of the promoted persons are given below for kind reference of this Hon'ble Tribunal-

Unreserved	-08
Schedule Caste	-08
Schedule Tribes	-01

Copy of the office order No.10/2009 (ENGG.) dated 09.04.2009 is annexed herewith and marked as ANNEXURE-4.

4.9] That your Applicants beg to state that the office of the Respondent No.1 vide their letter No.E/254 /17-Pt.XII(O) dated 10.11.2008 (Annexure-1 of the instant application) notified 29 posts against the community wise break-up of vacancies to the post of AEN/Group-'B' against 70% vacancies as Unreserved/General 18, Schedule Castes 07 and Schedule Tribes 04. However, the Respondent No.1 without any prior notices or corrigendum to the Applicants changed the community wise break-up of vacancies vide their promotion order No.10.2009 (ENGG.) dated 09.04.2009 to the post of AEN/Group-'B'. In the aforesaid order the Respondent No.4 has promoted only 08 (eight) unreserved category persons in

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place of 18 (eighteen) unreserved vacancies, 08 (eight) schedule caste persons are promoted in place of 07 (seven) schedule caste vacancies as notified earlier and 01 (one) person in schedule tribe category is promoted under 04 (four) nos. of Schedule Tribes vacancies as notified earlier.

4.10] That it is worth to mention here that in the year 2007 the Respondent No.1 vide their notification No.E/254/17-Pt.XII(O) dated 22.03.2007 hold the selection for the post of AEN/Group-'B' against 70% vacancies as Unreserved/General 10, Schedule Caste 09 and Schedule Tribe 03. The written Examination was held on 29.09.2007 and 13.10.2007 and result was declared vide No.E/254/17-pt.XII (O) dated 23.10.2007. Total 29 (twenty nine) numbers of candidates were selected/empanelled qualified in the said written examination for viva-voce test and out of 29 (twenty nine) selected/empanelled qualified candidates 18(eighteen) candidates belongs to General i.e. unreserved category, 10 (ten) candidates belongs to Schedule Castes category and 1 (one) candidate belong to Scheduled Tribes category. After viva-voce test, 10 (ten) General i.e. unreserved candidates, 8 candidates of Scheduled castes category were promoted to Group 'B' service as AEN against 70% vacancies vide office order No.02/2008(Engg.) dated 17.01.2008. One post of Scheduled Castes category and 3 (three) post of Scheduled Tribes category was kept vacant due to non-availability of suitable candidates. The aforesaid promotion was made in accordance to break-up of vacancies as advertised vide memo No.E/254/17 pt XII(O) dated 22.03.2007.

Copy of the notification No.E/254/17-Pt.XII(O) dated 22.03.2007 is annexed herewith and marked as Annexure-5.

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Guwahati Bench

Copy of the notification No.E/254/17-pt.XII (O) dated 23.10.2007 is annexed herewith and marked as Annexure-6.

Copy of the office order No.02/2008(Engg.) dated 17.01.2008 is annexed herewith and marked as Annexure-7.

4.11] That your Applicants beg to state that all of them are having un-blemish service records and no adverse entries or adverse remarks are imputed in their service Books. There are total 18 vacancies of unreserved/General categories available in community wise break-up to Group 'B' service as AEN against 70% vacancies. The instant Applicants seniority position in the selected/empanelled Unreserved/General candidates for the post of AEN is Sri Pijush Ghosh (instant Applicant No.1) is in serial No.13, Sri Ashok Kumar (instant Applicant No.2) is in serial No.14, Md. Jamaluddin Khan (instant Applicant No.3) is in Serial No.15, Smti.Jahanara Begum (instant Applicant No.5) is in serial No.16 and Sri Anjan Roy Bhowmick (instant Applicant No.4) is in serial No.17. Therefore, all of the Applicant are legally entitled for promotion to the post of AEN/Group 'B' service against 70% vacancies.

4.12] That your Applicants submit that it is a fit case wherein your Lordships may be pleased to stay the impugned office Order No.10/2009 (ENGG.) dated 09.04.2009 issued by the Respondent No.4 till disposal of this Original Application. Otherwise, the Applicants would suffer irreparable loss and injuries as because the Applicants have a strong prima facie case and the balance of convenience is also in their favour.

4.13] That your Applicants submit that they have got reasons to believe that the Respondents are resorting the colorable

Pijush Ghose

exercise of power only to deprive the Applicants from their legitimate rights.

4.14] That your Applicants submit that the action of the Respondents are mala fide, illegal and with a motive behind.

4.15] That your Applicants submit that the action of the Respondents is highly illegal, improper, whimsical and also against the policy adopted by the Government of India.

4.16] That in view of the facts and circumstances it is a fit Case for interference by Hon'ble Tribunal to protect the interest of the Applicants.

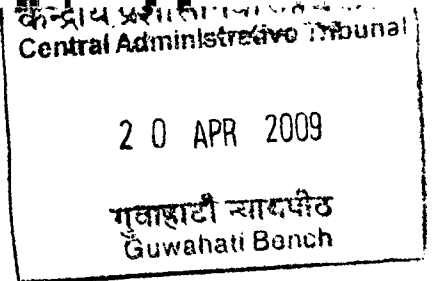
4.17] That this application is filed bona fide and for the interest of justice.

5) GROUNDS FOR RELIEF WITH LEGAL PROVISION:

In view of the above facts and circumstances narrated above the impugned promotion order of the selected/empanelled candidates for promotion to Group 'B' service as AEN against 70% vacancies under office Order No.10/2009 (ENGG.) dated 09.04.2009 issued by the Respondent No.4 is arbitrary, mala fide, discriminatory and illegal on the following amongst other grounds:-

5.1) For that, the action of the Respondents without any prior notice or corrigendum left the 10 Unreserved/General category posts of AEN/Group 'B' out of 18 posts as notified vide letter dated 10.11.2008 against 70% vacancies is arbitrary, mala-fide, illegal and discriminatory. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

Pijish Ghose



5.2) For that, the action of the Respondents in not fulfilling the total 18 Unreserved vacancies of AEN/Group 'B' as notified vide letter No.E/254/17-Pt.XII(o) dated 10.11.2008 against 70% vacancies is illegal in as much as no prior notification or corrigendum was issued to the Applicant for changing the vacancy position in community wise break up. Therefore, non-fulfilling the unreserved vacancies in total 18 is gross violation of the principle of natural justice. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

5.3) For that, the instant Applicants having unblemished service carrier without any adverse entries or remarks and their seniority with vacancy position of unreserved/General empanelled candidates to the posts of AEN/Group 'B' against 70% vacancies as notified vide letter dated 10.11.2008, they are fully entitled for promotion to the posts of AEN/Group 'B'. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

5.4) For that, the instant Applicants have not been qualified in the Written Examination for the posts of AEN/Group 'B' against 70% vacancy through any back door policy, all of them are duly qualified and selected/empanelled to the posts of AEN/Group 'B'. Moreover, their inter seniority position fully entitled them for selection to the posts of AEN/Group 'B' against 70% vacancies. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

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5.5) For that, in earlier notification dated 22.03.2007 for selection to the posts of AEN/Group 'B' against 70% vacancies, the Respondents have promoted and fill up all 10 Unreserved/General from the selected/empanelled candidates (as notified on 22.03.2007) to the post of AEN/Group 'B' against 70% vacancies. Therefore, the Respondents can not discriminated the instant Applicants for their promotion to the posts of AEN/Group 'B' against 70% vacancies for the year 2009. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

5.6) For that, in the impugned promotion order No.10/2009 (ENGG.) dated 09.04.2009 the Respondents have failed to mention any reason or causes for non-promoting the Unreserved/General empanelled candidates in remaining 10 unreserved category vacant posts of AEN/Group 'B' against 70% vacancies. The Respondents ought to have clarified the vacancy position of the Unreserved/General candidates before conducting the Written Test for empanelled of the candidates to the posts of AEN/Group 'B' against 70% vacancies. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

5.7) For that, since 10.11.2008 the Applicants have given their valuable time, energy and mental anxiety only to get selected to the post of AEN/Group 'B' against 70% vacancies. However the Respondents in an arbitrary and whimsical manner left the 10 Unreserved/General vacancies out of 18 vacancies. Hence, the impugned office order No.10/2009 (ENGG.) dated 09.04.2009 for promotion to Group 'B' service as AEN against 70% vacancies issued by the Respondent No.4 is liable to be set aside and quashed.

Pijush Ghose

5.8) For that, the Respondents being a model employer can not discriminated amongst the selected/empanelled Unreserved/General category candidates for the posts of AEN/Group 'B' against 70% vacancies.

5.9) For that, the action of the respondents is arbitrary, mala-fide and discriminatory with an ill motive.

5.10) For that the Respondents have violated the Article 14, 16 & 21 of the Fundamental rights guaranteed under the Constitution of India.

5.11) For that, in any view of the matter the action of the respondent are not sustainable in the eye of law as well as fact.

The Applicant craves leave of this Hon'ble Tribunal advance further grounds the time of hearing of this instant application.

6) DETAILS OF REMEDIES EXHAUSTED:

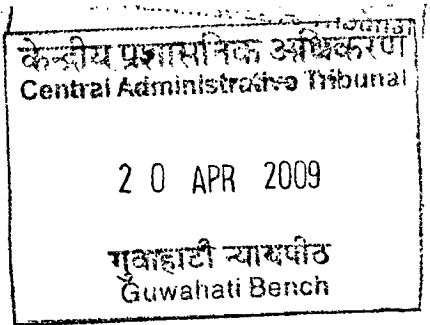
That there is no other alternative and efficacious remedy available to the applicants except invoking the jurisdiction of this Hon'ble Tribunal under Section 19 of the Administrative Tribunal Act, 1985.

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

That the Applicants further declare that they have neither filed any application, writ petition or suit in respect of the subject matter of the instant application before any other Court or authority, nor any such application, writ petition or suit is pending before any such Court or authority.

8) RELIEF SOUGHT FOR:

Piyush Meese



Under the facts and circum-stances stated above the applicants most respectfully pray that Your Lordships may be pleased to admit this application, call for the records of the case, issue notices to the Respondents as to why the relief or reliefs sought for by the applicants may not be granted and after hearing both the parties this Hon'ble Tribunal may be pleased to give the following reliefs:

8.1) That the Hon'ble Tribunal may be pleased to set aside and quash the impugned empanelled candidates promotion to the post of AEN/Group 'B' against 70% vacancies under order No.10/2009 (ENGG.) dated 09.04.2009 issued by the Respondent No.4.

ANNEX 4

8.2) To direct the Respondents to take immediate steps to fill up the 10 vacant posts of AEN/Group 'B' from the empanelled candidates under Unreserved/General categories as notified vide letter dated 10.11.2008.

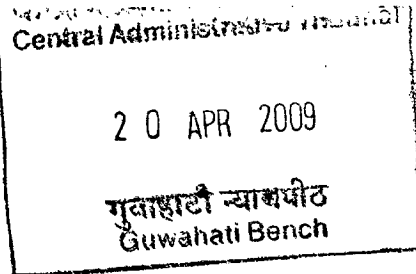
8.3) To Pass any other relief or reliefs to which the Applicants may be entitled and as may be deem fit and proper by this Hon'ble Tribunal.

8.4) To pay the cost of the application.

9) INTERIM ORDER PRAYED FOR:

As an interim measure the Applicants most respectfully pray before your Lordships that the Hon'ble Tribunal may be pleased to stay the impugned promotion order of empanelled candidates to the post of AEN/Group 'B' against 70%

Pijush Ghose



vacancies vide order No.10/2009 (ENGG.) dated 09.04.2009 issued by the Respondent No.4.

10) Application is filed through Advocate.

11) Particulars of I.P.O.:

I.P.O. No. 69F 351162, 69F 351163, 69E 999153

Date of Issue- 20.04.09

Issued from- Guwahati G.P.O.

Payable at- Guwahati

12) LIST OF ENCLOSURES:

As stated above.

VERIFICATION

Pijush Ghose

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

I, Shri Pijush Ghose, aged about 44 years, Son of late Prafulla Kumar Ghosh, Senior Section Engineer/Track Machine/Maligaon, Working under the office of the Deputy Chief Engineer, Track Machine Department, Northeast Frontier Railway, Maligaon, PIN code-781011 Assam do hereby solemnly verify that I am the Applicant No.1 of the instant Original Application. I am also authorized by the other Applicants to sign this verification on their behalf. That the statements made in paragraph Nos. 4.1 to 4.3, 4.6, 4.9, 4.11 are true to my knowledge, those made in paragraph Nos. 4.4, 4.5, 4.7, 4.8, 4.10 are being matters of records are true to my information derived therefrom, which I believe to be true and those made in paragraph 5 are true to my legal advice and rests are my humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this the 20th day of April 2009 at Guwahati.

Pijush Ghose
DECLARANT

20 APR 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

(TYPED COPY)

N.F. Railway

Office of the
General Manager (P)
Maligaon, Guwahati-11
Dated:10.11.2008

No.E/254/17-Pt.XII(O)

To,
The General Manager (Construction)/Maligaon;
Pr.CE, CE(CON), CTE, CBE, CPDE & CGE/Maligaon;
DRM(P)s/KIR, APDJ, RNY, LMG & TSK; Dy.CVO(Engg.)/Maligaon,
Dy.CE/Br.Line/Maligaon, Sr.DENs/KIR, APDJ, RNY, LMG & TSK;
Dy.CE(CON)/Maligaon,
Dy.CE(CON)S/JPZ, SCL & Goalpara; WM/EWS/BNGN, XEN/FCW/Maligaon,
Principal/ZRTI/APDJ, Secy. To Pr.CE/Maligaon, AENs/MLDT, NJP,
SGUJ, NBQ, BPRD, RNY, RPAN, BPB & APO/Engg./Maligaon.

Sub:- Selection for the post of AEN/Group-'B' against 70% vacancies.

It has been decided with the approval of Competent Authority to hold a selection for forming a panel of 29 persons of AEN/Group-'B' against 70% vacancies. The community wise break-up of vacancies of the post of AEN/Group-'B' against 70% vacancies is as under:-

UR=	18
SC=	07
ST=	04
Total=	29

2. The selection will be based on candidates' performance both in written examination as well as viva-voce test. The candidates, who qualify in the written examination and thereafter in the Medical examination in the prescribed Safety category, will only be eligible for the viva-voce test. As per extant instruction of the Railway Board, the placement of the candidates in the panel will be based on their performance in written examination/Viva-voce test/Record of service.

3. The cut-off date of eligibility on the length of required years of non-fortuitous services of the supervisory staff of Civil Engineering department is as on 01.09.2008 for 70% selection and corresponding 30% LDCE (to be processed later on).

4. The written examination will consist of only one paper on the following subjects, the total & qualifying marks of which are indicated against it as under:-

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ADVOCATE

Subject	Maximum marks	Qualifying marks
Professional subject, Establishment, Financial Rules & Rajbhasha	150	90

It may be notified that the question paper will be bi-lingual, i.e., English & Hindi. It will be the candidates' choice to write in any one of the these two languages.

5. The Controlling officers should notify this widely amongst the staff of Civil Engineering department (taking clear acknowledgement from the staff in the enclosed Annexure-'A' containing the Main and the Stand-by list) and obtain their written willingness/unwillingness individually, in the prescribed proforma enclosed as Annexure-'B' attached with this office notification and sent the same to Dy.CPO/Gaz./Maligaon, so as to reach by 12.12.2008, without fail. Willingness/unwillingness options submitted by all the staff of the Main list and the Stand-by list within the target date, should be sent in a bunch with a forwarding letter to this office, certifying that no other options received by the controlling officers are left behind at their end. No options should be sent to this office in a piece-meal manner. It is the primary duties of the Controlling officers to obtain options (willingness/unwillingness) from each and every senior supervisory staff as per attached lists and send the same to this office in time.

6. Since, several posts are reserved for SC & ST communities, a pre-selection coaching for SC/ST candidates will have to be arranged by the department concerned for a period of 3/4 weeks and imparting such coaching to the SC/ST candidates is mandatory as against reserved vacancies. The date and venue of pre-selection coaching will be notified in due course.

7. A copy of syllabus is enclosed as Annexure-'C' for wide circulation amongst the staff concerned.

8. The willing staff (whoever submits willingness within the target date) should be advised to keep themselves in readiness to appear in the written examination at short notice. However, a formal letter in regard to the date of written examination will be issued from this office, after finalizing the list of eligible/willing staff.

Please acknowledge receipt.

DA: As above

Sd/- Illegible
(S.P. Sengupta)
APO/Gaz.
For GENERAL MANAGER(P)

A TESTED
ADVOCATE

N.F. Railway

Office of the
General Manager(P)
Mallgaon, Guwahati-11
Dated: 10.11.2008.

No.E/254/17 - Pt.XII(O)

To,
The General Manager(Construction)/Mallgaon;
Pr.CE,CE(CON),CTE, CBE,CPDE & CGE/Mallgaon;
DRM(P)s/KIR, APDJ, RNY, LMG & TSK; Dy.CVO(Engg.)/Mallgaon,
Dy.CE/Br.Line/Mallgaon, Sr.DENs/KIR, APDJ, RNY, LMG & TSK; Dy.CE(CON)/Mallgaon,
Dy.CE(CON)S/JPZ, SCL & Goalpara; WM/EWS/BNGN, XEN/FCW/Mallgaon,
Principal/ZRTI/APDJ, Secy.to Pr.CE/Mallgaon, AENs/MLDT, NJP, SGUJ, NBQ, BPRD, RNY,
RPAN, BPB & AFO/Engg./Mallgaon.

Sub:- Selection for the post of AEN/Group-'B' against 70% vacancies.

It has been decided with the approval of Competent Authority to hold a selection for forming a panel of 29 persons of AEN/Group-'B' against 70% vacancies. The communitywise break-up of vacancies of the post of AEN/Group-'B' against 70% vacancies is as under:-

UR=	18
SC=	07
ST=	04
Total=	29

2. The selection will be based on candidates' performance both in written examination as well as viva-voce test. The candidates, who qualify in the written examination and thereafter in the Medical examination in the prescribed 'Safety' category, will only be eligible for the viva-voce test. As per extant instruction of the Railway Board, the placement of the candidates in the panel will be based on their performance in written examination/viva-voce test/Record of service.

3. The cut-off date of eligibility on the length of required years of non-fortuitous services of the supervisory staff of Civil Engineering department is as on 01.09.2008 for 70% selection and corresponding 30% LDCE (to be processed later on).

4. The written examination will consist of only one paper on the following subjects, the total & qualifying marks of which are indicated against it as under:-

Subject	Maximum marks	Qualifying marks
Professional subject, Establishment, Financial Rules & Rajbhasha	150	90

It may be notified that the question paper will be bi-lingual, i.e., English & Hindi. It will be the candidates' choice to write in any one of the these two languages.

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Guwahati Bench

(2)

5. The Controlling officers should notify this widely amongst the staff of Civil Engineering department (taking clear acknowledgement from the staff in the enclosed Annexure-'A' containing the Main and the Stand-by list) and obtain their written willingness/unwillingness individually, in the prescribed proforma enclosed as Annexure-'B' attached with this office notification and sent the same to Dy.CPO/Gaz./Mallgaon, so as to reach by 12.12.2008, without fail. Willingness/unwillingness options submitted by all the staff of the Main list and the Stand-by list within the target date, should be sent in a bunch with a forwarding letter to this office, certifying that no other options received by the controlling officers are left behind at their end. No options should be sent to this office in a piece-meal manner. It is the primary duties of the Controlling officers to obtain options (willingness/unwillingness) from each and every senior supervisory staff as per attached lists and send the same to this office in time.

6. Since, several posts are reserved for SC & ST communities, a pre-selection coaching for SC/ST candidates will have to be arranged by the department concerned for a period of 3/4 weeks and imparting such coaching to the SC/ST candidates is mandatory as against reserved vacancies. The date and venue of Pre-selection coaching will be notified in due course.

7. A copy of syllabus is enclosed as Annexure-'C' for wide circulation amongst the staff concerned.

8. The willing staff (whoever submits willingness within the target date) should be advised to keep themselves in readiness to appear in the written examination at short notice. However, a formal letter in regard to the date of written examination will be issued from this office, after finalising the list of eligible/willing staff.

Please acknowledge receipt.

DA: As above.

(S.P. Sengupta)

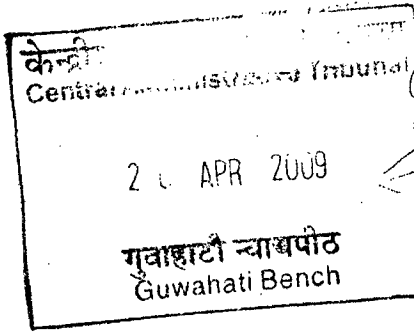
APO/Gaz.

For GENERAL MANAGER(P)

ATTESTED

(M)

ADVOCATE



NORTHEAST FRONTIER RAILWAY

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

No.E/254/17 - Pt.XII(O)

Dated: 18.12.2008.

To,
The General Manager(Construction)/Maligaon;
Pr.CE, CE(CON), CTE, CRF, CPDE & CGF/Maligaon;
DRM(P)/KIR, APDJ, RNY, LMG & TSK; Dy.CVO(Engg.)/Maligaon, Dy.CE/Br.Line/Maligaon,
Sr.DENS/KIR, APDJ, RNY, Maligaon, LMG & TSK; Dy.CE(Safety)/Maligaon,
Dy.CE(CON)/Maligaon, DGM(G)/Maligaon, Dy.CE(CON)/JPZ, SCL & Goalpara; WM/EWS/BNGN,
XFN/FCW/Maligaon, Principal/ZRTI/APDJ, Secy.to Pr.CE/Maligaon, AENs/MLDT, NJP, SGUJ, NBQ, BPRD,
RNY, RPN, BPB & APO/Engg./Maligaon.

Sub.:- Selection for the post of AEN/Group-'B' against 70% vacancies.

Ref :- This office Notification of even number dated 10.11.08. & 26.11.08.

It has been decided with the approval of the Competent Authority to hold written examination of AEN/(Gr.'B') selection against 70% vacancies as per programme mentioned below :-

01	Date of written examination	17.01.2009 (Saturday)
02	Time of written examination	From 10:00 hours to 13:00 hours
03	Venue of the written examination	Office of the Principal Chief Engineer/Maligaon

A list of eligible candidates under zone of consideration to appear in the above mentioned selection is enclosed herewith as Annexure-'A'

Before conducting written examination, a pre-selection coaching for eligible SC/ST candidates has been arranged for a period of 3 weeks w.e.f. 22.12.2008 to 12.01.2009 in the Conference Hall of PCE/Maligaon.

The Controlling officers of the staff concerned are requested to spare and direct all SC/ST eligible staff (highlighted at Annexure-'A'), under their control, to report to the Office of the Principal Chief Engineer positively by 22.12.2008 at 9.00 a.m. to attend the said coaching accordingly.

The Controlling officers are also requested to spare and direct all the staff under their control as per Annexure-'A' (enclosed) to appear in the written examination of above mentioned selection as per programme indicated above accordingly.

Please acknowledge receipt.

Encl :- One (Annexure - 'A')

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ADVOCATE

(S.P. Sengupta)
APO/Gaz.

For GENERAL MANAGER(P)

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Guwahati Bench

Annexure-'A'

List of the candidates under zone of consideration for Selection for the post of AEN/ Group-'B' against 70% vacancies.

SN	Name of the staff	Community	Designation & station
1	2	3	4
01	Shri T. Swargiary	ST ✓	SSE/Drg./Dy.CE/Br.Line/Maligaon
02	Shri J.N. Dalmay	ST ✓	SSE/P.Way/RNY
03	Shri Virbhan	SC ✓	SSE/P.Way/RNY
04	Shri K.K. Lakra	ST ✓	SSE/P.Way/APDJ
05	Shri K.N. Patir	ST ✓	SE/BTS/TSK
06	Shri B.N. Das ✓ ✓	SC ✓	SSE/Works/KIR
07	Shri Sukumar Das	SC ✓	SSE/Works/GM(CON)/Maligaon
08	Shri C.M. Mandal	SC ✓	SSE/Works/GM(CON)/Maligaon
09	Shri Sandip Sarkar	UR	SSE/Works/GM(CON)/Maligaon
10	Shri Prasanna Dhatta	UR	SSE/TM/PCE/Maligaon
11	Shri K. Rabidas	SC ✓	SSE/P.Way/RNY
12	Shri Rajib Kumar Banik	UR	SSE/RTI Cell/DGM(G)/Maligaon
13	Shri Hiranya Kalita	UR	SSE/W/GM(CON)/Maligaon
14	Shri J.N. Bharali	ST ✓	SSE/EWS/BNGN
15	Shri D.R. Bose	UR	SSE/P.Way/KIR
16	Shri Uttam Kumar Guha	UR	SSE/DRG/GM(CON)
17	Shri M.C. Swargiary	ST ✓	SSE/DRG/GM(CON)
18	Smt. Kanika Das	SC ✓	SSE/DRG/GM(CON)
19	Shri Gautam Deb	UR	SSE/W/GM(CON)
20	Shri A.K. Bhattacharjee	UR	SE/DRG/GM(CON)
21	Shri Diganta Phukan	UR	SE/DRG/GM(CON)
22	Shri H.C. Paul	UR	SE/DRG/KIR
23	Shri Shyamal Ghosh	UR	SSE/Bridge/NJP/Dy.CE/BL/MLG
24	Shri S.K. Bhattacharjee	UR	SSE/W/Sr.DEN/Maligaon
25	Shri R.B. Majumder	UR	SSE/W/Sr.DEN/IMG
26	Shri Golok Das	UR	SSE/W/GM(CON)
27	Shri Dilip Kumar Dhar	UR	SSE/W/GM(CON)
28	Shri Biswajit Roy	UR	SSE/W/APDJ
29	Shri Arup Chakraborty	UR	SSE/ZRTI/APDJ
30	Shri T.C. Thakuria	UR	SSE/Sr.DEN/Maligaon
31	Shri Krishnendu Bhattacharjee	UR	SSE/Works/APDJ
32	Shri K. Bayan ✓	UR	SSE/Sr.DEN/Maligaon
33	Shri S.K. Baishya	SC ✓	SSE/GM(CON)
34	Shri A.K. Singh ✓	SC ✓	SSE/Dy.CE/Bridge Line/MLG
35	Smt. S. Khan	ST ✓	SSE/DRG/PCE/Maligaon
36	Shri K.C. Roy	SC ✓	SSE/DRG/APDJ
37	Shri N. Das	SC ✓	SSE/GM(CON)/Maligaon
38	Shri S. Das	SC ✓	SSE/IMG
39	Shri D.C. Saha	UR	Sr.DA/PCE/Maligaon
40	Shri P.K. Chakraborty	UR	SSE/BRI/NJP/Dy.CE/BL/MLG

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41	Shri P.K. Routh	UR	SSE/W/GM(CON)
42	Shri R.S. Bhattacharjee	UR	SSE/Works/LMG
43	Shri R.C. Paul	UR	SSE/Works/APDJ
44	Shri P.K. Das	UR	SSE/Works/APDJ
45	Shri B.C. Goswami	UR	SSE/Works/GM(CON)
46	Shri U.K. Shome	UR	SSE/Works/KIR
47	Shri B.C. Hazarika	SC	SE/DRG/GM(CON)
48	Shri C.B. Kumar	UR	SE/P.Way/KIR
49	Shri Jayanta Chakraborty	UR	SE/DRG/PCE/Maligaon
50	Shri P. Bhatta	UR	SE/DRG/RNY
51	Shri Aruj Kumar Sonowal	ST	SSE/Bridge/Dy. CE/BL/MLG
52	Shri S. Swargiary ✓	ST	SSE/TM/PCE/Maligaon
53	Shri V.K. Choudhury ✓	SC	SSE/P.Way/KIR
54	Shri M.K. Iha	UR	SSE/P.Way/KIR
55	Shri Chinmoy Dey	UR	SSE/W/GM(CON)
56	Shri Parikshit Deka	UR	SSE/W/XEN/FCW/Maligaon
57	Shri Sarbeswar Kumar	UR	SSE/Works/RNY
58	Shri P. Romano Rao	UR	SSE/Works/GM(CON)
59	Shri G.P. Sharma	UR	SSE/Works/KIR
60	Shri Subrata Roy Choudhury	UR	SSE/Works/APDJ
61	Shri Rakesh Nath Khare	UR	SSE/Works/LMG
62	Shri B.G. Basak ✓	UR	SSE/Works/KIR
63	Shri Bhupal Ch. Nandy ✓	UR	SSE/Works/GM(CON)
64	Shri Nirmal Kanti Dey ✓	UR	SSE/Works/GM(CON)
65	Shri Dilip Kumar Roy	SC	SSE/Works/GM(CON)
66	Shri Dimbeswar Hazarika	ST	SSE/Works/GM(CON)
67	Shri L.C. Boro	ST	SSE/Works/GM(CON)
68	Shri P.R. Deb	UR	SSE/Works/GM(CON)
69	Shri Pradip Sarkar	UR	SSE/Works/GM(CON)
70	Shri Nirmalva Sarma ✓	UR	SSE/W/Dy. CE/BL/MLG
71	Shri Sandip Kr. Sinha	SC	SSE/Works/GM(CON)
72	Shri Dulal Chandra Saha	SC	SSE/Works/GM(CON)
73	Shri Sudhangshu Sekhar ✓	UR	SSE/P.Way/APDJ
74	Shri Dipak Kumar Sarma ✓	UR	SSE/W/Sr. DEN/Maligaon
75	Shri T. Sutradhar ✓	SC	SSE/Works/LMG
76	Shri Munindra Kalita ✓	UR	SSE/P.Way/PCE/MLG
77	Shri Rana Pratap Gogoi	UR	SSE/P.Way/LMG
78	Shri Pijush Ghosh. A1	UR	SSE/TM/Maligaon
79	Shri N.K. Singh	SC	SE/P.Way/LMG
80	Shri Ashok Kumar A2	UR	SSE/P.Way/RNY
81	Shri Jamaluddin Khan A3	UR	SSE/P.Way/KIR
82	Shri Bipul Kumar Das	SC	SE/DRG/PCE/Maligaon
83	Smt. Jahanara Begum A5	UR	SE/DRG/PCE/Maligaon
84	Shri S.M. Ahmed	UR	SE/Design/GM(CON)
85	Smt. Nizara Bora Saikla	UR	SE/DRG/GM(CON)
86	Shri R.K. Sarma	UR	SE/DRG/GM(CON)
87	Smt. Dipali Gohain	UR	SE/DRG/GM(CON)/MLG

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(3)

88	Shri P.P. Choudhury	UR	SE/DRG/PCE/Maligaon
89	Shri P.K. Halder	SC	SSE/TM/PCE/Maligaon
90	Shri Prabodh Lahkar	UR	SSE/TM/Maligaon
91	Shri Jaldhep Das ✓	SC	SSE/TM/Maligaon
92	Shri A.R. Bhowmick A/4	UR	SSE/TM/PCE/Maligaon
93	Shri T.K. Baishya	SC	SE/DRG/RNY
94	Shri P.K. Biswas ✓	SC	SE/P.Way/GM(CON)
95	Shri Shyamal Mitra	UR	SSE/P.Way/KIR
96	Shri M.K. Paul	UR	SSE/P.Way/LMG
97	Shri P.N. Prasad	UR	SSE/P.Way/LMG
98	Shri Proloy Dutta	UR	SSE/P.Way/APDJ
99	Shri Hari Singh ✓	SC	SSE/P.Way/RNY
100	Shri N. Alwan K	UR	SSE/P.Way/RNY
101	Shri S. Routh	UR	SSE/P.Way/KIR
102	Shri Sandeep Deb	UR	SSE/P.Way/PCE/MLG(Safety)
103	Shri N. Nandy	UR	SSE/P.Way/APDJ
104	Shri S.N. Deb	UR	SSE/P.Way/APDJ
105	Shri B. Deoraja	ST	SSE/P.Way/LMG
106	Shri Pradip Bhattacharjee	UR	SSE/P.Way/KIR
107	Shri Partha Sarathi Roy	UR	SSE/P.Way/KIR
108	Shri S.S. Dey	UR	SSE/P.Way/PCE/Maligaon
109	Shri S.K. Bagechi	UR	SSE/P.Way/PCE/Maligaon
110	Shri Suhash Ranjan Deb	UR	SSE/P.Way/KIR
111	Shri Amit K. Bhattacharjee	UR	SSE/P.Way/KIR
112	Shri D.U. Laskar	UR	SSE/P.Way/GM(CON)
113	Shri P.K. Sarma	UR	SSE/P.Way/TSK
114	Shri T.R. Guha	UR	SSE/P.Way/APDJ
115	Shri B. Dasgupta	UR	SSE/P.Way/LMG
116	Shri Sobha Saikia	UR	SSE/P.Way/TSK
117	Shri Hrishikesh Roy	UR	SSE/P.Way/KIR
118	Shri P.K. Bora	UR	SSE/P.Way/LMG
119	Shri Partha Choudhury	UR	SSE/P.Way/APDJ
120	Shri Dipak Gogoi	SC	SSE/P.Way/KIR
121	Shri Diganta Bhagawati	UR	SE/P.Way/LMG
122	Shri Bedanta Bikash Borah	UR	SE/P.Way/TSK
123	Shri Sumit Sukla ✓	SC	SSE/P.Way/LMG
124	Shri A.H. Mazarbhuyan	UR	SE/P.Way/LMG
125	Shri A.H. Laskar	UR	SE/Drg./GM(CON)
126	Shri Arun Chakraborty	UR	SSE/W/LMG

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ADVOCATE

20 APR 2009

गुवाहाटी न्यायालय
Guwahati Bench

Northeast Frontier Railway

ANNEXURE- 3

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

No. E/254/17-Pt.XII (O)

Dated: 16.02.2009

To

General Manager/Construction/MLG

PCE, CTE, CBE, CGE, CPDE, CE/TP & CSO/MLG

DRMs & DRM(P)s/KIR, LMG, RNY, APDJ & TSK.

CWM/NBQS, Dy.CSO/Engg, Dy.CVO/Engg, Dy.CE/CON/MLG, JPZ, SCL & GLPT; Dy.CE/Br. Line/MLG, Sr. DEN/GHY, MLG, APDJ, RNY, LMG, TSK & LMG; WM/EWS/BNGN; Secy. to PCE/MLG, SPC/Engg, AEN/BPRD, NBQ, SGUJ, NJP, MLDT, RNY, RPAH, BPB.

Sub: Selection for the post of AEN (Group-'B') against 70% vacancies.

Ref: This office letters of even number dated 10.11.2008, 26.11.2008 & 18.12.2008.

The following candidates under your control have qualified in the written examination of above mentioned selection held on 24.01.2009 & 01.02.2009: -

SN	NAME & DESIGNATION OF THE CANDIDATES S/SHRI
1	ANJAN ROY BHOWMICK, SSE/TM/KYQ
2	HRISHIKESH RAI, SSE/P.WAY/KNE
3	JAIDEEP DAS (SO), SSE/TM/MLG
4	DIPAK CH. SARMA, SSE/W/NAMBARI
5	BISWANATH DASGUPTA, SSE/P.WAY/LMG (P)
6	AMINUL HASSAN MAZARBHUIYA, SSE/P.WAY/NGC
7	SMT. JAHANARA BEGUM, SE/DRG/TMC
8	MIHIR KUMAR PAL, SSE/P.WAY/USF-II/LMG
9	HARI SINGH (SO), SSE/P.WAY/E/NLP
10	PRADIP BHATTACHARJEE, SSE/P.WAY/S/NJP
11	SUHASH RANJAN DEB, SSE/P.WAY/CNL & KIR
12	PRADIP KUMAR BISWAS (SO), SE/P.WAY/CON/KIR
13	PRALOY DUTTA, SSE/P.WAY/FLK
14	PRODIP KR. SARMAH, SSE/P.WAY/PNT
15	MUNINDRA KALITA, SSE/P.WAY/OMS/HQ
16	SOBHA SAIKIA, SSE/P.WAY/NAMRUP
17	JAMALUDDIN KHAN, SSE/P.WAY/OMLF
18	MD. BAKHTARUDDIN LASKAR, SSE/P.WAY/CON/SCL
19	SUMIT SUKLA (SO), SSE/P.WAY/DIPHU
20	PIJUSH GHOSH, SSE/TM/MLG
21	DEEPAK GOGOI, SSE/P.WAY/TRG
22	SUDHANSHU SEKHAR, SSE/P.WAY/NBQ
23	ASHOK KUMAR, SSE/SPL/RNY
24	NIRMAL KANTI DE, CVI/ENGG/MLG

(Contd...2)

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83

SN	NAME & DESIGNATION OF THE CANDIDATES S/SHRI
25	BHUPAL CH. NANDI, SSE/W/CON/NCB
26	JOGENDRA NATH DAIMARY (ST), SSE/P.WAY/CON
27	VINOD KR. CHAUDHARY (SC), SAFETY COUN./PW/KIR
28	BAIDYANATH DAS (SC), SSE/W/TKG
29	SONATON SWARGIARY (ST), SSE/TM/MLG
30	L. C. BORO (ST), SSE/W/C/JPZ
31	BENU GOPAL BASAK, SSE/W/DRG/KIR
32	ANUP KR. SINGH (SC), SSE/DRG/DY.CE/BR. LINE
33	P. RAMANA RAO, SSE/W/CON/NCB
34	KIRANJIB BAYAN, SSE/DRG/SK. DEN/MLG
35	KULWANTH KUMAR LAKRA (SC), SE/P.WAY/APDJ
36	SMT. SEEMA KHAN (ST), SSE/PLG.
37	NIRMALYA SHARMA, SSE/W/BR. LINE
38	RANA PRATAP GOGOI, SSE/P.WAY/GHY
39	SHYAMAL GHOSH, SSE/BRIDGE/NJP
40	TAPASH SUTRADHAR (SC), SSE/W/CPK
41	ARUJ KR. SONOWAL (SC), SSE/BRIDGE/MLG
42	PARTHA CHOUDHURI, SSE/P.WAY/NMX
43	UTIAM KUMAR SOM, SSE/W/NJP
44	K. NAMBI ALWAN, SSE/P.WAY/BPRD

केन्द्रीय प्रशासनिक आयोग
Central Administrative Tribunal

20 APR 2009

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Guwahati Bench

Candidates concerned should be directed to their respective Medical Authorities to obtain Physical fitness certificates to hold the Group-'B' post of AEN in Safety Category in the standard proforma (enclosed) before they appear in the viva-voce test. The Controlling Officers are also requested to send the departmental DAR clearance in the enclosed prescribed format along with the Physical fitness certificate to the undersigned or to Dy.CPO(Gaz) latest by 20.02.2009 positively. The date of viva-voce test has been fixed on 26.02.2009 in PCE's chamber.

Candidates concerned should be advised to keep themselves in readiness to appear in the viva-voce test to be held on 26.02.2009.

Please acknowledge receipt.

DA: As above.

Sengupta
16/02/09

(S. P. Sengupta)
APO(Gaz.)

for General Manager (P)

Copy forwarded for information and necessary action to: -

PS to PCE/MLG. He is requested to collect the ACRs of last 05 years (i.e. from the period ending 31.03.2004 to 31.03.2009) of the staff concerned, to enable this office to produce the same before the Selection Committee at the time of viva-voce test. The ACRs may please be send to the undersigned latest by 20.02.2009.

Sengupta
16/02/09
for General Manager (P)

91 (SC)
92
94 (SC)
97 (SC)

ATTESTED

ADVOCATE

Northeast Frontier Railway

OFFICE ORDER NO. 10/2009 (ENGG.)

The following promotion, transfer and posting orders are issued with immediate effect: -

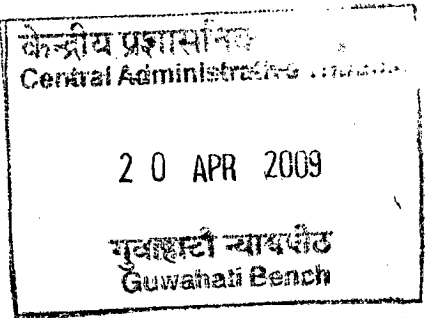
- (1) Shri Ravi Amrohi, Sr.DEN(C)/TSK, is transferred and posted as Dy.CE/Bridge/MLG by utilizing the JAG post of Sr.DEN/II/TSK.
- (2) Shri K. Narah, Sr.DEN/II/TSK, is transferred and posted as Sr.DEN(C)/TSK vice Shri Ravi Amrohi, Item-1 above.
- (3) Shri B. K. Poddar, Dy.CE/BD/MLG, is posted as Dy.CE/G/MLG by utilizing the vacant JAG post of Sr.DEN/IV/LMG.
- (4) Shri Pradeep Kumar, Dy.CE/LM/MLG, is posted as Dy.CE(Works Development)/MLG by utilizing the JAG post of Dy.CE/LM/MLG.
- (5) Ms. Ruth T. Changsan, Sr.DEN/IV/LMG, is transferred and posted as Dy.CE/BD/MLG vice Shri B.K.Poddar (Item-3 above).
- (6) Shri S. S. Khongrymmmai, Sr.DEN/III/LMG, is transferred and posted as Sr.DEN/III/APDJ by utilizing the post of Sr.DEN/III/LMG.
- (7) Shri T. R. Barbhuyan, Sr. DEN/II/LMG is posted as Sr. DEN/G/LMG by utilizing the existing post of Sr. DEN/II/LMG.
- (8) Shri D. Bhattacharjee, Sr. ADEN/I/BPB is transferred and posted as DEN/III/LMG by utilizing the post of Sr. ADEN/I/BPB.
- (9) Shri P. K. Das, Sr.ADEN/NBQ is transferred & posted as XEN/SD/MLG vice Shri S. Bandyopadhyay, superannuated on 31/3/09.
- (10) Shri S. C. Barman, XEN/Br/L/APDJ, is posted as DEN/II/APDJ vice Shri S. George.
- (11) Shri S. George, DEN/II/APDJ, is posted as SEN/ZRTI/APDJ vice Shri B. Paul.
- (12) Shri B. Paul, SEN/ZTRI/APDJ, is transferred and posted as XEN/BD/MLG by utilizing the post of DEN/III/KIR.
- (13) Shri P. K. Singh, DEN/III/APDJ, is transferred and posted as XEN/Bridge/L/APDJ vice Shri S.C. Barman (item No. 10 above).
- (14) Shri Gurjit Singh, XEN/TMC/MLG, is transferred and posted as DEN/II/TSK, by utilizing the vacant post of XEN/LM/MLG.
- (15) Shri T. K. Biswas, Sr.ADEN/MLDT, is transferred and posted as DEN/II/LMG, by utilizing the Senior Scale post of Sr.ADEN/MLDT.
- (16) Shri T. K. Bhowmick, ADEN/I/MLG, who has been empanelled for promotion to Senior Scale on ad hoc basis, is promoted to Senior Scale and transferred & posted as DEN/IV/LMG, by utilizing the vacant post of DEN/Track/TSK.

(Contd...2)

K. S. Das
9/4/09

ATTESTED

ADVOCATE



- (2) -

- (17) Shri T. N. Singh, AXEN/TMC-III/MLG, is posted as AXEN/Planning/II/MLG vice Shri S. S. Das, promoted to Sr. Scale (Item-19 below).
- (18) Shri T. Nanda, ADEN/GLPT, who has been empanelled for promotion to Senior Scale on ad hoc basis, is promoted to Senior Scale and transferred & posted as XEN/TMC/MLG vice Shri Gurjit Singh (Item-14 above).
- (19) Shri S. S. Das, AXEN/PL-II/MLG, who has been empanelled for promotion to Senior Scale on ad hoc basis, is promoted to Senior Scale and transferred & posted as DEN/G/KIR by utilizing the post of DEN/Track/KIR.
- (20) Shri S. S. Sarkar, ADEN/W/GHY, who has been empanelled for promotion to Senior Scale on ad hoc basis, is promoted to Senior Scale and transferred & posted as XEN/TD/MLG against an existing vacancy.
- (21) Shri J. Kumar, ADEN/II/KIR, who has been empanelled for promotion to Senior Scale on ad hoc basis, is promoted to Sr. Scale and transferred & posted as DEN/G/RNY, utilizing the post of Sr.ADEN/BPRD.
- (22) Shri Nripendra Bhatta, AXEN/Con, who has been empanelled for promotion to Senior Scale on ad hoc basis, is promoted to Sr. Scale and posted in Construction Organisation.
- (23) Shri S. R. Basak, AXEN/Br.Design-II/MLG, is transferred and posted as ADEN/Purnea by utilizing the post of ADEN/Spl-II/RNY.
- (24) Shri A. A. Deka, AXEN/ROB/MLG, is transferred and posted as ADEN/G/TSK by utilizing the existing post of AXEN/ROB/MLG.
- (25) Shri K. Senlaskar, ADEN/DBRT, is transferred and posted as AXEN/CS-Inspection/I/MLG vice Shri N. K. Goswami.
- (26) Shri Bhaskar Das, ADEN/II/BPB, is transferred and posted as ADEN/Agartala by utilizing the post of ADEN/Track/TSK.
- (27) Shri Gunindra Choudhury, ADEN/Spl/LMG is posted as ADEN/II/LMG vice Shri R. C. Verma.
- (28) Shri R. C. Verma, ADEN/II/LMG is transferred and posted as ADEN/II/BPB vice Shri Bhaskar Das (Item No. 26 above).
- (29) Mrs. J. Hazarika, ADEN/Track/TSK, is transferred and posted as ADEN/DBRT vice Shri K. Senlaskar (Item 25 above).
- (30) Shri Apurba Bandyopadhyay, ADEN/NLP, is transferred and posted as AWM/EWS/BNGN by utilizing the post of ADEN/Spl/LMG.
- (31) Shri N. K. Goswami, AXEN/CS-Inspection/I/MLG, is transferred and posted as ADEN/W/GHY vice Shri S. S. Sarkar (Item No. 20 above).

(Contd...3)

King

ATTESTED

[Signature]
ADVOCATE

- (3) -

- (32) Shri B. N. Das, SSE(W)/TKG, who has been empanelled for promotion to Group 'B' service as AEN against 70% vacancies, is promoted as AEN and transferred & posted as ADEN/II/KIR vice Shri J. Kumar, promoted to Sr. Scale (Item-21 above).
- (33) Shri Kiranjib Bayan, SSE/Drg/Sr.DEN/MLG's office, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.
- (34) Shri Anup Kumar Singh, SSE/Drg/Dy.CE/Br/Line/MLG, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.
- (35) Shri Sonaton Swargiary, SSE/TM/MLG, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as AXEN/TMC/III/Maligaon vice Shri T.N.Singh (Item No. 17 above).
- (36) Shri Vinod Kumar Chowdhury, Safety Counsellor/P.Way/KIR, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.
- (37) Shri Benu Gopal Basak, SSE/W/Drg/KIR, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.
- (38) Shri Bhupal Chandra Nandi, SSE/Works/Con/NCB, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.
- (39) Shri Nirmal Kanti Dey, CVI/Engg/MLG, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/NLP vice Shri Apurba Bandyopadhyay (Item No. 30 above).
- (40) Shri Nirmalaya Sarma, SSE/W/Dy.CE/Br/Line/MLG, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.
- (41) Shri Sudhangshu Sekhar, SSE/P.Way/NBQ, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/GLPT vice Shri T. Nanda, promoted to Sr. Scale and transferred vide Item No. 18 above.
- (42) Shri Dipak Chandra Sarma, SSE/W/Nambari, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/NBQ vice Shri P.K.Das, transferred vide Item No. 7 above, by utilizing the post of AXEN/G/MLG.
- (43) Shri Tapash Sutradhar, SSE/Works/CPK, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/I/MLG vice Shri T.K.Bhowmick, promoted to Senior Scale and transferred vide Item-16 above.

(Contd...4)

[Signature]

ATTESTED

[Signature]
ADVOCATE

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केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

20 APR 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

- (4) -

(44) Shri Munindra Kalita, SSE/P.Way/OMS/HQ, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.

(45) Shri Jaideep Das, SSE/TM/Maligaon, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as AXEN/TMC Depot/NJP by utilizing the post of AXEN/TMC/NJP.

(46) Shri Pradip Kumar Biswas, SE/P.Way/Con/KIR, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation.

(47) Shri Hari Singh, SSE/P.Way/East/NLP, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/I/BPG vice Shri D. Bhattacharjee (Item-8 above), utilizing the existing vacancy.

(48) Shri Sumit Sukla, SSE/P.Way/Diphu, who has been empanelled for promotion to Gr. 'B' service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/MLDT against the existing vacancy, vice Shri T. K. Biswas (Item-15 above).

This issues with the approval of General Manager.

(P. K. Singh)

Dy. Chief Personnel Officer (Gaz.)
for General Manager (P)

No. E/283/31/Pt./XIX (O)-1

Maligaon, dated: 09.04.2009

Copy forwarded for information and necessary action to: -

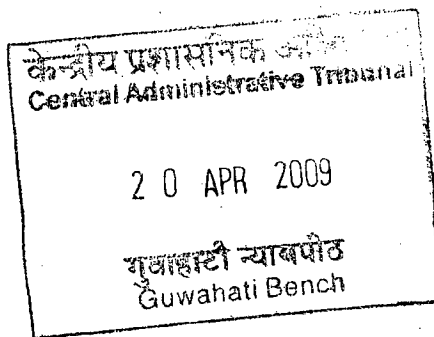
1. GM/CON
2. All PHODs, CHODs & HODs/N. F. Railway.
3. All DRMs & ADRMs/N. F. Railway
4. All DRM(P)s/N.F. Railway.
5. All Sr.DFM & DFMs/N. F. Railway.
6. All Sr. DEN(Co-ord)s/N. F. Railway.
7. FA&CAO/EGA & P.F./Maligaon.
8. Dy.CPO/HQ, Dy.CPO/RRC, Dy.CPO/CON & SPO/Engg/MLG.
9. Dy. Secy. and Secy. to G.M, ASY to GM & AGM, PPS to GM & GM(Con)/Maligaon.
10. OS/EO Bill. P. Branch.
11. GS/NFROA, NFRPOA, NFRMU & NFREU.
12. Officers concerned.

(P. K. Singh)

Dy. Chief Personnel Officer (Gaz.)
for General Manager (P)

ATTESTED

ADVOCATE



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ANNEXURE-- 5

106

(TYPED COPY)

N.F. Railway

Office of the
General Manager (P)
Maligaon, Guwahati-11
Dated: 22.03.2007

No.E/254/17-Pt.XII(O)

To,

The General Manager (Construction)/Maligaon;
CE (Co-Ordn.), CE (CON), CTE, CBE, CPDE, CGE/Maligaon;
DRM(P)s/KIR, APDJ, RNY, LMG & TSK; Dy.CVO (Engg.)/Maligaon,
Dy.CE/Br.Line/Maligaon, Sr.DENs/KIR, APDJ, RNY, LMG & TSK;
Dy.CE (CON)/Maligaon, JPZ, SCL & Goalpara; WM/EWS/BNGN,
XEN/FCW/Maligaon,
Principal/ZRTI/APDJ, Secy. to Pr.CE/Maligaon, AENs/MLDT, NJP,
SGUJ, NBQ, BPRD, RNY, RPAN, BPB & APO/Engg./Maligaon.

Sub:- Selection for the post of AEN/Group-'B' against 70% vacancies.

It has been decided with the approval of Competent Authority to hold a selection for forming a panel of 22 persons of AEN/Group-'B' against 70% vacancies. The communities break-up of AEN/Group-'B' against 70% vacancies is as under:-

1) UR=	10
2) SC=	09
3) ST=	03
Total=	22

2. The selection will be based on candidates' performance both in written examination as well as viva-voce test. The candidates, who qualify in the written examination and thereafter Medical examination will only be eligible for the viva-voce test. As per extant instruction of the Railway Board, the placement of the candidates in the panel will be based on their performance in written examination/Viva-voce test & Record of service.

3. The cut-off date of eligibility on the length of required years of non-fortuitous services of the supervisory staff of Civil Engineering Department is as on 01.03.2007 for 70% selection & corresponding 30% LDCE.

4. The written examination will consist of only one paper on the subjects as per, total & qualifying marks as indicated below:-

SUBJECT	MAXIMUM MARKS	QUALIFYING MARKS
Professional subject, Establishment, Financial Rules & Rajbhasha	150	90

5. It may be notified that the question paper will be bi-lingual, i.e., English & Hindi. It will be the candidates' choice to write in any one of the these languages.

ATTESTED

ADVOCATE

20 APR 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

6. The Controlling officers should notify ~~this widely~~ amongst the staff of Civil Engineering department (taking clear acknowledgement from the staff in the enclosed Annexure-'A') and obtain their written Willingness/Unwillingness individually in the prescribed proforma (enclosed as Annexure-'B') and send the same to the undersigned, so as to reach this office on or before (27.04.2007) without fail. If no option is received from the staff of the Main list within the target date. It will be presumed that he/she is unwilling to appear in the above selection and in that case, willing staff from the Stand-by list will be given chance. The candidates mentioned in the Stand-by list should also be advised to express their written willingness or unwillingness. The willingness/unwillingness options submitted by all the staff of the Main list and the Stand-by list within the target date; should be sent in a bunch with a forwarding letter to this office, **certifying that no other options received by the controlling officers are left behind at their end.** No options should be sent to this office in a piece-meal manner. Options received and forwarded to this office after the target date **will not be entertained under any circumstances.** While the application is forwarded, correctness of service particulars should be ensured from Service Record.

7. In case, any representation is received from any staff against the integrated seniority position shown in the list vide Annexure-'A' or any other particulars shown therein, all such representations should be forwarded to the cadre controlling officer, i.e., APO/Engg/Maligaon directly in a bunch certifying the correct service particulars/record of the staff, as the case may be. No representation against the integrated seniority position will be entertained at a later date.

8. Since 12 (09 SC & 08 ST) posts are remarked for SC/ST communities, a pre-selection coaching for SC/ST candidates will have to be conducted and to be arranged by the department concerned for a period of 3/4 weeks, the same being mandatory as against reserved vacancies.

9. A copy of syllabus is enclosed as Annexure-'C' for wide circulation amongst the staff concerned.

10. The willing staff (whoever submits willingness within the target date) should be advised to keep themselves in readiness to appear in the written examination at short notice. However, a formal letter in regard to the date of Written Examination will be issued from this office, after finalizing the list of eligible/willing staff.

Please acknowledge receipt.

- DA: 1) Proforma (Annexure-'B')
2) Syllabus (Annexure-'C')

Sd/- Illegible
(S.P. Sengupta)
APO/Gaz

For GENERAL MANAGER(P)

ATTESTED

ADVOCATE

1011

NORTHEAST FRONTIER RAILWAY

Office of the
General Manager(P)
Malgaon, Guwahati-11
Dated: 22.03.2007

No.E/254/17 PEXI(O)

To,
The General Manager(Construction)/Malgaon,
CE(Co-Ord.), CE(CON), CTE, CRE, CRDE, CGE/Malgaon;
DRM(P)/KIR, APD, RNY; LMG & TSK; DY.CVC/Engg./Malgaon;
DY/CE/Dr.Lns/Malgaon, Sr.DENS/KIR, APD, RNY, LMG & TSK;
DY/CE(CON)s/Malgaon, JPZ, SCL & Goalpara; W.I./EWS/MLN, AEN/SC./Malgaon;
Principal/ZRTI/APD, Secy.to.Pr.CE/Malgaon, AEN/MLD, JIP, SCUD, NUQ, BPRO,
RNY, REAN, DPB & APO/Engg./Malgaon.
General Manager, Metro Railway, National Highway, 24/5 Bhowanipore Road, Kolkata - 71

Sub:- Selection for the post of AEN/Group-IV against 70% vacancies.

It has been decided with the approval of Competent Authority to hold a selection for forming a panel of 22 persons of AEN/Group-IV against 70% vacancies. The communities break-up of AEN/Group-IV against 70% vacancies is as under:-

- 1) UR :- 10
- 2) SC :- 12
- 3) ST :- 01
- Total :- 22

2. The selection will be based on candidates' performance both in Written Examination as well as Viva-voce test. The candidates, who qualify in the Written Examination and thereafter medical examination, will only be eligible for the Viva-voce test. As per extant instruction of Railway Board, the placement of the candidates in the panel will be based on their performance in written examination, Viva-voce test & Record of service.

3. The cut-off date of eligibility on the basis of required years of non-fortuitous services of the supervisory staff of Civil Engineering Department is as on 01.03.2007 for 70% selection & corresponding 30% LDCE.

The written examination will consist of only one paper on the subjects as per total & qualifying marks as indicated below:-

SUBJECT	MAXIMUM MARKS	QUALIFYING MARKS
Professional subject, Establishment, Financial Rules & Rajbhasha	150	90

5. It may be notified that the question paper will be bi-lingual, i.e., English & Hindi. It will be the candidates' choice to write in any one of the these languages.

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ATTESTED

ADVOCATE

केन्द्रीय प्रशासनिक अधिकारी
Central Administrative Tribunal

20 APR 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
20 APR 2009
गुवाहाटी बेंच
Guwahati Bench

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(2)

6. The Controlling Officers should notify this widely amongst the staff of Civil Engineering Department (taking clear acknowledgement from all the staff in the enclosed list in Annexure-'A') and obtain their written ~~Willingness/Unwillingness~~ individually in the prescribed proforma (enclosed as Annexure-'B') and send the same to the undersigned, so as to reach this office on or before (27.04.2009) without fail. If no option is received from the staff of the Main list within the target date, it will be presumed that he/she is unwilling to appear in the above selection and in that case, willing staff from the Stand-by list will be given chance. The candidates mentioned in the Stand-by list should also be advised to express their written willingness or unwillingness. The willingness/unwillingness options submitted by all the staff of the Main list and the Stand-by list within the target date, should be sent in a bunch with a forwarding letter to this office, certifying that no other options received by the controlling officers are left behind at their end. No options should be sent to this office in a piece-meal manner. Options received and forwarded to this office after the target date will not be entertained under any circumstances. While the application is forwarded, correctness of service particulars should be ensured from Service Record.

7. In case, any representation is received from any staff against the integrated seniority position shown in the list vide Annexure-'A' or any other particulars shown therein, all such representations should be forwarded to the cadre controlling officer, i.e., APO/Engg/Maligaon directly in a bunch certifying the correct service particulars/record of the staff, as the case may be. No representation against the integrated seniority position will be entertained at a later date.

8. Since 12 (09 SC & 03 ST) posts are earmarked for SC/ST communities, a pre-selection coaching for SC/ST candidates, will have to be conducted and to be arranged by the department concerned for a period of 3/4 weeks, the same being mandatory as against reserved vacancies.

9. A copy of syllabus is enclosed as Annexure-'C' for wide circulation amongst the staff concerned.

10. The willing staff (whoever submits willingness within the target date) should be advised to keep themselves in readiness to appear in the written examination at short notice. However, a formal letter in regard to the date of Written Examination will be issued from this office, after finalising the list of eligible/willing staff.

Please acknowledge receipt.

DA : 1) Proforma (Annexure-'B')
2) Syllabus (Annexure-'C')

[Signature]
22/03/09

(S.P.Sengupta)
APO/Gaz.
For GENERAL MANAGER(P)

ATTESTED
[Signature]
ADVOCATE

37-
(TYPED COPY)
N.F. RAILWAY

ANNE XURE-- 6

No.E/254/17-pt,XII(O)
To,
The General Manager(Con)/Maligaon

Office of the
General Manager(P)
Maligaon, Guwahati-11
Dated : 23-10-2007.

Sub :- selection for the Post of AEN(Group - 'B') against 70% vacancies, .

Ref :- This office notification of even number dated 22.03.2007.

The following candidates have qualified in the written examination of above mentioned selection held on 29-09-07 and 13-10-2007.

Sl.	Name of the Candidates	Designation & Station
01.	Shri Munindra Kalita	SSE/P.Way/OMS/PCE/Maligaon
02.	Shri Pradip Kumar DAS(SC)	SSE/W/MJBT
03.	Smt Gayatri Banik	SE/Drq/Dy.CE(Br.Line/Maligaon
04.	Shri Gunindra Choudhury	SSE/Drq/Sr.DEN/Maligaon
05.	Shri S.K. Acharjee	SSE/P.Way/CGON
06.	Shri Bhagawati Prasad(SC)	SSE/Works/CON/FGS
07.	Shri Khokan Chandra Roy (SC)	Instructor/ZRTI/ADDJ
08.	Shri C.M.Roy (SC)	SSE(W)/CON / KIR
09.	Shri Umesh Kumar	SSE(Con)/Works/NJP
10.	Shri Gollapudi Kaliprasad	SSE/WORKS/Dangtol
11.	Shri Pijush Ghosh	SSE/TN/Maligaon
12.	Shri Rana Pratap Gogoi	SSE/P.Way/GHY
13.	Shri Ramesh Ch. Mandal(SC)	SSE/Works/CON/RGJ
14.	Shri Dipak Dastidar	SSE/P.Way/Old Malda
15.	Shri Swapn Mitra	SSE/W/CON/NJP
16.	Shri Surendra Nath Brahma (ST)	SSE/P.Way/HQ
17.	Shri vir Bham(SC)	SSE/P.Way/MTS/RNY
18.	Shri Kinkar Das(SC)	SSE/DRG/LMB
19.	Shri Ashok Kumar	SSE/P.Way/RNY
20.	Shri Jaydeb Mandal	SSE/W/CON SCL

contd... 2/p

ATTESTED


ADVOCATE

केन्द्रीय प्रशासनिक अधिकारी Central Administrative Tribunal
20 APR 2009
गुवाहाटी न्यायाधीश Guwahati Bench

20 APR 2009

गुवाहाटी बेंच
Guwahati Bench

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21.	Shri Dhani Ram Kakati	SSE/W/CGON
22.	Shri Pranjal Gogoi	SSE(W)/CS/Maligaon
23.	Shri Surendra Chandra Saikia	SSE/W(C)/DBRT
24.	Shri Bhupal Chandra Nandi	SSE/(W)/CON/NCB
25.	Shri Birendra Nath Das (SC)	SE(CON Design/Maligaon
26.	Shri Hemanta Kumar DAS(SC)	SE/DRG/Dy.CE/Br.Line/Maligaon
27.	Shri Birendra Nath Roy(SC)	SSE/DRG/APDJ
28.	Mrs Jahanara Begum	SE/DRG/PCE/Maligaon,
29.	Shri Ashok Chakrabarti	SSE/Works/FLK.

You are therefore requested to spare all the above mentioned staff under your control to the respective Railway Medical Authorities for Medical Examination and to obtained physical fitness certificate in the prescribed format (attached herewith) for holding the Group-B, Post in Technical safety category of Civil Engineering Department and same to the undersigned by 12.11.07 positively.

The Departmental DAR Clearance of the candidates concerned should also be send to the prescribed format(enclosed)alongwith the physical fitness certifi ates on 12.11.07

Candidates concerned should be advised to keep themselves in readiness to appear in the viva-voce test at short notice.

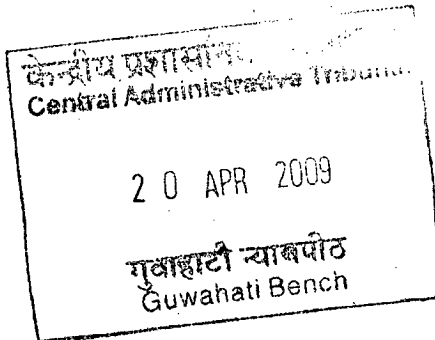
Please acknowledge receipt

(P.K. Singh)

Dy.CPO/GAZ

FOR GENERAL MANAGER(P).

A TESTED
ADVOCATE



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ANNEXURE-- 7

(TYPED COPY)

N.F. RAILWAY

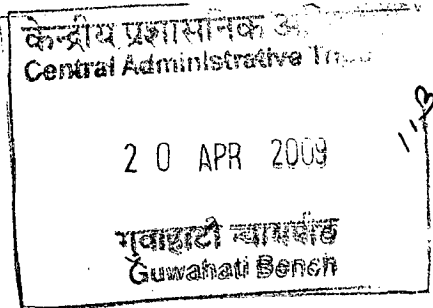
OFFICE ORDER No-02/2008 (Engg.)

The following promotion, transfer and posting orders are issued with immediate effect:-

1. Shri Ram Samuj, AXEN/CON, on being empanelled for promotion to Sr. Scale on ad-hoc basis promoted to Sr. Scale(ad-hoc) as XEN and posted in Construction Organization under GM/CON/MLG.
2. Shri S. Sengupta, AXEN/CON, on being empanelled for promotion to Sr. Scale on ad-hoc basis promoted to Sr. Scale(ad-hoc) as XEN and posted in Construction Organization under GM/CON/MLG.
3. Shri A.K. Sharma, AXEN/CON, on being empanelled for promotion to Sr. Scale on ad-hoc basis promoted to Sr. Scale(ad-hoc) as XEN and posted in Construction Organization under GM/CON/MLG.
4. Shri Ajoy Majumder, AXEN/CON, on being empanelled for promotion to Sr. Scale on ad-hoc basis promoted to Sr. Scale(ad-hoc) as XEN and posted as XEN/Br./Spl-II/MLG against existing vacancy.
5. Shri Ashok Chakraborty, SSE(W)/FLK, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/RNY vice Shri Utpal Talukder.
6. Shri Utpal Talukder, ADEN/RNY, on being relieved, is transferred and posted as ADEN/BPRD vice Shri Brijesh Galav.
7. Shri Brijesh Galav, Sr. ADEN/BPRD, on being relieved is transferred and posted as DEN-I/TSK, vide Shri Ram Ratan.
8. Shri Ram Ratan, DEN-I/TSK is transferred and posted as XEN/Br./Spl/MLG against an existing vacancy.
9. Shri Sekhar Krishna Acharjee, SSE(P.Way)/CGON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/FKM at NBQ vice Shri T. Nanda, who is already under order of transfer to GLPT.
10. Shri Dipak Dastidar, SSE(P.Way)/OMLF, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/BG/KNE vice Shri Sujit Kumar Paul.


ATTESTED

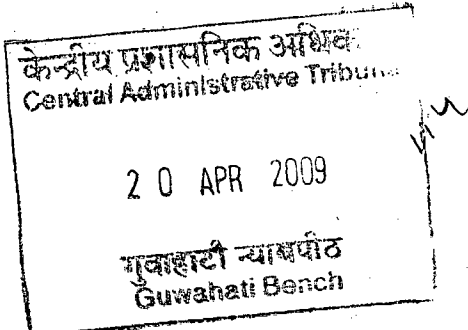

ADVOCATE



11. Shri Sujit Kumar Paul, ADEN/BG/KNE, on being relieved, is transferred and posted in Construction Organization under GM/CON/MLG.
12. Shri Swapan Mitra, SSE(W)/Con/NJP, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.
13. Smt. Gayatri Banik, SE(Drg.)/Dy.CE/BR./Line/MLG's office, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as AXEN/Br./Design-I/MLG by utilizing the vacant permanent post of ABE/HQ/MLG.
14. Shri Gunindra Choudhury, SSE(Drg.)Sr.DEN (C)/MLG's office, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ABE/East/MLG by utilizing the vacant permanent post of AEN/G/MLG.
15. Shri Joydeb Mandal, SSE(W)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.
16. Shri Dhani Ram Kakoti, SSE(W)/CGON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.
17. Shri Suren Chandra Saikia, SSE(W)/Con/DBRT, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.
18. Shri Umesh Kumar, SSE(Works)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.
19. Shri Ramesh Chandra Mandal, SSE(Works)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.
20. Shri Kinkar Das, SSE(Drg.)/LMG, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/III/LMG against an existing vacancy.


ATTESTED


ADVOCATE



21. Shri Hemanta Kumar Das, SE(Drg)/Dy.CE/Br./Line/MLG's office on being empanelled for promotion to Group-B Service as AEN against 70% vacancies is promoted as AEN and posted as ADEN/HQ/LMG vide Shri T.N. Singh redesignating the post ADEN/Spl/LMG as ADEN/HQ/LMG.
22. Shri T.N. Singh ADEN/Spl/LMG on being relieved being transferred and posted as AXEN/TMC/III/MLG vide Shri P.S. Ravindran Supersession of this office order No.23/2007/(ENGG) dated 30.05.2007.
23. Shri P.S. Rabindran, AXEN/TMC-III/MLG, is transferred and posted as AXEN/TS/MLG by utilizing the vacant workcharged post of AXEN/LR/MLG.
24. Shri Bhagwati Prasad, SSE(Works)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.
25. Shri Birendra Nath Das, SE(Desing)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.
26. Shri Birendra Nath Roy, SSE(Drg.)/APDJ, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/Spl/II/RNY by utilizing the vacant workcharged post of AXEN/CS-III.
27. Shri Nripendra Bhatta, AXEN/CON, is transferred from Construction Organization and posted in Open Line as ADEN/MXN vice Shri Rajveer.
28. Shri Rana Kumar Das, AXEN/CON, is transferred from Construction Organization and posted in Open Line as ADEN/TSK vice Shri J. Chakraaborty.
29. Shri J. Chakraaborty, ADEN/I/TSK, on being relieved, is transferred and posted as ADEN/Br./Spl/RPAN by utilizing the vacant newly created workcharged post of AXEN/CS-IV.
30. Shri Rajveer, Sr.ADEN/MXN, is transferred and posted as DEN/II/KIR against an existing vacancy.
31. Shri Chandra Mohan Ray, SSE(W)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.

ATTESTED


ADVOCATE

32. Shri S.R. Basak, AXEN/CON, is transferred from Construction Organization and posted in Open Line as AXEN/Br./Design-II/MLG by utilizing the vacant permanent post of ADEN/SGUJ.

This issues with the approval of competent authorities.

Sd/- Illegible
(S.P.Sengupta)
APO/GAZ
For GENERAL MANAGER (P)

No. E/283/31 Pt.-XIX(O)

Date:-17.01.08

Copy for information and necessary action to:-

1. GM/CON/MLG.
2. PCE, CPO, CVO, CTE, CBE, CGE, CPDE, CE (TP), CAO (CON) /MLG.
3. FA&CAO/EGA, PF/MLG; FA&CAO/CON/MLG.
4. DRM, DRM (P), DFM/APDJ, KIR, RNY, LMG, TSK.
5. Sr.DEN/Cord/KIR, APDJ, RNY, LMG, TSK; Dy.CPO/CON/MLG.
6. Dy.CE/Br./Line/MLG; Dy.CPO/HQ; APO/Engg./MLG
7. DGM & secretary to GM; DGM(G)/MLG; CPRO/MLG.
8. PPS to GM/GM(CON), ASY to AGM, PS to PCE.
9. GS/NFROA, NFRPOA, NFRMU, NFREU/MLG.
10. OS/EO-Bill.
11. Officers concerned.

Sd/- Illegible
(S.P.Sengupta)
APO/GAZ
For GENERAL MANAGER (P)

ATTESTED


ADVOCATE

OFFICE ORDER No.-02/2008(Engg.)

The following promotion, transfer and posting orders are issued with immediate effect :-


1. Shri Ram Samuj, AXEN/CON, on being empanelled for promotion to Sr.Scale on ad-hoc basis is promoted to Sr.Scale(ad-hoc) as XEN and posted in Construction Organisation under GM/CON/MLG.
2. Sri S.Sengupta, , AXEN/CON, on being empanelled for promotion to Sr.Scale on ad-hoc basis is promoted to Sr.Scale(ad-hoc) as XEN and posted in Construction Organisation under GM/CON/MLG.
3. Shri A.K.Sharma, , AXEN/CON, on being empanelled for promotion to Sr.Scale on ad-hoc basis is promoted to Sr.Scale(ad-hoc) as XEN and posted in Construction Organisation under GM/CON/MLG.
4. Shri Ajoy Majumder, AXEN/CON, on being empanelled for promotion to Sr.Scale on ad-hoc basis is promoted to Sr.Scale(ad-hoc) as XEN and posted as XEN/Br./Spl-II/MLG against existing vacancy.
5. Shri Ashok Chakraborty, SSE(W)/FLK, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/RNY vice Shri Utpal Talukder.
6. Shri Utpal Talukder, ADEN/RNY, on being relieved, is transferred and posted as ADEN/BPRD vice Shri Brijesh Galav.
7. Shri Brijesh Galav, Sr ADEN/BPRD on being relieved, is transferred and

XEN/Br./Spl/MLG against an existing vacancy.

9. Shri Sekhar Krishna Acharjee, SSE(P.Way)/CGON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/FKM at NBQ vice Shri T.Nanda, who is already under order of transfer to GLPT.
10. Shri Dipak Dastidar, SSE(P.Way)/OMLF, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/BG/KNE vice Shri Sujit Kumar Paul.
11. Shri Sujit Kumar Paul, ADEN/BG/KNE, on being relieved, is transferred and posted in Construction Organisation under GM/CON/MLG.
12. Shri Swapan Mitra, SSE(W)/Con/NJP, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation under GM/CON/MLG.
13. Smt. Gayatri Banik, SE(Drg.)/Dy.CE/BR./Line/MLG's office, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as AXEN/Br./Design-I/MLG by utilizing the vacant permanent post of ABE/HQ/MLG.

Contd. to page..2

ATTESTED

(M) 
ADVOCATE

<p align="center">केन्द्रीय प्रशासनिक आधिकारिक Central Administrative Tribunal</p> <p align="center">20 APR 2009</p> <p align="center">गुवाहाटी ब्याचपीठ Guwahati Bench</p>

14. Shri Gurindra Chowdhury, SSE(Drg.)/Sr.DEN (C)/MLG's office, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ABE/East/MLG by utilizing the vacant permanent post of AEN/G/MLG.
15. Shri Joydeb Mandal, SSE(W)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction organization under GM/CON/MLG.
16. Shri Dhani Ram Kakoti, SSE(W)/CGON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organization under GM/CON/MLG.
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18. Shri Umesh Kumar, SSE(Works)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation under GM/CON/MLG.
19. Shri Ramesh Chandra Mandal, SSE(Works)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation under GM/CON/MLG.
20. Shri Kinkar Das, SSE(Drg.)/LMG, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/III/LMG against an existing vacancy.
21. Shri Hemanta Kumar Das, SE(Drg.)/Dy.CE/Br./Line/MLG's office, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/HQ/MLG.

supersession of this office order no. 137/108

23. Shri P.S.Ravindran, AXEN/TMC-III/MLG, is transferred and posted as AXEN/TS/MLG by utilizing the vacant workcharged post of AXEN/LR/MLG.
24. Shri Bhagwati Prasad, SSE(works)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation under GM/CON/MLG.
25. Shri Birendra Nath Das, SE(Desing)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction organization, under GM/CON/MLG.

ATTESTED

ADVOCATE

Contd. to page..3

20 APR 2009

গুৱাহাটী ব্যাংক
Guwahati Bench

26. Shri Birendra Nath Roy, SSE(Drg.)/APDJ, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted as ADEN/Spl/II/RNY by utilizing the vacant workcharged post of AXEN/CS-III.
27. Shri Nripendra Bhatta, AXEN/CON, is transferred from Construction Organisation and posted in Open Line as ADEN/MXN vice Shri Rajveer.
28. Shri Rana Kumar Das, AXEN/con, is transferred from Construction Organisation and posted in Open Line as ADEN/I/TSK vice Shri J. Chakraborty.
29. Shri J. Chakraborty, ADEN/I/TSK, on being relieved, is transferred and posted as ADEN/Br./Spl/RPAN by utilizing the vacant newly created workcharged post of AXEN/CS-IV.
30. Shri Rajveer, Sr.ADEN/MXN, is transferred and posted as DEN/II/KIR against an existing vacancy.
31. Shri Chandra Mohan Ray, SSE(W)/CON, on being empanelled for promotion to Group-B service as AEN against 70% vacancies, is promoted as AEN and posted in Construction Organisation under GM/CON/MLG.
32. Shri S.R.Basak, AXEN/CON, is transferred from Construction Organisation and posted in Open Line as AXEN/Br./Design-II/MLG by utilizing the vacant permanent post of ADEN/SGUJ.

This issues with the approval of competent authorities.

(S.P. Sengupta)
APO/GAZ

For GENERAL MANAGER(P)

No. E/283/31 Pt.-XIX(O)

Date: 17-01-08

Copy for information and necessary action to :-

1. GM/CON/MLG.
2. PCE, CPO, CVO, CTE, CBE, CGE, CPDE, CE(TP), CAO(CON)/MLG.
3. FA&CAO/EGA, PF/MLG; FA&CAO/CON/MLG.
4. DRM, DRM(P), DFM/APDJ, KIR, RNY, LMG, TSK.
5. Sr. DEN/Cord/KIR, APDJ, RNY, LMG, TSK; Dy. CPO/CON/MLG.
6. Dy. CE/Br./Line/MLG; Dy. CPO/HQ; APO/Engg./MLG.
7. DGM & Secretary to GM; DGM(G)/MLG; CPRO/MLG.
7. PPS to GM/GM(CON), ASY to AGM, PS to PCE.
8. GS/NFROA, NFRPOA, NFRMU, NFREU/MLG.
9. OS/EO-Bill.
10. Officers concerned.

(S.P. Sengupta)
APO/GAZ

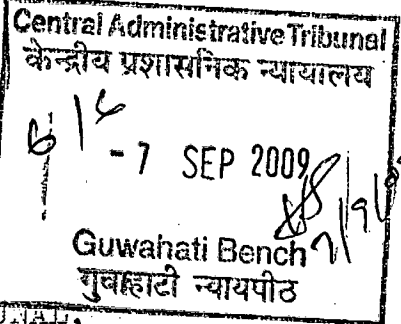
For GENERAL MANAGER(P)

ATTESTED

ADVOCATE

46- File in Court on... 7/9/09

Court Officer.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH.

IN THE MATTER OF

O.A.73/2009

Shri Pijush Ghose & Others ... Applicants

Versus

General Manager, N.F. Railway & Others... Respondents

AND

IN THE MATTER OF

Written Statement on behalf of respondents.

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3.	Annexure I ...	7
4.	Annexure II ...	8
5.	Annexure III ...	9

Submitted.

Dr. M.C. Sarma,

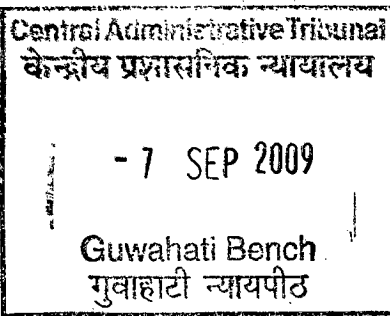
Railway Advocate.

Dr. M. C. Sarma

M.Com, Ph.D., LL.B.

Advocate, Gauhati High Court.

Railway Advocate, Central Administrative Tribunal,
Guwahati



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH.

IN THE MATTER OF

O.A.73/2009

Shri Pijush Ghose & Others ... Applicants

Versus

General Manager, N.F. Railway & Others ... Respondents

AND

IN THE MATTER OF

Written Statement on behalf of Respondents No.1,2,
3 and 4.

The answering respondents respectfully SHEWETH:

1. That they have gone through the copy of the application filed and have understood the contents thereof. Save and except the statements which have been specifically admitted herein or those which have been borne on records all other averments/allegations made in the application are hereby denied and the applicant is put to the strictest proof thereof.

2. That for the sake of brevity meticulous denial of each and every allegation/statement made in the application has been avoided. However, the answering respondents have confined their replies to those allegations/averments of the applicant which are found relevant for enabling the Hon'ble Tribunal to take a just and fair decision on the matter.

3. That the application suffers from want of a cause of action/both the process of selection as well as issue of the promotion orders vide the alleged impugned office order No. 10/2009 dated 09.04.2009 were done by the respondents as per the guidelines issued by the Railway Board regarding "Reservation in promotion-Treatment of SC/ST candidates promoted on their own merit" from time to time. In order to make the position clear, respondents beg to quote verbatim Railway Board's letter No.99-E(SCT)I/25/13 dated 7.8.2002 as follows:-

"The Ministry of Personnel, Public Grievance and Pensions, Department of Personnel and Training vide their O.M.No.36028/17/2001-Estt(Res.) dated 11.7.2002 has considered the references from various Ministries regarding adjustment of SC/ST candidates promoted on their own merit in post based reservation rosters and clarified as under:-

...P..2.....

M. C. Sarma
M.Com, Ph.D., LL.B.
Advocate, Gauhati High Court.
Railway Advocate, Central Administrative Tribunal,
Guwahati

Pradeep Kumar Singh
Chief Personnel Officer (Gen)
N.F. Railway

S. Sharma
21/9/09

/as

- 7 SEP 2009

(2)

Guwahati Bench

- (i) The SC/ST candidates appointed on promotion on their own merit and not owing to reservation or relaxation of qualifications will not be adjusted against the reserved points of the reservation roster. They will be adjusted against unreserved points
- (ii) If an unreserved vacancy arises in a cadre and there is any SC/ST candidate within the normal zone of consideration in the feeder grade, such SC/ST candidates cannot be denied promotion on the plea that the post is not reserved. Such a candidate will be considered for promotion along with other candidates treating him as if he belongs to general category. In case he is selected, he will be appointed to the post and will be adjusted against the unreserved point.
- (iii) SC/ST candidates appointed on their own merit (by direct recruitment or promotion) and adjusted against unreserved points will retain their status of SC/ST and will be eligible to get benefit of reservation in future/further promotions, if any."

In this connection, respondents beg to quote further clarification issued by the Railway Board vide their letter No.99-E(SCT)I/25/13 dated 20.06.2003 abstracted below:-

"....it is clarified that in selection posts, SC/ST candidates who are selected by applying the general standard and whose names in the select list/panel appear within the number of unreserved vacancies are to be treated as selected on their own merit. For example, suppose there are a total of 10 vacancies for which a panel/select list is to be prepared. Out of them, six vacancies are unreserved and four are reserved for SC/STs. First six candidates in the select list/panel who have been selected by applying the general standard will be/adjusted against unreserved vacancies irrespective of the fact whether they or some of them belong to SC or ST category. SC/ST candidates selected for remaining four reserved vacancies, whether selected on general standard or by giving relaxations/concessions as per existing instructions on the subject, shall be adjusted against reserved vacancies....."

In a further clarification issued vide Railway Board's letter No. ~~XXXX~~ 99-E(SCT)-I/25/13 dated 6.4.2005 Railway Board stated as follows:-

"....it is further clarified that instructions contained in Board's letters of even number dated 7.8.2002 and 20.6.2003 shall take effect from 7.8.2002. However, the cases where SC/ST candidates promoted on their merit before 7.8.2002 have been adjusted against unreserved points need not be reopened".

Copies of Railway Board's letters No. 99-E(SCT)I/25/13 dated 7.8.2002, 20.6.2003 and 6.4.2005, duly certified are annexed herewith and marked as ANNEXURE I, II and III respectively.

It is respectfully submitted that in the selection process and in forming the panel of selected candidates the

... P.3.....

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P. J. Kumar Singh
Chief Personnel Officer (Gen)

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देशीय प्रशासनिक न्यायालय

- 7 SEP 2009

(3)

Guwahati Bench
গুৱাহাটী বেঞ্চ

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Pradeep Kumar Singh
Pradeep Kumar Singh
Chief Personnel Officer (Ga)

respondents carefully followed these instructions regarding treatment of SC/ST candidates promoted on their own merit and that these instructions were equally carefully followed in issuing the promotion orders. It is therefore submitted with due respect that the application suffers from want of cause of action and merit and deserves to be dismissed.

3.1. Facts of the case:

As per notification No.E/254/17 dated 10.11.2008 a panel of 29 persons had to be formed for promotion as AEN against 70% vacancies as follows:-

Unreserved	-	18
SC	-	07
ST	-	04
total	-	29

After going through the process of selection, the following panel was formed:-

1. Shri K.K.Lakra(ST) against UR point.
2. " B.N.Das(SC) against UR point.
3. " Kiranjib Bayan(UR) ..
4. " Anup Kr.Singh(SC) against UR point.
5. " Shri U.K.Shome(UR).
6. " Sanatan Swargiary(ST) against UR point.
7. " V.K.Choudhury(SC) against UR point.
8. " P.Ramana Rao(UR).
9. " Benu Gopal Basak(UR).
10. " Bhupal Chandra Nandy(UR).
11. " Nirmal Kanti Dey(UR).
12. " L.C.Boro(ST) against UR point.
13. " Nirmalya Sharma(UR).
14. " Sudhangshu Sekhar(UR).
15. " Dipak Chandra Sharma(UR).
16. " Tapash Sutradhar(SC) against UR point.
17. " Manindra Kalita(UR).
18. " Rana Pratap Gogoi(UR).
19. " Joydeep Das(SC) against SC point.
20. " Pradip Kumar Biswas(SC) against SC point.
21. " Hari Singh(SC) against SC point.
22. " Sumit Sukla(SC) against SC point.

The first 18 candidates of the list above were empanelled against UR points as they qualified in general standard in terms of Railway Board's letters at Annexures I, II and III of this Written Statement.

3.2. The following three candidates were empanelled for AEN/Group-B but could not be promoted initially due to technical reasons of undergoing punishment:-

1. Shri U.K.Shome ✓
2. " L.C.Boro.
3. " Rana Pratap Gogoi. ✓

Shri U.K.Shome and Shri Ranapratap Gogoi have since been promoted. For Shri L.C.Boro the punishment period is not yet over.

- 7 SEP 2009

(4)

Shri P. Ramana Rao, at Sl.No.8 ~~Guwahati Bench~~ list could not be promoted as he could not ~~submit~~ ^{सुबमिटी} final medical fitness ~~examine~~ certificate for contact lens before his retirement from railway service on 30.06.2009.

3.3. From the list submitted above, it would be observed that a panel of only 22 was formed against 29 notified. This was for want of qualified candidates. As against 7 SC posts advertised, only four SC candidates qualified, leaving a vacancy of 3 SC posts due to non-availability of candidates. Similarly, against 4 ST posts advertised no ST candidate qualified for ST posts, leaving all ST posts vacant for non-availability of candidates. According to the extant instructions these posts could go only to qualified SC/ST candidates and not to any unreserved candidates.

The facts of the case narrated above would prove that the formation of the panel was as per rule and that therefore the applicants have no cause for complaint.

4. Parawise comments:

4.1. That as regards paragraphs 4.1,4.2,4.3,4.4, 4.5,4.6 and 4.7, the respondents have no comments to offer as these form part of the record and the applicants are put to the strictest proof thereof.

4.2. That as regards paragraphs 4.8 and 4.9, the respondents beg to reiterate that the list of empanelled candidates was prepared strictly by following the extant instructions of the Railway Board regarding treatment of SC/ST candidates promoted on their own merit as detailed in paragraph 3 of this Written Statement above.

4.3. That as regards paragraph 4.10, the respondents do not consider it desirable to comment on the past selection proceedings based on a previous notification as the same has no relation with the O.A. under challenge.

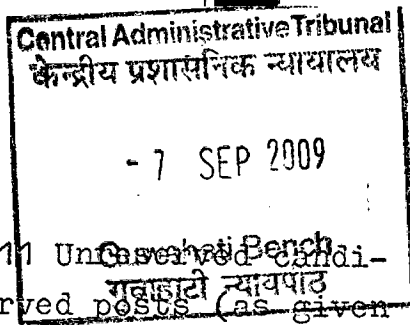
4.4 That as regards paragraph 4.11, the respondents beg to state that out of the 18 unreserved posts notified for selection, the following 3 ST and 4 SC candidates occupied 7 Unreserved posts, leaving only 11 Unreserved posts for occupation of Unreserved ~~posts~~ candidates :-

1. Shri K.K.Lakra - (ST)
2. " S.Swargiary-(ST)
3. " L.C.Boro -(ST)
4. " B.N.Das -(SC)
5. " A.K.Singh -(SC)
6. " V.K.Chaudhury-(SC)
7. " T.Sutradhar-(SC)

...P.5.....

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 (3) P. 5 of 5
 Chief Personal Officer (Gaz
 7-10-2009, 10:00 AM

(5)



The seniority position of the 11 Unreserved candidates occupying the 11 slots of Unreserved posts (as given in the seniority list at paragraph 4.7 of the O.A.) are a-s follows:-

Sl.No.	Name	seniority position
1.	Shri Kiranjib Bayan	5
2.	" Uttam Kumar Som	8
3.	" P.Ramana Rao	12
4.	" Benu Gopal Basak	13
5.	" Bhupal Chandra Nandi	14
6.	" Nirmal Kanti De	15
7.	" Nirmalya Sharma	17
8.	" Sudhangshu Sekhar	18
9.	" Dipak Chandra Sarma	19
10.	" Munindra Kalita	21
11.	" Rana Pratap Gogoi	22.

The seniority position of the five applicants as per the list provided by the applicants in paragraph 4.7 of the O.A. was as follows:-

1.	Shri Pijush Ghosh	Seniority position	- 23
2.	" Ashok Kumar	" "	- 24
3.	" Jamaluddin Khan	" "	- 25
4.	Smti Jahanara Begum	" "	- 26
5.	Shri Anjan Roy Bhowmick	" "	- 28

It would be clear from the above two lists that the five applicants could not get selected as reserved category candidates occupied 7 Unreserved points in the panel because of the special considerations given due to the Railway Board's instructions contained in the Annexures I,II and III of this O.A. as mentioned in paragraph 3 of this W.S. This peculiar situation arose because of the relative seniority position of the Reserved candidates vis-a-vis that of the applicants in the seniority list of 44 candidates who qualified in the written examination as indicated in the seniority list at paragraph 4.7 of the O.A.

As would be amply clear from the above that the process of selection and of empanellment followed by the respondents in this case was correct and as per rule and the latest instructions of the Railway Board for protecting the constitutional obligations towards Reserved Candidates.

4.5. That as regards paragraphs 4.12,4.13,4.14,4.15, 4.16 and 4.17, the respondents beg to deny that in the process of selection there was any colorable exercise of power, mala-fide or illegal motive or any improper decision at any stage. The respondents therefore respectfully submit that there is no justification for any judicial intervention in the matter.

....P.6.....

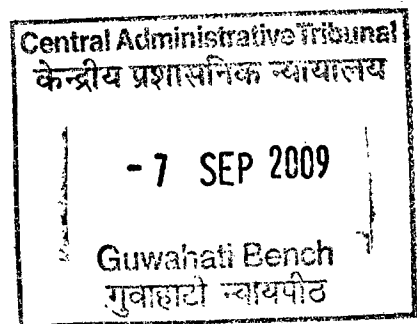
- 52 -

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(6)

Under the circumstances as narrated in detail above and as the process of selection was correctly carried out based on extant instructions of the Railway Board issued from time to time regarding treatment of SC/ST candidates promoted on their own merit, the O.A.73/2009 challenging the process of selection deserves to be dismissed for want of cause of action. The respondents therefore respectfully urges that the O.A. be dismissed with costs.

And for this act of kindness the respondents shall as in duty bound ever pray.



VERIFICATION

I, Shri Pradeep Kumar Singh, son of Bhupal Singh, aged about 43 years, at present working as DYCPo/Gaz, N.F. Railway, Maligaon, do hereby solemnly affirm that the statements made in paragraphs 1 to 4 are true to the best of my knowledge and derived from records which I believe to be true and the rest are my humble submissions before the Hon'ble Tribunal.

And I sign this verification on this the 4th day of August, 2009.

Pradeep Kumar Singh
Signature of the Officer (Gazetted)
Chief Personnel Officer (Gas)
No. 10, 1st Floor, Maligaon
Designation: N.F. Railway Maligaon

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ANNEXURE-I

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R.B.E. No. 128/2002

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R.B.E. No. 127/2002

Subject : Grant of another opportunity for revision of option by the Accounts staff due to inclusion of special allowance in pay or fixation of pay on promotion to next higher grade.

[No. E(P&A)/II-2002/PP-3, dated 1.8.2002.]

Attention is invited to the instructions contained in Para 2 of Board's letter No. E(P&A)/I-99/SP-1/Gen-2, dated 12.6.2001 (*Bahri's 110/2001, p. 140*) in terms of which the Special Allowance payable to employees of Accounts Department during the 1st year and the 2nd year onwards of passing Appendix IIIA examination is to be treated as part of the pay for the purpose of fixation of pay on promotion to the next higher grade. This decision was effective retrospectively from 1.8.1997 as a result of which references are being received from the Zonal Railways etc. seeking permission for allowing revision of option to the affected staff.

2. The matter has been examined in consultation with the Department of Personnel & Training and it has been decided that another opportunity to exercise option may be allowed to the Accounts staff mentioned in the above para, and, who were promoted on/after 1.8.1997 to the next higher grade. The option will have to be exercised by the employees within three months from the date of issue of these instructions and once exercised, shall be final.

3. This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

R.B.E. No. 128/2002

Subject : Reservation in promotion — Treatment of SC/ST candidates promoted on their own merit.

[No. 99-E(SCT)/I/25/13, dated 7.8.2002.]

The Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training vide their O.M. No. 36028/17/2001-Estt. (Res.), dated 11.7.2002 has considered the references from various Ministries regarding adjustment of SC/ST candidates promoted on their own merit in post based reservation rosters and clarified as under :—

- (i) The SC/ST candidates appointed by promotion on their own merit and not owing to reservation or relaxation of qualifications will not be adjusted against the reserved points of the reservation roster. They will be adjusted against unreserved points.
- (ii) If an unreserved vacancy arises in a cadre and there is any SC/ST candidate within the normal zone of consideration in the feeder grade, such SC/ST candidate cannot be denied promotion on the plea that the post is not reserved. Such a candidate will be considered for promotion alongwith other candidates treating him as if he belongs to general category. In case he is selected, he will be appointed to the post and will be adjusted against the unreserved point.
- (iii) SC/ST candidates appointed on their own merit (by direct recruitment or promotion) and adjusted against unreserved points will retain their status of SC/ST and will be eligible to get benefit of reservation in future/further promotions, if any.

Attested
Vuy

31/8/09

उप मु. कानिक अधिकारी (राज.)
Dy. Chief Clerk (Gaz.)
पू. सी. रेलवे मालगाँव
N. F. Railway, Malgaon

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

-7 SEP 2009

Guwahati Bench
गुवाहाटी न्यायपीठ

- (iv) 50% limit on reservation will be computed by excluding such reserved category candidates who are appointed/promoted on their own merit.

All the Zonal Railways/Production Units may bring the contents of DOP&T's O.M. dated 11.7.2002 to the notice of all concerned for information and strict compliance.

R.B.E. No. 129/2002

Subject : Redeployment of surplus staff.

[No. E(MPP)99/1/75, dated 8.8.2002.]

During the PNM meeting between Railway Board and NFIR held on 21st and 22nd May, 2002, the Federation highlighted that surplus staff were not being re-deployed to other departments, as HODs are not relieving them. Attention is drawn to Board's letter of even number dated 28.11.2000 (*Bahri's 206/2000, p. 213*) containing consolidated instructions on re-deployment of surplus staff. These amplified instructions have been issued to enable zonal Railways to re-deploy the surplus staff gainfully in areas requiring additional manpower.

Considering the critical financial position of the Railway and the need for optimum utilization of available resources including Human Resources, it is necessary that staff identified as surplus are re-deployed in alternative areas with the shortest possible time. This will also enable filling up of vacancies more quickly. Since this exercise will involve inter-departmental co-ordination and an over all view is to be taken, General Manager of the concerned Railway will personally review the position with the PHODs fortnightly so that positive action is taken in this direction.

R.B.E. No. 130/2002

Subject : Formation of New Zonal Railways—creation and transfer of posts.

[No. E(NG)II/96/PO/Genl./3, dated 8.8.2002.]

Reference this Ministry's letters of even number dated 2.1.97, 29.8.97 and 31.10.1997 (*Bahri's RBO 1997, p. 266*) regarding transfer of Group 'C' and Group 'D' posts from the headquarter offices of the existing Zonal Railways from whose territorial jurisdiction the new zones were carved out and creation of posts for operation in the headquarter offices of the new Zonal Railways using the posts transferred as matching surrender.

1.1 Attention in this connection is also invited to the gazette notification bearing No. 97/E&R/700/1/Notification, dated 4.7.2002 constituting the five more new Zonal Railways viz. East Coast Railway with headquarters at Bhubaneswar, South Western Railway with headquarters at Hubli, West Central Railway with headquarters at Jabalpur, North Central Railway with headquarters at Allahabad and South East Central Railway with headquarter at Bilaspur w.e.f. 1.4.2003.

2. The question of revising the extent of reduction in the existing sanctioned strength of Group 'C' and Group 'D' posts in the headquarter offices of the existing Zonal Railways and its transfer to the headquarter offices of these five new Zonal Railways has been considered by the Ministry of Railways in view of the notification referred to in para 1.1 above. Accordingly, in partial modification of percentages/extent indicated in para 2(ii) of the Ministry's letter dated 2.1.1997, it has been decided that the entries in respect of these five new Zonal Railways may be revised as under :—

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ANNEXURE II

RAILWAY BOARD'S ORDERS 2003

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5. In no case a nominated officer/senior subordinate, In case of transfer of pass account from a senior subordinate, the pass account will be first forwarded by him to the Divisional headquarters, who will arrange to transfer the same to the nominated officer/senior subordinate.

6. In no case a nominated senior subordinate will forward the pass account directly to the KRCL. The pass account will always be forwarded only through his Divisional Railway Headquarters.

7. When a pass account is transferred, the pass issuing authority will endorse in the pass account the number of passes availed by the retired employee/widow and his/her scale/class of pass.

8. In all other respects the provisions contained in the Railway Servants (Pass) Rules (2nd Edition 1993) shall prevail.

This issues with the concurrence of Finance Directorate of Board's office.

R.B.E. No. 103/2003

Subject: Reservation in promotion—Treatment of SC/ST candidates promoted on their own merit.

Reference: Railway Board's letter No. 99-E(SCT)/125/13 dated 7.8.2002 (Bahri's 128/2002, p. 147).

[No. 99-E(SCT)/125/13, dated 20.6.2003.]

Some of the Zonal Railways have raised doubts regarding Para-(i) of the above quoted letter and sought a categorical clarification as to how the SC/ST candidates appointed by promotion on their own merit and not owing to reservation or relaxation of qualifications is to be adjusted in the post based roster.

In this context, it is clarified that in selection posts, SC/ST candidates who are selected by applying the general standard and whose names in the select list/panel appear within the number of unreserved vacancies are to be treated as selected on their own merit. For example, suppose there are a total of 10 vacancies for which a panel/select list is to be prepared. Out of them, six vacancies are unreserved and four are reserved for SCs/STs. First six candidates in the select list/panel who have been selected by applying the general standard will be adjusted against unreserved vacancies irrespective of the fact whether they or some of them belong to SC or ST category. SC/ST candidates selected for remaining four reserved vacancies, whether selected on general standard or by giving relaxations/concessions as per existing instructions on the subject, shall be adjusted against reserved vacancies. Similarly, in case of non-selection promotions, SC/ST candidates who are senior enough to be within the number of unreserved vacancies and are included in the panel/select list without getting any relaxation/concession will be treated as own merit candidates.

The clarifications issued vide Board's letter No. 97-E(SCT)/125/24, dated 30.6.1999 (Bahri's 152/1999, p. 151), are superseded by Board's letter of even number dated 7.8.2002 (Bahri's 128/2002, p. 147). The principles laid down vide Board's letter of even number dated 07.08.2002 (Bahri's 128/2002, p. 147) should be made applicable in all the promotions held after its issue.

This disposes of S.C. Railway's reference No. P(RES)171/Policy/Vo.X, dated 20.2.2003.

R.B.E. No. 105/2003

R.B.E. No. 104/2003

Subject: Advances to Government Servants—Rate of Interest on House Building Advance. [No. F(E)Spl. 2003/Adv. 3/4, dated 27.6.2003.]

A copy of Ministry of Urban Development and Poverty Alleviation's Office Memorandum No. I-17015/5/97-H. III, dated 26.3.2003 on the above subject is sent herewith for information and guidance. Instructions contained therein would apply to Railway servants.

Copy of Ministry of Urban Development & Poverty Alleviation's O.M. No. I-17015/5/97-H-III, dated 26.3.2003

OFFICE MEMORANDUM

Subject: Advances to Government Servants—Rate of Interest on House Building Advance.

In partial modification of this Ministry's O.M. of even number dated 10.4.2002, the undersigned is directed to state that the rates of interest for House Building Advances sanctioned to the Government servant for construction/purchase of houses/flats from April 1, 2003 will be as under, until further orders

S. No.	Amount of advance Sanctioned to a Govt. servant.	Existing Rate of Interest on HBA (Per Annum)	Revised Rates of Interest on HBA (Per Annum)
1.	Upto Rs. 50,000/-	6%	5%
2.	Upto Rs. 1,50,000/-	7.5%	6.5%
3.	Upto Rs. 5,00,000/-	9.5%	8.5%
4.	Upto Rs. 7,50,000/-	10.5%	9.5%

R.B.E. No. 105/2003

Subject: Correction in para 224(i) of IREM Vol.-I (1989 Edition) [No. E(NG)/2003/PM1/14, dated 23.6.2003.]

It has come to the notice of the Board that the contents of the Hindi version of para 224(i) of Indian Railway Establishment Manual, Vol.-I (1989) do not tally with the contents of the English version of the same. The Hindi version of the para 224(i) may, therefore, be corrected to read as under:

Para	For	Read
224(i)	पदोन्नति से इंकार करने वाले कर्मचारी को भावी पदोन्नति से एक वर्ष के लिए वजित कर दिया जाता है परन्तु उसे उसी स्टेशन पर उसी पद पर बने रहने की अनुमति दे दी जाती है।	पदोन्नति से स्पष्टतः अथवा अन्यथा इंकार करने वाले कर्मचारी (अर्थात् वह अपनी अस्वीकृति को न केवल लिखित रूप में नहीं देता/देती है बल्कि उस पद का भी, जिसके लिए उसका चयन किया गया है, कार्यभार नहीं संभालता/संभालती है) को एक वर्ष के लिए भावी पदोन्नति से विवजित किया जाएगा लेकिन उसे उसी स्टेशन पर उसी पद पर बने रहने

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ANNEXURE III

RAILWAY BOARD'S ORDERS 2005

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ETC/Vadodara	Mumbai (Central), Baroda, Ratlam,	Western
ETC/Mahalaxmi	Ahmedabad, Rajkot, Bhavanagar Divisions	Railway
	of WR	
	Jaipur, Ajmer, Jodhpur and Bikaner Divisions	
	of NWR	
ETC/Kanpur	Allahabad Division of NCR	North-Central
	Delhi, Firozpur, Lucknow, Ambala and	Railway
	Moradabad Divisions of NR (for drivers)	

- The budgetary allocation and necessary funding to the ETCs will be provided by the controlling zone despite the fact that the training centre will be catering to the training needs of the staff of other zones.
- The jurisdiction and administrative control of ETCs as shown in para-1 above.
- CEE of the zone as highlighted in para-1 above be the controlling officer of ETCs, respectively.
- Posting of the principals and instructors will be from any of the Divisions assigned to the ETC in consultation with the concerned CEE.
- The posting of administrative staff will be from the zone controlling the ETC in consultation with the concerned CEE.

R.B.E. No. 75/2005

Subject: Supply of helmets to Gangman category.

[No. E(W)95UN1/19, dated 10.5.2005.]

In continuation to Board's letter of even number dated 28.8.2003 (Bahri's 148/2003, P. 184) Board have since decided that 'Helmet' may be issued as a T&P item to 10% of the strength of the Gangman category who are required to work at bridge construction sites in tunnels and for working around track machines. The standard specification of helmet should be IS : 2925/1984.

This issues with the concurrence of Finance Directorate of the Ministry of Railways.

R.B.E. No. 76/2005

Subject: General Departmental Competitive Examination (GDCE) for filling up of 25% net direct recruitment quota vacancies in Gr. 'C' categories—Extension of currency of scheme.

[No. E(NG)/2005/PM21, dated 6.5.2005.]

Reference to this Ministry's letter of even number dated 30.3.2005 (Bahri's 158/2005) extending the scheme of the General Departmental Competitive Examination (GDCE) for a period of one year up to 31.3.2006, as an interim measure. It has now been decided to extend the currency of this scheme up to 31.3.2008 on the existing terms and conditions.

R.B.E. No. 77/2005 Gen

Subject: Reservation in promotion — Treatment of SC/ST candidates promoted on their own merit.

Reference: Board's letter No. 99-E(SCT)/125/13, dated 7.8.2002 (Bahri's 128/2002, P. 147) and (Bahri's 103/2003, P. 132).

[No. 99-E(SCT)-1/25/13, dated 6.4.2005.]

Please refer to Board's quoted above wherein it has been clarified that SC/ST candidates promoted on their own merit will be adjusted against unreserved points. In this connection,

R.B.E. No. 79/2005

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it is further clarified that instructions contained in Board's letters of even number dated 7.8.2002 and 20.6.2003 shall take effect from 7.8.2002. However, the cases where SC/ST candidates promoted on their merit before 7.8.2002 have been adjusted against unreserved points need not be reopened.

2. It is also clarified that since in the case of promotions by *Non-Selection*, promotions are made on the basis of seniority-cum-fitness and the concept of merit is not involved in such promotions, instructions contained in Board's letters dated 7.8.2002 and 20.6.2003 referred to above do not apply to the promotions made by *Non-Selection* method.

R.B.E. No. 78/2005

Subject: Financial Upgradation under the ACP Scheme — Clarification regarding.

[No. PC-V/2004/ACP/1, dated 9.5.2005.]

Please refer to Board's letter of even number dated 1.10.1999 (Bahri's 233/1999, P. 232) regarding the Assured Career Progression Scheme (ACPS) and subsequent amendments/clarifications that have been issued from time to time.

2. The issue of reckoning the past service and promotions before/after medical decategorization for the purpose of grant of financial upgradation under the ACPS has been raised by some of the Zonal Railways.

3. The matter has been examined in consultation with the Department of Personnel & Training and it has been decided that cases where the persons are medically de-categorized and were appointed to some other posts for which they are suitable in terms of medical conditions could be decided on the basis as that of the persons declared surplus and re-deployed, viz., by counting the past service. However, while in the case of surplus employees, if the re-deployment is to a lower post, the last pay scale is protected as personal to the employee and, therefore, in terms of clarification No. 36 of Board's letter No. PC-V/99/1/1, dated 19.2.2002 (Bahri's 24/2002, P. 22), the two financial upgradations are allowed in the hierarchy of a new organization with reference to the protected pay scale subject to the fulfilment of the promotional norms, in the case of decategorized employees, there appears to be no provision for protection of pay scale in the event of transfer to a lower post. If so, in such cases, past service may also be counted towards ACP Scheme and the benefit of financial upgradation allowed as per the hierarchy of the re-deployed posts. Even where a person had earned one financial upgradation prior to medical de-categorization and appointment to a lower post, since the transfer is not on own volition, there is no objection to counting of the past service including for the period he held a higher service or promotion, for deciding the two financial upgradations as per the hierarchy of the new post.

(This disposes of SE Rly's letter No. P/5th PC/21/Pt. II, dated 20.9.2004).

R.B.E. No. 79/2005

Subject: Grant of compassionate allowance.

DAC-618 dt 25/7/05 [No. F(E)/2003/PM1/5, dated 9.5.2005.]

References are being received from Zonal Railways, etc., seeking clarification as to whether, compassionate allowance can be sanctioned to the removed/dismissed Railway servants and family pension to the eligible members of the family on the basis of representations received from them and the family after a lapse of many years from the date

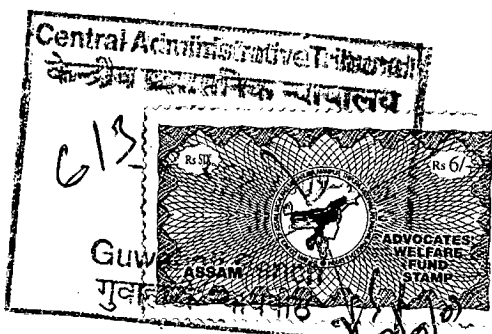
Attested
Vuy
3/8/09
उप मु. कनिष्ठ अ
पु. सी. रेलवे
N. F. Railwa

करी (रा
मालिगान

File in Court on 7/9/09
Court Officer.

FORM No.12
(see Rule 67)

VAKALATNAMA



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH: GUWAHATI

OA No.73/2009

Shri Pijush Kanti Ghosh & Ors Applicant

-Vs-

U.O.I & Ors Respondent

I/We P. K. Singh, Dy. Chief Personnel Officer/Gaz, N. F. Railway, Maligaon, Applicant No.____/ Respondent No. all for all in the above Application/Petition do hereby appoint and retain Dr. M. C. Sharma, Railway Advocate, CAT/Guwahati to appear, plead and act for me/us in the above application/ petition and to conduct and prosecute all proceedings that may be taken in respect thereof including Contempt of Court petitions and Review Applications arising therefrom and applications for return of documents, enter into compromise and to draw any moneys payable to me/us in the said proceeding.

Place:

Date:

Pradeep Kumar Singh
Dy. Chief Personnel Officer
Signature of the party
"Accepted"
N.F. Railway, Maligaon
Guwahati-11

Signature with date
(Name of the Advocate)

Executed in my presence
*Signature with date
(Name and Designation)

Accepted.

Dr. M. C. Sharma

28/08/2009

Name and Address of the
Advocate for service.

Dr. M. C. Sharma

M.Com, Ph.D., LL.B.

Advocate, Gauhati High Court.

Railway Advocate, Central Administrative Tribunal,

* The following certification to be given when the party is unacquainted with the language of the Vakalatnama or is blind or illiterate:

The contents of the Vakalatnama were truly audibly read over/translated into.....language known to the party executing the Vakalatnama and he seems to have understood the same.

Signature with date
(Name and Designation)

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FILED BY

Sri Anjan Roy Bhownick
Applicant No. 4
through Nandelin Ahmed
Advocate
26/10/09

File in Court on 26/10/09
Court Officer.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

IN THE MATTER OF:

Original Application No.73 of 2009

Sri Pijush Ghose & Others

Applicants

-Versus-

The N.F. Railway & Ors.

Respondents

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय
28 OCT 2009
Guwahati Bench
গুৱাহাটী ন্যায়পীঠ

-AND-

IN THE MATTER OF:

Rejoinder filed by the Applicants to
the written statement submitted by the
Respondents.

The humble Applicants submit this
Rejoinder as follows:

1. That with regard to the statements made in paragraph 1 & 2 of the written statement the Applicants have no comment to offer and beyond record nothing is admitted by the Applicant.

2. That with regard to the statement made in paragraph 3 of the written statement the Applicants beg to state that the statements are not true and misleading to this Hon'ble Tribunal. The Respondents have quoted Railway Board letters (which are effective from the year 2002) only to defend their stand for non fill up of 10 vacant posts of AEN/Group-B against 70% vacancies in the year 2009. But the Respondents are totally silent about the Selection process for the post of AEN/Group-B against 70% vacancies in the year 2007. In the instant case the Respondent No.1 vide their letter dated 10.11.2008 notified 29 number of posts against the community wise break up of vacancies to the post of AEN/Group against 70% vacancies as UR/General 18, SC 07 and ST 04. As per the advertisement the Applicants appeared in the Examination under General category. Surprisingly the Respondent No.1 changed the community wise break-up of

Anjan Roy Bhownick

vacancies vide their promotion order dated 09.04.2009 to the post of AEN/Group 'B'. In the said promotion order Respondent No.4 has promoted only 08(eight) Unreserved/General candidates in place of 18 (eighteen) unreserved vacancies, 08 (eight) Scheduled Castes candidates are promoted in place of 07(seven) SC vacancies and 1(one) ST category candidate is promoted in place of 04 ST vacancies.

It is worth to mention here that in the year 2007 the Respondent No.1 vide their notification dated 22.03.2007 notified 22 number of posts against the community wise break up of vacancies to the post of AEN/Group-B against 70% vacancies as UR/General 10, SC 09 and ST 03. In the written test total 29 candidates were empanelled/selected, out of them 18 belongs Unreserved/General category, 8 belongs to SC category and 1 belongs ST category. After viva-voce test, vide office order dated 17.01.2008, 10 candidates of General category, 8 candidates of SC category were promoted to the post AEN/Group-B against 70% vacancies. One SC category and 3 ST category posts were kept vacant due to non-availability of suitable candidates. The aforesaid promotion was made in accordance to break-up of vacancies as advertised dated 22.03.2007. Therefore, non-fulfilling of the total 18 numbers of unreserved vacancies by General candidate to the post of AEN/group-B against 70% vacancies in the year 2009 as per notification dated 10.11.2008 is illegal and gross violation of natural justice in as much as no prior notification or corrigendum was issued to the Applicants for changing the vacancy position in community wise break-up. In earlier occasion i.e. in the year 2007 the Respondents have not followed the Railway Board's letter No.99-E(SCT)I/25/13 dated 07.08.2002, letter No.99-E(SCT)I/25/13 dated 20.06.2003 and letter No.99-E(SCT)I/25/13 dated 06.04.2005 which has been effective from the year 2002.

Therefore, the stand which has been taken by the Respondents in the year 2009 is not sustainable in the eye of law. If the Respondents have not followed the Railway

Anjan Roy Bhownik

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय
Guwahati Bench
गुवाहाटी न्यायापीठ

Board letters No.99-E(SCT)I/25/13 dated 07.08.2002, letter No.99-E(SCT)I/25/13 dated 20.06.2003 and letter No.99-E(SCT)I/25/13 dated 06.04.2005 in the Selection/Promotion to the post of AEN/Group-B against 70% vacancies in the year 2007, then the entire Selection/Promotion to the post of AEN/Group-B against 70% vacancies for the year 2007 should be set aside and quashed. Therefore, the Respondents can not be allowed to adopt the pick and choose policy in different years in the same Examination.

3. That with regard to the statements made in paragraph 3.1, 3.2 and 3.3 of the written statement the Applicants begs to state that the same are not true. Further, the Applicants re-iterate and reaffirm the statement made in paragraph 2 of this rejoinder. Moreover, the Applicants have appeared and selected as General candidates against the 18 unreserved vacancies for the post of AEN/group-B post as per the advertisement dated 10.11.2008. From the seniority list of the selected/empanelled 44 candidates for the post of AEN/Group-B (Annexure-3 of the instant O.A. No. 73 of 2009) it appears that the Applicants seniority position among the Unreserved/General candidates for the said post are 13 (Applicant No.1), 14 (Applicant No.2), 15 (Applicant No.3), 16 (Applicant No.4) and 17 (Applicant No.5) respectively. However, the Respondents in the promotion order dated 09.04.2009 have only promoted 8 Unreserved/General candidates out of 18 Unreserved/General vacancies for the post of AEN/Group-B post inspite of availability of empanelled/selected Unreserved/General candidates such as the instant Applicants. Therefore, the Respondents cannot deny promotion to the Applicants (having seniority position such as 13, 14, 15, 16 and 17 respectively among the 18 Unreserved/General categories) for the unreserved category to the post of AEN/Group-B against 70% vacancies.

4. That with regard to the statements made in paragraph 4.1 of the written statement the Applicants have no comment to offer and beyond record nothing is admitted by the Applicants.

Anjan Roy Bhownik

5. That with regard to the statement made in Paragraph 4.2 of the Written Statement the Applicants reiterates and reaffirms the statement made in Paragraph 2 & 3 of this rejoinder.

6. That with regard to the statements made in paragraph 4.3 of the written statement the Applicants begs to state that the instant Respondents intentionally preferred not to give any comment on the allegation brought by the instant Applicants in their Original Application paragraph 4.10. The Respondents in their earlier notification dated 22.03.2007 for Selection to the posts of AEN/Group-B against 70% vacancies have promoted and filled up 10 nos. of Unreserved/General candidates from the selected/empanelled General candidates to the post of AEN/group-B against 70% vacancies without giving effect to the Railway Board letters No.99-E(SCT)I/25/13 dated 07.08.2002, letter No.99-E(SCT)I/25/13 dated 20.06.2003 and letter No.99-E(SCT)I/25/13 dated 06.04.2005. The Examination of 2007 and 2009 to the post of AEN/group-B against 70% vacancies are inter related, if the Respondents are at all sincere to implement the aforesaid letters, then from the year 2002 to till date they should maintained a proper roster point to fill up the vacancies to the post of AEN/Group-B against 70% vacancies. The Respondents can not take different Selection process in the year 2007 and 2009 as the Railway Board letters are given effect from the year 2002. Hence, the Selection/Promotion to the post of AEN/group-B post against vacancies in the year 2007 should be set aside and quashed.

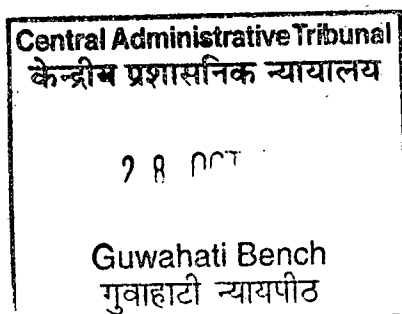
7. That with regard to the statements made in paragraph 4.4 of the written statement the Applicants beg to state that the statement are not true and misleading to this Hon'ble Tribunal. The Applicants reiterates and reaffirms the statement made in paragraph 2 & 3 of this rejoinder.

8. That with regard to the statements made in paragraph 4.5 of the written statement the Applicants beg to state that

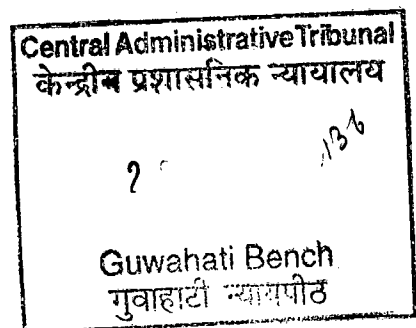
Anjan Roy Bhownik

the Respondents issued the promotion order dated 09.04.2009 with a motive behind only to deprive the Applicants from their legitimate claim of promotion to the post of AEN/group-B against 70% vacancies in the left over 10 (ten) Unreserved/General category vacancies.

Therefore, the Applicant state and submits that the written statement filed by the Respondents bears no substance, merit and not tenable in the eyes of law and is wholly bereft of substance and no credence ought to be given to it. Thus, in view of the abject failure of the Respondents to refute the contentions, averments, questions of law and grounds made by the Applicants in the Original Application filed by the Applicants deserved to be allowed by this Hon'ble Tribunal.



Anjan Roy Bhownik



VERIFICATION

I, Shri Anjan Roy Bhowmick, aged about 44 years, Son of late Hemchandra Roy Bhumik, working as Senior Section Engineer/Track Machine, Maligaon under the office of the Deputy Chief Engineer, Track Machine Department, North East Frontier Railway, Maligaon, Pin-781011 do hereby solemnly verify and state as follows-

1. That I am the Applicant No.4 of the instant Original Application and I am also authorized by the other Applicants to sign this verification on their behalf.

2. That the statements made in paragraphs..... 1 to 8 are true to my knowledge and information and those made in the rests are my humble submissions before this Hon'ble Tribunal.

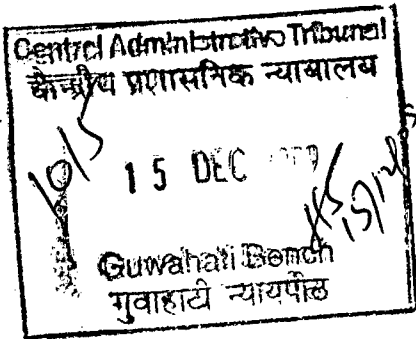
And I sign this Verification on this the 26th day of October 2009.

Anjan Roy Bhowmick
DECLARANT

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IN THE CENTRAL ADMISTRATIVE TRIBUNAL
GUWAHATI BENCH



OA No 73/2009

Sri Pijush Ghosh & Ors

..... Applicants

VS

Union of India & Ors

..... Respondents

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Filed by:-

Arijit Bhattacharjee
Arijit Bhattacharjee

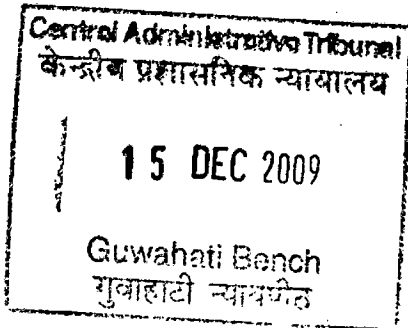
Advocate

Gauhati High Court.

Dated: 15-12-09

- 63 -

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH



IN THE MATTER OF

OA No 73/2009

Sri Pijush Ghosh & Ors

Applicants

VS

Union of India & Ors

Respondents

AND

IN THE MATTER OF

Written statement on behalf of Respondent
Nos 5 to 21

The respondents aforesaid most respectfully SHEWETH:

1. That notice and copies of the Original Application No OA 73/2009 has been duly served upon respondents No 5 to 21 and that they have understood the content there of.
2. That I, Shri Tapas Sutradhar respondent no 16 respectfully submit that respondent No 5 to 15 and No 17 to 21 are posted at the flung locations of N.F Railway as Assistant Executive Engineers or equivalent ranks after promotion to Group 'B' cadre. Some of the areas such as Jiribam in Manipur do not even have telephone landline connection or mobile telephone facilities due to extremist activities and communication is difficult except through the departmental courier at weekly intervals. Due to this difficulty in communication and due to the shortage of time respondent No 5 to 15 and No 17 to 21 have authorised me, respondent No 16, to submit the written statement on their behalf. In view of this it is prayed that Hon'ble Tribunal be pleased to allow respondent no. 16 to submit written statement on behalf of respondent No 5 to 15 and No 17 to 21 as provided for in Rule 12(2) of the Central Administrative Tribunal (Procedure) Rules, 1987.

Filed by
Amrit
Bhattacharyya
Advocate
15/12/09

Tapas Sutradhar

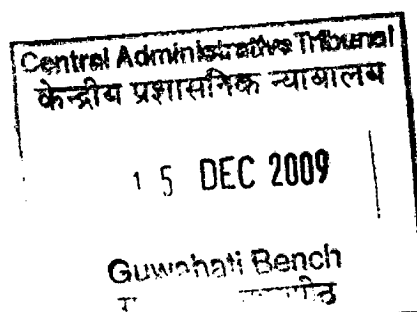
- 64 - 139
3. That the private respondents beg to state that the allegations made by the applicants in Para 1 against the impugned office order No 10/2009 (ENGG) dated 28-03-2009 are wrong and unacceptable because of the facts that the promotion order based on the selections of AEN (Group B) against 70% vacancy were correctly issued by the railway administration. The selection of 70 % Group

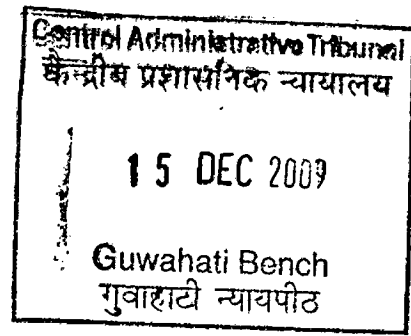
B LDCE made by the railway administration was procedurally correct and did not violate any of the prescribed norms of selections. The selection also took into account the latest instruction of the Railway Board in regard to "Reservation in promotion -Treatment of SC/ST candidates promoted on their own merit" issued from time to time.

In this regard the private respondent beg to refer to Railway Board's Letter No 99-E(SCT) I/25/13 dated 07-08-2002, 20-06-2003 and 06-04-2005 respectively as has been quoted in Paragraph 3 of the written statement submitted before the Hon'ble Tribunal by the official respondent.

In view of the above explanation it is respectfully submitted on behalf of private respondent No 5 to 21 that the objections raised by the applicants do not stand judicial scrutiny and is devoid of any merit.

4. That, the private respondents beg to state that the demands of the applicants made in Para 8.1, 8.2 and 9 for setting aside and quashing the impugned selection of private respondents No 5 to 21 for promotion to the post of AEN (Group B) against 70% vacancy do not have any merit and is made solely for the purpose of maligning the successful candidates in the 70% vacancy of LDCE selections. It is submitted that private respondents No 5 to 21 were selected purely on merit and by dint of the hard labour they have put in their day to day work and success in this selection test. It is unfortunate that although the applicants tried their best they could not come successful on their selection on merit under the provision of special instruction issued by the Railway board from time to time in regard to "Reservation in promotion -Treatment of SC/ST candidates promoted on their own merit". The private respondents, while sympathising with the applicants beg to state that the official respondents have been fair and just in the selection of Group B against 70% vacancy purely based on merit.



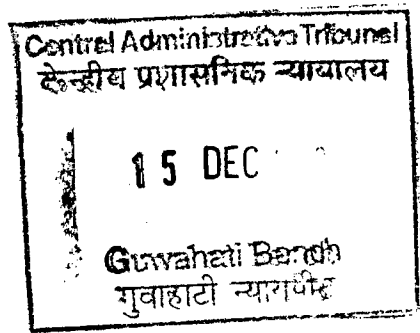


5. That the private respondents beg to state that the applicants have tried to abuse the power of law by false allegations and ignorance of the provision of selections and therefore their application is devoid of merit and deserve to be dismissed with cost.

Under the circumstances mention above, the private respondents No 5 to 21 beg to state that their selection was on merit and based on statutory instructions on the subject of selection and they would be grateful if OA 73/2009 is dismissed as devoid of merit and with cost.

And for this act of kindness the private respondents No 5 to 21 shall as in duty bound be ever pray.

Tapes Sutradhar



VERIFICATION

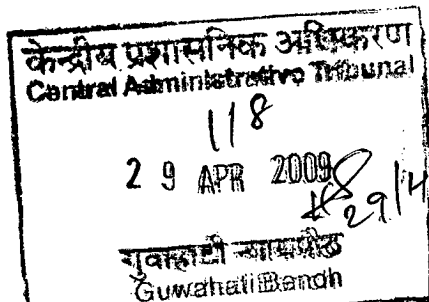
I, Shri Tapash Sutradhar son of Shri M.M. Sutradhar aged about 40 years at present working at ADEN NF Railway Maligoan do hereby solemnly affirms the statement made in paragraphs 1 to 5 on behalf of Private Respondents No 5 to 21 are true to the best of my knowledge and as per the records which I believed to be true and the rest are my humble submission before this Hon'ble Tribunal.

AND I sign this verification on this the 15th day of December 2009.

Tapash Sutradhar

Signature

Designation : ADEN/I /MLA.



FILED BY 142
Sri Pijush Ghose
Applicant No. 1
-through Mr. Muddin Shrivastava
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI.

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

MISC CASE NO 38 OF 2009

IN ORIGINAL APPLICATION NO. 73 OF 2009

Sri Pijush Ghose & Others

Applicants

-Vs-

The N.F. Railway & Others

Respondents

-AND-

IN THE MATTER OF

An application for Amendment of the
O.A. No. 73 of 2009

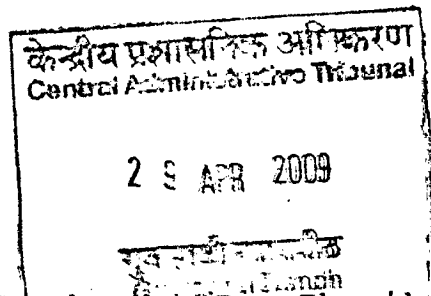
-AND-

IN THE MATTER OF

1. Shri Pijush Ghose
Son of late Prafulla Kumar Ghosh
Senior Section Engineer/Track
Machine/Maligaon,
Working under the office of the
Deputy Chief Engineer, Track
Machine Department,
Northeast Frontier Railway,
Maligaon, PIN code-781011.
2. Shri Ashok Kumar
Son of Shri Hari Govind Ram
Senior Section Engineer/Permanent
way/Special/Rangia,
Working under the office of the
Senior Divisional Engineer, (Co-
ordination), Northeast Frontier
Railway, Rangia,
PIN code-781354.
3. Shri Jamaluddin Khan
Son of late Md. Sirajuddin Khan
Senior Section Engineer/Permanent
way/Old Malda,
Working under the office of the
Senior Divisional Engineer, (Co-
ordination)/Katihar, Northeast
Frontier Railway, Katihar, Bihar,
PIN code-854105.
4. Shri Anjan Roy Bhowmick

Pijush Ghose

- 2 -



Son of late Hemchandra Roy Bhumik
Senior Section Engineer/Track
Machine/Maligaon,
Working under the office of the
Deputy Chief Engineer, Track
Machine Department,
Northeast Frontier Railway,
Maligaon, PIN code-781011.

5. Smti. Jahanara Begum
Daughter of late Sadulla Ali
Section Engineer/Drawing/Track
Machine/Maligaon,
Working under the office of the
Principal Chief Engineer
Office, Northeast Frontier
Railway, Maligaon, PIN code-
781011.

...Applicants

-AND-

1. The Northeast Frontier Railway,
represented by the General
Manager, Maligaon, Guwahati, PIN-
781011.
2. The Principal Chief Engineer
Northeast Frontier Railway
Maligaon, Guwahati, PIN-781011.
3. The Chief Personnel Officer,
Northeast Frontier Railway,
Maligaon, Guwahati, PIN-781011.
4. The Deputy Chief Personal Officer
(GAZ), Northeast Frontier Railway,
Maligaon, Guwahati, PIN-781011.

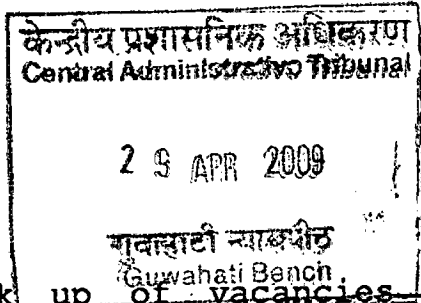
. . . Respondents

The humble petition of the above named
Applicants:

MOST RESPECTFULLY SHEWETH:

1. That your humble Applicants have filed an Original
Application No.73 of 2009 before this Hon'ble Tribunal
against the impugned office Order No.10/2009 (ENGG.)
dated 28.03.2009 whereby the Respondent No.4 have
promoted the empanelled candidates to Group 'B' service
as AEN against 70% vacancies by violating the vacancy

Pijish Bhose



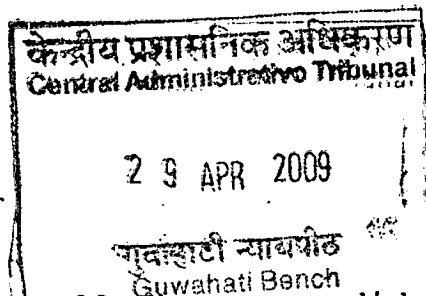
-3-

position of community wise break up of vacancies as notified earlier vide letter No.E/254/17-Pt.XII(0) dated 10.11.2008.

It is to be stated that in the body of the Original Application No. 73 of 2009 the selected/empanelled promoted candidates for the post of AEN/Group 'B' against 70% vacancies vide office Order No.10/2009 (ENGG.) dated 28.03.2009 has not been made Respondents inadvertently by the Applicants. The Hon'ble Tribunal may be pleased to allow the Applicants to amend the Original Application 73 of 2009 by adding the following Respondents as Respondent No. 5 to 21.

5. Shri B.N. Das
Selected/empanelled candidate
promoted to Group 'B' service as
AEN against 70% vacancies.
C/O- The Deputy Chief Personal
Officer (GAZ), Northeast Frontier
Railway, Maligaon, Guwahati,
PIN-781011.
6. Shri Kiranjib Bayan
Selected/empanelled candidate
promoted to Group 'B' service as
AEN against 70% vacancies.
C/O- The Deputy Chief Personal
Officer (GAZ), Northeast Frontier
Railway, Maligaon, Guwahati,
PIN-781011.
7. Shri Anup Kumar Singh
Selected/empanelled candidate
promoted to Group 'B' service as
AEN against 70% vacancies.
C/O- The Deputy Chief Personal
Officer (GAZ), Northeast Frontier
Railway, Maligaon, Guwahati,
PIN-781011.
8. Shri Sonaton Swargiary
Selected/empanelled candidate
promoted to Group 'B' service as
AEN against 70% vacancies.
C/O- The Deputy Chief Personal
Officer (GAZ), Northeast Frontier
Railway, Maligaon, Guwahati,
PIN-781011.
9. Shri Vinod Kumar Chowdhury

Pijush Bose



- 4 -

Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.

C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

10. Shri Benu Gopal Basak

Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.

C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

11. Shri Bhupal Chandra Nandi

Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.

C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

12. Shri Nirmal Kanti Dey

Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.

C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

13. Shri Nirmalaya Sarma

Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.

C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

14. Shri Sudhangshu Sekhar

Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.

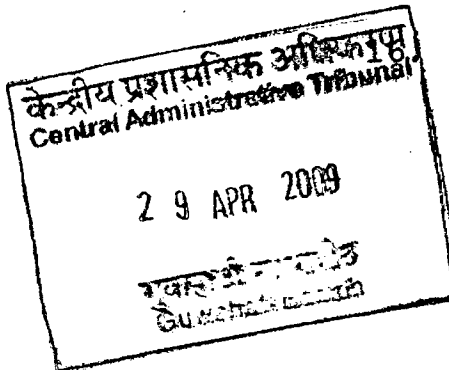
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

15. Shri Dipak Chandra Sarma

Pijush Bhose

Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.

C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.



Shri Tapash Sutradhar
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.

C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

17. Shri Munindra Kalita
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

18. Shri Jaideep Das
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

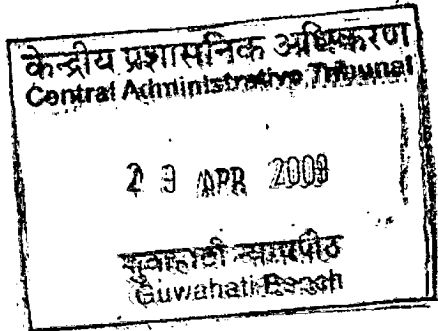
19. Shri Pradip Kumar Biswas
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

20. Shri Hari Singh
Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.
C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

Pijush Bose

21. Shri Sumit Sukla

Selected/empanelled candidate promoted to Group 'B' service as AEN against 70% vacancies.



C/O- The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

...Respondents

2. That your Applicants beg to state that in the paragraph No.1 (line No. 9) of the O.A. No. 73 of 2009, (The particulars of the order against which the Application is made) in place of the words 'Respondents', the Hon'ble Tribunal may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

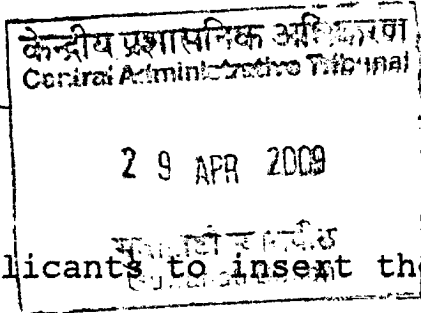
3. That your Applicants beg to state that in the paragraph No.4.6 (line No. 3) of the O.A. No. 73 of 2009, in place of the words 'Respondents', the Hon'ble Tribunal may be pleased to allow the Applicants to insert the word Respondent No. 1.

4. That your Applicants beg to state that in the Original Application No. 73 of 2009, the Hon'ble Tribunal may be pleased to allow the Applicants to add the following paragraph after paragraph No. 4.8 of the O.A. No. 73 of 2009.

4.8.(A) That your Applicants beg to state that their performance in viva-voce test is excellent and satisfactory before the Interview Board and their five years Annual Confidential Records (ACR in short) are unblemished.

5. That your Applicants beg to state that in the paragraph No.4.13(line No.2) of the O.A. No. 73 of 2009, in place of the words 'Respondents', the Hon'ble Tribunal

Pijum Bose



may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

6. That your Applicants beg to state that in the paragraph No.4.14 (line No.2) of the O.A. No. 73 of 2009, in place of the words 'Respondents', the Hon'ble Tribunal may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

7. That your Applicants beg to state that in the paragraph No.4.15 (line No.2) of the O.A. No. 73 of 2009, in place of the words 'Respondents', the Hon'ble Tribunal may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

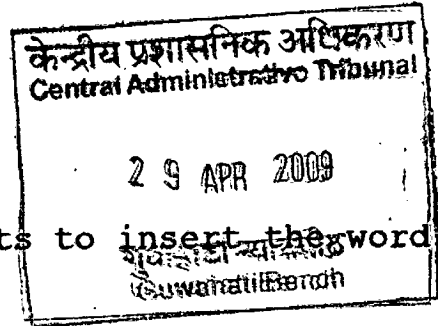
8. That your Applicants beg to state that in the paragraph No.5.1. (line No.1) of the O.A. No. 73 of 2009, in place of the words 'Respondents', the Hon'ble Tribunal may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

9. That your Applicants beg to state that in the paragraph No.5.2 (line No.1) of the O.A. No. 73 of 2009, in place of the words 'Respondents', the Hon'ble Tribunal may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

10. That your Applicants beg to state that in the paragraph No.5.5 (line No.3 & 6) of the O.A. No. 73 of 2009, in place of the words 'Respondents', the Hon'ble Tribunal may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

11. That your Applicants beg to state that in the paragraph No.5.6 (line No.2) of the O.A. No. 73 of 2009, in place of the words 'Respondents', the Hon'ble Tribunal

Pijush Ghose



may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

12. That your Applicants beg to state that in the paragraph No.5.8 (line No.1) of the O.A. No. 73 of 2009, in place of the words 'Respondents', the Hon'ble Tribunal may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

13. That your Applicants beg to state that in the paragraph No.5.9 (line No.1) of the O.A. No. 73 of 2009, in place of the words 'Respondents', the Hon'ble Tribunal may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

14. That your Applicants beg to state that in the paragraph No.5.10 (line No.1) of the O.A. No. 73 of 2009, in place of the words 'Respondents', the Hon'ble Tribunal may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

15. That your Applicants beg to state that in the Original Application No. 73 of 2009, the Hon'ble Tribunal may be pleased to allow the Applicants to add the following paragraph after paragraph No. 5.10 of the O.A. No. 73 of 2009.

5.10.(A) For that, the Applicants performance in viva-voce test is excellent and full satisfactory before the Interview Board, as such, the Respondents can not deprived the Applicants from their legitimate claim of promotion to the Group 'B' post of AEN against 70% vacancies in the left over 10(ten) unreserved/General category vacancies.

Pijush Ghose

16. That your Applicants beg to state that in the paragraph No.5.11 (line No.2) of the O.A. No. 73 of 2009, in place of the words 'Respondent', the Hon'ble Tribunal may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

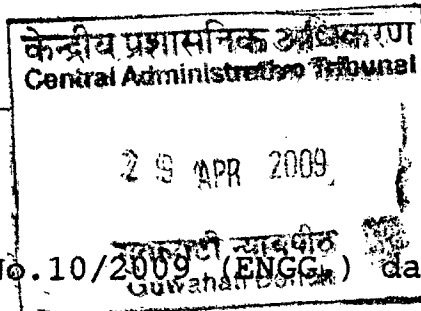
17. That your Applicants beg to state that in the paragraph No.8.1 of the O.A. No. 73 of 2009, (the Relief Sought For) in place of the sentence " 8.1) That the Hon'ble Tribunal may be pleased to set aside and quash the impugned empanelled candidates promotion to the post of AEN/Group 'B' against 70% vacancies under order No.10/2009 (ENGG.) dated 09.04.2009 issued by the Respondent No.4", the Hon'ble Tribunal may be pleased to allow the Applicants to insert the following sentence .

8.1. That the Hon'ble Tribunal may be pleased to set aside and quash the impugned selected/empanelled candidates pertinent to Respondent No. 5 to 21 for promotion to the post of AEN/Group 'B' against 70% vacancies under order No.10/2009 (ENGG.) dated 09.04.2009 issued by the Respondent No.4.

18. That your Applicants beg to state that in the paragraph No.8.2 (Relief Sought For) of the O.A. No. 73 of 2009, (line No.1) in place of the words 'Respondents', the Hon'ble Tribunal may be pleased to allow the Applicants to insert the word Respondent No. 1 to 4.

19. That your Applicants beg to state that in the paragraph No.9. of the O.A. No. 73 of 2009, (the Interim Order Prayed For) in place of the sentence "(9) As an interim measure the Applicants most respectfully pray before your Lordships that the Hon'ble Tribunal may be pleased to stay the impugned promotion order of empanelled candidates to the post of AEN/Group 'B'

Pijim Bose



against 70% vacancies vide order No.10/2009 (ENGG.) dated 09.04.2009 issued by the Respondent No.4.", the Hon'ble Tribunal may be pleased to allow the Applicants to insert the following sentence .

(9) As an interim measure the Applicants most respectfully prayed before your Lordships that the Hon'ble Tribunal may be pleased to stay the impugned promotion order of selected/empanelled candidates pertinent to Respondent No. 5 to 21 for promotion to the post of AFN/Group 'B' against 70% vacancies vide order No.10/2009 (ENGG.) dated 09.04.2009 issued by the Respondent No.4.

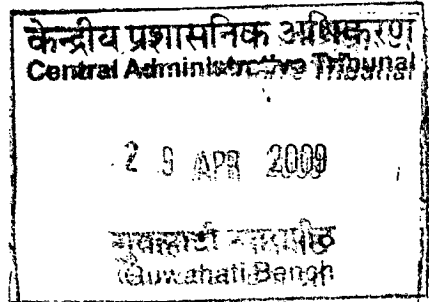
20. That your Applicants humbly submit that the aforesaid amendment as stated above will not affect the nature and grievances made in the Original Application No. 73 of 2009.

21. That this petition is filed bonafide to secure the ends of justice.

In the premises aforesaid, it is most humbly and respectfully prayed that Your Lordships may be pleased to allow the Applicants to amend the Original Application No. 73 of 2009 in the manner as indicated above and further may be pleased to passed any other order or orders as deemed fit and proper by this Hon'ble Tribunal.

And for this act of kindness your Applicants as in duty bound shall ever pray.

Pijush Meze



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

I, Shri Pijush Ghosh, aged about 44 years, Son of late Prafulla Kumar Ghosh, Senior Section Engineer/Track Machine/Maligaon, Working under the office of the Deputy Chief Engineer, Track Machine Department, Northeast Frontier Railway, Maligaon, PIN code-781011 Assam do hereby solemnly verify..

1. That I am the Applicant No.1 of the instant petition and I am also authorized by the other Applicants to sign this verification on their behalf.

2. That the statements made in paragraph Nos. 1 to 19 are true to my knowledge and belief and the rests are my humble submission before this Hon'ble Tribunal

And I sign this verification on this the 27th day of April 2009 at Guwahati.

Pijush Ghose

DECLARANT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

MISCELLANEOUS PETITION No. 55 OF 2009

IN ORIGINAL APPLICATION No. 73 OF 2009

Shri Pijush Ghose & Others

Petitioners/
Applicants

-Versus-

The Northeast Frontier Railway & Others.

Opposite Parties/
Respondents

- I N D E X -

Sl. No.	Particulars	Annexure	Page No.
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2	Verification		9
3	Copy of the notification No.3 vide its notification No.E/254/17-Pt.IX/LDCE(O) dated 13.05.2009.	8	10 to 15

Date- 4/6/09

Filed by

Nuruddin Ahmad
Advocate

Pijush Ghose

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.
MISCELLANEOUS PETITION No. 55 OF 2009
IN ORIGINAL APPLICATION No. 73 OF 2009

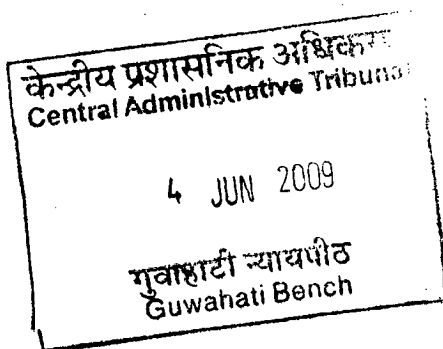
Shri Pijush Ghosh & Others

...Applicants

-Versus-

The Northeast Frontier Railway & Others.

...Respondents



IN THE MATTER OF:

A Miscellaneous Petition praying for stay of limited Departmental Competitive Examination for selection to the post of AEN/Group 'B' against 30% vacancies which is going to be held on 13.06.2009 and 14.06.2009.

-AND-

IN THE MATTER OF:

1. Shri Pijush Ghosh
Son of late Prafulla Kumar Ghosh
Senior Section Engineer/Track
Machine/Maligaon,
Working under the office of the
Deputy Chief Engineer, Track
Machine Department,
Northeast Frontier Railway,
Maligaon, PIN code-781011.
2. Shri Ashok Kumar
Son of Shri Hari Govind Ram
Senior Section Engineer/Permanent
way/Special/Rangia,
Working under the office of the
Senior Divisional Engineer, (Co-
ordination), Northeast Frontier
Railway, Rangia,
PIN code-781354.
3. Shri Jamaluddin Khan
Son of late Md. Sirajuddin Khan
Senior Section Engineer/Permanent
way/Old Malda,
Working under the office of the
Senior Divisional Engineer, (Co-

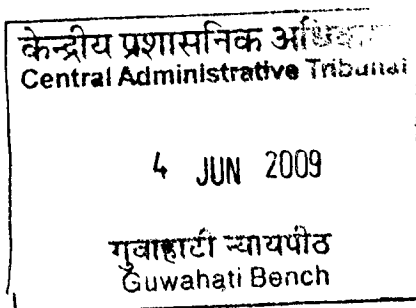
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Sri Pijush Ghosh
Applicant No. 1
Through Nurdodin Ahmed
Advocate

Pijush Ghosh

ordination)/Katihar, Northeast Frontier Railway, Katihar, Bihar, PIN code-854105.

4. Shri Anjan Roy Bhumik
Son of late Hemchandra Roy Bhumik
Senior Section Engineer/Track Machine/Maligaon,
Working under the office of the Deputy Chief Engineer, Track Machine Department,
Northeast Frontier Railway, Maligaon, PIN code-781011.
5. Smti. Jahanara Begum
Daughter of late Sadulla Ali
Section Engineer/Drawing/Track Machine/Maligaon,
Working under the office of the Principal Chief Engineer Office, Northeast Frontier Railway, Maligaon, PIN code-781011.



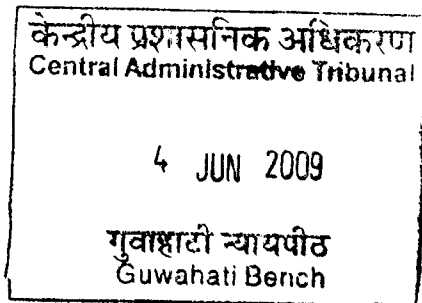
Petitioners/
Applicants

-AND-

1. The Northeast Frontier Railway, represented by the General Manager, Maligaon, Guwahati, PIN-781011.
2. The Principal Chief Engineer Northeast Frontier Railway Maligaon, Guwahati, PIN-781011.
3. The Chief Personnel Officer, Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
4. The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
5. Shri B.N. Das
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

Pijush Ghose

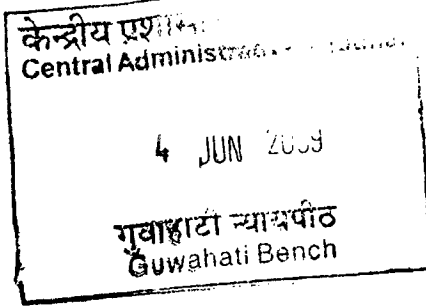
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6. Shri Kiranjib Bayan
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
7. Shri Anup Kumar Singh
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
8. Shri Sonaton Swargiary
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
9. Shri Vinod Kumar Chowdhury
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
10. Shri Benu Gopal Basak
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
11. Shri Bhupal Chandra Nandi
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

Pijush Ghose

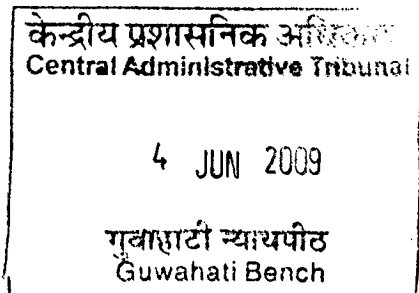
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12. Shri Nirmal Kanti Dey
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
13. Shri Nirmalaya Sarma
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
14. Shri Sudhangshu Sekhar
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
15. Shri Dipak Chandra Sarma
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
16. Shri Tapash Sutradhar
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
17. Shri Munindra Kalita
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

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18. Shri Jaideep Das
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
19. Shri Pradip Kumar Biswas
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
20. Shri Hari Singh
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.
21. Shri Sumit Sukla
Selected/Empanelled candidate for promotion to Group 'B' service as AEN against 70% vacancies.
C/O-The Deputy Chief Personal Officer (GAZ), Northeast Frontier Railway, Maligaon, Guwahati, PIN-781011.

Opposite parties/
Respondents

The humble Petition of the
above named Petitioners/Applicants.

MOST RESPECTFULLY SHEWETH:

1. That your Petitioners/Applicants have filed an Original Application No.73 of 2009 before this Hon'ble Tribunal against the office order No.10/2009 (ENGG.) dated 09.04.2009 whereby the Respondent No.4 have promoted the empanelled candidates to Group 'B' service as AEN against 70% vacancies by violating the vacancy position of community wise break up of vacancies as notified earlier

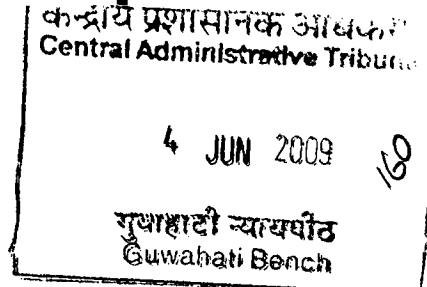
Pijush Ghose

vide letter No.E/254/17-Pt.XII(0) dated 10.11.2008 and the Applicants also prayed for a direction from this Hon'ble Tribunal to the Respondents to take immediate steps for fill up the left over vacant 10 Unreserved/General posts of Assistant Executive Engineer (AEN in short)/Group 'B' against 70% vacancies as notified vide letter No.E/254/17-Pt.XII(0) dated 10.11.2008.

2. That the main grievance of the instant Petitioners/Applicants in their Original Application No.73 of 2009 is that the office of the Opposite Party/Respondent No.1 vide their notification dated 10.11.2008 notified for selection to the post of AEN/Group 'B' against 70% vacancies i.e. Unreserved 18 (Eighteen), Schedule Caste 07 (Seven) and Schedule Tribe 04 (Four) in total 29 (Twenty Nine) vacancies. The instant Petitioners/Applicants have been duly qualified in the said selection and they have been Selected/Empanelled to the post of AEN/Group 'B'. Their inter seniority position also covered them for selection to the post of AEN/Group 'B' against 70% vacancies. However, the Opposite Party/Respondent No.4 have promoted only 08 (Eight) Unreserved category persons in place of 18 (Eighteen) Unreserved vacancies in violation of earlier notification dated 10.11.2008 and also without giving any cause or causes for non-fill up of 10 (Ten) Unreserved vacancies to the post of AEN/Group 'B' against 70% vacancies. Therefore, the instant Petitioners/Applicants have filed the Original Application No.73 of 2009 before this Hon'ble Tribunal for seeking Justice in this matter.

3. That your Petitioners/Applicants beg to state that this Hon'ble Tribunal was pleased to issue notices to the Opposite Parties/Respondents on 08.05.2009 in the Original Application No.73 of 2009. The aforesaid Original Application is pending before this Hon'ble Tribunal for final adjudication of the matter.

Pijush Anand



4. That during the pendency of the Original Application No.73 of 2009 the Opposite party/Respondent No.3 vide its notification No.E/254/17-Pt.IX/LDCE(O) dated 13.05.2009 notified the Written Examination for Limited Departmental Competitive Examination ('LDCE' in short) AEN/Group 'B' against 30% vacancies which is going to be held on 13.06.2009 and 14.06.2009.

Copy of the notification No.3 vide its notification No.E/254/17-Pt.IX/LDCE(O) dated 13.05.2009 is annexed herewith and marked as ANNEXURE-8.

5. That your Petitioners/Applicants beg to state that the Opposite Party/Respondent No.4 without taking any steps to fill up the 10 (Ten) Unreserved vacancies of their earlier advertisement dated 10.11.2008 for the post of AEN/Group 'B' against 70% vacancies has again notified the LDCE Examination to the post of AEN/Group 'B' against 30% vacancies during the pendency of the Original Application No.73 of 2009.

6. That your Petitioners/Applicants beg to state that they have qualified and empanelled to the post of AEN/Group 'B' against 70% vacancies but the Opposite Party/Respondent No.3 has whimsically and arbitrarily deprive them by not filling up the total 18 (eighteen) unreserved posts as notified vide notification dated 10.11.2008.

7. That your Petitioners/Applicants most respectfully submit the action of the Opposite Parties/Respondents particularly No.1 & 3 in holding the Written Examination on 13.06.2009 and 14.06.2009 for LDCE of AEN/Group 'B' against 30% vacancies is illegal, arbitrary, in violation of service Jurisprudence and administrative fair play.

Piyush Anuse

4 JUN 2009

গুৱাহাটী ন্যায়পীঠ
Guwahati Bench

8. It is respectfully submitted that it is a fit case wherein your lordships may be pleased to stay the impugned notification No.E/254/17-Pt.IX/LDCE(O) dated 13.05.2009 for holding Written Examination for LDCE of AEN/Group 'B' against 30% vacancies till the final disposal of the Original Application No.73 of 2009.

9. That in view of the facts and circumstances it is a fit case for interference by Hon'ble Tribunal to protect the interest of the Petitioners/Applicants.

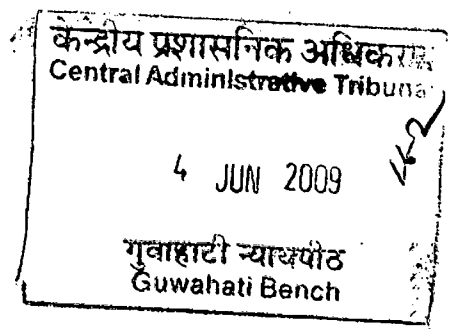
10. That this Application is filed bona-fide and for the interest of justice.

In the premises aforesaid it is therefore respectfully prayed that your Lordships may be pleased to admit this Application and also may be pleased to stay the impugned notification No.E/254/17-Pt.IX/LDCE(O) dated 13.05.2009 for holding Written Examination for LDCE of AEN/Group 'B' against 30% vacancies to be held on 13.06.2009 and 14.06.2009 till final disposal of the Original Application No.73 of 2009 and may also be pleased to pass any such order/orders as this Hon'ble Tribunal may deem fit and proper.

And for this act of kindness your Petitioners/Applicants as in duty bound shall ever pray.

... Verification

Pijush Ghose



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

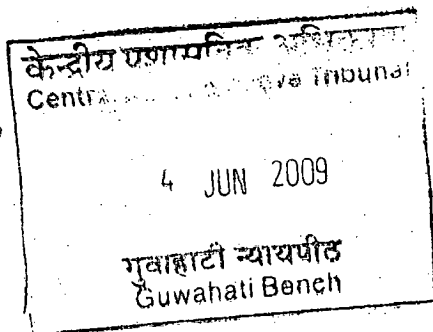
I, Shri Pijush Ghose, aged about 44 years, Son of late Prafulla Kumar Ghosh, Senior Section Engineer/Track Machine/Maligaon, Working under the office of the Deputy Chief Engineer, Track Machine Department, Northeast Frontier Railway, Maligaon, PIN code-781011 Assam do hereby solemnly verify that I am the applicant No.1 of the instant Original Application and I am also authorized by the other applicants to sign this verification on their behalf.

1. That the statements made in paragraph Nos. 1, 2, 3, 5, 6 are true to my knowledge, those made in paragraph Nos. 4 are being matters of records are true to my information derived therefrom, which I believe to be true and rests are my humble submissions before this Hon'ble Tribunal.

And I sign this verification on this the 4th day. June 2009 at Guwahati.

Pijush Ghose

DECLARANT



- 10 -

ANNEXURE-- 8 169

N.F. Railway

Office of the
General Manager(P)
Maligaon, Guwahati-11
Dated:13.05.2009.

No.E/254/17-Pt.IX/LDCE(O).

To,
The General Manager(Construction)/Maligaon,
Pr.CE, CE(CON), CTE, CBE, CPDE & CGE/Maligaon;
DRM(P)s/KIR, APDJ, RNY, LMG & TSK; Dy.CVO(Engg.)/Maligaon, Dy.CE/Br.Line/Maligaon,
Sr.DENS/KIR, APDJ, RNY, Maligaon, LMG & TSK; Dy.CE(CON)/Maligaon, Dy.CE(CON)s/JPZ,
SCL & Goalpara; WM/EWS/BNGN, XEN/FCW/Maligaon, Principal/ZRTI/ADPJ,
Secy, to PCE/Maligaon, Sr.DSOs/DSOs/KIR, APDJ, RNY, LMG & TSK;
ADENS/MLDT, NJP, SGUJ, NBQ, BPRD, RNY, RPAN & BPB; SPO/Engg/Maligaon.
Secy. & Director (Vigilance), Railway Board, New Delhi
Sub.: Limited Departmental Competitive Examination for Selection of
AEN/Group-'B' against 30% vacancies.

Ref.: This office notification of even number dated 27.03.2009, letter dated 30.04.09 & 06.05.09.

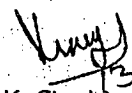
The written examination for LDCE of AEN/GROUP-'B' against 30% vacancies will be held on 13th & 14th June 2009, as per following programme:-


01	Date of written examination	1. on 13.06.2009 (Saturday) & 2. on 14.06.2009 (Sunday)
02	Time of examination	1st Paper:- from 13.00 hours to 16.00 hours on 13.06.09 2nd Paper:- from 13.00 hours to 16.00 hours on 14.06.09
03	Venue of examination	Office of the Principal Chief Engineer/Maligaon

You are, therefore, requested to spare and direct the candidates concerned under your control as per list attached with this office letter as Annexure-'A', accordingly.

Please ensure compliance.

DA : As above.


(P.K. Singh)
Dy.CPO/GAZ.
For GENERAL MANAGER(P)

ATTESTED

ADVOCATE

4 JUN 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

(2)

51	Shri Deependra Giri	JE/I/P.WAY/USFD/CON/Maligaon
52	Shri Prasanta Kumar Sinha	SSE/W/CON/Estimate/Maligaon
53	Shri Nityananda Sarma	JE/I/W/CON/Tender/Maligaon
54	Shri Manoj Kumar Saikia (ST)	JE/I/P.WAY/CON/SCL
55	Shri Bimal Kumar Das (SC)	SE/W/CON/LLBR
56	Shri Sudiip Joarder	JE/I/DRG/CON/LLBR
57	Shri Narendra Kumar Das	SE/Bridge/CON/Maligaon
58	Shri Ashish Kumar Choudhury	JE/P.WAY/CON/Maligaon
59	Shri Sanjoy Bhattacharjee	JE/I/DRG/CON/Maligaon
60	Shri L. Nena Singha	SE/Design/CON/Maligaon
61	Shri Amitabh Barman	SE/CON/BRIDGE/Maligaon
62	Shri Chandan Kumar Malakar (SC)	SE/DRG/CON/Maligaon
63	Shri Tapan Kumar Chakraborty	SE/DESIGN/Maligaon
64	Shri Dambarudhar Borah (ST)	SE/BRIDGE/CON/SCL
65	Shri Deo Narayan Singh	SE/P.WAY/CON/NOG
66	Shri Madan Chandra Deka (SC)	JE(W)I/CON/S/Maligaon
67	Smt. Mousumi Deb Roy (SC)	JE/I/DRG/CON/Maligaon
68	Shri Pallab Kanti Das (SC)	SE/W/CON/SCL
69	Shri Paras Nath Prasad	Safety Councillor/Sr.DSO/LMG
70	Shri Ashis Kumar Dutta	JE/P.WAY/LKA
71	Shri Dipankar Chatterjee	JE/I/P.WAY/P/LMG
72	Shri Jayanta Kachari (ST)	JE/I/P.WAY/USFD/LMG
73	Md. Jamaluddin Ahmed	JE/I/W/JID
74	Shri Pradip Kumar Borah	SSE/P.WAY/HJI
75	Shri Sudhir Kumar Roy (ST)	JE/P.WAY/PHI
76	Shri Jayanta Aich (SC)	JE/I/P.WAY/LMG
77	Shri Diganta Bhagabati	SE/P.WAY/USFD/LMG
78	Shri Krishna Chandra Mandal (SC)	SE(W)/South/LMG
79	Shri Ashim Kumar Das (SC)	JE/I/P.WAY/CNL/LMG
80	Shri Anjoy Kumar	SE/WORKS/DMV
81	Shri Ved Prakash	JE/I/W/DMV
82	Shri Bhaskar Choudhury (st)	JE/I/USFD/Maligaon
83	Shri Rakesh Raushan	JE/I/P.WAY/DMR
84	Shri Sudip Sarkar	SE/P.WAY/DMR
85	Shri Aminul Hassan Mazerbhuyan	SSE/P.WAY/NGC
86	Shri Medini Borah	SSE/P.WAY/NGC
87	Shri Subha Doloi (ST)	SE/P.WAY/CPK
88	Shri Jayanta Kumar Das (SC)	SE/P.WAY/CPK
89	Shri Dipak Kumar Kakati	SE/P.WAY/JID
90	Shri Amirul Iman Choudhury	SE/DRG/LMG
91	Shri Kushal Dutta (ST)	SSE/W/WS/LMG
92	Shri Biswajit Dasgupta	SSE/P.WAY/Plain/LMG
93	Shri Debashis Kumar Dey	JE/I/P.WAY/(P)/LMG
94	Shri Sudip Kumar Nath	JE/I/P.WAY/SCL
95	Shri Pabitra Gogoi	SSE/P.WAY/BXP
✓96	Shri Dhiren Boraik	JE/I/TM/PCE/Maligaon
✓97	Shri Amit Kumar	JE/II/TM/Maligaon
✓98	Shri Utpal Kumar Borthakur	JE/I/TM/Maligaon
✓99	Shri Jayanta Das	SE/TM/KYQ
✓100	Shri Anil Kumar Nath	SE/TM/Maligaon
✓101	Shri Subhankar Rakshit	SE/TM/Maligaon
✓102	Shri Soumen Kumar Das (SC)	SE/TM/Maligaon

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ATTESTED
ADVOCATE

List of eligible candidates for LDCE of AEN/Group-'B' against 30% vacancies in terms of GM(P)/Maligaon's notification NoE/154/17-IX/LDCE(O) dated 09.03.2009.

SN	Name of the candidates	Designation & station
01	Smt. Nirmali Kakati Sarma (SC)	JE/DRG/II/PCE/Maligaon
02	Smt. Rumi Das (SC)	JE/II/PCE/Maligaon
03	Smt. Nirupama Pathakdeka	JE/I/DRG/PCE/Maligaon
04	Shri Krishnanandan Prasad	Investigating Inspector/Railway Board/New Delhi
05	Shri Jatin Deka	SSE/Bridge/HQ/Maligaon
06	Shri Bhupen Ramchiary (ST)	SE/Works/Dy.CE/CS/Maligaon
07	Shri Dilip Sur Roy	JE/I/W/CS/NBQ
08	Shri Partha Pratim Chowdhury	SE/DRG/PCE/Maligaon
09	Mrs. Mahua Paul	JE/I/P.WAY/PCE/Maligaon
10	Shri Ashim Kumar Majumder	SE/DRG/PCE/Maligaon
11	Shri Tapan Kumar Das	JE/I/W/CS/NJP
12	Mrs. Thunu Barman	JE/II/PCE/Maligaon
13	Shri Rohini Prasad Chaturvedi	Chief Inquiry Inspector/Maligaon
14	Shri Rajat Ranjan Deka	JE/I/DRG/PCE/Maligaon
15	Shri Bipul Kumar Das (SC)	SE/DRG/PCE/Maligaon
16	Mrs. Jahanara Begum	SE/DRG/TMC/Maligaon
17	Shri Sushil Kumar (SC)	SSE/P.WAY/USFD/Maligaon
18	Shri Uttam Kumar Bhattacharjee	SE/DRG/Dy.CE/Br.Line/Maligaon
19	Shri Shyamal Kumar Banik	SSE/P.WAY/USFD/RNY
20	Shri Ajoy Kumar Mishra	JE/I/WORKS/SPL/RNY
21	Shri Vijay Kumar Basumatary(ST)	SSE/DRG/RNY
22	Shri Ashok Kumar	SSE/P.WAY/SPL/RNY
23	Shri Shayer Uddin Ahmed	SE/P.WAY/DMC/NLP
24	Shri Umesh Prasad Verma	JE/II/W/NLP
25	Shri Tapan Kumar Das	SE/W/NLP
26	Shri Nithar Ranjan Mitra	Safety Councilor/Engg./DSO/RNY
27	Shri Nityananda Saharia (ST)	SE/P.WAY/MJBT
28	Smt. Sumita Saiba (ST)	JE/II/DRG/PCE/Maligaon
29	Shri Shyam Kishor Saha	JE/I/WM/EWS/BNGN
30	Shri Anghuman Saha	SSE/EWS/BNGN
31	Shri Hirak Mitra	SE/EWS/BNGN
32	Shri Ghanashyam Das (SC)	SE/W/CON/HQ/Maligaon
33	Shri Sharadindu Bhattacharjee	SE/W/CON/Maligaon
34	Shri Sishir Kumar Ghosh	SE/W/CON/NOG
35	Shri Achal Kumar Singh	JE/I/W/CON/NOG
36	Shri Ravi Kant Singh	JE/I/P.WAY/CON/NPG
37	Shri Bidyut Ranjan Bakshi	SE/W/CON/Maligaon
38	Shri Bandhan Kumar Majumder	JE/I/DRG/CON/Maligaon
39	Shri Ranjit Kumar Singh	JE/I/W/CON/AUB
40	Shri Ujjal Biswas	JE/I/DRG/CON/NJP
41	Shri Marichi Mali Deb	SE/Bridge/CON/NJP
42	Shri Tapan Kumar Som	JE/I/CON/AUB
43	Shri Biplab Ghosh	SE/P.WAY/CON/NJP
44	Shri Subrata Goswami	SE/Engg/DRG/CON/NJP
45	Shri Chandan Bhattacharjee	SE/W/CON/NJP
46	Smt. Anindita Sinha	JE/I/P.WAY/CON/Maligaon
47	Shri Nizara (Borah) Saikia	SE/ENG/CON/Maligaon
48	Shri Sibamoy Nandi	SSE/W/CON/SPTR
49	Shri Golap Chandra Das (SC)	SE/WORKS/CON/Silapathar
50	Syed Munir Ahmed	SE/CON/DRG/Maligaon

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ATTESTED

ADVOCATE

4 JUN 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

(4)

156	Shri Brij Lal Meena (ST)	SE/WORKS/FLK
157	Shri Gurupada Roy (SC)	SE/P.WAY/FKM
158	Shri Birendra Mohan Ray (SC)	SE/WORKS/FKM
159	Shri Dipak Some	SE/WORKS/FKM
160	Shri Jitendra Jha	SSE/WORKS/DTX
161	Shri Nizamuddin	SSE/WORKS/COB
162	Shri Hrishikesh Roy	SSE/P.WAY/KNE
163	Shri Suhas Ranjan Deb	SSE/P.WAY/LNL/KIR
164	Shri Chandra Bhushan Kumar	SSE/P.WAY/DTC/KIR
165	Shri Jamaluddin Khan	SSE/P.WAY/OMLF
166	Shri Dipak Gogoi	SSE/P.WAY/TKG
167	Shri Ram Bhawan	SE/P.WAY/DTC/KIR
168	Shri Dharendra Roy	SE/P.WAY/USFD/KIR
169	Shri Manoj Kumar Jha	SE/P.WAY/USFD/KIR
470	Shri Atul Kumar	SE/P.WAY/USFD/KIR
171	Shri Dilip Kumar Sarma	SE/P.WAY/N/NJP
172	Shri Arvind Kumar Singh	SE/P.WAY/BG/BOE
173	Shri Surya Moni Singh	SE/P.WAY/S/KIR
174	Shri Avijit Das (SC)	SE/P.WAY/BNDP
175	Shri Brajesh Kumar Dubey	SE/P.WAY/KIR
176	Shri Ashish Ranjan	JE/I/P.WAY/OMLF
177	Shri Himangshu Kumar	JE/I/P.WAY/RNI
178	Shri Partha Sarathi Singh	JE/I/P.WAY/EKI
179	Shri Dilip Kumar	SSE/WORKS/EAST/KIR
180	Shri Jyotish Chandra Barman (SC)	SSE/WORKS/BOE
181	Shri Umesh Kumar Keshari	SE/W/WEST/KIR
182	Shri Vijayi Prasad (SC)	SE/WORKS/KIR
183	Shri Raj Kumar Bhagat	SE/W/BOE
184	Shri Santosh Kumar	JE/II/W/BOE
185	Shri Brajendra Kumar Singh	SE/DRG/KIR
186	Shri Kumar Ashwini	JE/II/WORKS/SM/OMLF
187	Shri Durga Prasad Gupta	JE/I/WORKS/OMLF
188	Shri Debasish Chakraborty	SE/WORKS/PRNA
189	Shri Atis Chandra Biswas(SC)	SE/WORKS/OMLF
190	Shri Sarasvajit Kumar Sarvesh(SC)	JE/I/P.WAY/AUB
191	Shri Manoj Kumar Purohit	JE/I/P.WAY/SGUJ
192	Shri Subhash Chandra Paul	SE/P.WAY/BORA
193	Shri Arun Kumar Singh	SE/DRG/KIR
194	Shri Brijesh Kumar	JE/I/W/HAS
195	Shri Subrata Shankar Roy	SE/WORKS/DBWS
196	Shri Dilip Kumar Bhattacharjee	SE/WORKS/DBRT
197	Shri Harish Das	JE/I/WORKS/DBRT
198	Shri Alok Hazarika (SC)	JE/I/P.WAY/Amguri
199	Shri Jitendra Nath Singh	JE/II/P.WAY/LAKWA
200	Shri Baba Abraham	SE/P.WAY/Amguri
201	Shri Sutradhar Basumatary(ST)	SE/P.WAY/MXN
202	Shri Ajit Das (SC)	SE/WORKS/TSK
203	Shri Pradip Kumar Kachari (ST)	SSE(W)/FKG
204	Shri Chiranjib Ghosh	JE/II/WORKS/FKG
205	Shri Phularam Pegu (ST)	SE(W)/SLGR
206	Shri Pradip Kumar Sama	SSE/P.WAY/PNT
207	Shri Lakshmi Kumar Pao (ST)	SE/P.WAY/TSK
208	Shri Kegsaseng Semp (ST)	JE/II/P.WAY/TSK

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✓ 103	Shri Pijush Ghose	SSE/TM/Maligaon
✓ 104	Shri Anjan Roy Bhowmick	SSE/TM/KYQ
✓ 105	Shri Raju Kar	SSE/TM/Maligaon
✓ 106	Shri Prabodh Lahkar	SSE/TM/Maligaon
✓ 107	Shri Abu Hasan	SSE/TM/Maligaon
✓ 108	Shri Taraknath Kar	SSE/TM/Maligaon
✓ 109	Shri Himangshu Mandal (SC)	SSE/TM/Maligaon
110	Shri Abhijit Naug	SE/WORKS/WEST/PNOS
111	Shri Partha Mitra	SE/W/Water Supply/Nambari
112	Shri Shyamal Kumar Mazumder	SE/NEER/WORKS/SPL/PNO
113	Shri Hrishikesh Deva Mishra	JE/W/I/CH/Maligaon
114	Shri Tirtha Nath Sarmah	SE/Works/Sr.DEN/Maligaon
115	Shri Taizuddin Ahmed	WSI/Maligaon
116	Shri Uttam Chandra Kalita	JE/I/WORKS/MRHT
117	Shri Krishnendu Kumar	SE/P.WAY/CON/DBRT
118	Shri Sarat Saikia (ST)	SE/P.WAY/CON/MRHT
119	Shri Mohan Chandra Bhuyan	SE/P.WAY/CON/DBRT
120	Shri Nipul Medhi (SC)	SE/CON/BR/DBRT
121	Shri Sanjay Kumar (SC)	SE/W/C/DBRT
122	Shri Sajal Kumar Deb	SE/WORKS/DBRT
123	Shri Debasish Roy Choudhury	SE/BR./CON/NCB
124	Shri Alok Kumar Bhattacharjee	JE/W/I/CON/NCB
125	Shri Dipak Kumar Khataniar	SE/BRIDGE/CON/JM at NCB
126	Shri Pushan Dutta	SE/DRG/CON/JPZ
127	Shri Debabrata Das (SC)	SE(W)/CON/JPZ
128	Shri Barun Chandra sarmah	SE/P.WAY/CON/JPZ
129	Shri Niranjana Kumar Deori (ST)	JE/W/CON/NLP
130	Md. Foijul Hoque Laskar	SE.W/CON/NLP
131	Shri Biren Haloi	SE./BRIDGE/CON/NCB
132	Shri Sujit Kumar Sarkar	SE/W/CON/APDJ
133	Shri Prafulla Kumar Seal	JE/I/CON/WORKS/NCB
134	Shri Desh Raj Bhateley (SC)	SE/W/CON/GKJ
135	Shri Pradip Kumar	SE/P.WAY/APDJ
136	Shri Sekharendra Chandra Roy Sarkar	JE/W/CON/Sapatgram
137	Shri Rathindra Nath Mandal(SC)	SSE/P.WAY/CON/COB
138	Shri Khokan Chandra Roy(SC)	Instructor/P.WAY/ZRTI/APDJ
139	Shri Arrop Chakraborty	Instructor/Engg/ZRTI/APDJ
140	Shri Sunil Saharia	SE/BRIDGE/PNO
141	Shri Narayan Chandra Bordoloi (ST)	SSE/BR/PNO
142	Shri Abu Salim Ahmed	SSE/BRIDGE/LMG
143	Shri Amar Bezbaruah	SSE/BRIDGE/Maligaon
144	Shri Tamal Neogi	SE/DESIGN/PCE/Maligaon
145	Shri Subhasish Das	SE/P.WAY/DQG
146	Shri Banshilal Kumar	SE/I/P.WAY/JPE
147	Shri Partha Choudhury	SSE/P.WAY/NMX
148	Shri Subal Chandra Roy	JE./I/W/FKM
149	Shri Satendra Singh	JE/I/P.WAY/KOJ
150	Shri Batti Lal Meena (ST)	JE/I/WORKS/MBZ
151	Shri Ashit Debnath	JE/I/P.WAY/USFD/APDJ
152	Shri Sudipta Biswas (SC)	JE/I/P.WAY/FLK
153	Shri Kaldhari Prabhakara Rao (SC)	JE/I/P.WAY/NCB
154	Shri Gautam Goswami	SE/WORKS/NCB
155	Shri Mintu Kumar Deb	SE/P.WAY/KAMG

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(5)

209	Shri Debatosh Chakraborty	JE/II/P.WAY/NHK
210	Shri Sobha Saikia	SSE/P.WAY/NAMRUP
211	Shri Ujjal Saikia	JE/II/P.WAY/TSK
212	Mrs. Kalpana Gogoi	JE/II/DRG/NTSK
213	Shri Dipul Kumar Barua	SE/DRG/TSK
214	Shri Pradip Kumar Debnath	JE/II/USFD/TSK
215	Shri Paresch Moni Hazarika (SC)	SE(W)/TSK
216	Shri Bedanta Bikash Borah	SSE/P.WAY/WEST/SLGR
217	Shri Uddhab Borah	JE/I/P.WAY/MXN
218	Shri Zakir Hazarika	SE/P.WAY/Titabar
219	Shri Ashok Majumder	SE/P.WAY/HILL/LMG
220	Shri Santanu Bhattacharjee	SE/P.WAY/CON/SM
221	Shri Sauschal Kumar	JE/II/W/C/KIR
222	Shri Shiv Kumar	JE/I/W/CON/SRI at KIR
223	Shri Afrejul Hoque	SE/WORKS/CON/MLDT
224	Shri Subir Mukherjee	SE/CON/KIR
225	Shri Dibya Kumar Mili (ST)	SE/P.WAY/VNE
226	Shri Indra Mohan Gayari (ST)	SE/P.WAY/RNY

13/5/09

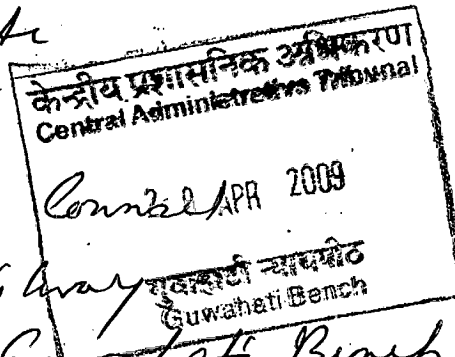
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ADVOCATE

NOTICE

Date - 28.04.2009

From, N. Ahmed
Advocate

To, Standing Counsel
N. E. Railway
C.A.T., Guwahati Bench
Guwahati



Sub- Supply of copy of Misc. Case
in O. A. No. 73 of 2009

Sir,

Please find herewith a copy of
Misc. Case in O.A. No. 73 of 2009 filed by
Sri Piyush Ghose through me before
this Honble Tribunal and kindly
acknowledge the receipt of the same.

Thanking You

Yours faithfully

N. Ahmed
Advocate

Received by
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29/4/09