

13

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A./TA/ NO. 202 2009 - ~~2008~~
R.A./CP/NO. 2015
E.P./M.P./NO. 2015

1. Order Sheets..... 01pg..... 01to..... 01 ✓
2. Judgment/ order dtd. 9.10.2009 pg..... 01to..... 03 ✓
3. Judgment & Order dtd..... ✓received from H.C. /Supreme Court.
4. O.A. 202/09page..... 01to..... 28 ✓
5. E.P/M.P. ✓page.....to.....
6. R.A./C.P.....page.....to.....
7. W.S.Page.....to.....
8. Rejoinder.....page.....to.....
9. Replypage.....to.....
10. Any other papers ✓page.....to.....
11. Memorandum filed by the pg- 02 — to 03 ✓
applicant

SECTION OFFICER (JUDL.)

17.8.2015

FORM NO. 4
(See Rule 42)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :
ORDERSHEET

1. ORIGINAL APPLICATION No : 202 / 2009

2. Transfer Application No : -----/2009 in O.A. No.-----

3. Misc. Petition No : -----/2009 in O.A. No.-----

4. Contempt Petition No : -----/2009 in O.A. No.-----

5. Review Application No : -----/2009 in O.A. No.-----

6. Execution Petition No : -----/2009 in O.A. No.-----

Applicant (S) : Syed Tajmur Ali

Respondent (S) : Union of India on 75.

Advocate for the : Mr. H. K. Sharma,
{Applicant (S)} Ms U. Das on
Ms K. Goswami

Advocate for the : Rly.
{Respondent (S)}

Notes of the Registry

Date

Order of the Tribunal

This application is in form
is filed/C. F. for Rs. 50/-
deposited vide IPO/BD
No. 395 425292
Dated 23.7.09

N. S. S.
29.7.09
Dy. Registrar
H. S. S.

29.7.09

5 (Five) copies of
Application with envelopes
received for issue
notices to the Respondent.
Copy served.

29/7/09

8.10.09

Memorandum has
been filed by the L/Advocate
for Applicant with under-
taking to serve a copy of
the same to the Rly. stand.
Counsel and extra 5 copies
of the same also read for
the petition no 1/05. 28/10/09

09.10.2009

Heard learned counsel for the
parties and perused the materials placed
on record.

For the reasons recorded
separately, this case stands disposed of.

Y
(M.R. Mohanty)
Vice-Chairman

/bb/

Kabita Ghosh
Advocate
12.10.09
for the applicant

12/10/09

Copy of judgment
order dtd 9/10/2009
send to the D/section
for issuing to the
Applicant & Respects
by Regd. post.

Free copies of both
side standing counsel
by hand.

12/10/09

vide D/NO - 11743 to
11749 dated 12-10-09.

u

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI:

O.A. NO: 202 of 2009

Date of Decision 09.10.2009

Syed Tajnur Ali

.....

Applicant/s

Mr. H. Kr. Sharma, Ms. U. Das & Mrs. K. Goswami.

.....

Advocates for the
Applicant/s

- Versus -

U.O.I. & Ors.

.....

Respondent/s

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

.....

Advocate for the
Respondents

CORAM :

HON'BLE MR. M.R. MOHANTY, VICE - CHAIRMAN

1. Whether reporters of local newspapers may be allowed
to see the Judgment ?
2. Whether to be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy
of the Judgment ?

~~Yes/No~~ ✓

~~Yes/No~~ ✓

~~Yes/No~~ ✓

VICE - CHAIRMAN

4

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 202 of 2009

Date of Order: This, the 09th of October, 2009

HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN

Syed Tajnur Ali
Son of Syed Muktab Ali
R/O 2 No. Nakul
P.S. & P.O. Rangia
Dist - Kamrup, Assam.

.....Applicant

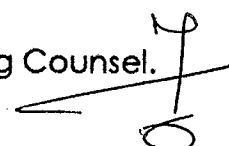
By Advocates: Mr. H.Kr. Sharma, Ms. U. Das & Mrs. K. Goswami.

-Versus-

1. Union of India represented
By the Secretary to the
Government of India
Ministry of Railway, Rail Bhawan
New Delhi - 110001.
2. The Director General
Railway Protection Force
New Delhi - 110001.
3. The General Manager
N.F. Railway, Maligaon
Guwahati - 781011.
4. The Chief Security Commissioner
N.F. Railway, Maligaon, Guwahati
Pin - 781011.
5. The Divisional Security Commissioner
R.P.F., N.F. Railway
Lumding - 782447.

.....Respondents

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



ORDER (ORAL)
09.10.2009

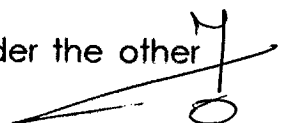
MANORANJAN MOHANTY, (V.C.):

Seeking a direction for compassionate appointment under the Respondents, the Applicant has approached this Tribunal with the present Original Application filed under Section 19 of the Administrative Tribunals Act, 1985.

2. It appears the Applicant's father was serving in Railway Protection Force ('R.P.F.' in short) and, upon voluntary retirement (for medical reasons) being taken by his father, the Applicant sought employment on compassionate ground. His repeated representations to the authorities of R.P.F. having not received due consideration, the Applicant, as it appears, approached the Ministry of Railways by way of filing a representation on 29.09.2009. A copy of the said representation has also been given to the General Manager of N.F.Railway/Maligaon, Guwahati (Respondent No.3); which goes to show that the Applicant has opted to serve under the Railways and not necessarily under the R.P.F..

3. Dr.J.L.Sarkar, learned Standing counsel for the Railways, to whom a copy of this Original Application has already been supplied, has pointed out that father of the Applicant was serving under the R.P.F.; which is an Armed Force and, as such, the claim of the Applicant (for an employment, on compassionate ground, in R.P.F.) is not maintainable.

4. Faced with the aforesaid objection, Mrs.K.Goswami, learned counsel appearing for the Applicant, has pointed out that the Applicant is not only seeking employment under the R.P.F. but also under the other

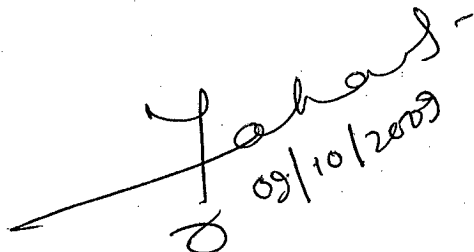


segments under the Ministry of Railways and under the N.F.Railways, on compassionate ground, and that, as such, present O.A. is maintainable.

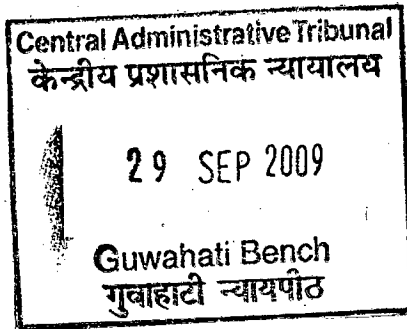
5. Since it is the positive case of the Applicant that her representations are pending with the Respondents (without any waste of time and without entering into the merits of the matter) this case is, hereby, disposed of with direction to the Respondents to consider the grievances of the Applicant (as raised in the present O.A. and in the representation dated 29.09.2009) by treating a copy of this present O.A. to be a representation of the Applicant (to the Respondents) and to pass necessary orders by end of December 2009.

6. Send copies of this order to the Applicant and to all the Respondents (along with the copies of this present O.A. and the Memo dated 08.10.2009 with the Annexure) in the address given in the O.A.

7. Free copies of this order be also handed over to the learned counsel appearing for both the parties.


(MANORANJAN MOHANTY)
VICE CHAIRMAN

/BB/



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL GUWAHATI BENCH,

GUWAHATI

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

Title Case No.

O.A. No. 202/2009

Syed Tajnur Ali

-----Applicant.

-A N D-

Union of India and others.

-----Respondents.

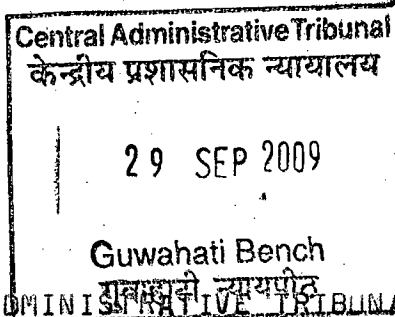
S Y N O P S I S

The applicant herein prefers this original Application for appointment on compassionate ground to any post commensurating to his educational qualification. The father of the applicant voluntarily retired from service on 31/10/2001 due to his ill health. Therefore the applicant preferred an application/representation praying for appointment on compassionate ground as his father had voluntarily retired from service on medical ground.

Alongwith the application, all the relevant required documents were enclosed. Thereafter, the applicant has been pursuing the matter regularly with the authority concerned ; but inspite of his repeated approach and representations before the respondent authority, nothing has been done by them as yet. Hence, this original Application praying for an appropriate direction for appointment of the applicant on compassionate ground.

Kabita Basu
ADV

Syed Tajnur Ali



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL GUWAHATI BENCH,
GUWAHATI

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

Title Case No.

O.A.No. 202 /09

Syed Tajnur Ali

...Applicant.

- A N D -

Union of India and others.

...Respondents.

LIST OF DATES

27/9/1965 : The father of the applicant appointed as
Constable.

31.10/2001 : The father of the applicant voluntarily retired
from service on medical ground.

4/4/2002 : Formal application along with all the required
documents for compassionate appointment
submitted before the respondent authority.

8/9/2004 : Some representations preferred by the applicant.

30/9/2008

2/4/2009 : Representation preferred by the
applicant.

Kabita Gauri
Adv

Syed Tajnur Ali

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL GUWAHATI BENCH,
GUWAHATI

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

Title Case No.

O.A. No. 202/09

B E T W E E N

Syed Tajnur Ali

...Applicant.

-AND-

Union of India and others.

...Respondents.

I N D E X

<u>Sl.No.</u>	<u>Particulars of title documents</u>	<u>Page No.</u>
1.	Original application.	1 - 12
2.	Verification	13
3.	Annexure-1	14
4.	Annexure-2 series	15 - 22
5.	Annexure 3 series	23 - 25
6.	Annexure-4 & 5	26 - 28

Filed by-

Kabita Goswami
Advocate.

Syed Tajnur Ali

29 SEP 2009

Guwahati Bench
गुवाहाटी न्यायपीठ

Filed by:- the applicant
through Kabita Goswami
Advocate
29.09.09

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL GUWAHATI BENCH

G U W A H A T I

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

Title of the case :

O.A.No. 202/2009

B E T W E E N

Syed Tajnur Ali,
Son of Syed Muktab Ali,
R/O 2 No. Nakul,
P.S. & P.O. Rangia,
District Kamrup, Assam.

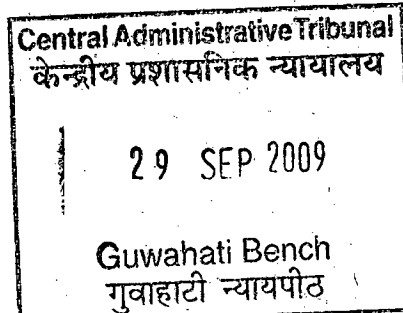
...Applicant.

- A N D -

1. Union of India represented by the Secretary to the Government of India, Ministry of Railway, Rail Bhawan, New Delhi 110001.
2. The Director General,
Railway Protection Force, New Delhi. 110001
3. The General Manager,
N.F. Railway, Maligaon,
Guwahati. 781011
4. The Chief Security Commissioner,
N.F. Railway, Maligaon, Guwahati. 781011
5. The Divisional Security Commissioner, R.P.F.,
N.F. Railway, Lumding. 782447

....Respondents.

Syed Tajnur Ali



-2-

DETAILS OF APPLICATION

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

This application is made being aggrieved against the inaction on the part of the respondent authority for non-consideration of his case for compassionate appointment inspite of his repeated approach and representations.

2. JURISDICTION OF THE TRIBUNAL:

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

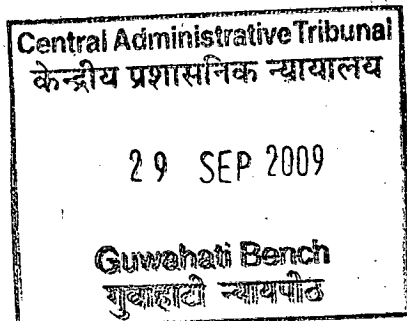
3. LIMITATION :

The applicant declares that the instant application has been filed within the limitation period prescribed under section 21 of the Central Administrative Tribunal Act, 1985.

4. FACTS OF THE CASE :

- 4.1.: That the applicant is a Citizen of India and as such he is entitled to all the rights, privileges and protections as guaranteed under the Constitution of India and laws framed hereunder.
- 4.2.: That the father of the applicant namely Syed Muktab Ali was an employee of the Railway protection Force and has been working as Constable RPF/HBN Staff. No.4743 since his

Syed - Tejan Ali



3

his initial appointment i.e. w.e.f. 27/9/1965 under Divisional Security Commissioner, R.P.F., N.F. Railway, Lumding.

43. : That while the father of the applicant has been working as such, he felt sick due to sudden attack of blood pressure/stroke, as a result of which he could not able to move the right side of his body and became bed ridden. As the health condition of the father of the applicant has been deteriorated by day to day and does not permit him to continue his service, he had applied for voluntary retirement before the concerned authority and after proper verification and enquiry his application for voluntary retirement on medical ground has been accepted by the concerned authority w.e.f. 31/10/2001 vide Office order No.EM/4743/MA dated 21/9/01.

A copy of the aforesaid office order dated- 21/9/01 is annexed herewith and marked as Annexure-1.

4.4.: That as the father of the applicant has been felt sick since long, his entire money of retirement benefits has been spent towards his treatment, Not only the retirement benefits but also all the landed property of the family has been sold out for his treatment.

Syed - Tashim Ali

29 SEP 2009

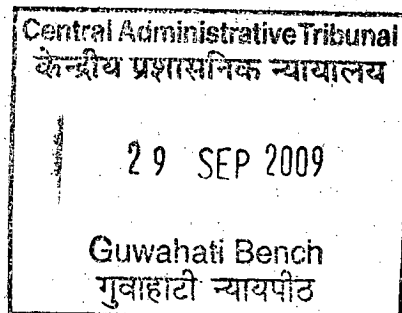
Guwahati Bench
गुवाहाटी न्यायपीठ

4

4.5. That after voluntary retirement of the father of the applicant, the family of the applicant which consist applicant, his father and mother and two unmarried sister have to suffer tremendous financial hardship to mitigate their daily needs and started to take financial assistance from their relatives, friends and well arishers and also started to take goods on credit. It has already stated above that the entire money which his father received as a retirement and other pensionary benefits had been spent towards his treatment.

4.6.: That considering the financial hardship faced by the family of the applicant as his father voluntarily retired from service due to his ill health, he had preferred an application/representation dated- 4/4/2002 for compassionate appointment before the Chief Security Commissioner, N.F. Railway Maligaon and the Divisional Security Commissioner/R.P.F. N.F. Railway, Lumding through proper Chennel,

Sd/- T. J. S. S. S.



5

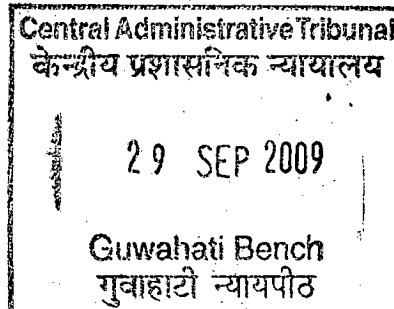
enclosing all the relevent documents i.e. his
marksheet, admit card, identity and educational
qualification certificate etc.

A copy of the aforesaid application dated
4/4/2002 alongwith the documents enclosed therewith
are annexed herewith and marked as Annexure-2 ~~series~~.

4.7. That the applicant as being a Higher Secondary (Arts)
passed candidate, he is eligible and entitled to any
Grade III or IV post on compassionate ground under
the respondent authority. As such, the respondent
authority are duly bound to consider his case for
compassionate appointment under the relevant scheme
guidelines and notifications etc. holding the field
at the time of submission of his application for
appointment on compassionate ground.

4.8. That inspite of the aforesaid position and even
after furnishing all the relevant documents required
for consideration of his case for appointment under
compassionate ground, nothing has been communicated to
the applicant for years together. However, the
applicant while repeatedly persuing the matter,
submitted several/representations before the Concerned
authority. Under the said circumstances, the applicant
and his family have been suffering tremendous financial
hardship as there is no other source of income in his
family.

Sgt. T. B. B. B. B.



6

Some copies of representations are annexed herewith and marked as Annexure-3 ^{Sec 4123}.

4.9.: That inspite of the repeated approach to the offices of respondent authority and several representations preferred by the applicant, no response has been received from them. After waiting for a considerable period, the applicant preferred another representation dated- 2/4/09 ^{before the} concerned authority. In the said representation, it has been categorically stated that the applicant along-with his family have been facing tremendous financial hardship and it has become impossible to run their family because the persons, relatives, friend and well wishers, who have been extending financial assistance to them are now refused to do so rather they are insisting the applicant and his family to refund the loan. It is pertinent to mention herein that all the aforesaid persons have been extending financial support to the applicant with the hope that the amount would be refunded to them immediately on getting appointment on compassionate ground.

A copy of the aforesaid representation dated 2/4/2009 alongwith postal receipts are annexed herewith and marked as Annexure -4/5

4.10 That the applicant begs to submit that the action/inaction on the part of the respondent authority for not considering the matter of the applicant for compassionate ground are .

Signature

29 SEP 2009

Guwahati Bench
गुवाहाटी न्यायपीठ

7

quite illegal, arbitrary and violation of the principle of Natural Justice and Administrative Fairplay. More particularly without disclosing anything about the inability to appoint him on compassionate ground on the reason of nontitlementment and disqualification whatever may be is clear violation of the principle of Administrative Fairplay.

4.11.: That the applicant begs to submit that the respondent authority has been delaying the matter of compassionate appointment of the applicant, knowing fully well about the background of the case. The Respondent Authority slept over the matter to cause delay with the intention to frustrate the claim of the applicant for compassionate appointment.

4.12. That the applicant begs to state that the matter relating to compassionate appointment needs to be settled as early as possible to tide over the emergency and crisis. However, in the present case, though the applicant submitted the application alongwith all relevent documents immediately after the voluntary retirement on medical grounds of the father of the applicant, the respondent have acted contrary to the said principle and policy and delaying the matter with the aim and intention to defeating the claim of the applicant.

Sd/- *[Signature]*

4.13 That the applicant is belongs to a very economically poor and socially backward family and after voluntary retirement of his father as the deteriorated health condition of the father of the applicant does not permit him to continue his service, it has almost impossible to run his family, without the help and assistance from the respondent authority. Although, the applicant regularly persuing the matter before the Respondent authority, but the respondents knowing fully well about the plight of the applicant kept on dragging the matter for about 8 years without disclosing anything. Having no other alternative, the applicant preferred this. O.A praying for a direction to appoint the applicant on compassionate ground.

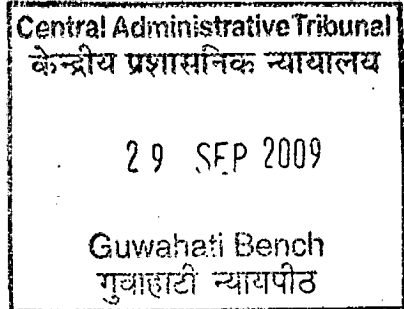
5. GROUNDS FOR RELIEF(S) WITH LEGAL PROVISIONS:

- 5.1. For that the action/inaction on the part of the respondent authority in not considering of the case of the applicant for appointment on compassionate ground is quite illegal, arbitrary and violation of the principles of Natural Justice.
- 5.2. For that the action on the part of the respondents is not considering the matter inspite of repeated prayer and representations before the respondent authority amounts to failure in Administrative Fairplay.

Syed. Tajan Ali

- 5.3. : For that the inaction of the part of the respondent authority in not responding about the matter inspite of repeated approach of the applicant towards appointment on compassionate ground against any post commensurating to his educational qualification under the respondent authority is not at all tolerable under law.
- 5.4. : For that the inaction on the part of the respondents authority to consider the case of the applicant towards appointment on compassionate ground is not at all tenable on the part of the respondents, who is the largest employee of the country and a model employer.
- 5.5. For that the action/inaction on the part of the respondent authority by depriving the applicant from his legitimate right towards appointment on compassionate ground is violative under the provisions of law.
- 5.6 : For that the non-consideration of several representations preferred by the applicant for compassionate appointment is quite illegal, arbitrary and violate of the principles of Natural Justice and Administrative Fair play.

Syed Tajir-ud-Din Ali



6. DETAILS OF REMEDIES EXHAUSTED :

That the applicant declares that he has exhausted all the remedies available to him and there are no other alternative and efficacious remedy available to her than to file this original application.

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

The applicant declare that no other application, writ petition or suit in respect of the subject matter of the instant application is filed before any other court, authority or any other Bench of the Hon'ble Tribunal nor any such application, writ petition or suit is pending before any of them.

8. RELIEF(S) SOUGHT FOR :

Under the facts and circumstances stated above, the applicants pray that this application be admitted records be called for and notice be issued to the respondents to show cause as to why the reliefs sought for in this application should not be granted and upon hearing the parties and on perusal of records, be pleased to grant the following reliefs:

contd..

Syed Tajanur Rahman

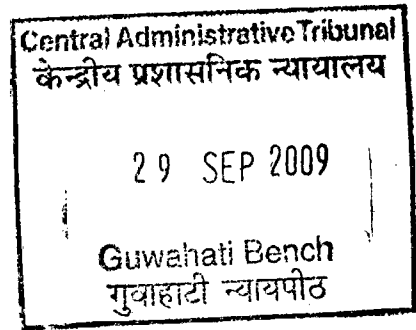
- 8.1. : To direct the respondents to appoint the applicant on compassionate ground to any post commensurating to his educational qualification.
- 8.2. : To direct the respondents to consider and dispose of the representations preferred by the applicant suitably under the facts and circumstances stated in the said representations as well as in the instant original application.
- 8.3. : To direct the respondents to extend all the consequential service benefit after appointing him on compassionate ground.
- 8.4. : Cost of the application.
- 8.5. : Any other relief/reliefs to which the applicant is entitled to under the facts and circumstances of the case as the Hon'ble Tribunal may deem fit and proper.

9. INTERIM ORDER PRAYED FOR :

Under the facts and circumstances of the case, the applicant prays for an interim order directing the respondents to engage him even on temporary basis in any post under the respondents during the pendency of this application.

contd...

Syed. Tahir Hussain

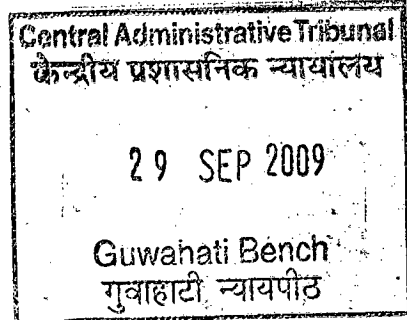
10. PARTICULARS OF I.P.O.

1. I.P.O. No. 425242
2. Date 23/09/2009
3. Payable at : Guwahati.

11. LIST OF ENCLOSURES :

As stated in the Index.

Syed Tajam - An



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

I, Syed Tajnur Ali, aged about 34 years,
 Son of Syed Muktab Ali, resident of 2 No.
 Nakul, P.S. & P.O Rangia in the District of
 Kamrup, Assam do hereby solemnly affirm and verify
 that the statements made in paragraph Nos. 4.1, 4.4, 4.5, 4.7, 4.11 & 4.13
 are true to my knowledge and those made in paragraph
 Nos. 4.2, 4.3, 4.6, 4.8 & 4.9 are believe to be true on
 legal advice and that I have not suppressed any
 material fact before this Tribunal.

And I sign this verification on this 29th day
 of Sept. 2009 at Guwahati.

Syed Tajnur Ali

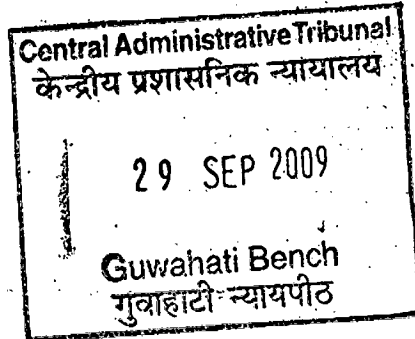
Signature of the Applicant.

OFFICE ORDER

CSO/RPF/Landing has ~~accepted~~ accepted the voluntary Retirement of shri MUKTAB ALI. CB/RPF/HBN with effect from 31-10-2001 AN.

His service particulars are given below:-

- | | | |
|------------------------|----|------------|
| 1. Date of Birth | :- | 1-2-44 |
| 2. Date of Appointment | :- | 27/09/65 |
| 3. Present pay | :- | Rs. 4190/- |
| 4. P/B A/C No. | :- | 01855293 |
| 5. Staff No. | :- | 4743 |



DIVL. Security Commissioner/RPF
N.E. Railway/Landing.

No. BV/4743/A/2

Dtd. 21/09/2001.

Copy forwarded for information and necessary action to:-

1. Shri Muktab Ali. Const/RPF/HBN through RPF/HBN with the service to attend this office for executive of F-3 papers immediately and release the SC M.E.F. AN of 31/10/2001 as per order and submit all clearance certificate/No demand certificate.
2. CAC/RPF/HBN
3. PAO/HBN
4. CS(E) & CS(C).
5. DMO/CPR for issuing medical clearance certificate of the staff concerned.
6. F-3 section of office.
7. Staff concerned through SI/HBN
8. RPF/CS/DWG
9. SI/RPF/HBN

DIVL. SECURITY COMMISSIONER/RPF
N.E. RAILWAY LANDING.

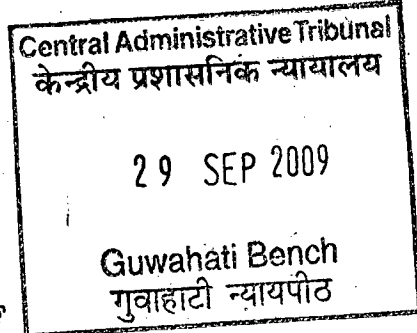
Certified to be true Copy

[Signature]
ANV

Date : 4/4/2002

To,

1. The Chief Security Commissioner,
N.F. Railway, Maligaon.
2. The Divisional Security Commissioner/RPF
N.F. Railway Lumding.
(Through proper channel)



Subject : Prayer for appointment on compassionate
Ground.

Sir,

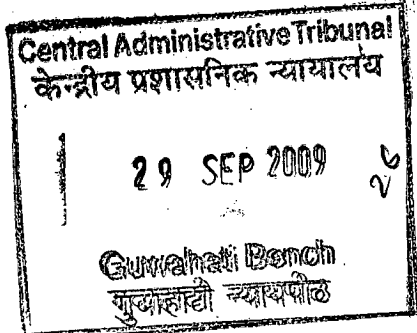
With due regard, I want to lay down the following few lines for favour of your sympathetic consideration please.

My father Syed Muktab Ali was an employee of the Railway Protection Force, worked as constable RPF/HBN staff No. 4743 under Divisional Security Commissioner, RPF, N.F. Railway, Lumding and had been voluntarily retired from service on 31.10.2001 on medical ground as he has been suffering from Paralysis and became bed ridden.

Sir, after voluntary retirement of my father we have to face tremendous financial hardships to mitigate our daily needs as there is no other income source in our family and the entire money of retirement benefits of my father had been spent towards his treatment. Now, our financial position is very poor.

cont d...2

Certified to be
true copy
Resub
A dv



/ 2 /

Therefore, you are requested to kindly appoint me in any Grade-III or IV post commensurating my educational qualification on compassionate ground.

Necessary particulars Biodata prescribed in the standard form Xerox copies of educational marksheets and certificates are enclosed with the standard form.

I hope, I will not deprive from your valuable sympathetic consideration please.

I would be highly greatful toy for this act of kindness.

Thanking you ;

Yours faithfully ;

Syed Tajnur Ali
(Syed Tajnur Ali)

S/o Syed Muktab Ali

R/o 2 No. Nakul

P.S. & P.O. Rangia

District Kamrup, Assam.



Assam Schedule XIII, Form No. FI

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

29 SEP 2009

N-10(B) Guwahati Bench
गुवाहाटी न्यायपीठ

GOVERNMENT OF ASSAM
DEPARTMENT OF LABOUR
EMPLOYMENT EXCHANGE
IDENTITY CARD

(Not an Introduction card for interview with employees)

1. Name of Applicant *Sd. Taznuar Islam*
2. Date of Registration *20-4-2005*
3. Registration No. *1261/2005*
4. N. C. O. Code No. *KEV-20*

INSTRUCTION TO APPLICANT

- (a) Bring this card with you whenever you come to the Exchange.
- (b) Quote your Registration Number and N. C. O. Number whenever you write to the Exchange.
- (c) Renew your Registration every three months. *yes*
If you do not renew by the due date your registration will be cancelled.
- (d) You can renew your registration personally or by post. For renewal by post DO NOT SEND THIS CARD. Apply to the Exchange on a REPLY PAID POST CARD.

Date before which
registration
should be
renewed

4/2008
22/4/05

Office No 326



DUPLICATE

Board of Secondary Education : Assam

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय
29 SEP 2009
Guwahati Bench
गुवाहाटी न्यायपीठ

ADMIT

Sayed Tajmud Islam

son | daughter of Sd. Moktab Ali


Roll M2-47 No. 42

To the Assam High Madrassa Examination
commenced on 24-3-92 His / Her date
of birth is 28-2-75

Note :—Hours of Examination { Morning—From 9 A. M. to 12 noon.
Afternoon—From 1-30 P.M. to 4-30 P. M.

N. B. :—Any alteration made in the entries on this Admit Card without the authority of the Board renders the candidate liable to disqualification for sitting at this or any subsequent Examinations.

Rs. 15.00


Controller of Examinations,
Board of Secondary Education, Assam
Guwahati-781 001.

Form No. 73-2382

Board of Secondary Education, Assam



GUWAHATI
Date: 1.7.1992

MARKS SHEET

This is to certify that Syed Tajnuddin Roll No. 2382 of Rangia Madrasa has secured marks as detailed below in the Assam High Madrasa Examination, 1992

CORE SUBJECTS												GRAND TOTAL	WORK EXPERIENCE Grade	Division	Eligible for Compartmental in					
First Language			Second Language ENGLISH			GENERAL SCIENCE			MATHEMATICS							SOCIAL STUDIES				
FIRST PAPER Full marks 100 Pass marks 30	SECOND PAPER Full marks 50 Pass marks 15	TOTAL Full marks 150 Pass marks 45	FIRST PAPER Full marks 100 Pass marks 30	SECOND PAPER Full marks 50 Pass marks 15	TOTAL Full marks 150 Pass marks 45	FIRST PAPER Full marks 100 Pass marks 30	SECOND PAPER Full marks 50 Pass marks 15	TOTAL Full marks 150 Pass marks 45	FIRST PAPER Full marks 100 Pass marks 30	SECOND PAPER Full marks 50 Pass marks 15	TOTAL Full marks 150 Pass marks 45					FIRST PAPER Full marks 100 Pass marks 30	SECOND PAPER Full marks 50 Pass marks 15	TOTAL Full marks 150 Pass marks 45		
42	23	65	39	26	65	26	14	40	61	27	83	31	21	52	333	C	III			
Marks entered															333					
Marks entered															333					

Marks entered

Marks compared

Work Experience Grade

Division

Examinations Date

Date

Average

Needs improvement

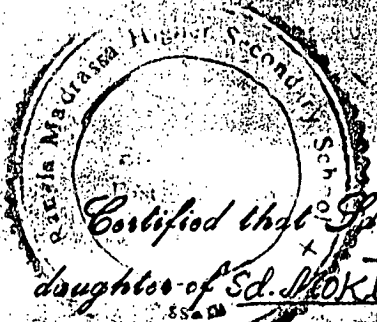
Controller of Examinations

29 SEP 2001

Guwahati Bench
গুৱাহাটী ন্যায়শীট

RANGIA HIGH MADRASSA

ESTD-1936



Certified that Sh/Md Syed Tajmur Islam Son/
 daughter of Sd. Moktab R. Roll M2-47 (RANGIA) No 42

Has Passed the Assam High Madrasa Examination as a
 Regular/Private/Compartmental Candidate in the year 1992 and
 was Placed in the III (3rd) Division. This is according to the
 Mark Sheet No-2382 issued by the the Secondary Board of
 Education Assam, Guwahati.

His/Her date of Birth was 28-2-75 according to his/her admit card.

Central Administrative Tribunal
 केन्द्रीय प्रशासनिक न्यायालय
 29 SEP 2009
 Guwahati Bench
 गुवाहाटी न्यायपीठ

Syed Muslimuddin Ahmed, B.A.B.T.
 Rangia High Madrasa H.S. Section
 Superintendent
 Rangia High Madrasa
 27-7-92

Assam Higher Secondary



Education Council, Guwahati - 21

No. AO 04212

MARKS-SHEET : ARTS STREAM : OLD COURSE

This is to certify that

Taznur

Ali

Roll

755

No.

3013

an N.P. Candidate, secured marks as detailed below, in the Higher Secondary Examination, 2000.

ENGLISH	MIL / Alt English	ELECTIVE SUBJECTS										★ Grand Total Marks. 500 Pass Marks 150/153/156/159	1st Division : 300 & above 2nd Division : 225 – 299 3rd Division : 150/153/156/159 – 224	Compartmental in	
		Pse	Ced	A							Fourth Elective Subject				
					Without Practical	With Practical									
Total Marks 100 Pass Marks 30	Total Marks 100 Pass Marks 30	Total Marks 100 Pass Marks 30	Total Marks 100 Pass Marks 30	Total Marks 100 Pass Marks 30	Theory 70 Pass Marks 21	Practical 30 Pass Marks 12	Total Marks 100 Pass Marks 33	Total Marks 100 Pass Marks 30	Theory 70 Pass Marks 21	Practical 30 Pass Marks 12	Total Marks 100 Pass Marks 33				
30	37	30	27 +3	27 +3				08				15 +6	III		

Marks entered

Marks compared

Date 8/6

Date 8/6



CONTROLLER OF EXAMINATIONS

Grand total marks of subjects excluding the fourth elective. Abbreviations for the subjects are shown on the reverse.

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

29 SEP 2009

Guwahati Bench
गुवाहाटी न्यायपीठ

Rangia Madrassa Higher Secondary School

RANGIA, PIN-781354, ASSAM



394

Sl. No. RMHSS/D-

Book No. -

Certified that SD. TAZNUR an
son/daughter of SD. MOAKTAR
inhabitant of Village/Town 2ND. NARUL in the district of Kamrup
passed the Higher Secondary School Leaving Certificate/Assam High Madrassa Examination
in the year 1972 under A.H.S.F. Council/S.F.B.A. Roll 755 No A-3013
as a regular/private/compartmental candidate from the Rangia Madrassa Higher Secondary
School and was placed in THIRD Division.
His/her conduct and character have been found satisfactory.
I wish his/her success in life.

Dated, Rangia, the 26.9.1972

Principal,

Rangia Madrassa Higher Secondary School

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय
29 SEP 2009
Guwahati Bench
গুৱাহাটী ন্যায়পীঠ

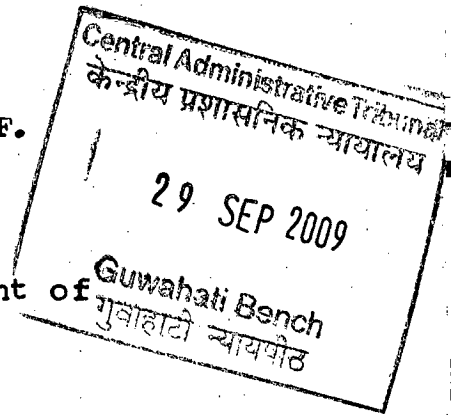
জানা সেবক প্রেস, স্টেশন রোড, রঙ্গিয়া, অসম
Jana Sevak Press, Station Road, Rangia, Assam

To,

Dated : 8/9/2004

1. The Chief Security Commissioner,
N.F. Railway, Maligaon.
2. The Divisional Security Commissioner/R.P.F.
N.F. Railway, Lumding.

Sub : An application for appointment of compassionate Ground.



Sir,

With reference to the above, I most humbly and respectfully beg to lay the following few lines for your kind consideration and appropriate necessary action.

That Sir, I have preferred this application for appointment in any Grade-II or IV post commensurating my educational qualification on compassionate ground as my father Syed Muktab Ali was working as constable/RPF/HBN staff No. 4743 under Divisional security Commissioner R.P.F., N.F. Railway, Lumding and had been voluntarily retired from service on medical ground on 31.10.2001.

That Sir, I have passed Higher Secondary Examination in Arts stream.

Under the said circumstances, if my case has not considered for appointment on compassionate ground, it would be difficult for us to survive as there is no other earning source in our family.

Therefore, I hope that my case would be considered for appointment on compassionate ground.

With due regards.

Yours faithfully ;

Syed Tajnur Ali
(Syed Tajnur Ali)

S/o Syed Muktab Ali

R/o village Nakul No. 2

P.O. & P.S. Rangia,

District-Kamrup, Assam.

*Certified to be
true copy
[Signature]
Adv*

Date : 30/9/2008

To,

1. The Chief Security Commissioner,
N.F. Railway, Maligaon.
2. The Divisional Security Commissioner,
N.F. Railway, Lumding.

(Through proper channel)

Subject : Prayer for appointment on compassionate
Ground.

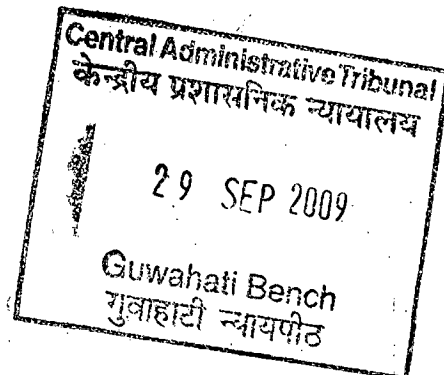
Sir,

With due reference and profound submission,
I the undersigned most humbly and respectfully beg
to my the following few lines for your kind consideration
and appropriate necessary action.

That Sir, my father Syed Muktab Ali, who was
working as constable RPF/H.B.N. Staff No. 4743 under
Divisional Security Commissioner, R.P.F., N.F. Railway,
Lumding, had been voluntarily retired from his
service on medical ground on 31/10/2001. As my father
has been suffering from paralysis and became bed ridden,
we have to spend a huge amount of money towards his
treatment and the entire money of retirement and
other benefit has been spent for the same.

That Sir, after voluntarily retirement of my
father on medical ground, I had submitted several
application with a request to appoint me on compassionate
ground in any Grade-III or IV post ; but till date
nothing has been communicated to me. It is pertinent
to mention herein that I have passed Higher Secondary
examination in Arts stream.

contd....2



/ 2 /

That Sir, we have been somehow surviving with the help of some relatives and well wishers, who had been extending financial help expecting that the same would be refunded immediately or getting appointment or compassionate ground ; but now they have refused to extend any further help demanding refund of the loan given to us.

Under the aforesaid facts and circumstances, it has become very much necessary to consider my case for compassionate appointment, failing which, it would be difficult for us to survive.

Therefore, it is most respectfully prayed that my case for appointment on compassionate ground would be considered sympathetically without any further delay.

With due regards ;

Yours faithfully

Syed Tajnur Ali

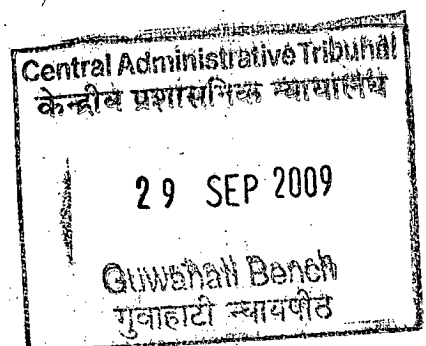
(Syed Tajnur Ali)

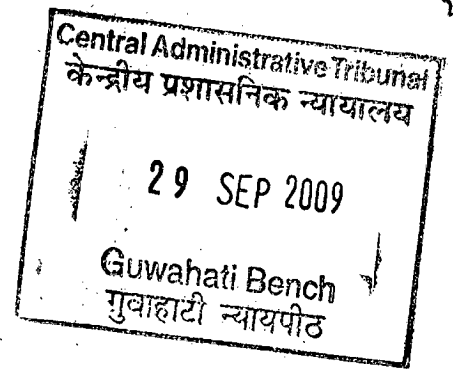
S/o Syed Muktab Ali

R/o village Nakul No.2

P.S. & P.O. Rangia

District Kamrup, Assam.





To,

- ✓ 1. The Chief Security Commissioner
N.F. Railway, Maligaon.
2. The Divisional Security Commissioner/RPF
N.F. Railway, Lumding.

Dated : 2/4/2009

Sub : An application for appointment on compenssionate
ground .

Sir,

With due regards and profound submission, I beg to lay following few lines for your kind consideration and appropriate necessary action by appointing me on compenssionate ground.

That Sir, I have preferred this application for appointment on compassionate ground as my father Syed Muktab Ali was working as CB/RPF/HRN staff No. 4743, under the Divisional Security Commissioner R.P.F, N.E.F Railway, Lumding and had voluntarily retired from service on the health ground on 31.10.2001.

That, after retirement from the service, his health condition had turned to deteriorate day by day. He has been suffering from paralysis and became bed ridden since June 2008. All the money which my father received as pensionary benefit has been spent towards his treatment. In each and every month there is a requirement of more and more money for his treatment.

That sir, it becomes difficult for us to maintain the family as well as medicine expenses incurred towards the treatment of my father by his monthly pension.

That sir, there is no earning member in our family and the whole family is depending upon the monthly pension

contd....2/-

Certified to be
true copy
R. S. S.
ACV

- 2 -

of my father and thereby we are suffering from great financial hardship.

That, sir, I have passed the Higher Secondary Examination (Arts) and totally eligible for appointment on compassionate ground as per rules laid down in this behalf. Hence, I have put forward my candidature for your kind consideration and for appointment in an appropriate post of your Department.

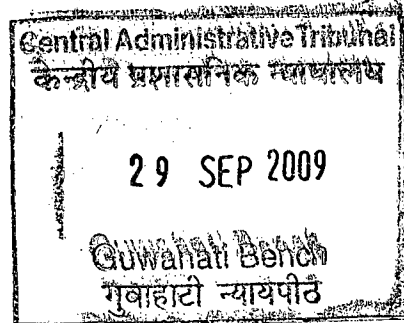
Therefore, I kindly request you to consider my application on compassionate ground and for the same , I shall be remain greatful to you. Also hope-fully waiting for your response soon.

Sayed Tajnur Ali
Yours faithfully

Sayed Tajnur Ali
S/o Sayed Muktab Ali
R/o Village-Nakul No. 2
P.S. Rangia, P.O. Rangia.
DIST - Kamrup.

Enclosure;

1. Pass certificate of H.S.S.L.C.
2. Marksheet of H.S.S.L.C..



Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

29 SEP 2009

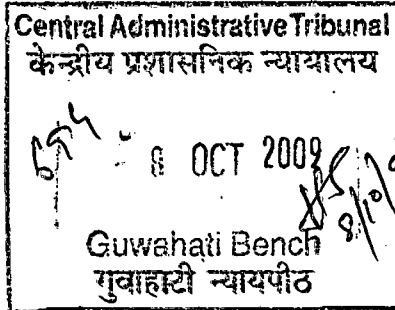
Guwahati Bench
गुवाहाटी न्यायपीठ

भारतीय डाक
GUWAHATI GPO 781001
R.L.G. 8470
Counter No:7, CP-Code:PA INDIA P
To: D'S COMM,
LINDING

Wt:20grams,
Amt:25.00 . 13/04/2009 . 14:13
<>

भारतीय डाक
GUWAHATI GPO 781001
R.L.G. 8471
Counter No:7, CP-Code:PA INDIA P
To: C S COMM,
GHY-11

Wt:20grams,
Amt:22.00 . 13/04/2009 . 14:13
<>



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI
BENCH, GUWAHATI.

Filed by:- the applicant
through Kabita Goswami
Advocate 29
8.10.09

O.A. No. 202/2009

Syed Tajnur Ali

..Applicant.

-AND-

Union of India & others.

....Respondents.

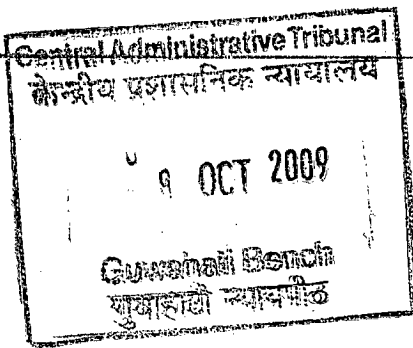
IN THE MATTER OF :

Memorandum filed by the applicant
enclosing the representation dated-
29/9/2009.

1. That the applicant has filed the representation dated 29/9/2009 which could not annex in the Original Application No. 202/2009.
2. That the applicant prays before the Hon'ble Tribunal to treat the representation dated 29/9/2009 (Annexure-6) as part of the OA and may be pleased to pass appropriate order/orders as Your Lordships deem fit and proper.

Filed by

Kabita Goswami
Advocate.



ANNEXURE - 6

To

Dated- 29.9.2009

The Secretary, Government of India
Ministry of Railway, Rail Bhawan
New Delhi- 110001

Sub- Representation for appointment on compassionate ground

Sir

With due respect and profound submission I beg to lay the following few lines for your kind consideration and necessary action thereof.

That sir, my father Syed Muktab Ali was an employee of the Railway Protection Force. He was appointed as Constable RPF/HBN Staff. No. 4743 and had been working as such since his initial appointment i.e. w.e.f. 27.9.1965 under Divisional Security Commissioner, R. P. F., N. F. Railway, Lumding.

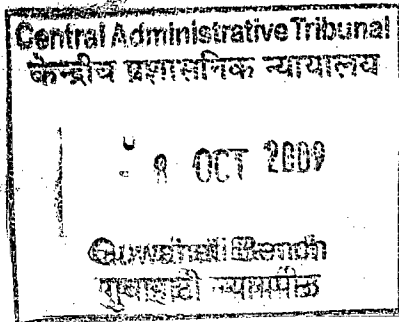
That sir, my father had become bed ridden due to sudden attack of blood pressure/stroke, as a result of which he could not able to move his right side of his body. As the health condition of my father had been deteriorated day by day and with the ill health it had become impossible to continue in his service he applied for voluntary retirement on medical ground, which has been accepted by the concerned authority w.e.f. 31.10.2001 vide Office Order No. EM/4743/MA dated 21.9.2001.

That sir, my father had to spend entire money received as retirement benefits for his treatment and also had to sell the entire landed property. Even he needs to take private loans and financial assistance from our relatives to meet two square meals per day.

That sir, my family consists of my ailing father, mother and two unmarried sisters. Due to our financial condition it has become impossible to run my family with the burden of marriages of my two unmarried sisters.

Syed-Tab Ali

Copy to be
true copy
@Don't
Acv



2

That sir, considering the financial hardship faced by the family I preferred an application dated 04.4.2002 for compassionate appointment before the Chief Security Commissioner praying for appointment on compassionate ground in any group- D post commensuration to my educational and other eligibility conditions. I preferred another application before the same authority with similar prayer for kind consideration of my case for compassionate appointment on 08.9.2004. Getting no response from the said authority I again preferred presentations on 30.9.2008 and 02.4.2009 with similar prayer of compassionate appointment as my family has been suffering from tremendous financial hardships. But till date I have not received any response from the concerned authority.

That sir, considering my tremendous financial hardships narrated above I pray before your Goodself to appoint me in any group- D post on compassionate ground under Your organization treating my case as special one. I hope and trust that your Goodself would be kind enough to consider my prayer appointing me in any Group- D Post under your organization.

Yours faithfully :

Syed Tajnur Ali

Copy to :-

- 1) The Director General (Syed Tajnur Ali)
Railway Protection Force, New Delhi- S/O Syed Muktab Ali
- 2) The General Manger R/o Village Nakul No.2
N. F. Railway, Maligaon, Guwahati- 781011 P.O. & P.S. Rangia
- 3) The Chief Security Commissioner District- Kamrup, Assam
N. F. Railway, Maligaon, Guwahati-781011
- 4) The Divisional Security Commissioner/ R. P. F.
N. F. Railway, Lunding