

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (JUDL.)

8.7.2015

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


1. ORIGINAL APPLICATION No : 207 / 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) : Sri Rajani Kf. Das

Respondent (S) : Union of India & ops.

Advocate for the : Ms. U. Das, Mr. M.K. Boro,  
{Applicant (S)} Mr. K. Konwar, Mr. H.K. Saha  
Mr. M.K. Das

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

Notes of the Registry	Date	Order of the Tribunal
<p>this application is in form is filed/C. F. for Rs. 50/- deposited vide IPO/BD No. <u>396 420/50</u> Dated <u>17.8.09</u></p> <p><u>8.10.09</u> Dy. Registrar <u>17/10/09</u></p> <p><u>7.10.09</u></p> <p><u>4 (Four) Copies of Application with envelope received for issue notices to the Respondents No 1 to 4, with under taking to serve a copy of the Application to the Rly. Standing Counsel.</u></p> <p><u>12/10/09</u></p>	<p>09.10.2009</p> <p>/bb/</p>	<p>Heard learned counsel for the parties and perused the materials placed on record.</p> <p>For the reasons recorded separately, this case stands disposed of.</p> <p style="text-align: center;">   (M.R. Mohanty)  Vice-Chairman </p>

12/10/2009  
Received. Mr. M.K. Das  
12/10/09

12/10/2009

- 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;

~~2009~~  
12/10/09

Memo No. 12400-12404

dt. 10-11-2009

**CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH**

O.A. No.207 of 2009

DATE OF DECISION: 09.10.2009

Sri Rajani Kanta Das

.....Applicant/s.

Mr.M.K.Boro

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

- Versus -

N.F.Railways & Ors.

.....Respondent/s

Dr. J.L.Sarkar, Railway Standing counsel

.....Advocate for the  
Respondents

**CORAM**

**THE HON'BLE MR.MANORANJAN MOHANTY, VICE CHAIRMAN.**

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

Judgment delivered by

Hon'ble Vice Chairman.



CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 207 of 2009

Date of Order: This, the 09<sup>th</sup> of October, 2009

HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN

Sri Rajani Kt. Das  
S/O Late Rnagu Das, Ex-Gangman  
Under SSE/P. Way/ BG/ RNY  
Resident of Vill : Khandikar  
P.O. – Deulkuchi (Rangia)  
Dist – Baska, Assam.  
PIN – 781354.

.....Applicant

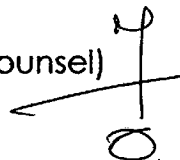
By Advocates: Ms. U. Das, Mr. M.K. Boro, Mr. K. Konwar  
Mr. H.K. Sut & Mr. M.K. Das

-Versus-

1. The Union of India represented by  
The Secretary, Ministry of Railway  
Lodhi Road, New Delhi – 110011.
2. The General Manager (P)  
N.F. Railway, Maligaon, Guwahati  
Dist – Kamrup, Assam  
PIN – 781011.
3. The Divisional Railway Manager  
Rangia Division, Assam  
PIN – 781354.
4. The Divisional Railway Manager  
Alipurduar Junction  
West Bengal  
PIN – 736123.

.....Respondents

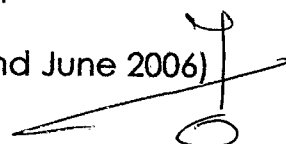
(By Advocate: Dr. J.L. Sarkar, Railway Standing Counsel)



\*\*\*\*\*

**ORDER (ORAL)****09.10.2009****MANORANJAN MOHANTY, (V.C.):**

Father of the Applicant, while serving the Railways, died prematurely on 09.11.1997. Applicant having sought employment on compassionate ground Respondent No.4 recommended name of the Applicant for compassionate appointment on 10.05.2002. On 14.05.2002, the Applicant was declared fit to perform duties. Offer of appointment was issued to the Applicant on 16.05.2002. Applicant faced an accident on 25.05.2002; for which he could not report to duty and, on 26.05.2002, Respondent No.3 was informed about the said accident for which the Applicant could not report to duty. On 20.09.2002, Applicant was disallowed to join the services; for which he submitted an appeal on 22.09.2008; after making verbal/personal approaches to the authorities. On 28.01.2009, the DRM(P) of Alipurduar forwarded the representation of the Applicant to the DRM(P) of Rangia for necessary consideration. On 25.03.2009, the Deputy Commissioner was asked to give a verification report regarding character and antecedent of the Applicant. On 17.04.2009, the Deputy Superintendent of Police of Special Branch (Assam) submitted a verification report (pertaining to the Applicant) to his authorities. On 16.06.2009, the DRM (P) of Rangia intimated the Applicant about rejection of his prayer for joining the employment that was extended on compassionate ground. The said order dated 16.06.2009 is the subject matter of challenge in the present case filed under Section 19 of the Administrative Tribunals Act, 1985. The prayer of the Applicant was turned down on the ground that the Applicant failed to support his claim (that he was unable to report for duty between May 2002 and June 2006)




by medical certificate. Relevant portion of the rejection order dated 16.06.2009 reads as under:-

"1) In view of the remarks of CMS/RNY, treatment/disease/reports of Shri Rajani Kanta Das don't support his claim for not taking up the appointment, all these years, besides the fact the period from date of being offered appointment (May 2002) to June 2006 is not supported on medical grounds at all. i.e. Period of treatment, started from middle of June/2006."

2. Heard Mr.M.K.Boro, learned counsel for the Applicant and Dr.J.L.Sarkar, learned Standing counsel for the Railways (to whom a copy of this O.A. has already been supplied) and perused the materials placed on record.
3. The Applicant has submitted supporting medical papers to show that he was really unable to report for duty during May, 2002 and that the poor man was under treatment of the doctors. Since supporting materials are now made available by the Applicant, the Authorities/DRM(P) of Rangia should reconsider the matter; for which this matter is now remitted back to the Respondents for giving a reconsideration of the matter with full sympathy.
4. Accordingly, Registry is directed to send copies of this O.A. (along copies of this order) to the Respondents; who should give full sympathetic consideration to the grievances of the Applicant for allowing him to join the employment (on compassionate ground) by keeping in mind the poor condition of the Applicant. Entire exercise of reconsideration should be completed by the Respondents by end of

December 2009.



5. With the aforesaid observations and directions, this case stands disposed of.

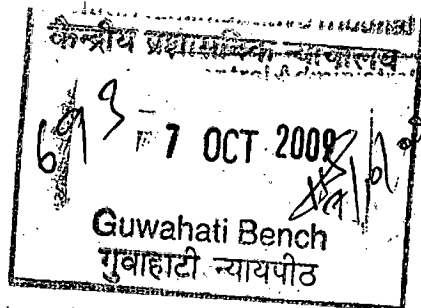
6. Send copies of this order to the Applicant and to all the Respondents (along with the copies of present O.A.) in the address given in the O.A.

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

  
(MANORANJAN MOHANTY)  
VICE CHAIRMAN

/BB/





**IN THE CENTRAL ADMINISTRATION TRIBUNAL**

**GUWAHATI BENCH AT GUWAHATI**

*(An Application Under Section 19 of Administration Tribunal, Act 1985)*

Original Application No. **207** /2009

**BETWEEN**

Sri Rajani Kt. Das

*...Applicant.*

**-VS-**

1. The Union of India and Others.

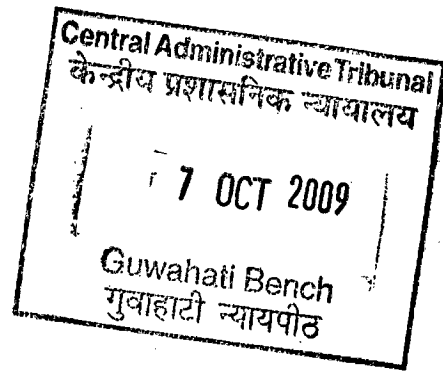
*...Respondents*

**SYNOPSIS**

That the applicant is the son of Late Rangu Das, Ex- Gangman under SSE/P. Way/ BG/ RNY. The father of the applicant expired on 09-11-1997 while he was in service. At the time of his death he (the applicant's father) was posted under the Senior Section Engineer (P.way),/ BG/ Rangia as Senior Gangman. The applicant having qualifications of higher secondary (10+2), applied for appointment in the respondent department under compassionate ground and considering the prayer of the applicant and on completion initial training Course the respondent No.4 recommended the name applicant along with 28 other similarly situated candidates to be appointed as gateman on compassionate ground vide its office note No. WB.A/16/Gr.'D'/Comp./Pt.I. dated 10/05/2002 (Annexure-C). and after being certified to be fit to perform the duties of a Gateman vide certificate of competency No. Z/TR / E/COMP dated 14-05-2002 (Annexure-D) issue by the Principal, Zonal Training Centre, and Alipurduar Junction, the appointing authority appointed the applicant as Gateman vide its appointment letter bearing No. WB/ A/ 16/Gr.'D'/Comp./Pt.I. Dated 16/05/2002 ( Annexure-E) . After receiving the said appointment letter dated 16/05/2002, while ie., on 25/05/2002 the applicant was on his way to report for further order of

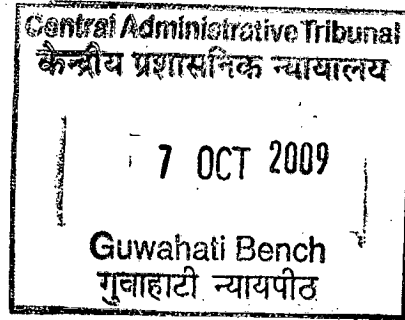
V. K. Das.  
Sri Rajani

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his appointment, he accidentally fell in his courtyard on a hard surface. The applicant continued his treatment under the Supervision of Medical Health Officer -I, Madhyapanduri MPHC Rangia, Kamrup (Assam). The Doctors on his examination found that he got serious injuries due to his fall and was later detected as Rheumatoid Arthritis and Peripheral Neuropathy which needs considerable rest and treatment. (Medical document Annexed as Annexure-F series). The applicant approached the Respondent Department on the first week of September, 2002 but he was not allowed to join. He was verbally assured by the Office of the DRM(P)/ Alipurduar Junction that his case will be reconsidered and will be called later on as his process of appointment has been again persuaded. The applicant was continuing his Medical Treatment and simultaneously also moved around the Office of the Respondent authorities till September, 2008 expecting that the Respondent departments will give him the appointment on compassionate ground as per the appointment letter dated 16-05-2002. The applicant thereafter filed a representation/appeal to the Divisional Railway Manager(P), Alipurduar Junction stating all the facts on 22/09/2008 (Annexure-G) and prayed for allowing him to join in the post of gateman as per the appointment letter dated 16/5/2002. Thereafter Divisional Railway Manager (P), Alipurduar Junction forwarded the letter to the Divisional Railway Manager (P), Rangia vide letter No. E/227/E/CG/AP/Trackman dated 28/01/2009 (Annexure-H). In the said letter it was stated that the applicant was offered for appointment as gateman by order dated 16/05/2002 and was posted under SSE/P.Way/GLPT as gateman. It was further stated in the letter that after bifurcation of the Alipurduar Division the said office of the SSE/P.Way/GLPT falls under the Rangia Division. The Divisional Railway Manager (P), Rangia after receipt of the said letter initiated the process of appointment and sought all the relevant documents

W. Dae  
Sri Rajani



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required for the appointment of the applicant on companionate ground as per the appointment order dated 16/05/2002. The case of the application was reconsidered and the Assistant Personal Officer, NF Railway, Rangia vide his letter No. E/213/VCA(E) /Rangia / 09 dated 25-03-2009(Annexure-I) asked the Deputy Commissioner, Kamrup to give a final verification report regarding character and antecedents of the candidate/the present applicant for the purpose of appointment in the post of the Gateman under SSE/ P.way / GLPT. In reply to this letter a report was submitted by the Deputy Superintendent of Police, Special Branch, Assam Kahilipara, Guwahati -781019 vide memo No. SB. IX/ 5/24(A)/ Pt-1/09/83 dated 17-04-2009(Annexure-J). In the meantime the Senior Section Engineer, P.way, NF Railway / Goalpara under whom the applicant was posted issued a letter DRM(P) / Rangia stating inter-alia that on verification of the Records maintained by this office it is seen that there is no such record is available that the applicant was offered for appointment as gate man, Vide Letter No. E/178/MISC / GLPT, dated 14-02-2009. (Annexure-K). After completion of all the formalities and procedures relating the appointment of applicants on compassionate ground the Divisional Railway Manager (P) Rangia passed impugned Order dated 16-06-2009 rejecting the prayer of compassionate of the applicant on the ground that the period from that of the offer of the appointment (May 2002) to June 2006 is not supported on Medical grounds at all.

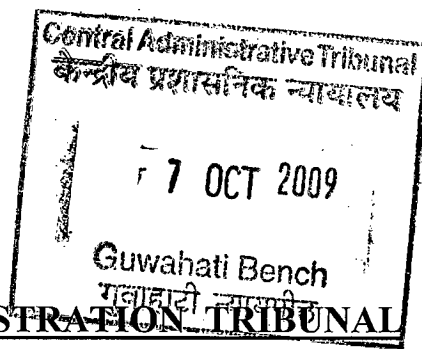
Hence this Original application .

Filed by-

*M/K*  
6/10/09

Mrinal Kumar Boro,  
Advocate, Ghy.

St. Rajani K. Das



**IN THE CENTRAL ADMINISTRATION TRIBUNAL**

**GUWAHATI BENCH AT GUWAHATI**

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

Original Application No. 207 /2009

**BETWEEN**

Sri Rajani Kt. Das

*...Applicant.*

**-VS-**

1. The Union of India and Others.

*...Respondents*

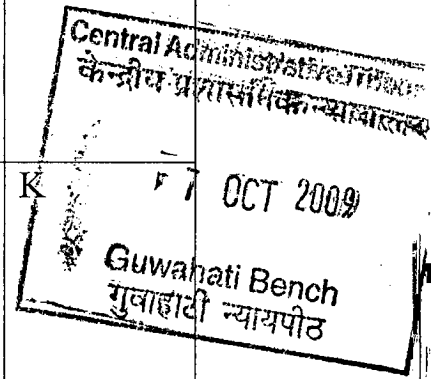
**LIST OF DATES**

Sl. No.	Date	Particulars	Annexure
1.	1977	Father of the applicant joint Railway Department as casual worker	
2.	31-05-91	Father of the applicant was appointed as Gangman	A
3.	08-03-95	Father of the applicant promoted to Senior Gangman	B
4.	09-11-97	Father of the applicant was expired	
5.	10-05-02	Respondent No. 4 recommended the name of the applicant for compassionate appointment	C
6.	14-05-02	Applicant was declared fit to perform duties	D
7.	16-05-02	Appointed letter ( in compassionate ground) was issued to the applicant in the post of gateman	E
8.	25-05-02	Applicant got an accident on his way while going to join in his service as per his appointment order.	

Sri Rajani Kt. Das.

Sri Rajani K. Das,

8.	26-05-02	Applicant informed the Respondents about the said accident and seek some time for joining in his service	
9.	Sept.,20 02	Applicant was not allowed to join	
10.	22-09-08	Applicant filed a representation / appeal.	G
11.	28-01-09	DRM(P) Alipurduar forwarded the representation of the applicant dated 02-09-08 to the DRM(P) Rangia for consideration	H
12.	14-02-09	SSE / P.way , Goalpara issued a letter stating that there is no record available that applicant was offered for appointment.	K
13	25-03-09	Respondent asked the Deputy Commissioner to give final verification report regarding character and antecedent of the applicant	I
14	17-04-09	DSP, Special Branch Assam , Kahilipara submitted final verification report as per letter dated 25-03-2009.	J
15.	16-06-09	DRM(P) Rangia issued the impinged order rejecting the prayer of compassionate appointment of the applicant	L



Filed by

*[Signature]*  
6/10/09

M.K. Boro  
Advocate

**IN THE CENTRAL ADMINISTRATION TRIBUNAL**

**GUWAHATI BENCH AT GUWAHATI**

*( An Application Under Section 19 of Administration Tribunal , Act  
1985)*

Original Application No. **207** /2009

**BETWEEN**

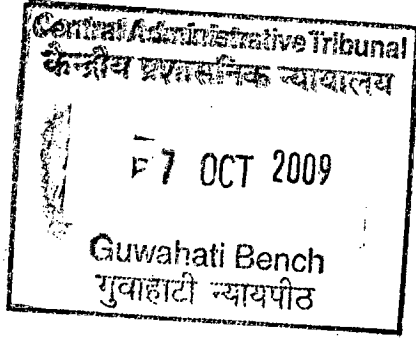
Sri Rajani Kt. Das

*...Applicant.*

**-VS-**

1. The Union of India and Others.

*...Respondents*



**I N D E X**

Sl. No.	Particulars	Page No.
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10	Annexure-H	34
11	Annexure-I	35
12	Annexure-J	36
13	Annexure-K	37
14	Annexure-L	38

Filed by-

*Mrinal Kumar Boro*  
6/10/09  
Mrinal Kumar Boro,  
Advocate, Ghy.

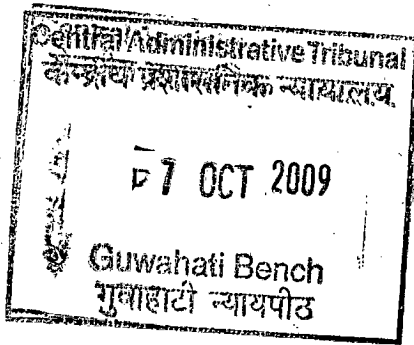
Sri Rajani Kt. Das.

**IN THE CENTRAL ADMINISTRATION TRIBUNAL**

**GUWAHATI BENCH AT GUWAHATI**

*(An Application Under Section 19 of Administration Tribunal, Act 1985)*

**Original Application No. 207 /2009**



**BETWEEN**

Sri Rajani Kt. Das

S/O Late Rangu Das, Ex- Gangman

under SSE/P. Way/ BG/ RNY

Resident of Vill : Khandikar

P.O.- Deulkuchi (Rangia )

Dist:- Baksa , Assam.

PIN:781354

***...Applicant.***

**-AND-**

1. The Union of India represented by  
the Secretary Ministry of Railway,  
Lodhi Road ,

New Delhi-110011.

2. The General Manager (P) NF  
Railway , Maligaon Guwahati

Dist:- Kamrup, Assam

PIN-781011

3. The Divisional Railway Manager,  
Rangia Division, Assam.

PIN-781354

4. The Divisional Railway Manager,  
Alipurduur Junction,  
West Bengal,

PIN- 736123

***...Respondents***

*Filed by the Applicant  
Sri Rajani Kt. Das.  
Through, Minal K. Das - Advocate - 8/10/09*

**I. PARTICULARS OF ORDERS FOR / AGAINST WHICH APPLICATION IS MADE :**

Order of the Divisional Railway Manager , Rangia dated 16-06-2009 disallowing the appointment of the petitioner on Compassionate Ground

**II. JURISDICTION :**

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

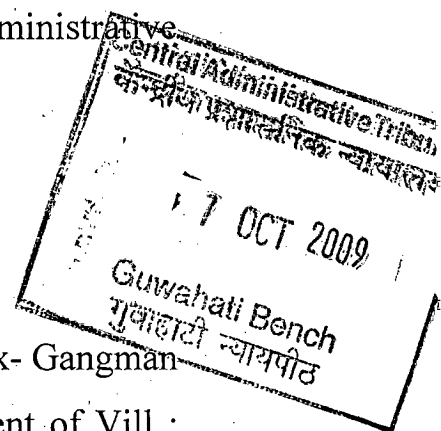
**III. LIMITATION :**

The applicants declare that the Application is within the period of limitation under Section 21 of the Administrative Tribunal Act , 1985 .

**IV. BRIEF FACTS OF THE CASE:**

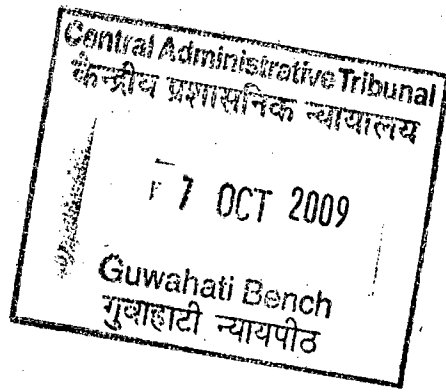
1. That the applicant is the son of Late Rangu Das, Ex- Gangman under SSE/P. Way/ BG/ RNY and a permanent Resident of Vill : Khandikar, P.O.- Deulkuchi (Rangia )Dist:- Baksa , Assam and as such, they are entitled to all the rights and privileges as guaranteed under the Constitution of India and other laws of the land.

2. That the father of the applicant joined the Railway Department in the year , 1977 as casual worker. The father of the applicant was screened and thereafter de-casualised and was posted under PWI /BG/RNY with immediate effect vide order dated 13-05-1991 bearing order No. E/227 / V(E) AT(DCL) 91 passed by the Divisional Railway Manager(P) {herein after called as DRM(P)}, Alipurduar Junction. He was appointed as Gangman and was



Sri Rajani Vt. Das





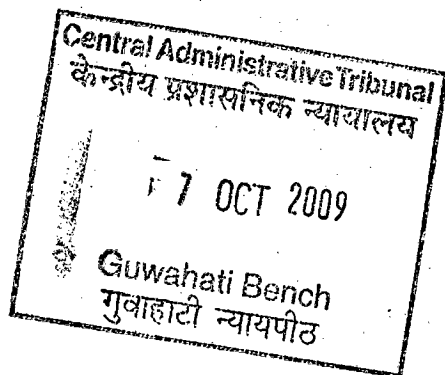
promoted to the Senior Gagman vide DMR(P), Alipurduar Junction Office Order No. E/266/2(E) AP.Pt.V dated 31-01-1995 and subsequently his pay was fixed vide BRMP order no. E/105/2(E) AP.Pt.V dated 0-8-03-1995 .

A copy of the Office Order dated 31-05-1991 and 08-03-1995 are annexed herewith and marked as Annexure -A and B respectively .

3. That the father of the applicant expired on 09-11-1997 while he was in service living behind his wife viz., Smt. Binda Das and two sons viz., Haren Ch . Das and the present applicant Sri Rajani Kt. Das. At the time of his death he (the applicant's father) was posted under the Senior Section Engineer ( P.way), 'BG/ Rangia as Senior Gangman. On the death of the father, who was the sole bread winner, the family of the Applicant i.e., the family of the deceased employee has been going through a acute financial hardship and poverty. In the absence of the father the whole burden of running the family fell upon the Applicant who being an unemployed person without any regular source of income is facing difficulties. The applicant having qualifications of higher secondary(10+2), applied for appointment in the respondent department under compassionate ground.

4. That considering the prayer of the applicant and on completion initial training Course the respondent No.4 recommended the name applicant along with 28 other similarly situated candidates to be appointed as gateman on compassionate ground vide its office note No. WB.A/16/Gr.'D'/Comp./Pt.I. dated 10/05/2002 and after being certified to be fit to perform the duties of a Gateman vide certificate of competency No. Z/TR / E/COMP dated 14-05-2002

Sri Rajani Kt. Das.



issue by the Principal, Zonal Training Centre, and Alipurduar Junction, the appointing authority appointed the applicant as Gateman vide its appointment letter bearing No. WB/A/16/Gr.'D'/Comp./Pt.I. Dated 16/05/2002.

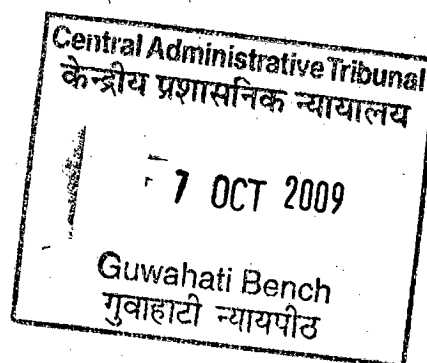
The copies of the office note dated 10/05/2002, the certificate of competency dated 14/05/2002 and appointment order dated 16/5/2002 are annexed herewith and marked as Annexure -C, D and E respectively.

5. That as per the appointment letter No. WB/ A/ 16/Gr.'D'/Comp./Pt.I dated 16/05/2002 the applicant was given a temporary appointment as gateman -2 in the Engineering Department, on a pay of Rs. 2610/- in the scale of Rs. 2610 -3540/-.

6. That after receiving the said appointment letter dated 16/05/2002, while ie., on 25/05/2002 the applicant was on his way to report for further order of his appointment he accidentally fell in his courtyard on a hard surface. He got injured on his hips and backbone resulting in tremendous pain and suffering compelling him to stay at home. Initially the applicant thought that the injuries sustain by him are minor but later on it was found that the injuries are fatal in nature and he became bed ridden for many days.

After the accident on 26-05-2002 he wrote an application to the DRM(P)/Alipurduar Junction stating all the facts and circumstances about his accident and prayed for sometime on medical ground for joining his service and the respondent authorities also assured him that he can joined after his recovery . But the applicant have lost the copy of the application filed on 26-

Kt. Dm.  
Rajani



05-2002 and other relevant documents in flood as his residence is located at a flood affected area.

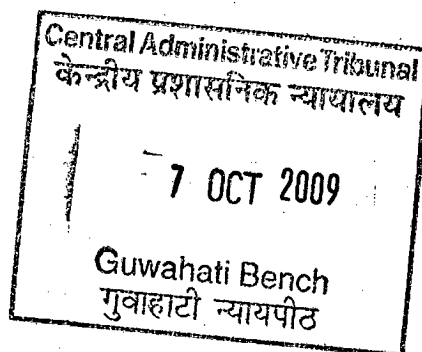
7. That the applicant continued his treatment under the Supervision of Medical Health Officer -I, Madhyapanduri MPHC Rangia, Kamrup (Assam). The Doctors on his examination found that he got serious injuries due to his fall and was later detected as Rheumatoid Arthritis and Peripheral Neuropathy which needs considerable rest and treatment.

All the medical documents are annexed herewith and marked as **Annexure -F** series.

8. That the applicant after partial recovery approached the Respondent Department on the first week of September, 2002 but he was not allowed to join. He was verbally assured by the Office of the DRM(P)/ Alipurduar Junction that his case will be reconsidered and will be called later on as his process of appointment has been again persuaded. But after the bifurcation of the Alipurduar Division into Alipurduar and Rangia Division, the applicant left his hope as his documents and relevant materials became untraceable for him.

9. That the applicant was continuing his Medical Treatment and simultaneously also moved around the Office of the Respondent authorities till September, 2008 expecting that the Respondent departments will give him the appointment on compassionate ground as per the appointment letter dated 16-05-2002. The applicant finding no other way and upon the advice of some learned persons of the locality filed a representation / appeal to the Divisional Railway Manager(P), Alipurduar Junction stating all the facts on

Shri Rajani W. Das.



22/09/2008 and prayed for allowing him to join in the post of gateman as per the appointment letter dated 16/5/2002.

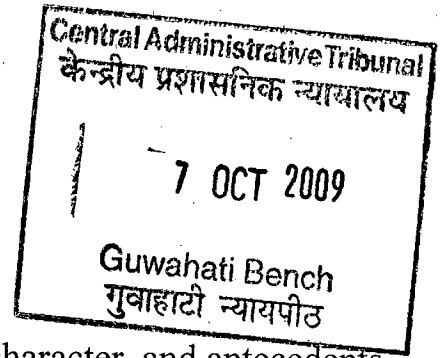
A copy of the representation/appeal dated 22/09/2008 is annexed herewith and marked as Annexure - G.

10. That thereafter Divisional Railway Manager (P), Alipurduar Junction forwarded the letter to the Divisional Railway Manager (P), Rangia vide letter No. E/227/E/CG/AP/Trackman dated 28/01/2009. In the said letter it was stated that the applicant was offered for appointment as gateman by order dated 16/05/2002 and was posted under SSE/P.Way/GLPT as gateman. It was further stated in the letter that after bifurcation of the Alipurduar Division the said office of the SSE/P.Way/GLPT falls under the Rangia Division. The Divisional Railway Manager (P), Rangia after receipt of the said letter initiated the process of appointment and sought all the relevant documents required for the appointment of the applicant on companionate ground as per the appointment order dated 16/05/2002.

A copy of the letter dated 28-01-2009 issued by the DRM (P)/ Alipurduar Junction is annexed herewith and marked as Annexure -H.

11. That the applicant furnished all medical documents and required testimonials. The case of the application was reconsidered and the Assistant Personal Officer, NF Railway, Rangia vide his letter No. E/213/VCA(E) /Rangia / 09 dated 25-03-2009 asked the Deputy Commissioner, Kamrup

Shri Rajni W. D.



to give a final verification report regarding character and antecedents of the candidate/the present applicant for the purpose of appointment in the post of the Gateman under SSE/ P.way / GLPT. In reply to this letter a report was submitted by the Deputy Superintendent of Police, Special Branch , Assam Kahilipara , Guwahati -781019 vide memo No. SB. IX/ 5/24(A)/ Pt-1/09/83 dated 17-04-2009 wherein, it is stated "there is nothing adverse against the following person / either criminal or politically which would render him unsuitable for employment works in Government services/ Quasi Government Organizations. He is Indian Citizen by birth".

A copy of the letter dated 25-03-2009 and the final verification Report date 17-04-2009 are annexed herewith and marked as Annexure -I and J respectively .

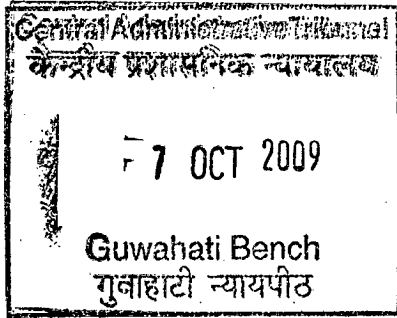
12. That in the meantime the Senior Section Engineer, P.way , NF Railway / Goalpara under whom the applicant was posted issued a letter DRM(P) / Rangia stating inter-alia that on verification of the Records maintained by this office it is seen that there is no such record is available that the applicant was offered for appointment as gate man , Vide Letter No. E/178/MISC / GLPT , dated 14-02-2009.

A copy of the letter dated 14-02-2009 issued by the SSE /P.Way / GLPT is annexed herewith and marked as Annexure -K.

13. That to the utter dismay of the applicant on 16/06/2009 after completion of all the formalities and procedures relating the appointment of applicants on compassionate ground the Divisional

Stri Rayani Vg. DSS-

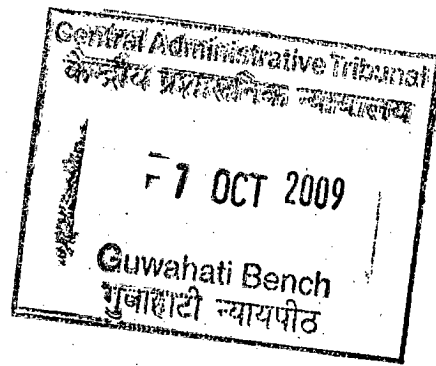
Railway Manager (P) Rangia rejected the prayer of compassionate of the applicant on the ground that the period from that of the offer of the appointment ( May 2002 ) to June 2006 is not supported on Medical grounds at all.



A copy of the impugned order dated 16/06/2009 passed by the Divisional Railway Manager (P) Rangia, is annexed herewith and marked as Annexure-L

14. That the applicant finding no other alternative have approached this Hon'ble Tribunal for redressal of his grievances.
15. That the applicant begs to submit that his family has not yet survived the crisis and is still in need of immediate assistance , Despite his selection and appointment as gate man the respondent authorities has not allow him to join his service or appointed him in service as per appointment Order dated 16/05/2002 by considering the medical grounds and his ill health . The deferential yard stick in considering the appointment of the petitioner is discriminatory and unjust which requires and inference of this Hon'ble Tribunal .
16. That the applicant state that in view of the facts and circumstances stated above, it is a fit case where Your Lordship would be pleased to pass appropriate directions to the respondent authorities to consider the case of the applicant and directing them to allow the applicant to join his service as per appointment order dated 16-05-2002.

श्री रेजिमी वद. डाय.



K. Das.

Shri Rajen

17. That your applicant begs to submit that he has a prima facie case in his favour. The action of the respondent authorities in non consideration of the applicant's appointment on compassionate ground is arbitrary, unjust and violative of the relevant acts and rules of the land.

18. That your applicant submits that the actions on part of the respondents are violation of the fundamental as well as other constitutional rights guaranteed under the Constitution of India.

19. That the applicant demanded justice and the same has been denied to him.

20. That this applicants is filed bonafide and for the ends of justice.

#### **V. GROUNDS FOR RELIEF WITH LEGAL PROVISIONS:**

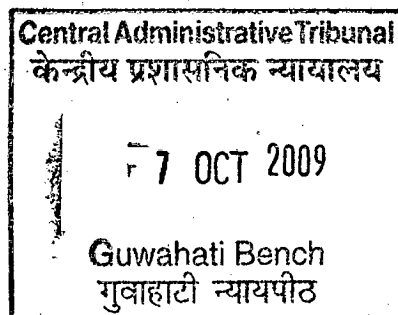
1. For that after the death of the father of the applicant his family is running under serious financial crisis serving some how and their life can not be treated as life with dignity.

2. For that the respondent authority has arbitrarily and illegally not considering the case of the applicant and the applicant and his family are suffering from serious financial hardship after the death of the father.

3. For that there is no other Govt. servant in the family of the applicant and if not appointed on compassionate there would no option but to die on starvation.

4. For that though the compassionate appointments are going on but the case of the applicant was not considered arbitrarily there by causing great hardship to the family.

5. For that the respondents most arbitrarily and illegally not considered the case of the applicant by not considering the



medical grounds and depriving him from his legitimate expectation of appointment on compassionate ground .

6. For that the impugned order dated 16/06/2009 passed by the Divisional Railway Manager (P) Rangia, is arbitrary , illegal and violative of the principle of natural justice and administrative fairplay and as such the same was liable to be set aside and quashed .

7. For that non appointment of the applicant on the compassionate ground by considering the medical ground it is violative of the Article 14 and 21 of the Constitution of India .

#### **VI. DETAILS OF REMEDIES EXHAUSTED :**

That your Humble applicant begs to submit that he has availed all the departmental redressal forums for settlement of her grievances and has submitted numerous representation without any fruitful result and as such has exhausted all efficacious remedy to the applicant .

#### **VII. MATTERS NOT PREVIOUSLY FILED OR PENDING BEFORE**

##### **ANY ANOTHER COURT / TRIBUNAL:**

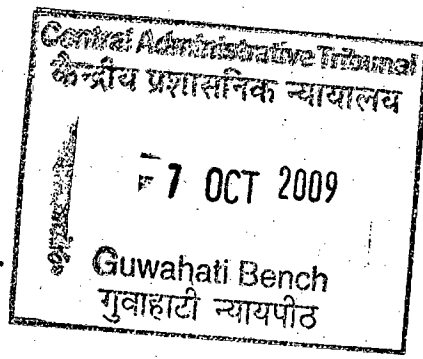
That the applicant further declares that he has not filed any application , writ petition , suit etc. except the present original application and no case is pending in any court of law with regard to the present grievances .

#### **VIII. RELIEF SOUGH FOR :**

Under the facts and circumstances detailed herein above , your applicant most humbly prays that the Hon'ble Tribunal may graciously be pleased to admit this

श्री राजेश्वरी





application , call for records and after hearing the parties and upon perusal of the records , be pleased to direct the respondents to consider the case of the applicant and appoint him on compassionate ground and / or pass any such order or further order / orders as to your lordship may deem fit and proper to give full and equitable relief to the applicant for the ends of justice .

**IX. THAT ANY OTHER RELIEF OR RELIEFS THE HON'BLE TRIBUNAL MAY PLEASED TO GRANT :**

That the Applicants further pray for expeditious hearing of the case.

X. That the applicant further declares that the present application is filed by him through his counsel before this Hon'ble Tribunal.

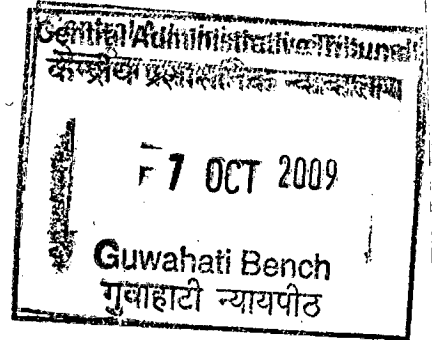
**XI. PARTICULARS OF POSTAL ORDER SUBMITTED AS APPLICATION FEE**

- (a) Postal Order No.: 396420150  
(b) Date of Issue : 17-08-2009  
(c) Issue forum : GPO, Guwahati  
(d) Payable at : Guwahati

**XII. LIST OF ENCLOSURES : As Per Index.**

Shri Raju V. D.

VERIFICATION



I, Sri Rajani Kt. Das , S/O Late Rangu Das, Ex- Gangman under SSE/P. Way/ BG/ RNY, Resident of Vill : Khandikar, P.O.- Deulkuchi (Rangia ), Dist:- Baksa , Assam do here by solemnly affirm and verify that the statements made in the accompanying application in paragraphs...1, 2, 3, 4.....are true to my knowledge and those made in paragraphs...4....to....13..... being matters of records are true to my information derived therefrom and the ground urged are as per legal advice . I have not suppressed any material facts .

And I sign this verification of this the 6<sup>th</sup> day of October 2009 at Guwahati.

Sri Rajani Kt. Das.

Deponent

N. E. RAILWAY

Office of the  
Divl. Railway Manager(P),  
Alipurduar Junction.

M E M O R A N D U M

Dated: 01/05/1991.

In terms of S.M.(P)/MLG's Memorandum No.3/41/C(F) dated 11.3.91 wherein 822 Group-'D' posts have been allotted to this Division for de-casualisation in Way side and in reference to this Office Memorandum No.E/227/V(E)AL(DCL) dated 28.5.91, wherein 822 posts of Gangman, Gateman, Trolleyman & Store Watchman have been distributed among different PWIs of the Division, the following orders are made to de-casualise 29 CL/CPC who are declared as screened under PWI/BG/RNY (Communal Roster Points for 822 posts are T-575, SC-99 & ST-148).

Sl. No.	Name.	Father's name.	Community	Total No. of working days as on 31.3.90	R E MARKS.
1	2	3	4	5	6

S/Shri, GROUP - 'A'

1. Kamala Boro Chunirani Boro S/T 840

GROUP - 'B'

The following CL/CPC of PWI/CTR/RNY who have been declared as screened are hereby de-casualised and posted as under :-

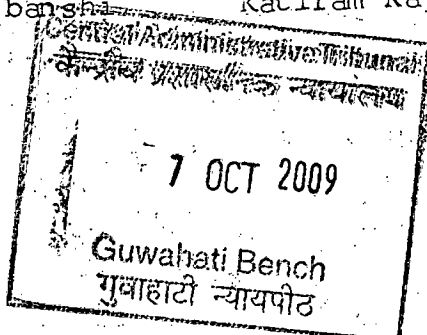
1. Eunusar Rahman	Md. Nuru Seikh	U/R	4736
2. Bidyadhar Bharati	Prakr. Bharati	U/R	3443
3. Jagadish Singh	Ananta Singh	U/R	3584
4. Purna Nath Sarkar	Rashamoy Sarkar	U/R	3500
5. Kajal Acherjee	Kumud Ch. Acherjee	U/R	3551
6. Hari Ch. Mahato	Chandrika Mahato	S/C	3488
7. Krishna Kr. Baishnab	Jogendra Baishnab	U/R	3458
8. Bhadawa	Patras	U/R	3428
9. Pabin Kalita	Binode Ch. Kalita	U/R	3427
10. Sandhiram Das	Ratiram Das	U/R	3424
11. Ganesh Mahanta	Rana Mahanta	U/R	3421
12. Mikhail	Ramesh	U/R	3420
13. Atul Phukan	Phanidhar Phukan	U/R	3411
14. Dinanath Sahu	Sonar Sahu	U/R	3411
15. Prabhat Dey	Gajendra Dey	U/R	3400
16. Dilip Pal	Norod Pal	U/R	3402
17. Jiten Rajbanshi	Katiram Rajbanshi	U/R	3390

All are posted under PWI/BG/RNY with immediate effect.

(contd...2...)

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Advocate



(contd...Group-'B')

(2)

PWL/BG/RNY

1	2	3	4	5
S/Shri,				
18. Ram Ch. Roy	Bijli Roy	U/R	3310	
19. Dilip Das	Sadhan Das	S/C	3309	
20. Ramani Kt. Rajbanshi	Ganaram Rajbanshi	U/R	3383	
21. Sonia Rajbanshi	Asi Rajbanshi	U/R	3384	
22. Rangu Das	Asam Das	U/R	3337	
23. Bholanath Koch	Ganesh Koch	U/R	3380	
24. Bhabiram Nath	Habiram Nath	U/R	3378	
25. Durga Das	Frasanna	S/C	3369	
26. Kalia Deka	Baturem Deka	S/T	3280	
27. Tarini Kt. Mandal	Abani Kt. Mandal	S/C	3213	
28. Ramnath Mallah	Nareswar Mallah	S/C	3017	

All are posted under PWL/BG/RNY with immediate effect.

GROUP - 'C'

N. E. I.

Note: (1) The above orders are issued as per DRMs approval on 31.5.91 consequent to a papers screening done at APDJ.

(2) The names of the re-casualised staff have been selected on the basis of total number of working days as on 31.3.90. This is for general information that in the combined scrutiny list of Opai-Line and other Organisation the cut off mark is for UR-3372, SC-3383 & ST-138 days as on 31.3.90.

for DIVL. RLY. MANAGER (P),  
ALIFURDUAR JUNCTION.

(SD/31591)

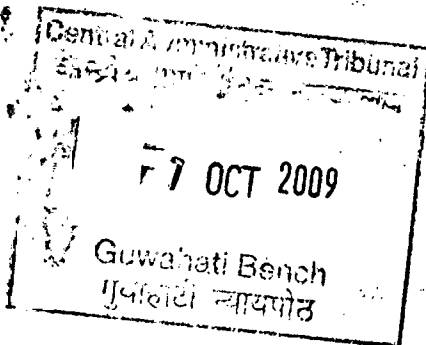
No.E/227/V(E)AF(DCL)91

Dated: 31/5/1991.

Copy forwarded for information and necessary action to:-

- 1) G.M.(F)/MLG. (2) CPO/Admn./MLG. (3) C.E. MLG.
- 4) DAO/APDJ. (5) Sr.DEN/APDJ. (6) Sr.DEN/C/APDJ.
- 7) PWL/BG/RNY - He should make entry in the service record of staff concerned regarding their forwarding and also ensure that GIS @ 15/- has been recovered from them w.e.f. 1.1.92, since they all have become regular staff.
- 8) AEN/RNY & NLP. (9) PWL/CIR/PWL. ~~(10) PWL/BG/RNY~~
- 10) Divl. Secy. NFRMU/APDJ with 10 spare copies.
- 11) Convener/NFRMU/APDJ with 10 spare copies.
- 12) F/Cases and Staff concerned.

(SD/31591)



for DIVL. RLY. MANAGER (P),  
ALIFURDUAR JUNCTION.

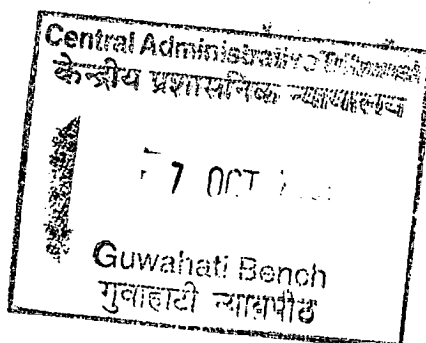
N. F. RAILWAY.OFFICE OF THE  
DIVL. RLY. MANAGER (P)  
ALIPURDUAR JUNC.

O\_F\_F\_I\_C\_E O\_R\_D\_E\_R

DATED: 8/03/95.

Consequent on promotion to the next higher grade from Gangman in scale Rs. 775-1025/- to Sr. Gangman in scale Rs. 800-1150/- vide LRM(P)/APLJ's office order No. E/266/2(E)AP/Pt. V dt. 30.1.95, the pay of the following staff under PWI/BG/RNY are hereby fixed as under:-

Sl. No.	Name	Designation, pay & scale.	Pay fixed in scale, Designation.
	S/Shri,	Gangman (775-1025)	Sr. Gangman (800-1150)
1.	Sadnoor,	1.10.94 = 927/-	2.2.95 = 965/-
2.	Thaneswar Ramchiary,	1.4.94 = 847/-	2.2.95 = 875/-
3.	Haladhar Boro,	1.1.95 = 913/-	2.2.95 = 950/-
4.	Umesh Basumatary,	1.1.95 = 913/-	2.2.95 = 950/-
5.	Naren Ch. Das,	1.12.94 = 927/-	2.2.95 = 965/-
6.	Kank Ram Boro,	1.1.95 = 927/-	2.2.95 = 965/-
7.	Jatindra Nath Bhuyan,	1.1.95 = 871/-	2.2.95 = 905/-
8.	Chandmil Ali,	1.1.95 = 913/-	2.2.95 = 950/-
9.	Mohendra Boro,	1.1.95 = 913/-	2.2.95 = 950/-
10.	Funushar Rahman,	1.19.94 = 927/-	2.2.95 = 965/-
11.	Jogadish Singh,	1.10.94 = 927/-	2.2.95 = 965/-
12.	Pabin Kalita,	1.1.95 = 941/-	2.2.95 = 980/-
13.	Sandi Ram Das,	1.12.94 = 927/-	2.2.95 = 965/-
14.	Rangu Das,	1.12.94 = 927/-	2.2.95 = 965/-
15.	Bhadowa,	1.12.94 = 927/-	2.2.95 = 965/-
16.	Dilip Paul,	1.6.94 = 927/-	2.2.95 = 965/-
17.	Ram Chandra Rai,	1.12.94 = 927/-	2.2.95 = 965/-
18.	Dina Nath Sahu,	1.10.94 = 927/-	2.2.95 = 965/-
19.	Ram Nath Mallah,	1.7.94 = 913/-	2.2.95 = 950/-
20.	Bhabi Ram Nath,	1.4.94 = 927/-	2.2.95 = 965/-
21.	Hari Sankar Mahato,	1.10.94 = 927/-	2.2.95 = 965/-
22.	Durga Das,	1.1.95 = 941/-	2.2.95 = 980/-
23.	Nabab Ali,	1.2.95 = 941/-	2.2.95 = 980/-



Contd. .... 2.

Conceded to be the Copy

Advocate

	- : ( 2 ) : -	
24. Rustam Ali,	1.10.94 = 927/-	2.2.95 = 965/-
25. Padma Kumar,	1.5.94 = 927/-	2.2.95 = 965/-
26. Dharani Barman,	1.1.95 = 913/-	2.2.95 = 950/-
27. Gafoor Ali,	1.11.94 = 899/-	2.2.95 = 935/-
28. Ramharan Narzary,	1.10.94 = 823/-	2.2.95 = 860/-
29. Nizam Ali,	1.1.95 = 913/-	2.2.95 = 950/-
30. Sunanda Ram Das,	1.4.94 = 927/-	2.2.95 = 965/-
31. Raghab Ch. Boro,	1.1.95 = 913/-	2.2.95 = 950/-
32. Kamaleswar Das,	1.10.94 = 859/-	2.2.95 = 890/-
33. Majneur Ali,	1.12.94 = 913/-	2.2.95 = 950/-
34. Uzir Ali,	1.2.95 = 941/-	2.2.95 = 980/-
35. Khasnoor Ali,	1.12.94 = 927/-	2.2.95 = 965/-
36. Tarun Ch. Boro,	1.3.94 = 899/-	2.2.95 = 935/-
37. Kabindra Boro,	1.10.94 = 823/-	2.2.95 = 860/-
38. Rakeb Ali,	1.3.94 = 927/-	2.2.95 = 965/-
39. Umesh Das,	1.12.94 = 913/-	2.2.95 = 950/-
40. Narayan Boro,	1.1.95 = 913/-	2.2.95 = 950/-
41. Salish Basumatary,	1.4.94 = 899/-	2.2.95 = 935/-
42. Gafoor Ali,	1.2.95 = 941/-	2.2.95 = 980/-

for Divl. Rly. Manager(P),  
Alipurduar Junc.

Dated: 18/03/95.

No. E/105/2(E)AP.Pt.V

Copy forwarded for information and necessary action to:-

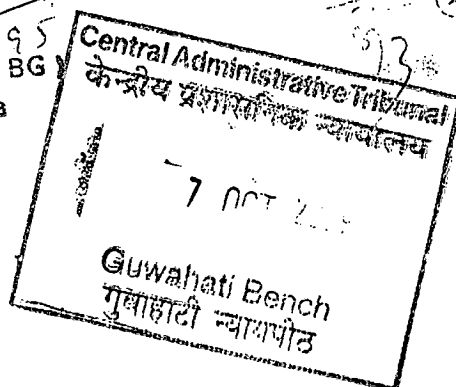
1. DAO/APDJ. 2. AEN/RNY. 3. FWI/BG/RNY. 4. OS/EW/Bill.
5. Staff concerned. 6. P/Case.

for Divl. Rly. Manager(P),  
Alipurduar Junc.

(hem 7/3/95)

Forwarded  
Please

Permanent Way Inspector (BG)  
M. F. Railway : Rangiya



## OFFICE NOTE

No: WB/A/16/Gr. 'D', Comp./Pt. I.

OFFICE OF THE  
DIV. RLY. MANAGER(P),  
ALIPURJAHAR JUNCTION.

DATED: 18/8/2002.

Following 29 (Twenty Nine) Candidates are hereby directed to you for appointment as Gateman on Comp. Ground. They have Completed their initial training Course and passed the Examination vide Principal/WFO/APDJ's Office Order No. 2/TR/32/Pt. III dt. 29.4-2002 (Copy enclosed).

## Name of the Candidates :

1. Shri Debayan Sarkar,  
S/O Shri H. Ch. Sarkar,  
Ex-Q/Electric-I/C&W/APDJ.
2. Shri Santosh Mondal,  
S/O Lt. Gajadish Mondal,  
Ex-P/Man/A/CYM/MBQ.
3. Shri Lakhinder Prasad,  
S/O Lt. B. J. Ram,  
Ex-J/Driver/LF/MDQ.
4. Shri Nankar Roy,  
S/O Lt. Niharendra Roy,  
Ex-Driver/C/SSE/LF/APDJ.
5. Md. Mohir Alam,  
S/O Lt. Md. Hanif,  
Ex-Driver/Mail/SSE/Loco/MDQ.
6. Shri Hare Kanta Saikia,  
S/O Lt. Thaneswar Saikia,  
Ex-Gateman/SSE/Way/HZS.
7. Shri Phumidhar Daimary,  
S/O Lt. Bharat Daimary,  
Ex-S/Man-I/SSE/W/HZRY.
8. Shri Tasaghna Das,  
S/O Lt. Tridip Kr. Das,  
Ex-Ed. Clerk/Sr. DSSE/APDJ.
9. Shri Sanjib Kr. Saha,  
S/O Lt. G. C. Saha,  
Ex-FWI/II/RPAN.
10. Shri Atul Ch. Saha,  
S/O Lt. Jagadish Saha,  
Ex-Gateman/SSE/W/PAN.
11. Shri Nabe Sarkar Das,  
S/O Lt. Gajendra Ch. Das,  
Ex-SIX/NLP/CSC/MLC.
12. Md. Aswara Dahanan,  
S/O Lt. Mahin,  
Ex-Gateman/SSE/P.W/MC/HNY.
13. Md. Abul Ali,  
S/O Lt. Ayub Ali,  
Ex-Md. Trallyman/PUE/MC.

## Category

Gateman (Provisional).

-do-

-do-

-do-

-do-

-do-

-do-

-do-

-do-

-do-

Gateman (Regular Basis)

-do-

-do-

Central Administrative Tribunal  
केन्द्रीय प्रशासनिक न्यायालय  
7 OCT 2009  
Nagari Bench  
विहारी न्यायपीठ

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Advocate

Name of the Candidates :

Category (Person)  
Gateman (Regular basis).

14. Shri. Dhaneswar Borah,  
S/O Lt. Chakram Borah,  
Ex-Gr. C/Han/SSE/Way/NLP.
15. Shri. Robin Das,  
S/O Lt. Umesh Ch. Das,  
Ex-E/Shorter/DFH(W)/APDJ.
16. Shri. Subhas Mishra,  
S/O Lt. Subodhanda Mishra,  
Ex-SS/Han/ARI/NLP.
17. Shri. Partha Bose,  
S/O Lt. Liven Kr. Bose,  
Ex-P/Han/SS/SEE.
18. Shri. Anbaru Basumatary,  
S/O Lt. Charan Singh Basumatary,  
Ex-G/Han/SSE/P.W/NDQ.
19. Shri. Alek Roy,  
S/O Lt. Dattaswar Roy,  
Ex-Gr. Gateman/SSE/P.Way/HMX.
20. Shri. Rajani Kanta Das,  
S/O Lt. Rangu Das,  
Ex-Gangcan/PWI/DC/HNY.
21. Shri. Rashid Sarkar,  
S/O Lt. Mahum Nath Sarkar,  
Ex-
22. Shri. Ashim Kr. Mali,  
S/O Shri Kshitish Ch. Mali,  
Ex-Driver/C/LF/NDQ.
23. Shri. Sanjay Ghosh,  
S/O Lt. Bijay Kr. Ghosh,  
Ex-H/Trolleyman/Driver/DSO/APDJ.
24. Shri. Prakash Kolita,  
S/O Lt. Devan Kolita,  
Ex-Gateman/SSE/P.Way/MC/HNY.
25. Shri. Debashish Das,  
S/O Lt. Dulal Ch. Das,  
Ex-AA/HCAO/MLC.
26. Shri. P. Krishna Das,  
S/O Lt. P. Dasgupta,  
Ex-S/JDR/CHX/NDQ.
27. Shri. Dipankar Goswami,  
S/O Lt. J. K. Goswami,  
Ex-MI. Clerk/HNY/LI/H/P. Coy/NDQ.
28. Shri. Xariya Basfore,  
S/O Lt. Jagadiya Basfore,  
Ex-E/S/O. Ganes/HI/HQCN.
29. Shri. Manu Deb Nath,  
S/O Lt. Santa Deb Nath,  
Ex-C/Han/SE/P.Way/MCH.

-do- (Regular basis)

-do-

-do-

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(Contd ...P/3...)

Central Administrative  
কেন্দ্রীয় প্রশাসনিক ন্যায়  
7 OCT 2007  
Guwahati Bench  
গুৱাহাটী ন্যায়পীঠ





All relevant documents i.e. Copy of Office letter, Medical Fit, Copy of Death Certificate, School Certificate showing the age proof, P.V. Report etc. are also enclosed for ready reference. Sl.No. 1 (One) to 10 (Ten) Candidates are in the Group-C list and their appointment as Gateman is Provisionally. Sl.No. 11 to 29 are Group-D Candidates and they have been offered appointment as Gateman on Regular Basis.

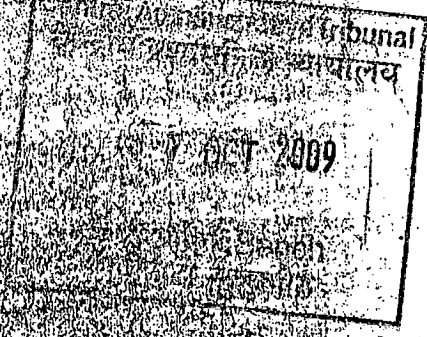
You are therefore requested to take necessary arrangement for appointment as Gateman in Regg. Depts. from your end please.

To,  
OS(P)/Rdg.

*[Signature]*  
for Div. H. Y. Manager (P)/APD.

*[Handwritten signature]*  
13/05/08

*[Handwritten signature]*  
for Div. H. Y. Manager (P)/APD.  
13/05/08



To,  
OS(P)/Rdg.

All relevant documents i.e. Copy of Office letter, Medical Fit, Copy of Death Certificate, School Certificate showing the age proof, P.V. Report etc. are also enclosed for ready reference. Sl.No. 1 (One) to 10 (Ten) Candidates are in the Group-C list and their appointment as Gateman is Provisionally. Sl.No. 11 to 29 are Group-D Candidates and they have been offered appointment as Gateman on Regular Basis. You are therefore requested to take necessary arrangement for appointment as Gateman in Regg. Depts. from your end please.

(5)

ZONAL TRAINING CENTRE/N. F. RLY/ALIPURDUAR JUNCTION

CERTIFICATE OF COMPETENCY

No. Z/TR/E/COMP.

DATE 14.05.02 (STAFF COPY)

Shri. RAJANI KANTA DAS.

Designation TR. G/MAN /ATJ

was examined on 12.04.02 and is certified to be fit to perform the duties of

an/a GATEMAN.

Principal/Z.T.C./Alipurduar Jn.

MAH  
AORAK

Office of the  
Divl. Rly. Manager(F),  
Alipurduar Junction.

No.

To:

Shri / Smt.

WB/P/16/70/D/Comp/P/S  
Rajani K. Das  
S/O Lt. Rangan Das  
Ex. Gangman/PWT/BG/Rly.

Dated: 16-5-2002

Sub:- Temporary appointment as Gate man's 2  
 Department Engg on pay Rs. 2610/-  
 in scale Rs. 2610/3540/- (RP/96) plus  
 usual allowance as admissible from time  
 to time on compassionate ground.

On your acceptance the offer of appointment dated 16-5-2002  
 and on being found medically fit in category A/3 (three), you  
 are hereby as directed to report 05/10/Engg for further  
 order of your appointment.

The order terms and conditions of your service will be  
 the same as stated in this office letter No. E/227/10 (AP) date  
16-5-2002.

Your appointment on compassionate ground has been approved  
 by the competent authority.

Signature & Rubber Stamp  
 of appointment authority.

Copy forwarded for information and necessary action to :-

The candidates prescribe  
 attestation form in triplicate alongwith enclosures  
 and Medical 'FIT' Certificate is enclosed for record.  
 The candidate is appointed on compassionate ground  
 pending Police verification which should be completed  
 as early as possible. The offer of appointment letter  
 is enclosed. Appointment of the candidate on compa-  
 ssionate ground has been approved by the competent  
 authority on 03-5-2002.

- Encl: 1) Attestation Forms (duly filled).  
 2) Medical Fit Memo.  
 3) Copy of Death Certificate of ex: employee (attested).  
 4) Copy of School Certificate (showing educational  
 qualification).  
 5) Copy of Character Certificate.  
 6) Others.

(sdas/2502)

for DIVL. RLY. MANAGER(F),  
ALIPURDUAR JUNCTION.

Continued to be the Copy

Advocate.

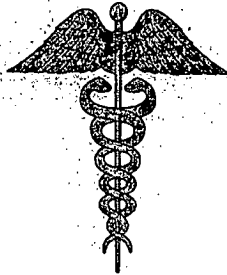
**JANU MEDICO'S**

Rangia Tiniali Ward No. : 7

Kamrup (Assam)

Pin : 781354

Ph. No. : 03621-244478



ডাঃ দিলীপ কুমার বৈশ্য

Dr. Dilip Kumar Baishya

MBBS (DIB), M & H.O.-1

Regd. No. 10906 (AMC)

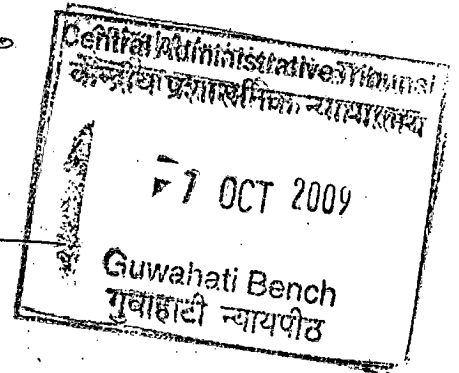
Ph. 94351-10244

VISITING DAY  
Sunday to Friday  
Evening: 7 to 9 PM

Date: .....

Name: .....

Age: ..... Sex: ..... Wt. ....



Rx

3) Doloxy 200

114  
150

1) B. C. 252  
340

2) Spordex 500  
114  
150

1) Pan-D  
114  
150

26/5/02

LA F. 150  
150 L. 150  
Blood  
L. 150  
L. 150  
L. 150

Rectal - 150  
H. 150

Please bring this prescription on your next visit

Confirmed to be the Copy

Advocate

(12)

# JANU MEDICO'S

Rangia Tiniali- Ward No.- 7

Kamrup (Assam)

Ph. No.- 03621-2441119

**Dr. Dilip Kr. Baishya**

MBBS (DIB), M&H.O.I.  
Rangia, Ph.No. 240269 (R)  
Mobile : 9435110244

**VISITING DAY**

Sunday to Friday

Evening : 7 to 9 P.M

Name : To be filled  
Age : 45 Sex : Male Wt. : 70

R<sub>x</sub> Date.....

Anti-tuberc  
45-1 - 1st Rajani  
4th DRS 5th 4  
Kamrup DRS  
1st DRS 4th 4  
PIS Rangia DRS  
Under my treat-  
ment from 26/5/02  
to 30/1/04 due  
to Rheumatoid  
Arthritis & polyarthritis

M.D. HC  
Cmg. advised  
to consult  
HC & CMC  
D.P.D. of  
Grip. C.H.

19/5/09  
B.L.B.  
RANGIA  
P.H.C.

Central Administrative Tribunal  
केन्द्रीय प्रशासनिक न्यायालय  
7 OCT 2009  
Guwahati Bench  
गुवाहाटी न्यायपीठ

Please bring this prescription on your next visit

Confirmed to be true Copy

Advocate

**RESHMI MEDICO'S****Rangia (Tiniali), Dist.: Kamrup (Assam)**

Phone : 03621-242613 (Pharmacy)

98641-40947 (M)

Date : 1-5-04.

**Dr. Anil Talukdar**Experienced General  
Practitioner

Sr. Medical &amp; Health

Officer, Rangia CHC/FRU

Ph : 03621-241328 (R)

98641-41681 (M)

**Daily Evening**  
5-00 P.M. to 8-30 P.M.**Dr. Dilip Kr. Sharma**

M.B.B.S., DGO

Specialist in O &amp; G.

**Every Saturday**  
8-00 A.M. to 10-00 A.M.**Dr. Dilip Kalita**

ENT Specialist

Daily Morning

**Investigation**

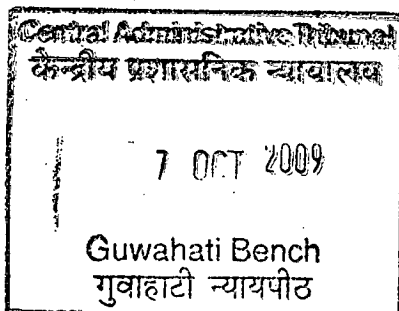
Adv:-

blood for RE,  
RA factor, Uric  
acid.Name : Rayani Kanta Das Age / Sex 38 yrs. M.**Rx**① Tab. Isoniazid

1 amp 1 M. Daily 5 dy.

② Tab. Paracetamol 4A 121 vital temp 1 M. every month  
ANST. x 6.③ Tab. Nurox 120 — 20

1 tab Daily after food

④ Tab. Rabifast 20 — 301 tab Daily in the  
morning.Adv:- Orthopaedic consultation.

Duly 1/5/04.

Certified to be true Copy

Advocate

4-9-04

R ① Inj Dolonex 2ml

1 amp 1-4. Daily x 5.

② Tab Novoran 5R — 20

1 tab Daily after food

③ Tab Rabifast 20 — 30

1 tab Daily in the morning.

④ Mega forte <sup>gl</sup>

2 tabs thrice Daily.

Adv: Orthopaedic consultation.

Shub A/9/04.

7-2-06

R ① Inj Dolonex 2ml

1 amp 1-4. Daily x 5.

② Tab Wynolone 10

1 tab thrice Daily x 5 days

1 tab twice " x 5 "

1 tab once " x 5 "

after food.

③ Rabifast 20 — 30

1 tab Daily in the morning.

④ Shelcal 500

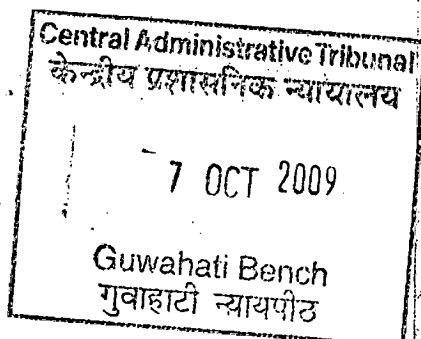
2 tabs twice Daily after

⑤ Muesli <sup>plus</sup> — 20

1 cup Daily.

Adv: Orthopaedic consultation.

Shub 7/2/06.



**RESHMI MEDICO'S****Rangia (Tiniali), Dist.: Kamrup (Assam)**

Phone : 03621-242613 (Pharmacy)

98641-40947 (M)

**Dr. Anil Talukdar**Experienced General  
Practitioner

Sr. Medical &amp; Health

Officer, Rangia CHC/ERU

Ph : 03621-241328 (R)

98641-41681 (M)

Daily Evening  
5-00 P.M. to 8-30 P.M.**Dr. Dilip K. Sharma**

M.B.B.S., DGO

Specialist in O &amp; G.

Every Saturday  
8-00 A.M. to 10-00 A.M.**Dr. Dilip Kalita**

ENT Specialist

Daily Morning

**Investigation**

Date : 16-5-06

Name : Rajan Kant Das Age / Sex : 40 yrs M**Rx**

① Tab Voveran SR — 15

1 tab Daily after food.

② Nysolone 10

1 tab three Daily x 3 days

1 tab <sup>4</sup> twice " x 3 "

1 tab once " x 3 "

③ Rablet 20 — 20

1 tab Daily in the  
morning

④ Ty Methylene blue — 7 ans

1 ans 1-2 on AD.

Central Administrative Tribunal  
केन्द्रीय प्रशासनिक न्यायालय

7 OCT 2009

Guwahati Bench  
गुवाहाटी न्यायपीठ

Only 16/5/06

Confirmed to be true Copy

Advocate



Dr. A.C. Talukdar, M.B.B.S. AHS  
 SENIOR MEDICAL & HEALTH OFFICER  
 EXPERIENCED GENERAL PRACTITIONER.  
 REGD. No. - 7695 (AMC)

## CHAMBERS

Residence cum Rangia **Reshmi Medicos**  
 (Murara) (Tiniali)  
 Near: TVS Dealer Ph. no. 242613

## VISITING HOURS

## Residence

Daily Morning

Evening 3 to 5 P.M.

03621 - 241328 (R)

94351 - 14997 (M)

## Reshmi Medicos

(TINIALI)

Daily Morning

Evening 5 to 8.30 P.M.

(Except Wednesday)

BRIEF CLINICAL NOTES  
AND INVESTIGATIONS.

Rx

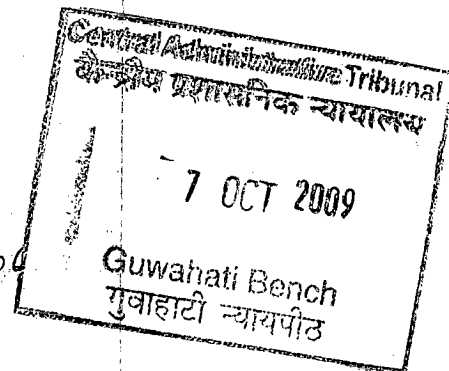
Date: 31-5-06

To whom it may concern,

Certified that Smt Rajen:  
 Kanta Das s/o Late Raja Das of  
 vill. Khandikan, P.O. - Deankuchi in  
 the district of Kamrup, Assam  
 was under my treatment during  
 the period from 1-5-04 to 31-5-06  
 due to Rheumatoid Arthritis with  
 Peripheral Neuropathy.

Dated 31/5/06

Sr. M. & H. O.  
 Rangia C. H. C. / FRU



Certified to be true Copy

*[Signature]*  
 Advocate

(17)

**সুসুশা**  
**CLINICAL LABORATORY**  
**SUSRUSHA**  
Hospital Road, Rangia

9954036894

Visiting Pathologist:  
**Dr. H. C Barman, M.B.B.S. D.C.P.**

Patient's Name: **Rajani Kt. Das** Date: **30/6/06**  
Referred by Dr. **N. Bhattacharyya** Lab No.

**RECEIPT OF EXAMINATION OF BLOOD**

TEST	VALUE	NORMAL RANGE
B Sugar (F)		70.110 mg/dl
B Sugar (PP)		110.140 mg/dl
B Sugar (R)	<b>110 mg/dl</b>	80.120 mg/dl
SERUM Bilirubin		
B. Urea		15.40 mg/dl
S. Creatinine	<b>1.6 mg/dl</b>	(M) 0.9-1.4 mg/dl (F) 0.8-1.2 mg/dl
U. Acid	<b>4.8 mg/dl</b>	3.0-7.5 mg/dl

**OTHER INVESTIGATION**

Hemoglobin (cyanmethemoglobin) Method..... gm %

Blood Group	
Rh grouping	
VDRL Test	
RA Factor	<b>Negative</b>
ASO Test	
Astrelia Antigen (HbsAg)	
HIV Test	

Lab. Tach. **30/6/06** Pathologist

Central Administrative Tribunal  
কেন্দ্রীয় প্রশাসনিক ন্যায়ালয়  
7 OCT 2009  
Guwahati Bench  
গুৱাহাটী ন্যায়পীঠ

Certified to be true Copy

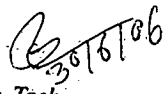
Advocat.

(18)

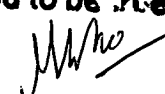
<div style="text-align: center;"> <b>ক্লিনিকাল</b>  <b>CLINICAL LABORATORY</b>  <b>SUSRUSHA</b>  Hospital Road, Rangia </div>		9954036894					
Visiting Pathologist: <b>Dr. H. C Barman, M.B.B.S. D.C.P.</b>							
Patient's Name: <b>Rajam Kt. Das.</b>		Date: <b>30/6/06</b>					
Referred by Dr. <b>M. Bhattacharyya</b>		Lab No.					
<b>RECEIPT OF EXAMINATION OF BLOOD</b>							
Name of Sample ✓ Hemoglobin (cyanethemoglobin) Method: <b>10'4</b> gm%	Capillary/Venous NORMA Men upto adult 8 to 13 gm. Women adult 11.5 to 16.5 gm.	3					
✓ E.S.R. (Westergreen) <b>45</b> mm after 1st hr. / 2nd hr.	Men upto (50 ys.) 1 to 7 mm. above (50 ys.) 2 to 10 mm Women upto (50 ys.) 3 to 9 mm. above (50 ys.) 5 to 15 mm						
R.B.C. count (T.R.C.)	Men 4.5 to 6.5 million /c. mm. Women 3.8 to 5.8 million /cmm.						
✓ W.B.C. count (T.L.C.) <b>7400</b>	Adult 4 to 11 thousand /c. mm. others Age ys. /cmm						
Platelet count Lakh /c. mm.	1.5 to 4.0 Lakh /c. mm.						
Absolute Eosinophilic count Reticulocyte	40 to 440 /c. mm. Adult & Children 02 to 20%						
✓ Differential W.B.C. Count	<b>FILM MORPHOLOGY</b>						
1. Polymorphs (Neutrophils)	<b>62</b> % (Normal) 40 to 75%						
2. Lymphocytes	<b>33</b> % (Normal) 20 to 45%						
3. Monocytes	<b>1</b> % (Normal) 2 to 10%						
4. Eosinophils	<b>4</b> % (Normal) 1 to 6%						
5. Basophils	<b>0</b> % (Normal) 0 to 1%						
Malaria parasite : ..... MP (PBS).....							
Blidding Time : ..... Cloting Time.....							
T.B (Rapid test)	Antigen	1.20	1.40	1.80	1.160	1.320	1.640
Widel Test	Sal. Typhi O						
	Sal. Typhi H						
	Sal. P Typhi AH						
	Sal. P Typhi BH						

## OTHER INVESTIGATION

1. Sputum for A.F.B.etc.
2. Semen Analysis :
  - i) Physical :
  - ii) Chemical :
  - iii) Microscapical :

  
Lab. Tech.

  
Pathologist

  
Certified to be true Copy  
Advocate

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

(9)  
Dr. M. Bhattacharyya  
MBBS (G. M. C.)  
REGD NO-11660 (A M C)

03621-241502 (R)  
04353-41669 (AM)

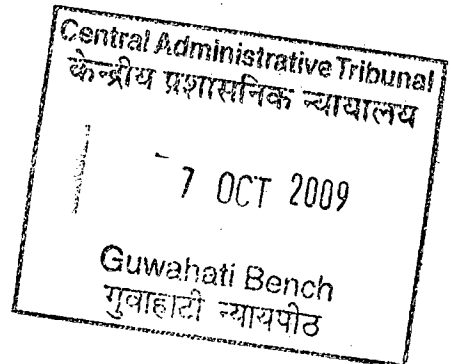
NAME-- Rajani Kanti Das

DATE-- 20/6/06.  
Age 46, Sex M

Rh. arthritis

R ① In Melhocal ⑩  
1 on 1 in or 1000

o Indocap SR  
1 o                      side of the hand



An Rh fact, S. Urine acid level,  
RBS, Blood R/E, S. creatinine

~~20/6/06~~  
20/6/06

Certified to be true Copy

Advocat.

Dr. M. Bhattacharyya  
MBBS (G. M. C.)  
REGD NO-11660 (A M C)

03621-241502 (R)  
04363-41669 (M)

DATE- 15/6/07

NAME- Rajni Kant Das Age 46 Sex M

Rheuma art i  
mupli

- ① Elaneda to ② K m
- ② Numbuz 1 K ③
- ③ Chymul ht ④

Central Administrative Tribunal  
केन्द्रीय प्रशासनिक न्यायालय  
7 OCT 2009  
Guwahati Bench  
गुवाहाटी न्यायपीठ

A x-ray of Lumbosacral region

23/6/07

Confirmed to be true Copy

Advocat.

Dr. M. Bhattacharyya

M B B S. (G. M. C.)

REGD NO-11660 (A M C)

03821-241502 (R)

94353-41669 (M)

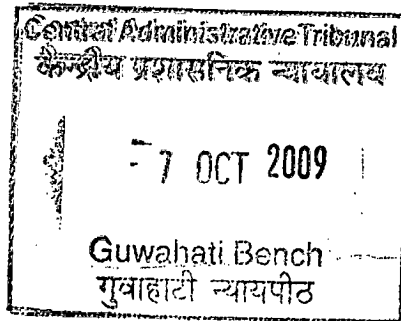
DATE-5/9/08

NAME-

Age Sex

(To whom it may concern)

This is to certify that Sri  
Rajamukh. Des Age-41/Male s/o (Lt) Rang  
Des of Vill- Khondikar P.S. Rangia  
Dist- Kamrup (Assam) was under  
my treatment during the period  
of 1-6-2006 to 5-9-2008 due  
to Rheumatoid arthritis & Peripheral  
Neuropathy. Now I examined him  
and found that he is fit to  
resume his duty with both physically  
and mentally.



5/9/08  
Medical & Health Officer-I  
Madhya Panduri M, P. H. C.  
Rangia Kamrup (Assam)

Confirmed to be true Copy

Advocate

To  
The Divisional Railway manager (P)  
N.E. Railway, Alipurduar Jn.,

Date : 22/01/08

Sub:- Prayer for Compassionate appointment against the death of my deceased father.

Ref :- Your Letter No. WB/A/16/Gr. "D"/Comp/PI-1, Date 16-05-2002.

Sir,

With due respect, I beg to state that after successfully completion of Gatemanship Training at APDJ under principal, ZTC/APDJ vide letter No. Z/TR/E/Comp. Dt. 14-05-02, I have been offered appointment as Engg. Gateman on compassionate ground and was directed to report to OS/P/ENGG vide your office letter No. under reference.

Sir it is a matter of great regret to let you know that I could not report OS/P/ENGG in due course due to the reasons stated below.

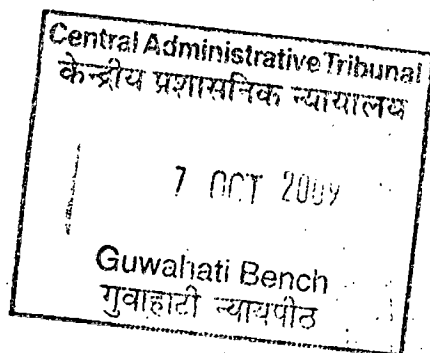
Sir, I was about to move to APDJ for my future duties as Gateman. But an accident was met at the slippery Courtyard of my own resident as a result, I got severe injury in my waist. In course of time, my physical condition was getting worst day by day.

I was getting my treatment under Dr.D.K. Baishya, MBBS (DIB) from 26-05-02 to 30-04-04. Thereafter from 01-05-04 to 31-05-06 under the treatment of Dr. A.C. Talukdar, MBBS. Lastly myself was treated by Dr. M. Bhattacharya, MBBS (GMC)(all medical certificates enclosed.)

Now I am fully cured from different ailment and fit to resume my normal duties as Gateman without further lose of time.

In view of the above fact, I would like to draw your kind attention towards the above facts and allow me to do my duties for which I shall remain ever grateful to you and save my family from starvation in the days of crisis.

With regards,



Yours faithfully,

Sri Rajani Kt. Das  
(Rajani Kanta Das)  
Late Rangu Das

Certified to be true Copy

Advocate

Northeast Frontier Railway  
Office of the  
Divisional Railway Manager (P)  
Alipurduar Junction.

ANNEXURE - H

No.E/227/E/CG/AP/Trackman

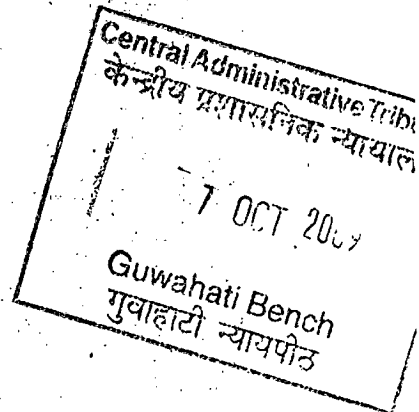
28/01/2009

To  
The Divisional Railway Manager (Personnel)  
N F Railway, Rangiya [RNY]

(for personal attention of Sh. S.Chakraborty, DPO/RNY)

Sub : Appointment on Comp.Ground as Gateman of  
Sh. Rajani Kanta Das, as Gateman.

Ref : Appeal submitted by Sh. Rajani Kanta Das, for apptt. on comp.  
Ground as Gateman, bearing L/No.NIL dated 22.09.08.



One Shri Rajani Kanta Das, has applied for appointment on compassionate ground as his father passed away while in service.

On verification of records maintained by this office it is seen that Shri Das was offered for appointment as Gateman bearing No.WB/A/16/Gr.D/Comp/Pl.I dt: 16.5.02 issued from this end and was posted under SSE/P.Way/GLPT as Gateman.

After bifurcation of APDJ division, office of the SSE/P.Way/GLPT is under jurisdiction of RNY Division.

As such necessary arrangement be made for appointment of Sri Das as Gateman

DA : 08(eight).

(S.Sarmah)  
DPO

For Divl.Rly.Manager (P)  
Alipurduar Junction.

Copy to :-

- 1.SSE/P.Way/GLPT, please ensure as to whether, if dossier of Sri Rajani Kanta Das, is available in your office.
- 2.Sh. Rajani Kanta Das, S/o Late Ranju Das, ex. Gangman under PWI/BG/RNY, for information please.
3. S&WI/IC/APDJ

For Divl.Rly.Manager (P)  
Alipurduar Junction.

Continued to be a Copy

Advocate



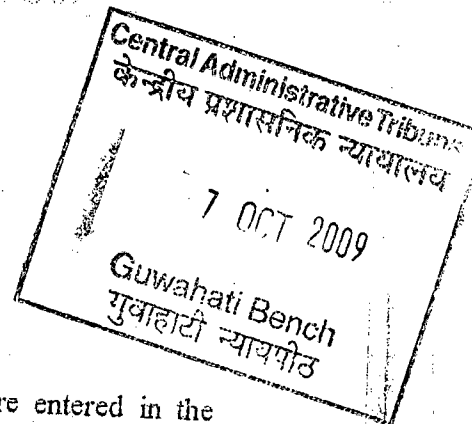
Northeast Frontier Railway

Office of the  
Divl. Railway Manager (P)  
Rangiya  
Date: - 25/03/09

No.E/213/VCA (E)/RNY/09

The Deputy Commissioner,  
Kamrup (Assam)

Sub: - Verification of character and antecedents of candidates  
for the post of Gateman under SSE/P.Way/GLPT.



1. I am directed to say that Shri Rajani Kanta Das whose particulars are entered in the enclosed Attestation Form is a candidate for the post of Gateman under SSE/P.Way/GLPT. To enable this office to determine the suitability of the candidate for Government service, I am to request you to certify on the basis of the information available in your records, whether he/she come to any adverse note or not and whether there any facts about him/her or record which would render him/her unsuitable for employment under central Government. It may be specifically indicate whether or not the candidate is suitable for Government service and if he/she is considered unsuitable, a brief statement of the grounds for the opinion expressed may be adduced. The result of the scrutiny may be communicated immediately to this office.
2. Similar enquiries are being made to the District Magistrate.

Thanking you,

Encl: Attestation form.

Sincerely

*G. K. Dey*  
(G. K. Dey)

Asstt. Personnel Officer  
N.F. Railway/RNY

Continued to be the Copy

*M. M. M.*  
Advocate

ADDL. DIRECTOR  
ICE OF THE INSPECTOR GENERAL OF POLICE ::: SPECIAL BRANCH :::::  
ASSAM :: KAHILIP/ A :: GUWAHATI-1).

Confidential.

No. SB.IX/5/24(A)/PT-1/09/83

Dt. 17/4/09

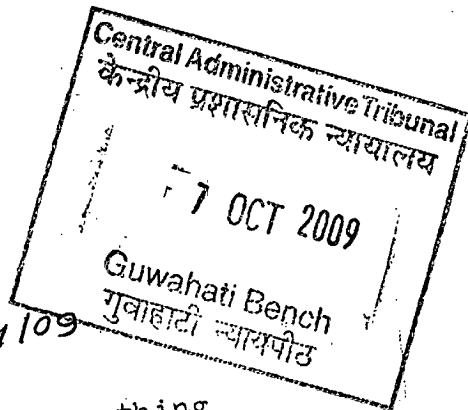


The Deputy Commissioner,  
Kamrup - Guwahati.

Final Verification Report of C/A.

Ref :: Your M/NO. KCA/PVR/2009/458

Dt. 2/4/09



Sir,

As directed, I am to inform you that there is nothing adverse against the following person/persons either criminally or politically which would render him/her/them unsuitable for employment works in Govt. service/quasi Govt. Organisation. He/She/they is/are Indian citizen by birth.

The verification roll/rolls is/are returned herewith.

Yours faithfully,

1) Sri Rajani Kantar Das

By: Superintendent  
Assam: Kamrup  
Sd/- Subd. of Police  
Spl. Branch Assam SB,  
Guwahati-19

Seamed to be true Copy

*[Signature]*  
Adm. Secy

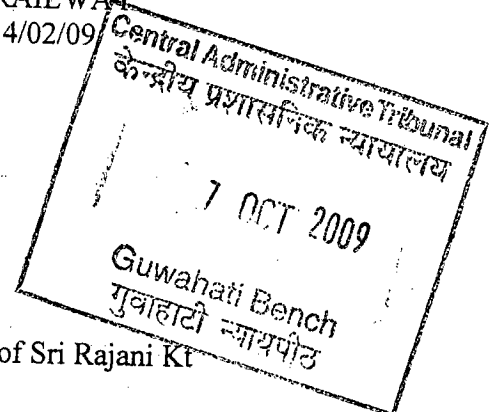
N.R. RAILWAY

OFFICE OF THE  
SSE/P-WAY/GLPT  
N.F. RAILWAY  
DT:-14/02/09

No:- E/178/MISC/GLPT

To,

DRM/P/RNY  
N.F. Railway



Sub: - Appointment on compassionate ground as Gateman of Sri Rajani Kt Das as Gateman.

Ref: - Appeal submitted by Sri Rajani Kt Das, for appointment on compassionate ground as gateman, bearing L/No.Nil, dated 22/09/08

One Sri Rajani Kt. Das, has applied for appointment on compassionate ground as his father passed away while in service.

On verification of record maintained by this office it is seen that there is no such record is available that Sri Rajani Kt Das was offered for appointment as gatemen bearing No-WB/A/16/Gr.D/Comp/Pt.1 Dt.16/05/02 issued from your end.

Copy to: - for kind information please.

1) ADEN/GLPT

SSE/P-WAY/GLPT  
Senior Section Engineer (P.Way)  
पूर्वोत्तर सीमा रेल / गोरगाँव  
N.F. Ry/Goragang.

SSE/P-WAY/GLPT

Continued to be the Copy

Advocat.

NORTHEAST FRONTIER RAILWAY

Office of the  
Divisional Railway Manager (P)  
Rangiya

To

Sri Rajani Kanta Das  
S/O. Ranga Das  
Ex.Gangman under SSE/P.Way/BG/RNY

Sub: - Compassionate Ground appointment.

Your case for appointment as Gateman on Compassionate Ground as referred by DRM (P)/APDJ's vide L/No.WB/A/16/Gr.D/Comp/Pt.I dated 16-05-02 was put up to competent authority for consideration. On careful consideration, the competent authority has opined as under:

- 1) "In view of the remarks of CMS/RNY, treatment/disease/reports of Shri Rajani Kanta Das don't support his claim for not taking up the appointment, all these years, besides the fact the period from date of being offered appointment(May-2002) to June 2006 is not supported on medical grounds at all. i.e. Period of treatment, started from middle of June/2006."
- 2) "Request of employee to grant him appointment is therefore not agreed to".

This issues with the approval of DRM/RNY

No.E/255/IV (E) RN Pt.VIII (Engg Comp)

Copy to:-

- 1) OS to DRM/RNY- for information please.
- 2) CMS/RNY

*16/6/09*  
(N. K. Sutradhar)  
APO/II/RNY  
For Divl. Railway Manager (P)  
Rangiya  
Date: - 16-06-09

*16/6/09*  
For Divl. Railway Manager (P)  
Rangiya

Conceded to be true Copy

*Advocate*  
Advocate

