

30/100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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Disposed date-29/4/99

O.A/T.A No. 204/95

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E.P/M.A No. 255/98

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SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH : GUWAHATI

ORIGINAL APPLN.NO. 204 OF 1995

TRANSFER APPLN.NO. OF 1995

CONT EMPT APPLN.NO. OF 1995 (IN NO.)

REVIEW APPLN.NO. OF 1995 (IN NO.)

MISC.PETITION NO. OF 1995 (IN NO.)

.....Smt....A.N.Begum.APPLICANT(S)

-vs-

M.O.I. Hm... RESPONDENT(S)

For the Applicant(s) ... Mr. J. L. Sarkar

Mr. M. Chanda

Mr.

Mr.

Mr. S. Ali, Sr.Case.

For the Respondent(s)

OFFICE NOTE

DATE

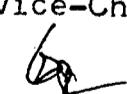
ORDER

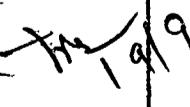
19-9-95

Mr. J.L. Sarkar for the applicants.
Mr. S. Ali Sr.C.G.S.C. for the respondents on notice.

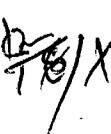
Grievance is that the impugned order is contrary to earlier directions of the Tribunal. Prima facie case. O.A. is admitted. Issue notice to the respondents. 8 weeks for written statement. Issue notice to the respondents to show cause as to why the interim relief should not be granted as prayed. Returnable on 17-10-95. Liberty to apply for ad-interim order on production of original notices of termination Annexure 2 (series). Adjourned for interim relief to 17-10-95. O.A. is adjourned for orders to 21-11-95.


Vice-Chairman


Member

Replies are due 1m
Today 8.10.95 (E)l
being processed & 
done.

(contd. to Page No. 2)


D/S/X

OA/TA/CP/RA/MP No. of 19

OFFICE NOTE	DATE	ORDER
	16.10.95	Written statements submitted by the Respondents No. 1 to 4. <u>Frank</u>

2
3
O.A.204/95

17-10-95

Mr. J.L. Sarker for the applicant,
Mr. S. Ali, Sr.C.G.S.C. for the
respondents.

12.12.95

copy of Indr/
Order dtd. 17.10.95
issued to the
counsel of the
parties vide D.P.W.

5237-88 dtd. 15.12.95

lm

gts.

Member

Vice-Chairman

Arguments of both the counsel are heard
and concluded. Judgment delivered in open
Court. Application is allowed. No order as
to costs.

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :::: GUWAHATI-5.

O.A. NO. 204/95
T.A. NO.

DATE OF DECISION 17-10-95

Smti. G.N. Begum

(PETITIONER(S))

Mr. J.L. Sarkar and Mr. M. Chanda

ADVOCATE FOR THE
PETITIONER (S)

VERSUS

Union of India & Ors.

RESPONDENT (S)

Mr. S. Ali, Sr.C.G.S.C.

ADVOCATE FOR THE
RESPONDENT (S)

THE HON'BLE JUSTICE SHRI M.G.CHAUDHARI - VICE-CHAIRMAN
THE HON'BLE SHRI G.L.SANGLYINE, MEMBER (ADMN)

1. Whether Reporters of local papers may be allowed to see the Judgment ? yes
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

{ No

Judgment delivered by Hon'ble M.G.Chaudhary VICE-CHAIRMAN

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**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No.204/95

Date of Order: This the 17th Day of October 1995.

JUSTICE SHRI M.G.CHAUDHARI, VICE-CHAIRMAN
SHRI G.L.SANGLYINE, MEMBER (ADMN)

1. Smti Gulnazar Begum
D/O.Md.Abdul Ali
Resident of Village-Pub Shari
P.O. Rangiya
Dist. Kamrup, Assam.
2. Md.Sariff Ali
S/O Fazir Ali
Vill-Pub Shari
P.O.& P.S.-Rangiya
Dist.Kamrup
Assam.
3. Shri Atul Chandni Kalita
S/O.Sri Chhana Ram Kalita
Vill.Ischdagaya
P.O.Keniha
Dist.Kamrup
Assam.
4. Mrs. Sahera Banu
D/O.late Rangsha Sheikh
Vill-Pub Shari
P.O.Rangiya
Dist.Kamrup, Assam. Applicants.

By Advocate Mr.J.L.Sarkar and Mr.M.Chanda

-Vs-

1. The Union of India through the
Secretary to the Govt. pf India
Ministry of Defence,
New Delhi.
2. The Additional Director General
of Staff Duties,
General Staff Branch,
Army Head Quarter, DHQ
P.O.New Delhi-110011.
New Delhi.
3. The Administrative Commandant
Purav Kaman Mukhayalaya
Head Quarter,
Eastern Command,
Fort William,
Calcutta-700021.
4. The Administrative Commandant
Station Head quarter, Rangiya
C/O 99 A.P.O. ... Respondents.

By Advocate Mr.S.Ali, Sr.C.G.S.C.

2. 1. 2. 3. 4.
Jill

X

ORDER.

Written statement filed. By consent called out for final hearing.

The four applicants are from amongst the 47 applicants in O.A.No.228/93 which was decided on 28-7-94. By that order the respondents were directed to take steps for regularising the applicants as Safaiwalas in Class IV category after obtaining necessary sanction and meanwhile their services were directed to be continued. In pursuance of that order ex-post-facto sanction of Commander 51 Sub area was accorded on 25-8-95 to regularise the service of the 47 casual Conservancy Safaiwalas employees by Station Headquarter, Rangiya and to appoint them as Class IV employees w.e.f. 1-8-94. The respondents have thereafter regularised and appointed the remaining original applicants but have found it difficult to regularise the services of the present four applicants on the ground that despite giving them benefit of maximum age relaxation as per existing rules they have still been found over aged and thus as they are not legally entitled for regular absorption they cannot be regularised and appointed. Consequently notice of termination of service was issued to the applicants on 1-9-95. The said notices are impugned in the instant application and the applicants pray that they may be appointed on regular basis as Conservancy Safaiwalas.

2. By interim order dated 19-9-95 we have stayed the operation of the termination notices and the applicants are continuing in the employment.

contd/-

hjk

3. The respondents have contended in the written statement that in as much as the applicants are over-aged and as the sanction has been granted in respect of those Safaiwalas who fulfil the terms and conditions for the posts on the supplementary peace establishment of Station Headquarter, Rangiya they are not qualified ^{for} ~~to~~ the appointment. The respondents have set out the service particulars of each applicant in para 7 of the written statement.

4. In so far as the applicant No.1 and applicant No.4 is concerned, Mr. M. Chanda submits that they being widows are entitled to further age relaxation that is up to 35 years of age and both of them have not crossed that age limit on 1-8-94. The respondents ought to regularise them and the ground given by the respondents to deny them to regularisation is untenable. In the application it has been stated that under the concession made available by the Government of India under different orders (See: Chapter 114 - Age Relaxation for Appointment' Swamy's Complete Manual on Establishment and Administration (1994 edition), such relaxation is permissible. The respondents have stated in this connection that the said policy is not available with them. We are unable to appreciate this statement of the respondents. It has not been denied that such instructions have been issued by the Government of India. We see no good reason as to why the present respondents should not extend the benefit thereof to the aforesaid two applicants who are Group 'D' employees. We are therefore inclined to direct their regularisation.

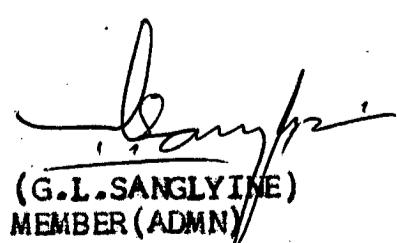
contd/-

hmc

5. The details given in the written statement show that as on 1-8-94 the applicant No.2 Sarif Ali has been found overaged by 1 year, 2 months and 28 days and the applicant No.3 Atul Ch.Kalita has been found overaged by 1 year 5 months and 1 day. We do not think that they are so much overaged that age relaxation for the aforesaid period ought not to be given to them. That apart, we are inclined to take the view that the question of age limit not having been raised by the respondents in the Original Application No.228/93 they are now precluded from raising that objection. The order of the Tribunal in that O.A. thus became binding upon the respondents in respect of all the 47 applicants including the aforesaid two applicants and it was not open to the respondents to set it at naught by introducing the ground of age limit while giving effect to that order. The order being in unqualified terms and as the respondents did not seek any qualification in that order the same is required to be complied with int^o.

6. Since there is sanction available to the four posts against which the applicants can be regularised in compliance with the previous order of the Tribunal, for the reasons indicated above, we direct the respondents to regularise and appoint all the four applicants w.e.f 1-8-94 as class IV Safaiwalas.

Accordingly the O.A. is allowed. No order as to costs.


(G.L.SANGLYINE)
MEMBER (ADMN)


(M.G.CHAUDHARI)
VICE-CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUJARAT BENCH

301 8 SEP 1995

Filed by the applicants
through Mr. Advocate
10.9.95.

An Application under Section 19 of the Administrative Tribunals Act, 1985.

O. A. No. 204 / 95

Smti Gul Nahar Begum & 3 Ors.

Vs.

Union of India & Ors.

I N D E X

Sl. No.	Annexures	Particulars	Page No.
1	-	Judgement dt. 28.7.94 Application	1 - 17
2	-	Verification	18
3	1	Judgement dt. 28.7.94	19 - 22
4	2	Notice dt. 1.9.95 (Series)	23 - 26
5	3	Letter dt. 7.10.85	27 - 28
6.	W/S Entitled b1 in Rydt No 309		29 - 36

Filed by :

Abul
Advocate

Received 6/9/95
Abul
Sr. C. S. C.
10/9/95

Sri Abul Ch. Kabil

1. Particulars of the applicants.

1. Smti Gulnazar Begum

D/o Md. Abdul Ali

resident of village - Pub Shari

P.O. Rangiya

Dist. Kamrup

Assam

2. Md. Sarif Ali

S/o Fazir Ali

Vill- Pub Shari

P.O. & P.S. - Rangiya

Dist- Kamrup

Assam

3. Sri Atul Chandri Kalita

S/o Sri Chhana Ram Kalita

Vill. Ischdagaya

P.O. Koniha

Dist. Kamrup

Assam

4. Mrs Sahera Banu

D/o late Rangsha Sheikh

Vill- Pub Shari

P.O. Rangiya

Dist. Kamrup

Assam

----- Applicants~~versus -~~

Sri Atul Ch. Kalita.

2. Particulars of the Respondents.

1. The Union of India
through the Secretary to
the Govt. of India
Ministry of Defence,
New Delhi

2. The Additional Director General
of Staff Duties,
General Staff Branch,
Army Head Quarter, DHQ
P.O. New Delhi-110011
New Delhi

3. The Administrative Commandant
Purav Kaman Mukhayalaya
Head Quarter,
Eastern Command,
Fort William,
Calcutta-700021

4. The Administrative Commandant
Station Headquarter,
Rangiya
C/o 99 A.P.O. Respondents

3. Particulars for which this application is made.

This application is made against the notice of
termination of service issued under letter No. 3004/1/
CC-1/Q dt. 1st September 1995 and also for a direction

St. Atul Ch. Kalita

to appoint the applicants on regular basis in terms of the Judgement and Order dated 28.7.94 passed in O.A. No. 228/93 by relaxing age limit.

4. Limitation

The applicants state that the application is filed within the time limit prescribed under Administrative Tribunals Act.

5. Jurisdiction

The applicants states that the cause of action of the case is arisen within the jurisdiction of the Hon'ble Tribunal.

6. Facts of the case

6.1 That the applicants are citizens of India, as such they are entitled to all the rights and privileges guaranteed by the Constitution of India. They are presently working as Conservancy Safaiwala under the Station Head Quarter, Rangiya. The grievances and reliefs sought for in this application are common therefore the Hon'ble Tribunal please grant permission under Section 4 of the Administrative Tribunals Act 5 (a) to move this application jointly by the applicants.

6.2 That all the 4 applicants alongwith 43 others had filed an Original Application before this Hon'ble Tribunal for regularisation of their services as

Sri Atal Ch. Kaliba

Conservancy Safaiwala in the Station Headquarter, Rangiya. The Original Application was duly contested by the respondents but the Hon'ble Tribunal after hearing both the parties was pleased to allow the Original Application with a direction to obtain sanction from the Cpmpetent Authorities for regularisation of services of all the 47 applicants in O.A. 228/93 on 28.7.1994 and also directed in the said Judgement and Order passed in O.A. 228/93 dt. 28.7.94 to pay minimum of the appropriate pay scale of Class IV category with effect from the month of August, 1993.

A copy of the aforesaid Judgement and Order passed in O.A. 228/93 dt. 28.7.94 is enclosed as Annexure-1.

6.3 That the said Judgement and order dated 28.7.94 initially implemented partly as regard payment of minimum of the appropriate pay scale and thereafter in the first week of September the Station Headquarter, Rangiya issued regular appointment letters in respect of the applicants of O.A. 228/93 except the present 4 applicants who were also applicants in the O.A. 228/93.

6.4 That the applicants beg to state that the Station Headquarter, Rangiya most surprisingly issued notices of termination of services against these 4 present applicants vide their notice under letter No. 3004/1/CC-1/Q dt. 1.9.95. The relevant portion of the notice dt. 1.9.95 is quoted below :

Sri Atal Ch. Kaur

" NOTICE "

1. Refers :-

(a) Central Administrative Tribunal orders dated 28 Jul 94 and dated 18 January 95 passed on Original Application Number 228/93.

(b) Department of Personnel and Administrative Reforms (Karmik Aur Prashasnik Sudhar Vibhag) letter No. 49014/4/77-Estt (C) dated 21 March 1979.

(c) Department of Personnel & Trg OM. No. 49014/4/Q Estt (C) dated 08 April 1991.

2. It is intimated that you have not fulfilled the condition for regular appointment as per terms and conditions laid down in above quoted letters.

3. In view of the above, you are hereby noticed that your services will be terminated with effect from 01. October 1995!!

It appears from the notices of all the 4 applicants applicants shall be terminated with effect from 1.10.95 on the ground that they have not fulfilled the conditions for regular appointment as per terms and conditions referred in Col No. 1 of the notice of Termination, but surprisingly the reference of Personnel Deptt. letter mentioned in the notices are not enclosed with the notice of termination. Therefore the applicants are not aware

Sri Atul Ch. Khatib

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regarding the condition which they could not fulfilled for their regular absorption. Be it stated that from the notice the applicants could not gather what are the shortcomings lying with the applicants for the purpose of regularisation. Therefore the Hon'ble Tribunal be pleased to direct the respondents to produce the letter No. 49014/4/77-Estt(C) dt. 21.3.79 & OM. No. 49014/4/Estt(C) dated 28.4.91 as the same are not available with the applicants.

Copies of the notice of termination are enclosed As Annexeure 2 series for perusal of the Hon'ble Tribunal.

6.5 That your applicants came to know from a reliable source that their services are not regularised by the Station Headquarter, Rangiya on the ground that they are overaged for regular absorption for the post of Conservancy Safaiwala, but the detailed particulars regarding overage were not intimated in detail in the notice of termination although there was a specific order of the Hon'ble Tribunal in O.A. 228/93 for regularising the applicants.

6.6 That the applicants beg to state that in the Original Application 228/93 the respondents did not take any such ground of age although they have filed written statement and contested the case. Therefore the present respondents are now barred to take such grounds for rejecting the claim of the applicants and specially when

Sri Atal Ch. Kaleba

the Hon'ble Tribunal passed a specific order for regularisation of their services as Conservancy Safaiwala. Therefore issuance of termination notice at this stage belated stage in total violation of the Judgement and Order dated 28.7.94 passed in O.A. 228/93 and the respondents are now duty bound to regularise the services of the present applicants in terms of the Judgement and Order dated 28.7.94 passed in O.A. 228/94.

6.7 That the applicants beg to state that this Hon'ble Tribunal in the Judgement and Order dated 28.7.94 directed the respondents not to terminate their services till their regularisation. Therefore notice of termination issued under letter dated 1.9.95 is clear violation of the Hon'ble Tribunal's order. Therefore the Administrative Administrative Commandant, Station Headquarter is liable for Contempt of Court and the notice of termination of services of the applicants are liable to be set aside and quashed.

6.8 That the applicants No. 1 and 4 of the present application are widow and the ~~respondent~~ husband of applicant No. 1 Md. Munnaf Ali died in the year 1981 therefore she is entitled to relaxation of age as per Central Government Policy for recruitment widow in Class IV staff. The applicant No. 1 initially worked as Mid-wife in the Red Hanch Public School which was run and managed by the Station Headquarter, Rangiyah and she was appointed as Mid-wife with effect from 1982. At that time she was paid a lump sum amount of Rs. 420/- per month

sue Atul en: keltta

from the Station Headquarter Rangiyा. Thereafter she was appointed as Conservancy Safaiwala in the Station Headquarter in the month of August, 1982 after being duly selected by the Board of Interview. Therefore she is entitled to age relaxation for the period she had served as Mid-wife as well as Conservancy Saraiwala on casual basis. More over as per the Central Govt. Scheme for age relaxation she is entitled to relaxation of age upto 35 years as she is widow. Age relaxation for appointment mentioned in Chapter 13 of Swamy's Complete Manual Establishment and Administration for Central Govt. Offices where it is clearly laid down that in the case of widow for appointment in Group 'D' posts filled up through Employment Exchange entitled relaxation of age upto the 35 years. If the applicant is over aged in that event also she is entitled for relaxation of age as per the Central Govt. Scheme. Relevant portion of the Scheme is quoted below :

"Chapter 13

AGE RELAXATIONS FOR APPOINTMENTS

1. Categories of persons and extent of Concessions - Certain age concessions have in the past been sanctioned to few specified categories of persons for the purpose of appointment under the ~~Central~~ Government of India. These concessions are still in force until further orders. Details of the categories of persons and age concessions admissible to the, as given below are hereby published for general information.

Sri Atul Ch. Kulkarni

Categories of persons to whom Age concessions is admissible	Categories of posts to which the Age concession is admissible	Extent of Age concessions
---	---	---------------------------

Xvii.

Widows, divorced women and women judicially separated from their husbands who are not re-married.

Group 'C' and Group D posts filled through the Staff Selection Commission and Employment Exchange.

Up to the age of 35 years (up to 40 years for Members of SCs and STs).

6

Similarly, the applicant No. 4 is also a widow of Md. Munnaf Ali ~~XXXXXX~~ who died in the year 1981 and applicant No. 4 is also appointed as Mid-wife in the Army Hospital within the Station Headquarter, Rangiya although the appointment was on verbal order but she continued as Mid-wife for a period of 7 years with effect from 1984. Thereafter she was appointed as Conversancy Safailwaya in the Station Headquarter, Rangiya on 10.7.91 after duly selected by the Board of Interview. ~~XXXXXX~~ Her husband also ~~died~~ Md. Salimuddin died in the year 1981 therefore she is also similarly circumstanced with like applicant No. 1. and therefore applicant Nos. 1 and 4 are covered under the Central Government Scheme of age relaxation as quoted above. Therefore notice of termination are liable to be set aside and quashed.

6.9 That the applicants beg to state that at the time of their initial recruitment they have submitted their educational certificates where age of all the applicants were specifically mentioned. The detailed age particulars of age at the time of initial recruitment in

see Alul Chakela

respect of all the 4 applicants in this application are given below :

Sl.No.	Name	Date of Birth as per School certificate	Initial Recrt. year	Age
1.	Gulnahar Begum	1.1.1961	1982	21
2.	Sarif Ali		1984	22
3.	Atul Ch. Kalita	31.12.1964	1991	27
4.	Sahera Begum	1.11.69 (as per temporary Pass)	1984	15

All the applicants deposited their original certificates with the Station Headquarter, Rangiya. Therefore the Hon'ble Tribunal be pleased to direct the respondents to produce the original documents/certificates before the Hon'ble Tribunal for perusal of the Hon'ble Tribunal. Therefore from the above table it appears that all the above applicants are within age limit in terms of relaxation scheme of the Central Government therefore they are entitled to ~~regularisation~~ get the post ~~regularisation~~ of regular conservancy Safaiwala in relaxing their age as mentioned above.

6,10 That all the applicants are working in the Station Headquarter, Rangiya for quite a long time therefore they are entitled to age relaxation as per the Central Government Scheme of Age relaxation for the period of service they have rendered on casual basis. The detail particulars regarding their working period are mentioned below :

Sri Atul Ch. Kalita

Sl. No.	Name	Initial appointment as Mid-wife	Initial appointment as Conservancy Safaiwala
1.	Gulnazar Begum	1982	1992
2.	Sarif Ali		1984
3.	Atul Ch. Kalita		1991
4.	Sahera Begum	1984	1991

Therefore in view of their long service in the Department on casual basis they are legally entitled for regular absorption in terms of the Judgement and Order dated 28.7.94 passed in O.A. 228/93 and the notice of termination in respect of all the present applicants are liable to be set aside and quashed.

That the applicant No. 2 read up to Class VIII and applicant No. 4 read up to Class IX therefore they are eligible in all respect for regular absorption as Conservancy Safaiwala even if they are overaged for regular absorption of the post of Conservancy Safaiwala and specially the same ground was not taken in O.A. 228/93 where the Hon'ble Tribunal was pleased to direct the respondents for regularisation of the applicants as Conservancy Safaiwala.

6.11 That the applicants beg to state that in a similar ~~sixty~~ facts and circumstances when question of ~~regularisation~~ regularisation of Conservancy Safaiwala was under consideration under the Eastern Command at Calcutta some of the Conservancy Safaiwala were found

Sri Abdul Ch. Iskandar

overaged at the time of their initial recruitment. However they are subsequently regularised by relaxaing the upper age limit in the case of the Conservancy Safaiwala of Headquarter, Eastern Command, Calcutta. It would be evident from the letter No. D/60841/SD 6B dt. 7.10.1985. Therefore the present applicants are also similarly circumstanced like the Conservancy Safaiwalas of Eastern Command in who case the respondents were pleased to relax the upper age. Therefore the present applicants are also entitled for relasation of age for the purpose of regularisation and the notice of termination of service are liable to be set aside and quashed.

A copy of the Eastern Command letter dt. 7.10.1985 is enclosed as Annexure-3.

6.12 That the applicants beg to state that they have rendered their services in the Station Headquarter, Rangiya for quite a long period ~~as~~ on casual basis in different Unit under the Station Head Quarter, Rangiya even they are overaged they are entitled to be regularised at this belated stage as they were duly selected ~~as~~ through Board of Interview and their names were duly sponsored through Employment Exchange. Therefore the respondents are now duty bound to regularise the services of the applicants as they at the time of initial recruitment duly verified all the documents of the applicants and the respondents are now barred to take such ground to throw them out of employment, on the ground of age in spite of Hon'ble Tribunal's Judgement and order dated 28.7.94 passed in O.A. 228/93.

sri Atul Ch. Kalita

6.13 That the applicants beg to state that the respondents did not disclose the reason of termination of their services and it is mechanically mentioned in the notice that they have not fulfilled the terms and conditions of recruitment for the post of Conservancy Safaiwalay therefore the notices are liable to be set aside and quashed.

6.14 That the applicants have no other alternative source of earnings and their family members are solely depend upon the applicants therefore the Hon'ble Tribunal be pleased to protect the interest of the applicants and the notice of termination of service are liable to be set aside and quashed.

6.15 That this application is made bonafide and for the cause of justice.

7. Reliefs sought for :

Under the facts and circumstances the applicants pray for the following reliefs :

1. That the notice of termination of services of the applicants issued under letter No.3004/1/CC-1/Q dt. 1.9.95 Annexure 2 be set aside and quashed.
2. That the respondents be directed to appoint the applicants on regular basis as Conservancy Safaiwala with immediate effect.
3. That the respondents be directed to allow the applicants to continue in service in the present terms and conditions pending their regular absorption.

Sri Atal Chivala

4. To pass any ~~with~~ other order or orders as may deem fit and proper.
5. Costs of the case.

The above reliefs are prayed on the following amongst other -

G R O U N D S

1. For that the notice of termination issued by the Station Headquarter, Rangiya in violation of the Judgement and Order dt. 28.7.94 passed in O.A. 228/93.
2. For that the respondents did not take any such ground in the O.A. 228/93 therefore at this belated stage they are barred to take such ground of over aged.
3. For that the applicant did not disclosed the reason for not regularising the service of the applicants in spite of the Judgement and Order of the Hon'ble Tribunal passed in O.A. 228/93 dt. 28.7.94.
4. For that the applicants are entitled to relaxation of age as per the Central Government Scheme for age relaxation for recruitment to the Group D posts in Central Government Offices.
5. That the applicants No. 1 and 4 are widow and therefore they are entitled to ~~xxxxxxxxxxxx~~ relaxation of age as per Central Government Scheme.

sm: Atul ch. kalte a

6. For that the applicants are entitled to relaxation of age for a long period they have rendered their service on casual basis.
7. For that the service of the applicant Nos. 1 and 4 who were appointed as Mid-wife also be counted for the purpose of age relaxation and regularisation .
8. For that the applicant have rendered a long period of service on casual basis and there was no complaint regarding their performances therefore the applicants cannot be thrown out of employment on the technical ground of overaged.
9. For that the applicant are entitled to relaxation of age on humanitarian ground.
10. For that issuance of termination notice in spite of Hon'ble Tribunal's Judgement and Order passed in O.A. 228/93 dt. 28.7.94 is amount to contempt of Court and the respondents are liable for punishment for violation of the Judgement and order dt. 28.7.94.
11. For that the applicants have no other alternative source of income to maintain their family and their entire family member dependent upon the income of the applicants therefore notice of termination be set aside and quashed.
8. Interim Relief prayed for

During the pendency of the case the applicants pray for the following interim reliefs :

1. That the notice of termination of service of the applicants be ~~set aside~~ stayed till final disposal of this application.

sri Atul Ch. Kalita

2. That the respondents be directed to allow the applicants to continue in service at the minimum of the pay scale of Rs. 750-940 per month till final disposal of this application.

The above reliefs are prayed on the ground explained in paragraph 7 of this application.

9. That the applicants have not filed any other application in any other Court/Tribunal.

10. That the applicants declare that all the remedy available have been exhausted by them. This Hon'ble Tribunal is the only remedy.

11. Particulars of Postal Order :

Postal Order No.	: 327310.
Date of Issue	: 14-9-95.
Issued from	: G.P.O., Guwahati
Payable at	: G.P.O., Guwahati.

12. An Index of documents is enclosed.

13. Documents enclosed :

As per Index.

VERIFICATION

I, Shri Atul Ch. Kalita, S/o Sri Chhana Ram Kalita, resident of Ischadagaya, P.O. Koniha, Dist. Kamrup, one of the applicants in this application and have been authorised to sign this verification and do hereby declare and verify that the statement made in this application are true to my knowledge and belief and I have not suppressed any material facts.

And I sign this verification on this the 18th day of September, 1995.

Shri Atul Ch. Kalita

ATUL CHANDRA KALITA

ANNEXURE - 1

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 228 of 1993

Date of decision : This the 28th day of July 1994

The Hon'ble Justice Shri S. Haque, Vice-Chairman.

The Hon'ble Shri G.L.Sanglyine, Member (Administrative)

1. Shri Saifuddin Ahmed
2. Shri Umesh Chandra Das
3. Shri Golap Chandra Das
4. Syed Saushed Ali
5. Md. Makib Ali
6. Md. Khorshed Ali
7. Shri Haren Das
8. Md. Rajek Ali
9. Md. Samsul Ali
10. Shri Chandra Dev
11. Md. Nuruddin Ahmed
12. Md. Mohabbat Ali
13. Md. Mosam Ali
14. Md. Javed Ali
15. Md Rekshed Ali
16. Pandit Ali
17. Ms Saira Banu
18. Ms Yesha Begum
19. Shri Dahan Chandra Kakoti
20. Shri Suren Nath
21. Md. Abed Ali
22. Md. Mafiz Ali
23. Md. Tezuddin Ahmed
24. Md. Makibar Rahman
25. Syed Parif Ali
26. Shri Atul Chandra Kalita
27. Syed Samnur Ali
28. Md. Monir Ali
29. Md. Basir Ali
30. Shri Mina Rajbanshi

A. P. *Amritpal Singh*
 28/7/94
 P.D.V.

31. Syed Nabib Ali
32. Ms Golnazar Begum
33. Shri Anima Das
34. Md. Sirajuddin Ahmed
35. Md Harej Ali
36. Sri Karuna Chandra Das
37. Md Khasnur Ali
38. Shri Basanta Kalita
39. Md. Ali Ahmed
40. Nuruddin Ahmed
41. Akbar Ali
42. Najim Ali
43. Shri Haladhar Das
44. Shri Dharmaram Haloi
45. Kale Bhadur Chetri
46. Achyut Haloi
47. Ganesh Ram
48. Ganesh Das

... Applicants

All the applicants are working as Conservancy/Safaiwala in different units under station Headquarters, Rangia.

By Advocates Shri J.L. Sarkar and Shri M.Chanda.

-versus-

1. The Union of India through the Secretary, Government of India, Ministry of Defence, New Delhi.
2. The Additional Director General of Staff Duties (SDGB) General Staff Branch, Army Headquarters, DHQ, New Delhi
3. The Administrative Commandant, Purav Kaman Mukhyalaya, Headquarters, Eastern Command, Fort William, Calcutta.
4. The Administrative Commandants, Station Headquarters, Rangia C/o 99 A.P.O.

.... Respondents.

By Advocate Shri S. Ali, Sr. C.G.S.C.

*Attested
Charles
Adv.*

O R D E RHAQUE J.

The fortyeight applicants, excluding Shri Ganesh Ram (applicant No. 47) have filed this application for regularisation in Class IV category servide.

2. The applicants are serving as Conservancy/Safaiwalas under the respondents at Station Headquarter, Rangia since several years on daily wages basis. Some of them are serving since 1982. They have claimed for regularisation in their service as well as minimum of the appropriate pay scale of Class IV category as Safaiwalas till their regularisa ion.

3. Heard learned counsel Mr. J.L.Sarkar on behalf of the applicants. Learned Sr. S.G.S.C. make his submissions in conformity with the defence plea in the written statement.

4. The respondents by their written statement admitted that the applicants are serving as Conservancy/Safaiwalas with breaks since several years. It is stated that they are serving in the field station and, therefore, not entitled for regularisation. It is found on scrutiny that the breaks in the services of the applicants were artificial in order to delink continuity of service to their disadvantage. Such breaks cannot be encouraged because it will be to the disadvantage of casual labourers in service which may defeat their rights and privileges including right of regularisation in service. Therefore, services of the applicants are regarded as in continuity. In such cases, the Supreme Court has enunciated principles and guidelines for regularisation and fixation of minimum in the pay scale. The cases are, (1) D.Chamali and

Attested
Oshu
Adv.

3)

another vs. State of U.P. reported in (1986) 1 SCC 637 (2) Surindar Singh and another Vs. Engineer in Chief, CPWD and others reported in (1986) 1 SCC 639 (3) Daily Rated Casual Labourers (P & T Deptt.) Dak Tar Mazdoor Manch Vs. Union of India and Others and another case (Writ Petition No. 302/86) reported in (1986) 1 SCC 122. These decisions are applicable in the instant case. The applicants are entitled for regularisation only after obtaining sanction for the posts by the respondents. Presently, they are entitled to the minimum of the appropriate pay scale of Class IV category as Safaiwalas.

5. This application is allowed. The respondents are directed to make communications with the Headquarters to obtain sanction for regularising the applicants within a period of six months from the date of receipt copy of the judgement/order and accordingly regularise them as Safaiwalas in Class IV category. The respondents are further directed to pay minimum of the appropriate pay scale of Class IV category as Safaiwalas to the applicants with effect from the month of August, 1994. The respondents are directed not to terminate the services of the applicants till their regularisation.

Sd/- S. HAQUE
VICE CHAIRMAN

Sd/- G.L.SANGLYINE
MEMBER (ADMN)

Att Red
Chile
Adv.

Annexure-2 (series)

Station Mukhyalaya
 Station Headquarters
 Rangiya - 781 354

01 Spt 95

3004/1/CC/1/Q

Gulnhar Begam
 Vill Pup Shahar
 P.O. Rangiya
 Dist. Kamrup (Assam)

NOTICE

1. Refers :-

(a) Central Administrative Tribunal Orders dated 28 July 94 and dated 18 January 95 on Original Application Number 228/93.

(b) Department of Personal and Administrative Reforms (karmik Aur Prashannik Sudhar Vibhag) letter No. 49014/4/77-Estt (C) dated 21 March 1979.

(c) Department of Personnel and Trg O.M. No. 49014/1/Q Estt (C) dated 08 April 1991.

2. It is intimated that your have not fulfilled the condition for regular appointment as per terms and conditions laid down in above quoted letters.

3. In view of the above, you are hereby noticed that your services will be terminated with effect from 01 September 1995.

Sd/- Jaipal Singh Tomar
 Colonel
 Administrative Commandant
 for Station Commander

Attested
 (Mulya
 P.D.V.

Annexure-2 (series)

Station Mukhyalaya
Station Headquarters
Rangiya-781354

3004/1/CC-1/Q

01 Sept 95

Syed Sarif Ali
Vill Pups ~~Kahar~~
Post. Rangiya
Dist. Kamrup (Assam)

NOTICE

1. Refers :-

- (a) Central Administrative Tribunal orders dated 28 Jul 94 and dated 18 January 95 passed on Original Application Number 228/93.
- (b) Department of Personal and Administrative Reforms (Karmik Aur Prashasnik Sudhar Vibhag) letter No. 49014/4/77-Estt (C) dated 21 March 1979.
- (c) Department of Personnel and Trg. OM No. 49014/4/Q Estt (C) dated 08th April 1991.

2. It is intimated that you have not fulfilled the condition for regular appointment as per terms and conditions laid down in above quoted letters.

3. In view of the above, you are hereby noticed that your services will be terminated with effect from 01 October, 1995.

Sd/- Jaipal Singh Tomar
Colonel
Administrative Commandant
for Station Commander

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A H T S
A H T S

34
Annexure-2 (series)

Station Mukhyalaya
Station Headquarters
Rangiya - 781354

3004/1/CC-1/Q

01 Sep 95

Sri Atul Chandra Kalita
Vill Echadagasia
Post. Oniha
Distt. Kamrup (Assam)

NOTICE

1. Refers :-

- (a) Central Administrative Tribunal Orders dated 28 Jul 94 and dated 18 January 95 passed on Original Application Number 228/93.
- (b) Department of Personal and Administrative Reforms (Karmik Aur Prashasnik Sudhar Vibhag) letter No. 49014/4/77-Estt(C) dated 21 March 1979.
- (c) Department of Personnel and Training OM 49014/4/Q -Estt(C) dated 08 April 1991.

2. It is intimated that you have not fulfilled the condition for regular appointment as per terms and conditions laid down in above quoted letters.

3. In view of the above, you are hereby noticed that your services will be terminated with effect from 01 October 1995.

Sd/- Jaipal Tomal
Colonel
Administrative Commandant
for Station Commander

Appended
Chhales
A21

Annexure - 2 (Series)

Station Mukhyalaya
 Station Headquarters
 Rangiya-781 354

3004/1/CC-1/Q

01 Spt 95

Saira Banu
 Vill Pub Sahar
 Post Rangiya
 Dist Kamrup (Assam)

NOTICE

1. Refers :-

- (a) Central Administrative Tribunal Orders dated 28 Jul 94 and dated 18 January 1995 passed on Original Application Number 228/93.
- (b) Department of Personal and Administrative Reforms (Karmik Aur Prashasnik Sudhar Vibhag) letter No. 49014/1/77-Estt(C) 21 March 1979-
- (c) Department of Personnel and Trg OM No. 49014/4/Q-Estt(C) dated 08th April 1991.

2. It is intimated that you have not fulfilled the condition for regular appointment as per terms and conditions laid down in above quoted letters.

3. In view of the above, you are hereby noticed that your services will be terminated with effect from 01 October 1995.

Sd/- Jaipal Singh Tomar
 Colonel
 Administrative Commandant
 for Station Commander

Arrested
 Whley
 Adm

ANNEXURE -4

Staff Duty Mahanidoshalaya (SD 6B)
 General Staff Shakha
 Sena Mukhyalaya
 Dte Teneral of Staff Duties (SD 6B)
 General Staff Branch
 Army Headquarters
 DHQ PO New Delhi 110011

B/60841/SD 6B

7 Oct 85

Headquarters
 Eastern Command
 Calcutta

REGULARISATION OF SERVICE OF CASUAL CONSERVANCY SAFAIWALAS
 STATION HEADQUARTERS MISAMARI.

1. Reference your letter No. 104081/6/GS (SD) dated 19 Sep 85 vide which details of conservance safaiwalas recruited irregularly at Station HQ Misamar were forwarded.
2. The services of 27 conservancy Safaiwalas, a list of which has been attached vide appendix 'A' to your letter under reference, may be regularised as they are covered under the provisions of the Presidential orders No. 27(1)/81/D(Lab) dated 01 Feb 83 and were within the prescribed age limit at the time of initial recruitment. The conditions prescribed in para (d) of Ministry of Home Affairs OM No 49014/4/77-Estt(D) dated 21 Mar 79 (except para (d) (i) may be adhered to while regularising the service of daily wagers.
3. Before the condition of coming through the Employment Exchange is regularised in the case of overaged conservancy Safaiwalas contained in appendix 'b' to your letter under reference, approval of the DCOAS shall have to be obtained for relaxation of the upper age limit ~~xxx~~ in their respect. You are requested to furnish their details as per the format attached afresh statement of case giving full justification of such recruitment alongwith the recommendations of the delegated appoining authority may also be furnished with the details. The date, required may please be verified for correctness.

Attested
 (Signature)
 Adm.

ANNEXURE - 4 (Contd)

4. The details of 4 conservancy safaiwalas who have overaged were recruited between 20 Mar 79 and 06 Oct 80, as mentioned in Appendix 'C' to your letter under reference may also be included in the details to be furnished vide para 3 above. Their cases for relaxation of the normal procedure of coming through the Employment Exchange will be decided lateron alongwith the others for which a general case is under consideration of Ministry of Defence.

An early action with respect to para 3 above is solicited.

Sd/- Krishnan Kumar
Civilian Staff Adhikari/CSO
General Staff Afsar/GSO 2 SD 6 B
Kritey Up Sendhysks - h/
for Deputy Chief to the Army Staff

C.C. to

Station Headquarters
Misamari.

Attested
While
Ad ✓

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL GUWAHATI

BENCH AT GUWAHATI

In the matter of :-

16 OCT 1995

625
Central Admin. Tribunal
Guwahati Bench
Assam

O.A. No 204/95

Smt. Gul Nahar Begum & 3 Others

-vs-

Union of India & Others

-And-

Written Statement submitted by the

Respondents Nos 1 to 4.

WRITTEN STATEMENTS

The humble Respondents submit their written statements as follows :-

1. That with regard to statements made in Paragraphs 3, 4, 5, 6.1, 6.2 and 6.3 of the application, the Respondents have no comments on them.
2. That with regard to the statements made in Paragraph 6.4 of the application, the Respondents beg to state that at the time of handing over of the notice to the said 4 applicants the contents of the letter No 49014/4/77-Estt (c) dated 21 March 1979 issued by Department of Personnel and Administrative Reforms (Karmik Aur Prashasnik Sudhar vibhag) and letter No 49014/4/90/Estt (c) dated 08 April 1991 issued by Department of Personnel & Training were clearly explained to them and the reasons as to how they are over.

.....p/2.....

Prin. Mohan
p.d.
16/10/95

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age amply clarified to the applicants and they were satisfied. Hence, it is incorrect to say that the applicants are not aware regarding the condition which they could not fulfilled for their regular absorption. Copies of the said letters are enclosed as Annexure 1 & 2 for the perusal of the Hon'ble Central Administrative, Tribunal.

3. That with regard to the statements made in Paragraph 6.5 of the application, the Respondents beg to state that at the time of issue of notice to the 4 applicants the contents of the letters mentioned in the notice letter were clearly explained to them and the reasons as to how they are overage for regularisation of the services amply clarified and they were fully satisfied.

4. That with regard to the statements made in Paragraph 6.6 of the application, the Respondents beg to state that during filling of the written statement the Station Headquarters Rangiya were not aware of the two letters mentioned in Para 2 above for working out the eligibility for regularisation of Safaiwalas. On receipt of the CAT Order by the General Staff Branch, Army Headquarters vide their letter No 11411/ SD 6B (PC-II) dated 22 Sep 94 instructed Headquarters Eastern Command, Calcutta with copy to Station Headquarters, Rangiya stating the cases of all applicants may be examined as per provisions of Ministry of Personnel PG & Pension (Department of Personnel & Training) OM Number 49014/4/77-Estt (C) dated 21 March 1979. Also from the verdict of the Hon'ble CAT Order dated 28.07.94, it is given to understand

that services of all applicants to be regularised who fulfil the eligibility for the post. However, the case has been taken up with higher authorities for relaxation of age under any other provisions, if permissible under the rules. Copy of the same are enclosed as Annexure 3 and 4 for perusal of the Hon'ble CAT. Hence, it is totally incorrect to say that termination notice at this bleated stage is in total violation of the Judgement and Order dated 28.7.94 passed in OA No. 228/93. It is submitted that Respondents have not violated any Judgement and Order passed by the Hon'ble Tribunal on OA No. 228/93 and followed by the provisions contained in said Ministry of Personnel, PG & Pension (Department of Personnel and Training) and based on Headquarters 51 Sub Area letter No 2221/4/GS(SD)/Rangiya dated 26 August 1995 alongwith sanction of the Competent authority for regularisation of their services. Even at this, the Judgement and Order passed by the Hon'ble Tribunal or the the Competent Authority for relaxation of age or otherwise for regularisation of the services of the 4 applicants shall be binding for compliance by the employing authority. Copy of the Headquarters 51 Sub Area letter No 2221/4/GS(SD)/Rangiya dated 26 August 1995 alongwith sanction is enclosed as Annexure 5 for perusal of the Hon'ble CAT.

5. That with regard to the statements made in Paragraph 6.7 of the application, the Respondents beg to state that the services of the all applicants as per the Hon'ble CAT Order dated 28.7.94 were never terminated till regularisation of services of eligible conservancy safaiwalas. The notice for termination of 4 conservancy

Safaiwalas were issued on 01 September 1995 stating "your services will be terminated, since you are found to be overaged". The said 4 applicants does not fulfil the conditions for regularisation even after giving full age relaxation vide above Govt of India Ministry of Defence letters as Annexed at Annexure 1 & 2 to this Written Statement. Before issue of termination notice, this Station Headquarters vide our letter Number 3004/1/Emp(Q) dated 26 August 1995 asked all 47 applicants involved in OA No. 228/93 to produce their caste certificate for SC/ST/OBCs for further relaxation of age as per existing rules. But non of the four produced caste certificate for further relaxation of age. Copy of the same is enclosed at Annexure 6.

It is also submitted that before issue of notice, the Deputy Registrar, Central Administrative Tribunal, Guwahati Bench were informed about the compliance of the Hon'ble Tribunal Judgement and Order dated 28.7.94 under this Headquarters letter No 3004/1/CC-1/Q dated 31 August 1995 and further advise in respect of others were seeked. Therefore, there is no contempt of the court as stated in Para 6.7 of the said application. The four applicants are still serving and being paid minimum of the appropriate pay scale as per the said Judgement Order dated 28.7.94. Copy of the letters addressed to the Deputy Registrar, Central Administrative Tribunal, Guwahati Bench is enclosed at Annexure 7.

6. That with regard to the statements made in Paragraph 6.8 of the application, the Respondents beg to state that the Central Government Policy for recruitment widow in Class IV Staff for relaxation of age is not

available with the Respondents. It is incorrect to state that applicant No 1, initially worked as Mid-wife in the Red Horns Public School which was run and managed by the Station Headquarters, Rangiya. This Station Headquarters holds no records of such private employment nor she was on the strength of Station Headquarters, Rangiya. She was not paid any salary for such private employment from Station Headquarters, Rangiya. Moreover, it is submitted that Red Horns Public School was not run and managed by the Station Headquarters, Rangiya since its Raising ie from 30 April 1979. It is true to say that applicant No 1 was appointed as Conservancy Safaiwala in the Station Headquarters, Rangiya in the month of August 1992. But it is incorrect to say that she is entitled to age relaxation for the period she had served as Mid-wife that is with effect from year 1982 because this Headquarters have no records for such private employment and nor the said School is run/managed by this Station Headquarters, and she was not employed through employment exchange as per records of this Headquarters. It is further submitted that after being given full concessions as per provisions of Ministry of Pers PG & Pension (Department of Personnel and Training) O.M. No. 49014/4/77-Estt (C) dated 21 March 1979, the applicants No 1 is still found to be overaged. It is submitted that Swamy's Complete Manual Establishment and Administration for Central Government Offices is not held with the Respondents. However, Relevant portion of the Scheme as quoted in Para 6.8 of the application was published in Chapter 13 of Swamy's Complete Manual Establishment and Administration as a General Information and not as a authority. Therefore the Hon'ble Tribunal

be pleased to direct the applicants to produce any authority/Orders from Govt of India, Ministry of Personnel so that necessary clarification could be sought from Higher Authorities for giving further age relaxation as per provisions.

Similarly, the applicant No 4 was never appointed as Mid-wife in the Army Hospital by Station Headquarters, Rangiyा. It is submitted that no any Army Hospital is under the jurisdiction of this Headquarters. Therefore to state that she was appointed on verbal orders and continued as mid-wife for a period of 7 years with effect from 1984 is totally incorrect. As per available record with Station Headquarters, Rangiyा w she was appointed as Conservancy Safaiwala in the Station Headquarters, Rangiyा on 01.10.1991 on casual basis and not 10.7.1991. Rest explanation in her case is also the same as for applicant No 1.

7. That with regard to the statement made in Paragraph 6.9 of the application, the Respondents beg to state that it is not true to say that all the applicants had deposited their original certificate with Station Headquarters, Rangiyा during their initial employment. All 47 Conservancy Safaiwalas were instructed during March 1995 to hand over documents pertaining to educational qualification, certificate of age from Registrar or otherwise vide this Headquarters letter Number 3004/1/CC-1/Q dated 21 March 1995. Copy enclosed as Annexure 8 for perusal of the Hon'ble CAT.

The details of age as per their Educational Qualification Certificate and date of initial recruitment

as Casual Conservancy Safaiwalas as per available records with this Headquarters are given below for perusal of the Hon'ble CAT :-

Ser No	Name	Date of Birth as per School Certificate	Initial appointment	Total age from the date of regularisation (ie 01 Aug 94)	Total age after deduction of age from Initial Appointment
1.	Gulnahar Begum	01.01. 1961	03.08. 1992	33 Years & 7 Months	31 Years, 07 Months & 02 days.
2.	Sarif Ali	03.04. 1962	01.07. 1988	32 Years, 03 Months & 28 days	26 Years, 02 Months & 28 days.
3.	Atual Ch Kalita	31.12. 1964	02.06. 1991	29 Years & 07 Months	26 Years, 05 Months & 01 Day.
4.	Sahera Banu	03.04. 1961	1.10. 1991	33 Years, 03 Months & 28 days	30 Years, 05 Months & 28 days.

Therefore, from the above table, it is seen that applicants have been given full age relaxation as stipulated in Govt of India Ministry of Pers dated 21 March 1979. The above mentioned applicants were still found over age. Hence, it is totally incorrect to say that all the above applicants are within age limits in terms of relaxation scheme of the Central Government. It is once again submitted that all the 47 applicants were asked to produce the caste certificate for giving further relaxation of age limits as applicable for SC/ST/OBCs candidates well before regularisation of their services. The notices were issued to 5 Conservancy Safaiwalas but only one Conservancy Safaiwala namely Shri Haladhar Das could bring the caste certificate and he was given the age relaxation as per existing

rules and his name was deleted from the list of termination letter forwarded to the Deputy Registrar, CAT Guwahati Bench. Copy of the letter Number 3004/1/CC-1/Q dated 08 September 1995 addressed to the Deputy Registrar, CAT Guwahati for deleting the name from the uneligible list of Conservancy Safaiwalas is enclosed as Annexure 9.

Copies of the Educational Qualification Certificate of the said 4 applicants are enclosed at Annexures 10 to 13 for perusal of the Hon'ble CAT.

It is submitted that facts and circumstances explained as above, all 4 applicants are not entitled to get the post of regular conservancy safaiwalas inspite of giving full age relaxation, hence their application are liable to be set aside and quashed.

8. That with regard the statements made in Paragraph 6.10 of the application, the Respondents submit that all the applicants were given full age relaxation for the period of service which they have rendered as Casual Conservancy Safaiwala. On inspite of full age relaxation vide Govt of India Ministry of Home Affairs letter No 49014/4/77-Estt (C) dated 21 March 1979 and Govt of Personnel Public Grievances and Pension Department O.M Number 49014/4/90-Estt (C) dated 08th April 1991, the four applicants are still found over age. The applicants were further advised in case they belongs to SC/ST/OBCs caste, to get caste certificate from appropriate concerned authorities and should produce for further age relaxation as per existing rules on the subject. Non of them have produced the said certificate.

Therefore, the above four applicants are not legally entitled for regular absorption as they have already been given full age relaxation wherever applicable.

Higher education does not make the applicant No 2 and 4 eligible for regularisation, when they are found to be over age inspite of extending all age relaxation.

9. That with regard the statements made in Paragraph 6.11 of the application, the Respondents have no comments.

10. That with regard the statements made in Paragraph 6.12 of the application, the Respondents submit that the initial employment were on casual basis and the applicants were paid at the daily narrick rate fixed by the Regional Labour Commissioner of Assam. It is further submitted that they have been given age relaxation for the period for which they have rendered their services as casual Conservancy Safaiwala. Hence, it is incorrect to say that they should be regularised even, if they do not fulfil the terms and conditions for such regularisation.

The Hon'ble Tribunal Judgement and Order dated 28.7.94 passed in OA No. 228/93 has been complied with and all the applicants are being paid minimum of the appropriate pay scale and all the applicants those who fulfil the conditions prescribed for the post from the Order passed against OA No. 228/93 have been regularised as per the Hon'ble CAT Order. It is given to understand that the services of all the 47 Conservancy Safaiwalas were required to be regularised based on the merit of the eligibility. The 4 applicants are over aged on inspite of giving full age relaxation and time for producing caste certificate for further age relaxation which they failed to do so. It is also incorrect to say that these 4

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applicants have been employed through employment exchange as no such records held with this Headquarters. Therefore the respondents are not liable for contempt of the Court.

11. That with regards to the statements made in Paragraph 6.13 of the application, the Respondents beg to state that at the time of handing over the notice letter, all the 4 applicants were explained about the reasons as to why their services will be terminated with effect from 01 October 1995 and they were fully satisfied. The same have also been communicated to the Deputy Registrar, CAT Guwahati Bench vide our letter Number 3004/1/CC-1/Q dated 31 August 1995. Hence, it is incorrect to say that respondents did not disclose the reasons of termination mechanically in the notice that they have not fulfilled the terms and conditions for recruitment. They were given one month time for producing caste certificate from appropriate authorities, more so they were asked to produce proof if they belong to SC/ST/OBCs for further relaxation as per existing rules, which they failed to do so.

/not

12. That with regard the statements made in Paragraph 6.14 of the application, the Respondents beg to state that under the circumstances explained above non of them are eligible for regularisation of their services inspite of having given full age relaxation. Hence the notice of termination of their services are liable to be set aside and quashed.

13. That with regard the statements made in Paragraph 7 of the application regarding reliefs sought for, the Respondents beg to state that the applicants are not entitled to any of the reliefs sought for and as such the application is liable to be dismissed.

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14. That with regard to statements made in Paragraph 7 of the application, regarding grounds for relief, the Respondents beg to state that none of the grounds is maintainable in law as well as in facts and as such the application is liable to be dismissed.

15. That with regard to statements made in Paragraph 8 of the application, regarding Interim Relief, the Respondents beg to state that in view of the facts and circumstances narrated above the Interim Order is liable to be vacated.

16. That with regard to statements made in Paragraph 9 to 13 on page 17 of the application, the Respondents have no comments on them.

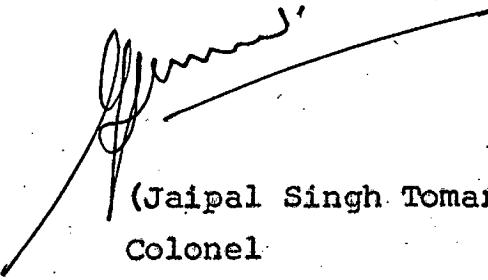
17. That the Respondents submit that the application has no merit and as such the same is liable to be dismissed.

* * * * *

VERIFICATION

I, Colonel Jaipal Singh Tomar, aged 49 years, working as Administrative Commandant, Station Headquarters, Rangiya do hereby solemnly affirm and declare that the contents of Paragraphs 1 to 17 are true to my knowledge and information and nothing being suppressed.

I sign this verification at Rangiya on this 15th day of October 1995.


(Jaipal Singh Tomar)

Colonel
Administrative Commandant
Station Headquarters, Rangiya



(g1)(b)

Copy of Govt of India/Bharat Sarkar Min of Home Affairs/Grh
 Mentralsaya Department of Personnel and Administrative Reforms
 (Karmik Aur Prashnik Sudhar Vibhag); letter No 49014/4/77-Estt(C)
 dt 21 Mar 1979.

OFFICE MEMORANDUM

Subject : Relaxation of ban on filling up of posts of peons
 regularisation of casual employees engaged on daily
 wage basis.

The undersigned is directed to refer to the DP&AR
 O.M. No 14011/2/76-Estt(D) dated 24 Jun, 1976 and subsequent
 orders relating to the ban on filling up of vacancies of Peons
 and to say that the entire policy in this regard has been
 reviewed and the following decisions have been taken :-

(a) Since there is a complete ban on engagement of additional
 staff on daily wage basis in different Ministries/Deptts
 imposed by the Min of Finance (Dept of Exp) vide their OM
 No 14(24)/E.Cood/74, dated 30 Aug, 1974 and reiterated
 under the Min of Finance (Dept 27 May 1977 emp of additional
 staff on daily wage basis is irregular. All the Min/Deptts
 are therefore, requested to observe these orders scrupulously
 and should not engage additional staff on daily wage basis.
 If any contraventions are noticed, responsibility should be
 fixed on the person who authorises such contravention.

(b) The sanctioned strength of peons in the various Min/
 Deptts should be reviewed where necessary in consultation
 with the financial Advisers concerned.

(c) The ban on the recruitment of peons imposed in Jun 1976
 is hereby lifted so that the Min/Deptts could fill up the
 vacancies of peons after effecting 20% cut in the sanctioned
 strength.

(d) While filling up the existing or ~~new~~ prospective
 vacancies of peons, the various Min/Deptts should first
 absorb persons available in the surplus Cell of the DGE&T
 under the Min of Labour & Emp. If surplus emp are not
 available with the DGE&T, the casual emp may be appointed
 to the posts of peons borne on the regular establishment
 which are required to be filled by the direct recruitment,
 subject to the following conditions :-

(i) The casual emp should have been engaged through
 employment exchange.

(ii) They should possess experience of a minimum of two
 years continuous service as casual labour in the office/
 establishment to which they are to be appointed. The
 casual emp who have put in at least 240 days as casual
 labourers (including broken periods of service) during
 each of the two years of service referred to above
 shall be eligible to get regularised.

(iii) Broken periods of service rendered by the emp shall be taken into account for purpose of regularization in regular est provided that one stretch of service is for more than six months.

(iv) They should be eligible in respect of maximum age on the date of regularization. For this purpose, the casual employees may be allowed to deduct from their actual age the period spent by them as casual emp and if after deducting this period, they are within the maximum age limit, they should be considered eligible for regularization.

(v) No casual emp shall be considered eligible for appointment on the regular est unless he possess educational qualifications prescribed for the post.

2. Ministry of Finance etc are requested to take appropriate action to absorb the eligible casual emp in accordance with the provisions contained in the preceding paragraph. It may however, be ensured that only those casual emp working in any capacity, who are eligible in all respects should be regularised according to their length of service and the Department of Personnel and A.P. will not entertain any proposal for relaxing the essential eligibility conditions for regularization of these casual emp.

3. Hindi version will follow.

Sd/- x x x x
(R.C.Gupta)

Deputy Secretary to the Government of India.

Contact	
Supply	W. 0.12

Pls. file under -19-
ref. para 1

Annexure- 2

42

Public
Grievances
& Pension
Dept of Personnel & Trg
18/2

Copy of O.M. No 49014/4/90-Estt(C) Min of Personnel,
Public Grievances & Pension Deptt of Personnel & Trg
dated the 8th April 1991.

The undersigned is directed to refer to this Department O.M. No 49014/4/77-Estt(C) dated the 21st March 1979 wherein the conditions for regularisation of casual workers against Group 'D' posts were prescribed. The policy with regard to engagement and remuneration of casual workers in Central Government Offices has been reviewed from time to time and detailed guidelines in the matter were issued vide O.M. No 49014/2/86-Estt(C) dated the 7th Jun 1988.

2. Requests have now been received from various Ministries/ Departments for allowing relaxation in the conditions of upper age limit and sponsorship through employment exchange for regularisation of such casual employees against Group 'D' posts, who were recruited prior to 7-6-88, i.e date issue of guidelines. The matter has been considered and keeping in view the fact that the casual employees belong to the economically weaker section of the society and termination of their services will cause undue hardship to them, it has been decided as a one time measure, in consultation with the Director General Employment & Training, Ministry of Labour, that casual workers recruited before 7-6-88 and who are in service on the date of issue of these instructions, may be considered for regular appointment to group 'D' posts, in terms of the general instructions, even if they were recruited otherwise than through employment exchange and had crossed the upper age limit prescribed for the post, provided they are otherwise eligible for regular appointment in all other respects.

3. It is once again reiterated that recruitment of casual workers in Central Government offices may be regulated strictly in accordance with the guidelines contained in this Department's O.M. No 49014/2/86-Estt(C) dated 7-6-88. Cases of neglect of these instructions should be viewed very seriously and brought to the notice of the appropriate authorities for taking prompt and suitable action against the defaulters.

4. Ministry of Finance etc are requested to bring the contents of this O.M. to the notice of all the appointing authorities under their respective administrative control.

Sd/- x x x x x

(M.S. Dali)

Deputy Secretary to the Govt of India.

Tols: 3010903

RANCI

SDS

Staff Duty Appar Mahanideshalaya (SD 6B)
 General Staff Shakha
 Sena Mykhyalaya
 Addl Dte Con of Staff Duties (SD 6B)
 General Staff Branch
 Army Headquarters
 DHO PO New Delhi - 110 011

11411/SD 6B (PC-II)

22 Sep 94

Headquarters
 Eastern Command
Calcutta

COURT CASE OF SH S. AHMED & OTHER VS
 UNION OF INDIA

1. Reference Station HQ Rangoon letter No 3004/1/CC-1/0 dated 06 Aug 94 addressed to HQ 51 Sub Area and copy to this HQ and your HQs among others.

2. A copy of CAT order dated 28 Jul 94 delivered in the case of OA No 228/93 is forwarded herewith for necessary action. The cases of all applicants may be examined as per provisions of Ministry of Pers PG & Pension (Dept of Pers & Trg) OM No 49014/4/77-Sett(C) dated 21-3-79 circulated to all Headquarters Commands vide this HQ's letter No. 93791/3/Org 4(Civ) (a) dated 21 Sep 79 and CAT order dated 29 Jul 94. The appointing authority is competent to regularise the services of all eligible employees against posts authorised vide QMG's Branch Q3(B) of this Headquarter's letter No 63161/Q3(B) dated 03 Nov 1972. If any individual does not fulfil the conditions of eligibility complete details of those individuals with detailed reasons why they cannot be regularised may be forwarded to this Headquarter to enable us to take up the case with Ministry of Defence.

Shalevany

(S Chakravarty)

Civilian Staff Adhikari/CSO

General Staff Afsar/CSO 2 (SD 6B)

Kritoy Up Sehadhyaksh (T&C)/

For Chief of Army Staff/(T&C)

Copy to:-

Station Headquarters
 Rangoon

PRIOITY

Station Pukhyalaya
Station Headquarters
Rangiya - 781 354

3004/1/CC-1/9

09 Oct 95

HQ 51 Sub Area (GS/SD)
C/o 99 AFO

IMPLEMENTATION OF CAT ORDER DATED 28.07.94
PASSED ON U.A. NO. 223/22

1. Ref this HQ letter No 3004/1/CC-1/9 dated 31 Aug 95 and even No dated 03 Sep 95 both addnd to the Deputy Registrar, CAT Guwahati Bench with copy to your HQ and Others.

2. It is submitted that action to regularise the services of 47 Consy Sfwls were taken as per provisions laid down in Govt of India, Min of Home Affairs, Deptt of Pers and Adm Reforms letter No 49014/4/77-3stt (C) dated 21 Mar 1979, Min of Pers, Public Grievances & Pension Deptt of Pers & Trg dated 03 Apr 1991 and based on your letter No 2221/u, GS(SD)/Rangiya dated 26 Aug 95 alongwith Sanction of Competent Auth. On inspite of giving full age relaxation as per above letters the undermentioned Consy Sfwls are still not fulfilling the age criteria and have been found overage. The details of the same are given as under :-

Ser No	Name	Date of Birth as per School Cert	Initial appt	Total age from the date of Regularisation (ie 01 Aug 94)	Total age after deduction of age from Initial appt
--------	------	----------------------------------	--------------	--	--

(a) Gulnazar Begum	01.01.61	03.08.92	33 Yrs 07 Months	31 Yrs, 07 Month and 02 days.
(b) Sarif Ali	03.04.62	01.07.83	32 Yrs, 03 Months 28 days	26 Yrs, 02 Months & 28 days.
(c) Atul Ch Kalita	31.12.64	02.06.91	29 yrs 07 Months	26 yrs, 5 Months & 01 day.
(d) Sayra Banu	03.04.61	01.10.91	33 Yrs, 03 Months 28 days	30 yrs, 05 Months & 28 days.

3. The above mentioned Consy Sfwls have been issued notice vide our letter No 3004/1/CG-17/d dated 01 Sep 95 that you have not fulfilled the conditions for regular appointment as per terms and conditions laid down in above quoted letters hence your services will be terminated with effect from 01 Oct 1995 (01 Oct 1975). The services are not yet terminated in view of the stay order dated 21.9.95.

4. The Sfwls mentioned in Para 2 above were told at the time of issuing notice letter to bring caste certificate, if they belongs to SC/ST/BCs to give further age relaxation as per rules on the subject. Non did produce such caste certificate as a proof.

5. The above Consy Sfwls are still being paid minimum of the pay scale as per Court Order dated 22.07.94 passed on O.A. No 228/93. In the meantime, before expiry of the termination letter, the 4 Consy Sfwls brought the Stay Order till 17 Oct 95 (Copy att for ready refs). This Office has prepared a written statement to evict the same stay order and is being filed before 17 Oct 95, after vetting it through Govt pleader. The copy of the same shall be despatched to you before 17 Oct 95 for info.

6. You are requested to take up case case for relaxation of age, if in other provisions on the ~~um~~ relaxation is permissible under the rules.

Almond
(JG Tomar)
Col
Adm Comdt
for 3tn Cdr

Copy to :-

HQ 101 Area (GS/SD)
C/o 99 APO

- for info and necessary action.

HQ Eastern Command (GS/SD)
Calcutta

2221/4/GS(89)/Rangiya

✓ Stn HQ Rangiya

Mukhyalaya 51 Sub Area
HQ 51 Sub Area
C/O 99 APD

AUG 95

26

51
C/O 99

REGULARISATION OF CASUAL CENSY SFWLS

1. Ref your letter No 3004/1/CC-1/Q dt 18 Aug 95.
2. Ex-post-facto sanction of Cdr 51 Sub Area for regularisation of services of 47 casual censy sfwls of your Stn HQ is encls herewith in duplicate.
3. You are requested to regularise the services of 47 casual censy sfwls who fulfil the terms and conditions prescribed for the post (Group 'B') as cl IV employees as directed by the CAT Guwahati vide their order dt 28 Jul 94 passed against OA No 228/93 filed by the above individuals wef 01 Aug 94 and they should be appointed as cl IV emps wef the date quoted above on the Supplementary Peace Establishment of Stn HQ Rangiya and apprise CAT Guwahati through a formal application that the services of the 47 casual censy sfwls have been regularised. Your attn is also drawn to HQ Eastern Comd letter No 104081/20/ SA/GS(89) dt 04 May 95.
4. Completion report regarding the regularisation of the services of above individuals be fwd to all concerned with a copy of Part II order before 04 Sep 95 within the time granted by the CAT Guwahati.
5. Appt letter will be issued by Stn Cdr based on the sanction given by Sub Area Cdr.
6. Please ack.



(BC Sanna)
Lt Col
Offg Col GS

Encls : Two

COPY TO : 1

HQ 101 Area (GS/SD) - For info wrt Stn HQ Rangiya letter under ref.

SANCTION OF COMMANDER 51 SUB AREA FOR REGULARISATION OF THE SERVICES OF 47 (ELIGIBLE) CASUAL CONSY SFWLS ON THE SUPPLEMENTARY PEACE ESTABLISHMENT OF STATION HQ RANGIYA AND TO APPOINT THEM AS CLASS IV EMPLOYEES

Ex-post-facto sanction of Commander 51 Sub Area is hereby accorded to regularise the services of 47 casual consy sfwls employed by Station HQ Rangiya who fulfil the terms and condition for the posts on the Supplementary Peace Establishment of Station HQ Rangiya. They should be appointed as class IV employees with effect from 01 Aug 94 as instructed by the Hon'ble Central Administrative Tribunal vide their order dated 28 Jul 94 passed against OA 228/93 filed by the above individuals.

AK Vasudev

Station : C/o 99 APO

(AK Vasudev)

Dated : 25 Aug 95

Brig
Commander

Station Mukhyalaya
Station Headquarters
Rangiyala - 701 354

26 Aug 95

3004/1/EMP (Q)

(Concerned Casual Convey SWL)

PRODUCTION OF CASTE CERTIFICATE

1. You are hereby directed to produce the caste certificate as SC/ST/ODCs from the following authorities which is mandatory requirement for the Group 'D' post Conservancy Safaiwala :-

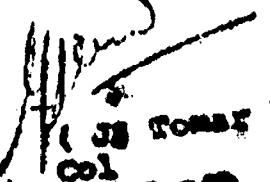
(a) District Magistrate/Additional District Magistrate/Collector Deputy Commissioner/Additional Deputy Commissioner/Deputy Collector/1st Class Stipendiary Magistrate/Sub Divisional Magistrate/Taluka Magistrate/Executive Magistrate/Extra Assistant Commissioner (not below the rank of 1st Class Stipendiary Magistrate).

(b) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.

(c) Revenue Officer not below the rank of Tehsildar.

(d) Sub-Divisional Officer of the area where the candidate and/or his family normally resides.

2. The above certificate is urgently required by the appointing authority. Please ensure that certificate should reach this Office latest by 01 Sep 95 failing which regularisation of your services rest with appointing authority.


(J.S. Somas)
Col
ADM 8000

Mil Tele : 2966

Station Mukhyalaya
Station Headquarters
Rangiya - 781 354

3004/1/CC-1/U

31 Aug 95

The Deputy Registrar
Central Administrative Tribunal
Guwahati Bench

IMPLEMENTATION OF CAT ORDER PASSED
ON C.A. NUMBER 228/93

Sir,

1. Please refer to Central Administrative Tribunal Orders dated 28 Jul 94 and dated 18 January 95 passed on Original Application Number 228/93.

2. I have honour to inform you that the services of all eligible Conservancy Safaiwalas who are involved in C.A. No 228/93 have been regularised with effect from 01 August 1994 except the following conservancy safaiwalas as reasons shown against their name :-

(a) Mrs Saira Banu	X	
(b) Syed Sarif Ali	X	
(c) Shri Atul Ch Kalita.	X	- Crossed the upper age limits prescribed
(d) Mrs Golnehar Begum.	X	for the post.
(e) Shri Haladhar Das.	X	

3. As per existing order, those casual workers recruited before 07 Jun 1988 and are in service, if they were recruited otherwise than through employment exchange and had crossed the upper age limit prescribed for the post, provided they are otherwise eligible for regular appointment in all other respects may be considered for regularisation. This aspect have been born in mind while considering the services for regularisation. In this regard a copy of the Department of Personnel and Trg O.M. No 49014/4/0-Estt (C) dated 09th April 91 is enclosed herewith for your kind perusal.

4. The eligibility for calculation of age, a copy of Govt of India/Bharat Sarkar Ministry of Home Affairs/ Grah Mantralaya Department of Personnel and Administrative Reforms (Karmik Aur Prashasnik Sudhar Vibhag) letter No 49014/4/77-Estt (C) dated 21 March 1979 is enclosed herewith for your information please.

5. The above is for your information and advise further action, if any are required to be taken on the subject please.

Yours faithfully,

[Signature]
 (Jaipal Singh Tomar)
 Colonel
 Administrative Commandant
 for Station Commander

Copy to :-

Md Shaukat Ali

Senior Central Govt Standing Counsel
 Central Administrative Tribunal, Guwahati
 Bench, Bhangagarh, Rajgarh Road,
 Guwahati-5

- You are requested to apprise the Hon'ble CAT on the subject accordingly.

HQ 51 Sub Area (GS/SD)
 C/o 99 APO

X
X

HQ 101 Area (GS/SD)
 C/o 99 APO

X
X

Headquarters
 Eastern Command (GS/SD)
 Calcutta

X
X - For information.

Army Headquarters
 General Staff Branch (SD 6)
 DHQ, PO New Delhi -11

X
X

Spars
Copy
J.W.

Station Mukhyalaya
Station Headquarters
Rangiya - 781354

293

21 March 1995

3004/1/CC-1/01

REQUIREMENT OF PERSONAL DOCUMENTS

1. Please hand over the following documents to this HQ, in original and one photostat copy, for completion of your service documents immediately, but not later than 10 April 1995 :-

- (a) Educational qualification certificate, if any.
- (b) Certificate on age from Registrar of Birth of concerned District, if educational qualification certificate is not applicable/if no educational qualification.
- (c) Cast certificate, if any.
- (d) Certificate on local address and permanent address from DC's/SDO's/Officer-in-Charge, Office.
- (e) Medical fitness certificate from District Medical Officer.

(f) Original employment letter issued to you by this HQ while you had/employed as casual conservancy safaiwala on daily wages basis. /been

2. Failure to submit the documents is not acceptable. Timely submission of the above mentioned documents should be ensured.

3. You may contact this HQ, if any doubt raised.

(MS Sandhu)
Lt Col
Offj Adm Comdt
for Stn. Cdr

REGISTERED BY P.T.

Station Mukhyalaya
Station Headquarters
Rangiya - 701 364

08 Sep 95

3004/1/CC-1/c

the Deputy Registrar
Central Administrative Tribunal
Guwahati Bench, Dhangogarh,
Rajgarh Road, Guwahati-5

IMPLEMENTATION OF CAT ORDER PASSED ON
O.A. NUMBER 220/93

Sir,

1. Please refer to this Headquarters letter Number 3004/1/CC-1/c dated 31 Aug 95.
2. The name of Shri Haladhar Das may please be deleted from Para 2 (c) of our letter quoted above.
3. It is submitted that on further scrutiny of records, Conservancy Safaiwala Haladhar Das is fulfilling the conditions for eligibility. Hence, he has been considered as fit and his services has been regularised with effect from 01 Aug 94.
4. The above is for your information please.

Copy to :-

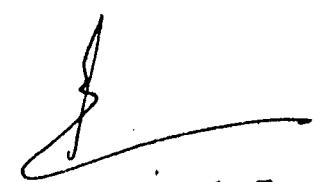
MG Shaukat Ali
Sr COSE
CAT, Guwahati
Bench, Dhangogarh, Rajgarh
Road, Guwahati-5

MA 51 Sub Area (OS/SD)
C/o 99 AFO

MA 101 Area (OS/SD)
C/o 99 AFO

Headquarters
Western Command (OS/SD)
Calcutta

Army Headquarters
General Staff Branch (OS/SD)
Aldw. 10 New Delhi-11


(Jaipal Singh Tomar)
Colonel
Administrative Commandant
for Station Commander

- You are requested to
inform the Hon'ble CAT
accordingly.

- For information.

Rangia Girls' Higher Secondary School.

(Assam Schedul XLI (Part I), Form. No. 68).

No

Certified that Shrimati Golnehaire Begum,
 daughter of Md. Abdil Ser an inhabitant of Soham,
Rangia in the district of Kamrup left the Rangia Girls' Higher Secondary School on 31-12-1972. Her date of birth according to the admission register 01-01-61. She was reading in class VI (Six) and had not passed the Annual / H.S.L.C. / H.S.S.L.C. examination for promotion to class VII (Seven).

All sums due by her have been paid. viz.

Fees upto Date / 72

Fines Nil

T. C. Fees 2.00

Character Good

Reasons for leaving :—

- (i) Unavoidable change of residence.
- (ii) Ill-health.
- (iii) Completion of School Course.
- (iv) Minor reasons.

Dated 13/11/90

Adas
Asst. Engineer, P.W.D.
Rangia Roads Division, Rangia
Principal
Rangia Girls' Higher Secondary School
Form No. 68
13.11.90

SL. No. - 8

61

Transfer Certificate.

CERTIFIED that Sri/Srimati Syed Sarif Ali

Son / Daughter of Sri Syed Farzad Ali.

an inhabitant of Town / Village Puri Saham.

P.O. Ranagia Dist. Karnal left the Nalbari Basti Argarpur Janapada ^{M.E}

School on the 1987-6. His / her age at that date according to
the admission Register of the School was 14 (Fourteen) years

months 7 days 15

He / She was reading in Class VII and had / had not passed the
Examination for promotion to Class VIII. All sums due by him / her
have been paid ; viz fees upto 19876.

fines — 0

Character — Good

Reasons for leaving — i] Unavoidable change of Residence.

ii] Ill health.

iii] Completion of School Course.

iv] Minor reasons.

[Signature]
MURRAHAI SAKH RUDDIN QURESHI, HEADMASTER
MURRAHAI SAKH RUDDIN QURESHI, HARGAON, HOSHANGABAD, MADHAY PRADESH
21/7/87

Head Master —
Nalbari Basti Argarpur Janapada, Hoshangabad, Madhya Pradesh
21/7/87

Date 21/7/87 1987

Headmaster —

Place _____

27

Annexure -11**P. B. KANIHA HIGH SCHOOL**

P.O.-Kaniha, Dist.-Kamrup (Assam)

TRANSFER CERTIFICATE

Serial No. 83

Date 2-8-91.

Certified that Shri/Shrimati Atul Ch. Kalita.....
 Son / daughter of ...Shri.... Chandra Ram Kalita, an inhabitant of Village
 Gschadgsharia P.O Keneha P.S .. Rangia.....
 in the district of Kamrup, left P. B. Kaniha High School on 31-3-90..... His/Her
 date of birth as per School Admission Register is 31-12-64..... He / She was reading
 in Class ... 8 (Tenth) and passed/could not pass the Annual Examination in.....
 for promotion to Class H. S. L. C. Examination in 1990..... under
 Roll ... 226 No ... 350 Division/compartmental. All sums
 due by him/her have been paid ; viz. fees up to 31-3-90.....

T. C. 5.00

Fines - 10

Character - *Good*

Reasons for leaving - i) Unavoidable change of Residence

ii) Ill health

✓ iii) Completion of School course

iv) Minor reasons

*Atul Ch.
88/91
4/4*
*Headmaster
2-8-91*

P. B. Kaniha High School

अधिक ८-

Deccan Vidyamandir High School
Vidyalaya Nikul & P. O. Range
Distr. Karwar

ଶ୍ରୀ	ପାଇଁଷା ବାବୁ	ଶ୍ରୀ
ପିତା ଶ୍ରୀ	ବନ୍ଦ୍ର ଜ୍ଞାନୀ	ଶ୍ରୀ
ଗାଁଂ	ପୂର୍ବ ମହିମା	ଥାନା ବନ୍ଦ୍ରଭୟ
ମହିମା	ଶ୍ରୀକୃଷ୍ଣ	ଜିଲ୍ଲା ବନ୍ଦ୍ରଭୟ

... ୭୨ ମୟେ ମୁକୁନ ବୁନିହାଦୀ ପ୍ରାଥମିକ / ମଜୁରୀଆ ବିଦ୍ୟାଲୟରେ ପଢ଼ିଛିଲ ।
ତେବେ କ୍ଷେତ୍ରର ଡିଚେକ୍ସ୍ଟ୍ରୀ ମାହର ୩୧ ତାରିଖରେ
ଏହି ବିଦ୍ୟାଲୟରେ ତେବେ ଶିକ୍ଷୀ ଶେଷ ହୁଲା । ତେବେ ଏହି ବିଦ୍ୟାଲୟରେ ... ଫିଲ୍ଡିଙ୍ଗ୍ ...
ଶ୍ରେଣୀର ପରୀକ୍ଷାତ ଉତ୍ତୋର୍ଣ୍ଣ ହେବେ / ହେବୀ ନୁହେ । ବିଦ୍ୟାଲୟରେ ଥକା କାଳତ ତେବେ ସ୍ଵଭାବ-
ଚବିତ୍ରିଭାଲ ଆଛିଲ / ନାହିଁଲ । ଇଂ ୨୯୯୫... ଚନବ ୪ ଜାନୁଆରୀତ ତେବେ ବରମ୍ବା
ଭାବି ବହି ମତେ ୩୪... ବହବ ... X ... ମାହ ... X ଦିନ ... X ...

প্রধান শিক্ষক—

୩୨	ମୁକୁଳ	ଶ୍ରୀନିବାସୀ	ବିଦ୍ୟାଲାଭ ।
...	...	ଶ୍ରୀକୃଷ୍ଣ	ମହକୁମା ।
...	...	କଣ୍ଠାରୀଶ୍ଵର	ଜିଲ୍ଲା ।

ତବିଧ-୩/୮/୧୯୫

ଶ୍ରୀକୃଷ୍ଣ-ଦେବାମ

ଅଧ୍ୟାତ୍ମିକ ଶିକ୍ଷକ

6/87) 8