

0/600

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

8

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 16/95

R.A/C.P No.

E.P/M.A No. 62/96

1. Orders Sheet.....Pg. 1.....to 7

2. Judgment/Order dtd 11.5.97.....Pg. 1.....to 4
1st Judgment dtd 9.1.96 pg 1 to 5 6416 (7, 18, 24/1/94)

3. Judgment & Order dtd.....Received from H.C/Supreme Court

4. O.A.....16/95.....Pg. 1.....to 5

5. E.P/M.P. 62/96.....Pg. 1.....to 5
mp 60/96 pg 1 to 5

6. R.A/C.P.....Pg. 1.....to 5

✓ 7. W.S.....Pg. 1.....to 2

✓ 8. Rejoinder.....Pg. 1.....to 2

9. Reply.....Pg. 1.....to 2

10. Any other Papers.....Pg. 1.....to 2

11. Memo of Appearance.....Pg. 1.....to 2

12. Additional Affidavit.....Pg. 1.....to 2

13. Written Arguments.....Pg. 1.....to 2

14. Amendment Reply by Respondents.....Pg. 1.....to 2

15. Amendment Reply filed by the Applicant.....Pg. 1.....to 2

16. Counter Reply.....Pg. 1.....to 2

SECTION OFFICER (Judl.)

Kahita
1.2.18

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :: GUWAHATI -5.

ORIGINAL APPLICATION NO: 16/95

MISC PETITION NO: _____ (J.A. NO. _____)

REVIEW APPLICATION NO: _____ (J.A. NO. _____)

CONT. PETITION NO: _____ (J.A. NO. _____)

Sri Dilal Sahu

APPLICANT(S)

VERSUS

Union of India

RESPONDENT(S)

Mr. B.K. Sharma, Mr. B. N. Chatterjee, Mr. S. S. Sanyal

Advocate for the
Applicant.

Advocate for the
Respondents

Office Note

Court Orders

1-2-95

This application is in
form and within time.

C. F. of Rs. 50/-

deposited vide

IPO/DT No. 803/88 2544

Dated 27.1.95

Mr. B.K. Sharma for the applicant
Mr. S. Ali, Sr. C.G.S.C. for the respon-
dents. It is identical with O.A. 241/95
which has been admitted. Hence admit.
Four weeks for written statement.

Issue notice to the respondents
to show cause why interim order should
not be passed. Returnable on 2-3-95.

[Signature]
Vice-Chairman

[Signature]
Member

lm

Requisite are sent

on 9-2-95 & (sent) vide

no. 835-38 dt. 13-2-95

192

2
O.A. 16/95

OFFICE NOTE


COURT ORDERS

2.3.95

Mr. Sarkar requests for adjournment on behalf of Mr. B K Sharma. The matter ^{is listed} was ~~passed~~ today for consideration of interim relief. The applicant has prayed that during the pendency of the application his service may not be terminated. It appears from the records that the period of his engagement had expired after six months from 8.4.94. Today the respondent No. 5, who is present instructs the learned Sr. C.G.S.C. to inform the Court that the term of engagement of the applicant has been extended for a period of six months from December 1994 and he has been posted at Nagaland Sub-station but the applicant has not so far joined in that post. He further states ^{that} if the applicant reports for duty he will be allowed to join. In view of this situation no interim relief is called for save and except to record the above information.

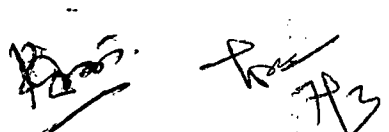
The applicant is at liberty to join in the post where he is given the engagement without prejudice of ^{his} rights and contentions in the application. The respondents are given eight weeks to file written statement from today. To be listed for hearing on 8.5.95.


Member


Vice-Chairman

20-3-75

valkalatnana
filed by Mr. S. A. S. S. S. S.
on behalf of the respondent trd


7/3

16/95

8.5.95

Notice duly sent on
R.m. 12, 3 & 4.

10
38/3

1m

12/95

1 statement - chs not
in file.

3-7-95

Mr. S. Ali Sr. C.G.S.C. seeks time
for counter. Adjourned to 4-9-95.

1m

Vice-Chairman

Member

4.9.95

To be listed for hearing on 13.11.95

Member

Vice-Chairman

p9

13.11.95

Holders on 9.1.96. 12/95

12.4.96

Mr. B.K. Sharma for the applicant.
Mr. S. Ali Sr. C.G.S.C. for the respondent.
Case is ready for hearing.
List for hearing on 30-5-96.

Member

Service Ready on Respts was
-4.

Statement to be prepared
in summary form

p9

3-7-95

Mr. S. Ali, Sr. C.G.S.C. seeks time for counters. Adjourned to 21-8-95 for orders. Subject to service of notice.

Vice-Chairman


lm

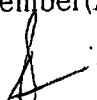
Member

30.5.96

Leave note of Mr B.K. Sharma, learned counsel for the applicant. Mr S. Sarma prays for adjournment on his behalf. Mr S. Ali, learned Sr. C.G.S.C., is present for the respondents.

List for hearing tomorrow, 31.5.96.


Member(A)


Member(J)

5

Page No.

QA/TA/CP/RA/MP No.

of 19

O.A.No. 16/95

OFFICE NOTE

DATE

ORDER

31.5.96

Learned counsel for the parties are present and have made their submissions in part. Hearing adjourned to 10.6.96. The respondents are directed to produce the copy of the Merit and Normal Assessment Scheme (MANAS) for Scientific, Technical and Separate Staff Revised and Effective from 1.4.1992 and also the instruction circulated in May 1991 mentioned in para 6 "Contractual Service", of Annexure-B to the rejoinder, namely record note of discussion held between the DG and SWA representatives on 28.9.1994.

Copy of the order may be furnished to Mr S. Ali, Sr. C.G.S.C.

Member(A)

Member(J)

nkm

10.6.96

Learned Sr. C.G.S.C., Mr S. Ali, for the respondents. Learned counsel Mr B.K. Sharma for the applicant.

Mr Ali has submitted a copy of letter No.17(197)/90-E.II dated 14.5.1991 together with the guidelines mentioned therein. Mr B.K. Sharma submits that he requires time to go into the same and also to ascertain whether those instructions and guidelines are the same as mentioned in item 6 "Contractual Service" of the resolution dated 28.9.1994.

Mr Ali also submits copy of the revised MANAS effective from 1.4.1992. In this respect

6
O.A.No.16/95

10.6.96

also Mr Sharma submits that he requires time to examine the documents. He, therefore, seeks time for examination of the aforesaid two documents and reply if considered necessary.

List for fresh hearing of the O.A. on 15.7.96.

In our order dated 15.5.1996 in M.P.No.60/96 we have directed the respondents to allow the applicant to continue in the same post till 15.6.1996 or disposal of the O.A. whichever is earlier. Since the O.A. cannot be disposed of within the stipulated date of 15.6.96 and after considering the submission of the counsel for the parties we consider it fair and just to direct the respondents to continue the application in the same post under the same terms and conditions until further orders. They are accordingly directed.

Liberty to the respondents to apply.

62
Member(A)

Member(J)

nkm

15-7-96

Learned counsel Mr. B.K. Sharma for the applicant. Sr.C.G.S.C. Mr. S. Ali for the respondents.

List for hearing on 12-8-96.

62
Member

lm

24-6-96
Copy of order issued
to the respondents
on 17.6.96.

Bon

X

14.5.97

Heard Mr B.K. Sharma, learned counsel for the applicant, and Mr S. Ali, learned Sr. C.G.S.C., appearing on behalf of the respondents. Hearing concluded. Judgment delivered in open court, kept in separate sheets. The application is allowed. No order as to costs.

10.7.57

Copy of the order
has been sent to the
respondents and Applicant
vide D No. 235/10
2359 d. 10.7.57

th


Member


Vice-Chairman

nk m

9

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

O.A. NO. 16 of 1995, O.A.No.17 of 1995, O.A.No.18 of 1995 &
T.A. NO. O.A.No.241 of 1994.

Shri Dulal Sahu (O.A.No.16/95)
Shri Paresh Kalita (O.A.No.17/95)
Shri Pabitra Pran Sarma (O.A.No.18/95)
Shri Shantanu Dutta (O.A.No.241/94)

DATE OF DECISION 14.5.1997

(PETITIONER(S))

Mr B.K. Sharma and Mr S. Sarma

ADVOCATE FOR THE
PETITIONER (S)

VERSUS

Union of India and others

RESPONDENT (S)

Mr S. Ali, Sr. C.G.S.C. and
Mr A.K. Choudhury, Addl. C.G.S.C.

ADVOCATE FOR THE
RESPONDENT (S)

THE HON'BLE MR JUSTICE D.N. BARUAH, VICE-CHAIRMAN

THE HON'BLE MR G. L. SANGLYINE, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ? *yes*
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 ?

Judgment delivered by Hon'ble Vice-Chairman



10

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.16 of 1995

Original Application No.17 of 1995

Original Application No.18 of 1995

Original Application No.241 of 1994

Date of decision: This the 14th day of May 1997

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman

The Hon'ble Mr G.L. Sanglyine, Administrative Member

O.A.No.16/95

Shri Dulal Sahu,
Ex-Project Assistant,
Geo-Science Division,
Regional Research Laboratory,
Jorhat.

.....Applicant

By Advocate Mr B.K. Sharma and Mr S. Sarma.

-versus-

1. Union of India, represented by the
Secretary to the Government of India,
Ministry of Science & Technology,
New Delhi.
2. The Director General,
Council of Scientific & Industrial Research,
New Delhi.
3. The Director,
Regional Research Laboratory,
Jorhat.
4. The Joint Secretary,
Council of Scientific & Industrial Research,
New Delhi.
5. The Controller of Administration,
Regional Research Laboratory,
Jorhat.

.....Respondents

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

.....

O.A.No.17/95

Shri Paresh Kalita,
Project Fellow, Grade-III,
Geo-Science Division,
Regional Research Laboratory, under CSIR,
Jorhat.

.....Applicant

By Advocate Mr B.K. Sharma and Mr S. Sarma.

-versus-

1. The Union of India, represented by the
Secretary to the Government of India,
Ministry of Science & Technology, New Delhi.

803

2. The Director General,
Council of Scientific & Industrial Research(CSIR),
New Delhi.
 3. The Director,
Regional Research Laboratory, Jorhat.
 4. The Joint Secretary,
Council of Scientific & Industrial Research,
New Delhi.
 5. The Controller of Administration,
Regional Research Laboratory, Jorhat.Respondents
- By Advocate Mr A.K. Choudhury, Addl. C.G.S.C.

.....

O.A.No.18/95

Shri Pabitra Pran Sarma,
Project Fellow-III,
Geo-Science Division,
Regional Research Laboratory,
Jorhat.Applicant

By Advocate Mr B.K. Sharma and Mr S. Sarma.

-versus-

1. Union of India, represented by the
Secretary to the Government of India,
Ministry of Science & Technology,
New Delhi.
 2. The Director General,
Council of Scientific & Industrial Research (CSIR),
New Delhi.
 3. The Director,
Regional Science Laboratory, Jorhat.
 4. The Joint Secretary,
Council of Scientific & Industrial Research,
New Delhi.
 5. The Controller of Administration,
Regional Research Laboratory, Jorhat.Respondents
- By Advocate Mr S. Ali, Sr. C.G.S.C.

.....

O.A.No.241/94

Shri Shantanu Dutta,
Project Fellow, Grade-III,
Applied Civil Engineering Division,
Regional Research Laboratory, Jorhat.Applicant

By Advocate Mr B.K. Sharma and Mr S. Sarma.

-versus-

1. The Union of India; represented by the
Secretary to the Government of India,
Ministry of Science & Technology, New Delhi
 2. The Director General,
Council of Scientific & Industrial Research(CSIR), New Delhi.
 3. The Director,
Regional Research Laboratory, Jorhat.
 4. The Joint Secretary,
Council of Scientific & Industrial Research, New Delhi.
 5. The Controller of Administration,
Regional Research Laboratory, Jorhat.Respondents
- By Advocate Mr A.K. Choudhury, Addl. C.G.S.C.

.....

O R D E R

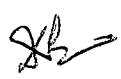
BARUAH.J. (V.C.)

The above applications involve common questions of law and similar facts. Therefore, we propose to dispose of all the applications by a common judgment.

2. Facts for the purpose of disposal of the applications are:

All the applicants were appointed in the Regional Research Laboratory by respondent No.3 on various dates and they have been continuously working as such. Initially, all the applicants had been appointed Project Assistant at a consolidated pay of Rs.500/-. The consolidated pay was enhanced from time to time and at present the pay is Rs.1800/-. They were so appointed in sponsored project. In 1981 a scheme was prepared by the respondent No.2, namely, Council of Scientific and Industrial Research (CSIR for short). The said scheme was known as Merit and Normal Assessment Scheme (for short MANAS). The period of the said Scheme expired and again reintroduced in a revised form and became effective from 1.4.1992. The contention of the applicants is that they fulfilled all the conditions laid down in the Scheme for regularisation of their services inasmuch as they had completed more than three years of service. However, the authorities refused to regularise them on the plea that the Scheme was no longer in existence. Hence the present applications.

3. We have heard Mr B.K. Sharma, learned counsel for the applicants, and Mr S. Ali, learned Sr. C.G.S.C., for the respondents in O.A.Nos.16 and 18 of 1995, and Mr A.K. Choudhury, for the respondents in O.A.Nos.17/95 and 241/94. According to Mr Sharma the applicants were discharging their duties continuously except only for short ~~artificial~~ breaks. The learned counsel further submits that those breaks were artificially created



just to deprive the applicants from the benefits of the Scheme. Mr Ali and Mr Choudhury, on the other hand, submit that the applicants are not entitled to get their services regularised in view of the fact that their services were not continuous inasmuch as there has been breaks in their services from time to time. However, the allegation of Mr B.K. Sharma is that the breaks were artificial and not for any bonafide necessity. The learned counsel for the respondents are not in a position to refute this submission.

4. On the submission of the learned counsel for the parties it is now to be seen whether the respondents' refusal to regularise the services of the applicants can sustain in law and whether the applicants are eligible to be regularised in their services.

5. It is an admitted fact that the applicants had been working for several years with, however, short breaks of one or two days. According to the learned counsel for the applicants, these breaks were artificially created just to deprive them from the benefit of the Scheme.

6. We have perused the application as well as the written statement and heard the learned counsel for the parties. We find that these one or two days breaks are not for any administrative necessity. At least there is nothing on the record to indicate that. The learned counsel for the respondents have also not been able to show that those breaks were necessary for administrative purpose.

7. In view of the above we hold that the applicants were working continuously for more than three years which was a condition for the purpose of regularisation of their services. From the pleadings and other records available before us, we are of the opinion that the short breaks were artificially created - there was no administrative necessity. These artificial


breaks.....

AB


breaks cannot deprive the applicants, the benefit of the Scheme (See AIR 1990 SC 2228, 1992 (2) SCC 29, and 1987(3) SLJ (CAT) 569). An attempt has been made by the learned counsel for the respondents to show that at times the applicants were not in service for a long time, and therefore, they would not be regarded as being in continuous service. But, if Annexure-A to the rejoinder, the revised Scheme of MANAS effective from 1.4.1992, is taken into consideration this will show that the applicants had been working for more than three years, with, however, short breaks as indicated above. Therefore, they are entitled to the benefit of the Scheme. It may be mentioned here that the respondents have clearly stated in paragraph 32 of the written statement in O.A.No.16/95 that the name of the applicant was sponsored by the Employment Exchange and after having selected by the Selection Committee, he was appointed as Project Assistant for six months only on contractual basis. This itself indicates that the applicant fulfilled the requirements mentioned in the Scheme. Similar averments have been made in the written statements of the other applications also.

8. Considering all the aspects of the matter we hold that all the applicants are entitled to be regularised in their services as per the Scheme (MANAS) prepared, and more specifically as per the revised Scheme effective from 1.4.1992. Accordingly we direct the respondents to regularise the services of the applicants within a period of one month from today in terms of the Scheme. If at the time of regularisation the applicants are found to be overaged that should be ignored and this shall not be a bar for regularisation. Till regularisation the applicants should not be removed from their services.

9. The applications are accordingly allowed. However, considering all the facts and circumstances of the cases we make no order as to costs.



(G. L. SANGLYNE)
MEMBER (A)



(D. N. BARUAH)
VICE-CHAIRMAN

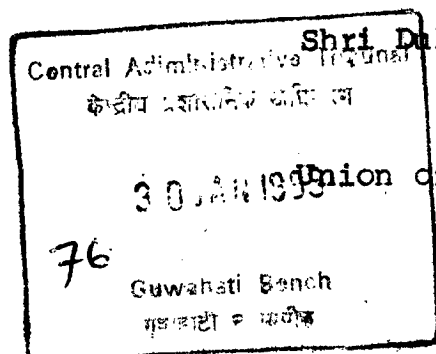
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16

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL::GUWAHATI BENCH

(An application under Section 19 of the Administrative
Tribunals Act, 1985)

Title of the Case : O.A. No. 16 of 1995



Shri Dalal Sahu

...

Applicant

- Versus -

Union of India & Ors.

...

Respondents

I N D E X

Sl.No.	Particulars of the documents	Page Nos.
1.	Application	1 to 16
2.	Verification	17
3.	Annexure-1	18
4.	Annexure-2	19
5.	Annexure-3	20
6.	Annexure-4	21
7.	Annexure-5	22
8.	Annexure-6	23
9.	Annexure-7	24
10.	Annexure-8	25
11.	Annexure-9	26
12.	Annexure-10	27
13.	Annexure-11	28
14.	Annexure-12	29
15.	Annexure-13	30
16.	Annexure-14	31
17.	Annexure-15	32
18.	Annexure-16	33
19.	Annexure-17	34
20.	Annexure-18	35
21.	Annexure-19	36
21.	Annexure-20	37
22.	Annexure-21	38 to 39
23.	Annexure-22	40 to 41
24.	Annexure-23	42
25.	Annexure-24	43
26.	Annexure-25	44
27.	Annexure-26	45 to 46
28.	Annexure-27	47 to 48
29.	Annexure-28	49 to 50
30.	Annexure-29	51
31.	Written Statement	52-90

32. Response to the W/S submitted 91-132

For use in Tribunal's Office

Date of filing : 30.8.95

Registration No.: 64/16/95

REGISTRAR

O.A. No. _____ of 1995

BETWEEN

Shri Dulal Sahu,
Ex-Project Assistant,
Geo-Science Division,
Regional Research Laboratory,
Jorhat.

Resident of Village & P.O. Pachupathargaon,
Via - Kamargaon, Dist. Jorhat.

... Applicant

AND

1. Union of India,
represented by the Secretary to the
Government of India,
Ministry of Science & Technology,
New Delhi.
2. The Director General,
Council Scientific & Industrial Research,
Rafi Marg, New Delhi.
3. The Director,
Regional Research Laboratory, Jorhat.
4. The Joint Secretary,
Council of Scientific & Industrial Research,
Anusandhan Bhavan, Rafi Marg, New Delhi.
5. The Controller of Administration,
Regional Research Laboratory, Jorhat.

... Respondents

DETAILS OF APPLICATION

1. PARTICULARS OF THE ORDER AGAINST WHICH
THE APPLICATION IS MADE :

The application is not made against any particular order but is directed against the deemed rejection of representation of the application for regularisation of services. However, the applicant is also aggrieved by different orders of his appointment since 1984 till date by which he has also been appointed on temporary basis on different spells and thereby adopted an unfair labour practice by the respondents.

Contd...P/2.

Central Administrative Tribunal

কেন্দ্রীয় প্রশাসনিক আদালত

31 JAN 1995

Guwahati Bench

গুৱাহাটী বেন্চ

2. JURISDICTION OF THE TRIBUNAL :

The applicant declares that the subject matter of the instant application is within the jurisdiction of the Hon'ble Tribunal.

3. LIMITATION :

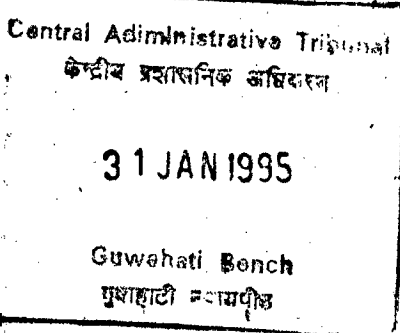
The grievances of the applicant is a continued wrong meted out to him and now as a last resort, he has come under the protective hands of the Hon'ble Tribunal.

4. FACTS OF THE CASE :

4.1 That the applicant is a citizen of India and a permanent resident of Assam and as such, he is entitled to all the rights, protections and privileges guaranteed by the Constitution of India.

4.2 That the applicant is a Bachelor Degree holder in Science (B.Sc.) and fully qualified to hold the post of Project Assistant/Junior Scientific Assistant/Junior Technical Assistant, Grade-III under the Regional Research Laboratory (R.R.L.) Jorhat. He is also diploma holder in Computer Programming (DCP) from Computer Education and Software Development Centre, Guwahati.

4.3 That pursuant to an advertisement and indent placed by the RRL, Jorhat with the Employment Exchange with whom the name of the applicant was registered, the Employment Exchange sponsored the name of the applicant alongwith many others for the post of Project Assistant in the RRL, Jorhat. After such sponsorship, of the name of the applicant, he alongwith many others appeared before the Selection Committee for selection and the applicant came out successful in the



selection. It will be pertinent to mention here that neither in the advertisement/indent placed with the Employment Exchange nor in the interview call letter and not even during the course of selection, the applicant was ever told that his assignment would be temporary. It was the bonafide belief of the applicant that his sponsorship and selection is for permanent absorption.

Central Administrative Tribunal
केन्द्रीय प्रशासनिक अदालत

31 JAN 1995

Guwahati Bench
গুৱাহাটী বেঞ্চ

4.4 That pursuant to the aforesaid sponsorship and selection, the applicant was appointed as Project Assistant on a consolidated pay of Rs.500/- for a period of six months by an order No.RRLJ-9(59)-Estt/79 dated 24.9.84. The applicant was so posted in the Seismic Surveillance Station (Geo-Science Division) of the R.R.L., Jorhat. His initial posting was at Hamren, West Karbi Anglong District. The applicant was completely taken aback to receive such an appointment order inasmuch as stated above, it was his legitimate expectation that his appointment would be on permanent basis. However, in these hard days of livelihood and derth of employment, the applicant had no other alternative ~~xxx~~ than to accept the employment. Accordingly, he joined the post and since such joining, he had been continuing under the respondents.

A copy of the first appointment letter dated 24.9.84 is annexed herewith as ANNEXURE-1.

4.5 That aftee the initial appointment, the salary of the applicant was first increased to Rs.600/- with effect from December 1984 and again it was increased to Rs.800/- with effect from January 1985. However, he was not paid his arrear salary. He made a representation dated 12.2.85 for

Contd...P/4.

grant of arrear salary which was eventually granted to him.

4.6 That by office memorandum No.RLJ-(SS)-028 dated 10.10.85, two persons viz. Shri R.K. Buragohain, Junior Scientific Assistant and Shri P. Mahanta, Project Assistant were transferred to RRL, Jorhat from Seismic Surveillance Station, Durga Sarobar, Guwahati-9 and the applicant was directed to take over charge from them immediately. Accordingly the applicant took over charge and had been continued under the R.R.R. Jorhat.

A copy of the office memorandum dated 10.10.85 is annexed herewith as ANNEXURE-2.

4.7 That after the initial appointment as aforesaid, the service of the applicant was extended from time to time on a consolidated pay. However, the pay of the applicant was raised to Rs.800/- vide order No.RLJ-9(2)-Estt/87 dated 30.4.87.

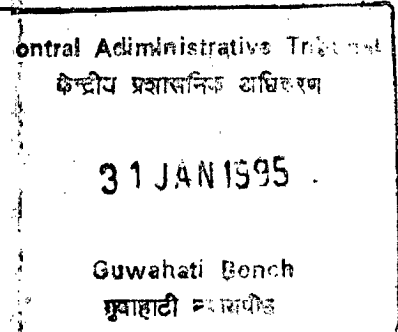
Copies of such orders of extension are annexed herewith as ANNEXURES-3, 4 and 5.

4.8 That the applicant states that his services were extended from to time vide orders dated 4.2.87, 4.8.87 and 21.10.87. The pay of the applicant was raised to Rs.1,000/- vide order dated 21.10.87.

Copies of the orders dated 4.2.87, 4.8.87 and 21.10.87 are annexed herewith as ANNEXURES 6, 7 and 8 respectively.

4.9 That by an office order No.RLJ-7(12)- Estt/76 dated 30.3.88, the applicant was transferred from R.R.L. Jorhat to

Contd...P/5.



Seismic Surveillance Station, Hamren with effect from 15.3.88.

A copy of the said order dated 30.3.88 is annexed herewith as ANNEXURE-9.

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

31 JAN 1988

Guwahati Bench
गुवाहाटी न्यायाधीश

4.10 That the applicant states that the phenomenon of issuing appointment orders of the applicant again and again and thereby continuing his service continued at a consolidated pay of Rs.1,000/- per month till 1.10.88 ~~per month~~ when his pay was raised to Rs.1,500/- per month vide order No. RLJ-9(2)-Estt/89 dated 6.11.89, by which on such consolidated pay, ~~he was appointed for a period of~~

Copies of the orders dated 2.5.88 and 6.11.89 are annexed herewith as ANNEXURES-10 and 11 respectively.

4.11 That after the aforesaid appointment letters the applicant has all along been issued with various appointment orders on the strength of which he had been continuing in his service continuously. His service has been extended from time to time vide orders No. RLJ-9(2)-Estt/89-GS dated 5.5.89 ; No. RLJ-9(2)-Estt/89 dated 7.11.89 ; No. RLJ-9(2)-Estt/89 dated 7.5.90 ; No. RLJ-9(2)-Estt/90 dated 31.10.90 ; No. RLJ-9(2)-Estt/90 dated 25.4.91 ; No. RLJ-9(2)-Estt/91 dated 31.10.91 and so on. Be it stated here that vide the aforesaid orders, he was appointed for six months duration with effect from 7.4.89 till 31.3.92.

Copies of the appointment letters dated 5.5.89, 7.11.89, 7.5.90, 31.10.90, 25.4.91 and 31.10.91 are annexed herewith as ANNEXURES-12,13,14,15,16 and 17 respectively

4.12 That after the aforesaid various appointments orders, the applicant was again appointed as aforesaid vide office

memo No. RLJ-9(2)-Estt/92 dated 30.4.92 at a consolidated pay of Rs.1800/- per month for a period of one year with effect from 1.4.92.

Central Administrative Tribunal
केन्द्रीय प्रशासनिक अपिचरण

31 JAN 1995

Guwahati Bench
गुवाहाटी बेंचपोह

Copy of the said office memo dated 30.4.92 is annexed herewith as ANNEXURE-18.

4.13. That by office memorandum No. RLJ-15(7)-Estt/92 dated 18.6.92, the applicant was transferred to Seismic Surveillance Station, Guwahati in place of one Shri R.K. Buragohain Tag-III(2). Be it stated here that Shri Buragohain is a regular staff of the R.R.L. Jorhat.

A copy of the said order dated 18.6.92 is annexed herewith as ANNEXURE-19.

4.14 That the applicant states that his service was again extended vide office memorandum No. RLJ-9(2)-Estt/93 dated 4.5.93 and lastly by order No. RLJ-9(2)-Estt/94 dated 10.5.94 his service was extended upto 7.10.94.

Copies of the said orders dated 4.5.93 and 10.5.94 are annexed herewith as ANNEXURES-20 and 21 respectively

4.15 That as per the last appointment order dated 10.5.94 the applicant continued to work upto 7.10.94 and thereafter he was not ~~extended~~ favoured with any further extension. Such ~~discrimination~~ discontinuance of the applicant from service was discriminatory inasmuch as ~~in the same~~ one Shri Bora who was also appointed like that of the applicant and who is junior to the applicant alongwith two new appointees were allowed to continue in service. Further discrimination of the applicant is explicit on the face of the fact that one Shri

Contd...P/7.

Prabin Kr. Phukan who was also appointed like that of the applicant as Project Fellow-III in consolidated pay of Rs.1800 /- has been continued in service. He was even imparted with training by sending him to New Delhi and in the process he has shown as Dealing Assistant. Thus it will be evident that the respondents are favouring their blue eyed boys resulting in hostile discrimination in violation of ~~xxx~~ Articles 14 and 16 of the Constitution of India. In the above context, the applicant begs to annex the appointment order of Shri Phukan dated 17.3.94 and his tour programme dated 2.11.94 as ANNEXURES-22 and 23.

4.16 That the respondent No. 5 vide his letter No.RLJ-13 (619)-Estt/86 dated 21.10.94 was kind enough to forward the representation of the applicant alongwith another to accord approval for their regular absorption. In the said letter, the only stumbling block for regularisation of the service of the applicant was stated to be a so called ban imposed by the Government of India on recruitment, because of which none of the Project Assistants could be considered for regular absorption. In this connection, the applicant states that to the best of his knowledge, there is no such ban on recruitment. Even assuming but not admitting that there is ban on recruitment, the case of the applicant being not one of recruitment but of regularisation, such ban cannot stand in the way of the applicant.

A copy of the said letter dated 21.10.94 is annexed herewith as ANNEXURE-24.

4.17 That the applicant has come under the protective hands of the Hon'ble Tribunal as a last resort having failed

Contd...P/8.

Central Administrative Tribunal
केन्द्रीय प्रशासनिक अधिकरण

31 JAN 1995

Guwahati Bench
গুৱাহাটী বেন্চ

to get a redressal of his grievance before the departmental authorities. He had admitted a numerous representations before the departmental authorities urging for regularisation of his services but all have fallen into the deaf ears of the respondents.

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

31 JAN 1995

Guwahati Bench
गुवाहाटी न्यायापीठ

4.18 That the applicant states that after the last extension his services have not been extended and thus he has been singled out for differential treatment. It will be pertinent to mention here that the Project Assistants/Project Fellow-III who were appointed in the RRL, ~~Jorhat~~ Jorhat like that of the applicant have all along been continued and even now are under of extension, but the applicant has not been favoured with any extension of service not to speak of regularisation of his service. However, he has ~~been~~ also not been released from his service and still he has been treated as an employee of RRL, Jorhat. In this connection, the respondents issued a telegram to the applicant under No. RRLJ/Geo-Sc/94 dated 24.3.94 directing him to hand over charge of the Guwanti Sub-Station to Shri R.K. Buragohain. By the said telegram it has also been intimated that his representation regarding regularisation has been forwarded and till a communication is received back, his extension for further period is not considered at this stage.

A copy of the said telegram dated 24.3.94 is annexed herewith as ANNEXURE-25

4.19 That the applicant states that ever since his entry into the service of the RRL, Jorhat he has been serving to the satisfaction of all concerned and at no point of time

Contd...P/9.

he was communicated with any adverse remarks. The applicant has made several representations before the respondents for regularisation of his services and in the representations he has specifically mentioned about the scheme "Merit and Normal Assessment Scheme (MANAS) " for Scientific and Technical Staff.

Central Administrative Tribunal

केन्द्रीय प्रशासनिक न्यायालय

31 JAN 1995

Guwanati Benon

गुवाहाटी - असम

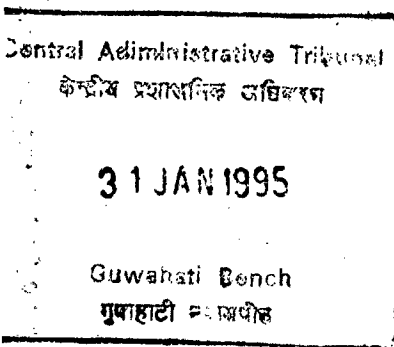
Copies of such representations are annexed herewith and marked as ANNEXURES-26, 27 and 28 respectively

4.20 That the applicant states that being faced with the above position, has submitted representation dated 12.11.94 urging for extension of his service as otherwise his condition would be miserable. As stated above, the applicant was all along expecting that his services would be regularised and he made numerous representations apart from the representation mentioned above, but till date nothing has been done in the matter and now not to speak of his regularisation of his service, he has not even been favoured with extension of service as has been done to other similarly circumstanced employees of the RRL, Jorhat. This is nothing but hostile discrimination. The respondents are annoyed because of the fact that the applicant has been making grievances against his employment in exploitative terms and has been making representations to the highest authority. Thus as a punitive measure, he has not been favoured with extension of service.

A copy of the representation dated 12.11.94 is annexed herewith as ANNEXURE-28.

4.21 That the applicant states that as per a scheme prevalent in the CSIR, the Scientific and Technical Staff like that of the applicant are required to be regularised

after rendering three years or more service. The said scheme is known as "Merit and Normal Assessment Scheme (MANAS) for Scientific & Technical Staff" which was also mentioned by the applicant in his representation dated 5.9.94 (Annexure-28).



4.22 That in view of the above factual position, the service of the applicant is required to be regularised with retrospective effect more so in view of the fact that he entered into the services of the respondents as per their own indent placed before the Employment Exchange and as was sponsored by the Employment Exchange, the applicant was appointed under the respondents after a proper selection and under any rule no further selection is contemplated. The respondents cannot utilise the services of the applicant in exploitative terms and the constitutional provisions demand that the services be regularised. In this connection, the applicant craves the leave of the Hon'ble Tribunal to refer to the constitutional provisions and so as to the dictums of the Apex Court, High Courts and Benches of this Hon'ble Tribunal.

4.23 That the applicant states that at present there are 17 posts of Junior Scientific Assistant/Junior Technical Assistant, Grade-III vacant under the respondents. The pay scale prescribed for the post is Rs.1400-2300/- with usual allowances. After regularisation of the services of the Project Assistants/Project Fellows-III, they are designated as J.T.A. or J.S.A. The respondents have earlier on regularised the services of many Project Assistants who are similarly situated like that of the applicant. The said incumbents

Contd...P/11.

were regularised after rendering 2-5 years of service.

Some of the names are given below :

- (1) Shri Dipak Bordoloi
- (2) Shri K.C. Likhok
- (3) Shri R.C. Bharali
- (4) Shri Ananta Sarma
- (5) Shri Anujal Sarma
- (6) Shri Samiran Borthakur
- (7) Shri U.S. Bhattacharjee
- (8) Shri D. Borthakur, etc.

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

31 JAN 1995

Guwahati Bench
गुवाहाटी न्यायापीठ

The above persons were similarly situated like that of the applicant and their services have been regularised after rendering only 2-5 years of service against the service rendered by the applicant for long 10 years. The above examples are only illustrative and not exhaustive. Furthermore since there are 17 posts of J.T.A./J.S.A. there is no earthly reason as to why the applicant should be continued on temporary basis with time to time extension for consolidated pay of Rs.1800/- as against regular pay scale of Rs.1400-2300/- In this case there is clear violation of the principles of equal pay for equal work. The applicant does the same amount of job as that of the regular incumbent but he is being paid a consolidated amount of Rs.1800/- which is clearly discriminatory and against the dictum laid down by the Apex Court and other Courts. Thus apart from regularisation of his service, the applicant is also entitled to regular pay scale prescribed for the post being held by him retrospective. The respondents instead of being model employer cannot resort to the old draconian law of higher and fire policy and they are bound by the constitutional provisions.

4.24 That although the applicant has not been favoured with any formal order of extension, he is being addressed as Project Assistant, RRL Siesmic Station. In this connection, office memorandum No. RRLJ/GEOSC/94 dated 30.11.94 may be referred to by which the applicant has been directed to hand over the charge of RRL Siesmic Station, Guwahati to Dr. M.M. Saimia, Head, Geo-Science Division. Earlier on also he was directed to hand over charge to one Shri Buragachain who never turned up to take over charge from him. Thus the applicant is in a very confusing state, firstly because there is no order of extension of his service and secondly in view of the fact that he is still regarded as an employee of the RRL, Jorhat and thirdly because he has not been able to hand over charge of the RRL, Siesmic Station, Guwahati. Be that as it may the facts remain that after the expiry of the last extension, the applicant has not been paid his salary and thus he is virtually at the verge of starvation.

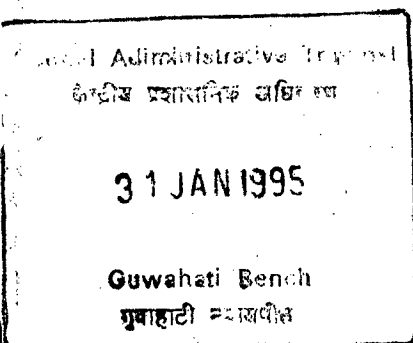
4.25 That the applicant states that it is a fit case for passing an interim order directing the respondents to extend the services of the applicant as has been done in all other cases.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS :

5.1 For that prima facie the action/inaction on the part of the respondents are illegal and arbitrary and accordingly, judicial interference is called for in the matter.

5.2 For that the action/inaction on the part of the respondents being founded on malafide and the entire exercise of power on their part being colourable exercise of power

Contd...P/13.



time intervention of the Hon'ble Tribunal in the matter is called for.

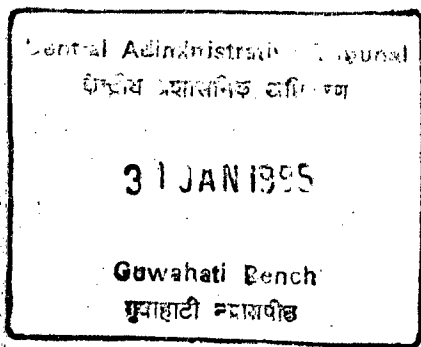
5.3 For that the applicant having rendered about nine years of regular service, there is a strong presumption that his service is indispensable and thus the respondents should not be allowed to continue the applicant on the basis of time to time extension at a consolidated pay and instead his service is required to be regularised in regular pay scale with retrospective effect.

5.4 For that there being no ban on recruitment, there is no earthly reason as to why the services of the applicant should not be regularised. Even assuming that there is a ban on recruitment, the case of the applicant being one of ~~xxxxx~~ regularisation, the same will not be applicable to the case of the applicant.

5.5 For that there being a scheme in the department for regularisation of the service of the Scientific and Technical Staff after rendering three years of service, there is no earthly reason as to why the said scheme should not be made applicable to the applicant so as to regularise ~~the~~ his service.

5.6 For that the applicant cannot be deprived of the regular pay scale and his service cannot be utilised in exploitative terms in a lesser pay inasmuch as he does the same nature and amount of job like that of the regular incumbents. This situation has resulted in gross violation of the principals of natural justice and is also violative of the Articles 14 and 16 of the Constitution of India.

5.7 For that there being apparent discrimination in



the entire episode, the respondents are required to be suitably directed to refrain from such discriminatory treatment with further direction to regularise the service of the applicant with retrospective effect.

5.8 For that the principles of legitimate expectation is amply applicable in the instant case inasmuch as during the long nine years of service, the applicant has also been expecting that his service ~~shall~~ would be regularised and now if he is required to go, he will be rendered jobless striking at the very root of his livelihood ~~which~~ which needless to say will seriously tell upon his family members.

5.9 For that the applicant having been duly sponsored by the Employment Exchange and he having been duly selected by the Selection Committee for being appointed, as Project Fellow, there is no earthly reasons as to why the respondents should continue him at the time to time extension and that too at a consolidated pay when the pay scale prescribed for the post is Rs.1400-2300/-.

5.10 For that in any view of the matter, the instant application deserves to be allowed with cost.

6. DETAILS OF REMEDIES EXHAUSTED :

The applicant has no other alternative or efficacious remedy than to approach this Hon'ble Tribunal.

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

The applicant further declares that he had not

previously filed any application, writ petition or suit regarding the matter in respect of which the application has been made before any Court of law, or any other authority and/or other bench of the Hon'ble Tribunal and/or any such application, writ petition or suit is pending before any of them.

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

31 JAN 1995

Guwahati Bench
गुवाहाटी न्यायापीठ

8. RELIEFS SOUGHT :

Under the aforesaid facts and circumstances, the applicant most respectfully prays that the instant application be admitted, records be called for and on perusal of the same, and upon hearing the parties on the cause or causes that may be shown be pleased to grant the following reliefs :

- 8.1 To direct the respondents to regularise the services of the applicant with retrospective effect as Junior Scientific Assistant/Junior Technical Assistant, Grade-III with all consequential benefits.
- 8.2 To direct the respondents to put the applicant in regular pay scale of Rs.1400-2300/- with retrospective effect.
- 8.3 To set aside and quash the Annexure-25 communication dated 26.10.94.
- 8.4 Cost of the application ; and
- 8.5 Any other relief or reliefs to which the applicant may be entitled under the facts and circumstances of the case.

9. INTERIM ORDER PRAYED FOR :

In view of the facts and circumstances stated above, the applicant prays for an interim direction to the respondents to provide employment to the applicant and/or to extend the services with effect from the ~~xxx~~ due date as has been done in case of other similarly situated incumbents and thereafter not to terminate the services of the applicant till disposal of the application. If the interim order as prayed for is not granted the applicant will suffer irreparable loss and injury and the same will lead to his starvation alongwith the members of his family and he will be victim of the circumstances. Towards this end Annexure-25 communication dated 26.10.94 may pleased be suspended/stayed.

10.

11. PARTICULARS OF THE I.P.O. :

(i) I.P.O. No. : 8 03 882544
(ii) Date : 27/1/95
(iii) Payable at : Guwahati.

12. LIST OF ENCLOSURES :

As stated in the Index.

Verification....

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

I, Shri Dulal Sahu, son of Shri L. Sahu, aged about 34 years, Project Assistant under RRL, Jorhat under Council of Scientific & Industrial Research, do hereby solemnly verify and state that the statements made in the application in paragraphs 1 to 4 and 6 to 12 are true to my knowledge and those made in paragraph 5 are true to my ~~informa~~ legal advice and I have not suppressed any material facts.

And I sign this verification on this the 17/15
day of *January*, 1995

Shri Dulal Sahu.

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(95)-Estt/79

Date : 24.9.84

From : The Director,
R.R.L. Jorhat.

To Shri Dulal Sahu,
Vill & P.O. Kachupathar Gaon,
Via Kamargaon, 795619
Dist. Jorhat (Assam).

Sub : Appointment as Project Assistant(Geo-Science)

Dear Sir,

I am directed to inform you that the Director, RRL, Jorhat has been pleased to approve your appointment as Project Assistant (Geo-Science) on a consolidated pay of Rs.500 /- p.m. (fixed) (Rupees five hundred only) for a period of 6 (six) months w.e.f. the date of joining. The appointment is terminable without notice and on clear understanding that this offer will not confer any right on you for any regular appointment in this laboratory after the aforesaid period. No other benefit/allowance is admissible on this account.

If you are willing to accept the appointment on the terms and conditions, you are requested to report for duty in this laboratory immediately.

N.B. The appointment is made subject to production of medical certificate from the District Medical Health Officer, Jorhat.

Yours faithfully,

Sd/-

SECTION OFFICER

Copy to :

1. Accounts Section : The expenditure is to be debited
2. Bill Section : from the Project
3. Personal file :
4. Employer if any. : Seismic Surveillance Thrust Area Project Fund.

Adv.

GEOSCIENCE DIVISION
(Regional Research Laboratory, Jorhat)

Office Memorandum

No. RLJ(GS-028)/

Date : 10.10.1985.

It is for information that for the better performance of the station, it is proposed that both Shri R.K. Buragohain, JSA and Shri P. Mahanta, Project Assistant are being transferred to R.R.L., Jorhat temporarily to be posted in some other station in due course. Shri Dulal Sahu will take over the charge from you immediately. You will have to report back to Jorhat after handing over the charge to Shri Sahu.

Sd/-


(Dr. M.M. Saikia)
Head, Geoscience Division.

Copy to :

1. Shri R.K. Buragohain, J.S.A.
and
2. Shri P. Mahanta, Project Asstt.

Incharge,
Seismic Surveillance Station,
Guwahati
Durgasarobar,
Guwahati-9.

3. Shri Dulal Sahu,
Project Assistant.

Approved.

12/10/85

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(95)-Estt/85

Date 1-11-85

OFFICE MEMORANDUM

The Director, Regional Research Laboratory, Jorhat has been pleased to approve the continuation of the appointment of the following Project Assistants for a further period of 6 (six) months w.e.f. the date shown against each of till the receipt of communication from CSIR regarding continuation of otherwise whichever is earlier.

- | | |
|--------------------------------|------------------|
| 1. Shri Bhabendra Nath Bharali | w.e.f. 28.9.85 |
| 2. Shri Dulal Sahu | w.e.f. -do- |
| 3. Shri Joyanta Bora | w.e.f. -do- |
| 4. Shri Prasanta Mahanta | w.e.f. -do- |
| 5. Shri Paresh Kalita | w.e.f. 14.10.85 |
| 6. Shri Pabitra Pran Sarma | w.e.f. 14.10.85 |
| 7. Shri Bharat Buragohain | w.e.f. 21.12.85 |
| 8. Shri Diganta Bora | w.e.f. 21.12.85. |

Other terms and conditions of their appointment will remain the same.

To

Shri Dulal Sahu

Sd/-

(H.P.Pathak)

Administrative Officer

Copy to :

1. Head of Division
2. Accts.
3. Bills
4. P/File

Sd/-

Administrative Officer.

Accepted.
J.P.
Associate.

...

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/87

Date 21.1.87

OFFICE MEMORANDUM

In continuation of O.M. of even number dt. 21.11.86, the Director, Regional Research Laboratory, Jorhat has been pleased to approve the continuation of the following Project Assistants engaged in Seismic Surveillance & Projects w.e.f. 19.1.87 till receipt of the formal approval from S.S.I.R.

1. Shri Dulal Sahu
2. Shri Prasanta Mahanta
3. Shri Bharat Buragohain
4. Shri Pabitra Pran Sarmah
5. ~~Shri Pabitra Pran Sarmah~~
5. Shri P. Kalita
6. Shri Diganta Bora.

To

Shri Dulal Sahu,

Sd/-

Administrative Officer

Copy to :

1. F & AO
2. Bills
3. P/file
4. Head Geo-Science.

Attd.
[Signature]
Advocate.

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/87

Date 30.4.87

From : The Director,
R.R.E. Jorhat.

To
Shri Dulkal Sahu,
C/O Geo Science Division,
RRL Jorhat.

Sub : Appointment as Project Assistant(Geo-Science)

D/Sir,

I am directed to inform you that the Director, Regional Research Laboratory, Jorhat has been pleased to approve your appointment as Project Assistant on a consolidated pay of Rs.800/- (fixed) (Rupees eight hundred only) for a period of 3 months w.e.f. 1.4.87 or till receipt of a communication from CSIR whichever is earlier. The appointment is terminable without notice and on clear understanding that this offer will not confer any right on you for any regular CSIR appointment in this laboratory after the aforesaid period. No other benefit, allowance is admissible on this account. Please note, this appointment is not a CSIR appointment and does not entitle you to any claim, implicit or explicit on any CSIR post.

If you are interested to accept the appointment on these terms and conditions you may report for duty in this laboratory immediately and submit your joining report immediately.

Yours faithfully,

Sd/-

SECTION OFFICER

Copy to :

- | | | |
|---------------------|---|--|
| 1. Accounts | : | The expenditure is to be debited from the |
| 2. Bills | : | Regular Budget. The incumbent may be |
| 3. P/File | : | allowed to join only, if he is agreed to |
| 4. Employer, if any | : | join on the aforesaid terms and condition |
| 5. Head of Division | : | otherwise not. The appointment is made for |
| | : | for 3 months w.e.f. 1.4.87 or till we |
| | : | hear from CSIR whichever is earlier. |

SECTION OFFICER.

200-30.
Sd/-
Associate.

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)
n

No. RLJ-9(2)-Estt/87

Date : 4.2.87

OFFICE MEMORANDUM

The Director, Regional Research Laboratory, Jorhat has been pleased to approve the continuation of appointment of Shri Dulal Sahu and Sri Prasanta Mahanta, Project Assistants Geo-Science Division for the period from 29.9.87 to 18.10.87 on the existing terms and conditions.

sa/-

SECTION OFFICER

To

1. Sri Dulal Sahu, Project Asstt.
2. Sri Prasanta Mahanta, Project Asstt.

Copy to :

1. Accounts
2. Bills
3. P/file-2
4. Dr. M.M. Saikia, Asstt. Director,
RRL Jorhat.

SECTION OFFICER

Initiated:
Se.

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/87

Date : 4.8.87

OFFICE MEMORANDUM

The Director, Regional Research Laboratory, Jorhat has been pleased to approve the continuation of the appointment of the following Project Assistants (Geo-Science) for a further period of 3 months w.e.f. 1.7.87 on the existing terms and conditions.

1. Sri Dulal Sahu
2. Shri Prasanta Mahanta
2. Shri Bharat Buragohain
4. Shri Pabitra Pran Sarma
5. Shri P. Kalita
6. Shri Diganta Borah.

Sd/-

SECTION OFFICER

To

Shri Dulal Sahu
R.R.L. Jorhat

Copy to :

- | | | |
|---------------------|---|----------------------------------|
| 1. Bills | : | The expenditure will be met from |
| 2. Accounts | : | the regular Budget. |
| 3. P/File | : | |
| 4. Head of Division | : | |

SECTION OFFICER

22.8.87
Sd/-

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ.9(2)-Estt/87

Dated 21.10.87

From : The Director,
RRL, Jorhat.

To

1. Shri Dulal Sahu,
2. Shri Prasanta Mahanta
3. Shri Bharat Burghain
4. Shri Pabitra Pran Sarma,
5. Shri P. Kalita
6. Shri Diganta Bora.

Sub : Appointment as Project Assistant.

D/Sir,

I am directed to inform you that the Director, Regional Research Laboratory has been pleased to approve your appointment as Project Assistant on a consolidated pay of Rs.1000/- (Rupees one thousand) only (fixed) for a period of 6 (six) months w.e.f. 1.10.87. The appointment is terminable without notice and on clear understanding that this offer will not confer any right on you for any regular CSIR appointment in this laboratory after the said period. No other benefit/allowance is admissible on this account. Please note this appointment is not a CSIR appointment and does not entitle you any claim, implicit or explicit on any CSIR post.

If you are interested to accept the appointment on these terms and conditions, you may report for duty in this laboratory immediately and submit your joining report accordingly.

Yours faithfully,

Sd/-

SECTION OFFICER

Copy to :

1. Accounts
2. Bills
3. P/File
4. Head of Dvin.

The expenditure is debitable to the amount earmarked for Seismic Surveillance Station during the current financial year.

[Handwritten signature]
Advocate.

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-7(12)-Esttp76

Dated 30.3.88

OFFICE MEMORANDUM

Sub : Transfer and posting in RRL, Sub-Station.

The Director, RRL, Jorhat has been pleased to transfer Shri Dulal Sahu, Project Assistant from RRL, Jorhat to Seismic Surveillance Station, Hamren, w.e.f. 15.3.88.

Further Director been pleased to sanction necessary TA/DA to Shri Dulal Sahu, Project Assistant at ordinary rate. The expenditure is debitable to Budget Head Seismic Surveillance Trust Area Project Fund.

Sd/-

(Sushil Kumar)
Section Officer.

To
Shri Dulal Sahu,
Project Asstt.

RECEIVED
30.3.88
DIRECTOR
RRL, JORHAT

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/88

Date : 2-5-88

From : The Director,
RRL, Jorhat.

To

1. Shri Dulal Sahu,
2. Shri Paresh Kalita,
3. Shri Pabitra Pran Sarma,
4. Shri Bharat Buragabain

Sub : Appointment as Project Assistant.

D/Sir,

I am directed to inform you that the Director, Regional Research Laboratory, Jorhat has been pleased to approve your appointment as Project Assistant on a consolidate pay of Rs.1000/- p.m. (fixed) (Rupees one thousand only) for a period of 6 (six) months w.e.f. 1.4.88. The appointment is terminable without notice and on clear understanding that this office will not confer any right on you for any regular CSIR appointment in this laboratory after the said period. No other benefit/allowance is admissible on this account. Please note, this appointment is not a CSIR appointment and does not entitle you any claim, implicit or explicit on any CSIR post.

If you are interested to accept the appointment on these terms and conditions, you may report for duty in this Laboratory immediately and submit your joining report accordingly.

Yours faithfully,

Sd/-

SECTION OFFICER

Copy to :

- | | |
|----------------------|-----------------------------------|
| 1. Accounts. | The expenditure is debitable from |
| 2. Bills | the NGRI, Hyderabad, Projects. |
| 3. P/File | |
| 4. Head of Division. | |

SECTION OFFICER

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH)

No. RLJ-9(2)-Estt/89

Date 6.11.89

OFFICE MEMORANDUM

The Director, Regional Research Laboratory, Jorhat has been pleased to enhance the consolidated pay of the following Project Assistants to Rs.1500/-P.M. (fixed) w.e.f. 1.8.89.

1. Shri Dulal Sahu,
2. Shri Poresk Kalita,
3. Shri Pabitra Pran Sarma
4. Shri Bharat Buragohain
5. Shri Anil kr. Baruah.
6. Shri Pradip Kr. Dutta.

The Project Assistant stationed at Bomdila will draw the additional amount of Rs. 300/- as sanctioned earlier.

Sd/-

SECTION OFFICER

To

Sri Dulal Sahu,
RRL-J.

Copy to :

1. Accounts Section The expenditure is debitable to P-2 for
2. Bills 1989-90.
3. P/File
4. Head of Division.

Sd/-

SECTION OFFICER

REGIONAL RESEARCH LABORATORY: ASSAM, JORHAT
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/89-90

Dated 5th May 1989

OFFICE MEMORANDUM

The Director, R.R.L. Jorhat has been pleased to approve the appointment of the following Project Assistants of the Geo-Science Division for a further period of 6 months w.e.f. the dates shown against each and on the existing terms and conditions :

Names of Project Assistants :

1. Shri Dulal Sahu, w.e.f. 7.4.89
2. Shri Paresh Ch. Kalita, -do-
3. Shri Prabitra Pran Sarma -do-
4. Shri Brahat Buragohain -do-
5. Shri Prodip Kr. Dutta 3.5.89
6. Shri Anil Kr. Baruah 3.5.89

Sd/-

Section Officer.

To

1. Sri Dulal Sahu
2. Sri Paresh Ch. Kalita,
3. Sri Prabitra Pran Sarma
4. Sri Bharat Buragohain
5. Sri Prodip Kr. Dutta
6. Sri Anil Kr. Baruah.

Copy to :

1. Accounts Section
2. Bills Section
3. P/File - 6
4. Head of Division
5. S.O.(E)
6. S.I.(G)

The Expend. will be met from
regular fund.

Sd/ -

Section Officer.

Encl. 1

Sd/-

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/89

Dated : 7.11.89

From : The Director,
RRL Jorhat.

To

1. Shri Dulal Sahu .
2. Shri Bharat Buragohain
3. Shri Pabitra Pran Sarma,
4. Shri P. Kalita,
5. Shri P. Dutta
6. Shri Anil Kr. Baruah.

Sub- Appointment as Project Assistant.

D/Sir,

I am directed to inform you that the Director, Regional Research Laboratory, Jorhat has been pleased to approve your appointment as Project Assistant on a consolidated pay of Rs.1500/- P.M. (Rupees one thousand five hundred) only (fixed) for a period of 6 (six) months w.e.f.12.10.89. The appointment is terminable without notice and on clear understanding that this offer will not confer any right on you for any regular CSIR appointment in this laboratory after the said period. No other benefit/allowances is admissible on this account. Please, note, this appointment is not a CSIR appointment and does not entitle you any claim, implicit or explicit or any CSIR post.

If you are interested to accept the appointment on these terms and conditions you may report for duty in this laboratory immediately and submit your joining report accordingly.

Yours faithfully,

Sd/-

SECTION OFFICER

Copy to :

1. Accounts Section : The expenditure is debitable to P-2
2. Bills. : for 1989-90.
3. P/File : N.B. O.M. No. RLJ-9(2)-Estt/88 dt.
4. Head of Division : 13.5.88 in respect of Bomdila Station should be taken into account.

SECTION OFFICER

REGIONAL RESEARCH LABORATORY: ASSAM: JORHAT
(Council of Scientific & Industrial Research)

No. RRLJ-9(2)-Estt/89

Date : 07.05.1990

From : The Director,
RRL Jorhat.

To

1. Shri Dulal Sahu
2. Shri Bharat Buragohain
3. Shri Pabitra Pran Sarma,
4. Shri P. Kalita
5. Shri P. Dutta
6. Shri Anil Kr. Baruah.

Sub : Appointment as Project Assistant.

D/Sir,

I am directed to inform you that the Director, Regional Research Laboratory, Jorhat has been pleased to approve your appointment as Project Assistant on a consolidated pay of Rs.1500/- P.M. (Rupees one thousand five hundred only) (fixed) for a period of 6 (six) months w.e.f.15.4.90. The appointment is terminable without notice and on clear understanding that this offer will not confer any right on your for any regular CSIR appointment in this laboratory after the said period. No other benefit/allowance is admissible on this account. Please note, this appointment is not a CSIR appointment and does not entitle you any claim, implicit or explicit or any CSIR post.

If you are interested to accept the appointment on these terms and conditions, you may report for duty in this laboratory immediately and submit your joining report accordingly.

Yours faithfully,

Sd/-

SECTION OFFICER

Copy to :

- | | |
|----------------------|--|
| 1. Accounts Section | The expenditure is debitable to P-2 for 1990-91. |
| 2. Bill Section | |
| 3. R/File | No.B. O.M. No. RLJ-9(2)-Estt/88 dt. 13.5.88 in respect of Bomidila Station should be taken into account. |
| 4. Head of Division. | |

SECTION OFFICER

Noted.
Advocate.

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/90

Date : 31.10.90

From : The Director,
RRL Jorhat.

To

1. Shri Dulal Sahu,
2. Shri Bharat Buragohain
3. Shri Pabitra Pran Sarma,
4. Shri P. Kalita
5. Shri P. Dutta
6. Shri Anil Kr. ~~Dutta~~ Baruah.

Sub : Appointment as Project Assistant.

D/Sir,

I am directed to inform you that the Director, Regional Research Laboratory, Jorhat has been pleased to approve your appointment as Project Fellow-III on a consolidated pay of Rs.1500/- P.M. (Rupees one thousand five hundred only for a period of 6 (six) months w.e.f.15.10.90. The appointment is terminable without notice and on clear understanding that this offer will not confer any right on your for any regular CSIR appointment in this laboratory after the said period. No other benefit/allowance is admissible on this account. Please note, this appointment is not a CSIR appointment and does not entitle you any claim, implicit or explicit or any CSIR post.

If you are interested to accept the appointment on these terms and conditions, you may report for duty in this laboratory immediately and submit your joining report accordingly.

Yours faithfully,

Sd/-

SECTION OFFICER

Copy to

1. Accounts Section The expenditure is debitable to P-2
2. Bills Section for 1990-91.
3. P~~W~~/File N.B. O.M. No. RLJ-9(2)-Estt/88 dt.
4. Head of Divn. 13.5.88 in respect of Bomdila Station should be taken into account.

SECTION OFFICER

2.30.
Advocate.

REGIONAL RESEARCH LABORATORY, JORHAT, ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/89

Date 25.4.91.

To

1. Shri Dulal Sahu,
2. Shri Bharat Buragohain
3. Shri Pabitra Pran Sarmah
4. Shri P. Kalita,
5. Shri P. Dutta.
6. Shri Anil Kr. Baruah.

Sub : Appointment as Project Assistant.

D/Sir,

I am directed to inform you that the Scientist/
i/c, Regional Research Laboratory, Jorhat has been pleased
to approve your appointment as Project Fellow-III on a
consolidated pay of Rs.1500/-P.M.(Rupees one thousand five
hundred only) for a period of 6 (six) months w.e.f. ~~16.4.91~~
16.4.91. The appointment is terminable without notice and
on clear understanding that this offer will not ~~be~~ confer
any right on you for any regular CSIR appointment in this
laboratory after the said period. No other benefit/allowance
is admissible on this account. Please note, this appointment
is not a CSIR appointment and does not entitle you any claim
implicit or explicit or any CSIR Post.

If you are interested to accept the appointment on
these terms and conditions, you may report for duty in the
laboratory immediately and submit your joining report
accordingly.

Yours faithfully,

Sd/-

SECTION OFFICER

Copy to :

- | | |
|---------------------|--|
| 1. Accounts Section | The expenditure is debitable to P-2 |
| 2. Bill Section | for 1990-91. |
| 3. Personnel file | N.B. O.M. No. RLJ-9(2)-Estt/88 dt. |
| 4. Head of Division | 13.5.88 in respect of Bomdila Station
should be taken into account. |

SECTION OFFICER

Attested.
Advocate.

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/91

Date 31.10.91.

From : The Director,
RRL Jorhat.

To

1. Shri Dulal Sahu,
2. Shri Bharat Buragohain
3. Shri Pabitra Pran Sarmah
4. Shri P. Kalita
5. Shri P. Dutta
6. Shri Anil Kr. Baruah.

Sub: Appointment as Project Assistant.

D/Sir,

I am directed to inform you that the Acting Director, RRL Jorhat has been pleased to approve your appointment as Project Fellow-III on a consolidated pay of Rs.1500/-P.M. (Rupees one thousand five hundred only) for the period from 17.10.91 to 31.03.92. The appointment is terminable without notice and on clear understanding that the offer will not confer any right on you for any regular CSIR appointment in this laboratory after the said period. No other benefit/allowance is admissible on this account. Please note, this appointment is not a CSIR appointment and does not entitle you any claim, implicit or explicit or any CSIR post.

If you are interested to accept the appointment on these terms and conditions, you may report for duty in this laboratory immediately and submit your joining report accordingly.

Yours faithfully,

Sd/-

SECTION OFFICER (E)

Copy to :

1. Accounts Section The expenditure is debitable to P-2 for 1990-91.
2. Bills Section
3. Personnel file N.B. O.M. NO. RLJ-9(2)-Estt/88 dt. 13.5.88 in respect of Bomdila Station
4. Head of Division should be taken into account.

SECTION OFFICER (E)

Noted.
Advocate.

REGIONAL RESEARCH LABORATORY, JORHAT, ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/92

Dated 30th April 1992.

From : The Director,
Regional Research Laboratory,
Jorhat-6.

To

1. Shri Dulal Sahu,
2. Shri Bharat Buragohain
3. Shri Pabitra Pran Sarmah
4. Shri P. Kalita,
5. Shri P. Dutta.

Sub- Appointment as Project Fellow-III

D/Sir,

I am directed to inform you that the Acting Director, RRL Jorhat has been pleased to approve your appointment as Project Fellow-III on a consolidated pay of Rs.1800/- (Rupees eighteen hundred only) for the period ~~from~~ one year w.e.f. 1.4.92. The appointment is terminable without notice and on clear understanding that the offer will not confer any claim on you for any regular ~~post~~ CSIR appointment in this laboratory after the said period. No other benefit/allowance is admissible on this account. Please note, this appointment is not a CSIR appointment and does not entitle you any claim, implicit or explicit or any CSIR post.

If you are interested to accept the appointment in this laboratory on these terms and conditions, you may report for duty in this laboratory immediately and submit your joining report accordingly.

Yours faithfully,

Sd/-

(N.C. Sarmah)

Administrative Officer.

Copy to :

- | | |
|----------------------|--|
| 1. Accounts Section | The expenditure is debitable to P-2 for 1992-93. |
| 2. Bills Section | |
| 3. Personale File | N.B. OM.No. RLJ-9(2)-Estt/88 dt. 13.5.88 in respect of Bomdila Station should be taken into account. |
| 4. Head of Division. | |

Administrative Officer.

Attested.

Advocate.

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-15(7)/Estt/72

Date : 18.6.92

OFFICE MEMORANDUM

The Acting Director, Regional Research Laboratory
Jorhat has been pleased to approve the following transfer
order with immediately effect :

<u>Name and designation</u>	<u>Present place of posting</u>	<u>Transferred to</u>
1. Shri R.K. Buragohain Tech III(2)	Seismic Station Guwahati	RRL HQR. Jorhat.
2. Shri Dulal Sahoo Project Fellow	Seismic Station Hamren	Seismic Station Guwahati.

Sd/-

Section Officer.

To

1. Shri R.K. Buragohain,
Tech III(2)
2. Shri Dulal Sahoo,
Project Fellow.

Copy to :

1. Head
2. Geoscience Division
3. Account Section
4. Bill Section.

SECTION OFFICER

Attested.

Advocate.

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/93

Date : 4.5.1993.

OFFICE MEMORANDUM

The Director, RRL, Jorhat has been pleased to approve the extension of the tenure of appointment of the following Project Fellow III for a period of 1 (one) year w.e.f..1.4.93 and on the existing terms and conditions :

The expenditure to be met from P-2 for 1993-94.

Sd/-

SECTION OFFICER

Project Fellow III

1. Shri Dulal Sahoo
2. Shri Bharat Buragohain
3. Shri Pabitra Pran Sarmah
4. Shri P. Kalita
5. Shri P. Dutta.

Copy to :

1. Accounts Section.
2. Bills Section
3. Personal File
4. Head of Division.

...

Attested.

Advocate.

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/94

Date : 10.5.94.

From : The Director,
Regional Research Laboratory,
Jorhat-785006 (Assam)

To Shri Dalal Sahu,
C/O Geoscience Division,
RRL Jorhat.

Sub : Offer of engagement in Sponsored Project/Scheme.

Sir,

With reference to your request dated - you are hereby intimated that the Director, Regional Research Laboratory, Jorhat on behalf of the sponsor of the Project/Scheme namely - has been pleased to offer you on contract basis to work as Project Fellow-III on a consolidated amount of Rs.1800/- P.M. (Rupees one thousand eight hundred) only on the following terms and conditions :

1. Your engagement is for the Project, namely - funded by -
2. It is not an offer of appointment in CSIR temporary or otherwise. It is a contractual engagement for the Project/Scheme funded by the above sponsor. It would, therefore, not confer any right/claim implicit or explicit for your consideration against any CSIR post.
3. Your engagement on contract is for a specific period of 6 (six) months w.e.f. 8.4.94 which may be extended or curtailed depending upon the status of the sponsored Project/Scheme. In any event, your engagement shall be co-terminus with the duration of the above mentioned sponsored project/scheme only.
4. The contract of engagement may be terminated by giving one month's notice in writing by either side.
5. No travelling allowance will be paid to you for reporting for duty.
6. Your engagement on contract will be subject to the production of the following documents at your expenses at the time of your reporting for duty.

Attested.

Advocate.

Contd....

- (a) Medical certificate of health and physical fitness for service issued by the competent ~~authority~~ medical authority in the prescribed format, if not already so medically examined the later case, certified copy of the relevant medical certificate should be furnished.
- (b) Documentary evidence in support of your date of birth and qualifications.

7. Any service matter not specifically stated herein shall be determined by the Director, RRL, Jorhat whose decision shall be final and binding on both the parties to the contract.

If you are willing to accept the engagement on these terms and conditions, you may please communicate your acceptance within a week from the date of receipt of this letter while intimating probable date of your reporting for duty.

Yours faithfully,

Administrative Officer

Copy to :

1. Accounts Section : The expenditure is debitation to P-2
2. Bills Section :
3. Personal file :
4. Head of Division :

Sd/-

Administrative Officer

Advocate.

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/94

Date : 17.08.94

From : The Director,
Regional Research Laboratory,
Jorhat-785006 (Assam)

To Shri Prabin Kumar Phukan,
C/O Accounts Section,
Regional Research Laboratory,
Jorhat.

Sub : Offer for engagement in a sponsored Project/Scheme

Sir,

With reference to your request dated - you are hereby intimated that the Director, Regional Research Laboratory, Jorhat on behalf of the sponsor of the Project/Scheme, namely 1% reserve for Accounts has been pleased to offer you on contract basis to work as Project Fellow-III on a consolidated amount of Rs.1800/- P.M. (Rupees one thousand ~~only~~ eight hundred only) on the following terms and conditions :

1. Your engagement is for the project, namely 1% Reserve Fund kept from all S/C Projects funded.

2. It is not an offer of appointment in CSIR temporary or otherwise. It is contractual engagement for the Project/Scheme funded by the above sponsor. It would, therefore not confer any right/claim implicit or explicit for your consideration against any CSIR post.

3. Your engagement on contract is for a specific period of 1(one) year w.e.f. 26.03.94 ~~with~~ which may be extended or curtailed depending upon the status of the sponsored project/scheme. In any event, your engagement shall be co-terminus with the duration of the above mentioned sponsored project/scheme only.

4. The contract of engagement may be terminated by giving one month's notice in writing by either side.

5. No travelling allowance will be paid to you for reporting for duty.

Contd...P/41.

Attested.

Advocate.

6. Your engagement on contract will be subject to the production of the following documents at your expenses at the time of your reporting for duty.

- a) Medical certificate of health and physical fitness for service issued by the competent medical authority in the prescribed format, if not already so medically examined the latter case, a certified copy of the relevant medical certificate should be furnished.
- b) Documentary evidence in support of your date of birth and qualifications.

7. Any service matter not specifically stated herein shall be determined by the Director, RRL, Jorhat whose decision shall be final and binding on both the parties to the contract.

If you are willing to accept the engagement ~~sha~~ on these terms and conditions, you may please communicate your acceptance within 1 week from the date of receipt of this letter while intimating probable date of your reporting for duty.

Yours faithfully,

Sd/-

Administrative Officer

Copy to :

1. Accounts Section
2. Bills Section
3. Personal File
4. Head of Division.

Sd/-

17.3.94

Administrative Officer.

Attested.
Advocate.

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

PROPOSAL OF TOUR (Separate proposal for each will be submitted in quadruplicate) DATE OF PROPOSAL : 2.11.94

1. Name & Designation of the Person going on tour Shri P.K.Phukan Rs.1800/-

2. Basic Pay

3. Particulars of Tour proposal

DATE	TIME OF DEPARTURE	PLACE	DATE	TIME OF ARRIVAL	PLACE	MODE OF JOURNEY
7.11.94	2100 HRS	JORHAT	8.11.94	600 HRS	GHY BUS STN	
8.11.94	1400 HRS	GHY AP	8.11.94	1920 HRS	ND AP IC 880	
8.11.94	1920 HRS	ND AP	8.11.94	2030 HRS	CSIR GH	

HALT AT ND FROM 8.11.94 TO 10.11.94

11.11.94	1700 HRS	CSIR GH	11.11.94	1800 HRS	ND RLY STN	
11.11.94	1800 HRS	ND RLY STN	13.11.94	1605 HRS	GHY RLY STN IC 879	
13.11.94	1605 HRS	GHY RLY STN	14.11.94	0530 HRS	JORHAT	

PURPOSE OF JOURNEY : OFFICIAL WORK ON IMPACT PROGRAMME

5. NATURE OF THE TOUR :

- This is a fresh proposal
- This is a revised proposal
(Original Saction No. Grant of ~~TA~~ TA/DA. No. & Date to be given).
- TA/DA will be paid by this Laboratory.
- TA/DA will be borne by the out-side party.

sd/-

Sign of Project leader/
Head of Division with date.

sd/-

APPROVED & SANCTIONED TA/DA ADVANCE

2.11.94

SD/-
DIRECTOR.

Attested.
Advocate.

No. RLJ-13(619)-Estt/86

October 21, 1984

To

The Joint Secretary (Administrative),
Council of Scientific & Industrial Research
Anusandhan Bhavan, Rafi Marg,
New Delhi 110 001.

Sir,

I am directed to forward herewith the representation received from Mr. Santanu Dutta, and Mr. Dulal Sahu, Project Assistants of this laboratory, which are self explanatory.

Mr. Santanu Dutta, having B.Sc. qualification in the entry level, joined this laboratory as Project Assistant in January 1986 and his services is being continued in different R&D Projects after giving 7 days break as a matter of policy - this laboratory is adopting renewal of services of Project Assistants - if they are shifted to other projects in particular. Since then Mr. Dutta is continuing in this project work in the laboratory.

Mr. Dulal Sahu, having B.Sc. qualification in the entry level, was appointed in this laboratory as Project Assistant on 5.10.84 and he has been entrusted the work of managing the different Seismic Surveillance Stations. Since then Mr. Sahu is continuing as Project Assistant in different Sub-Stations under Geo-Science Division.

It can be mentioned here that due to ban imposed by Govt. of India on recruitment, none of the Project Assistant could be considered for regular absorption.

You are therefore, requested kindly to consider their case and approval of the competent authority may kindly be communicated for their absorption.

Thanking you,

Yours faithfully,

Sd/-

(P.P.Bhattacharjee)
Adm. Controlier of Adm.

Encl. As above.

CC: PS to Director

Copy to :

Shri Santanu Dutta, : for information.
Project Assistant :
RRL Jorhat. :

Sd/-

Attested.
Advocate.

TELEGRAM

STATE

EXPRESS

SHRI DULAL SAHU
RRL SEISMIC STATION
DURGA SAROBAR
GUWAHATI 9

REFERENCE OM NO. RLJ/GEOSC/94 DATED NINTH SEPTEMBER
NINETYFOUR STOP YOU ARE DIRECTED TO HAND OVER CHARGE
OF THE GUWAHATI SUB STATION TO SRI RK BURAGOHAIN IMMEDIATELY
IF NOT ALREADY DONE STOP YOUR REPRESENTATION REGARDING
REGULARIZATION ADDRESSED TO DG HAS BEEN FORWARDED STOP
UNTIL A COMMUNICATION IS RECEIVED FROM CSIR YOUR EXTENSION
FOR FURTHER PERIOD IS NOT CONSIDERED AT THIS STAGE

ADMINISTRATIVE OFFICER
RESEARCH JORHAT

N.T.T.

. Dated 25.10.94

Sd/-

(S.N. Bhagawati)
Administrative Officer
Regional Research Officer
Jorhat-6, Assam.

REGIONAL RESEARCH LABORATORY: JORHAT Regd. with A/D
No. RLJ/Geosc/94 Dated 23.10.94

Copy by post in confirmation to :

Sri Dulal Sahu,
RRL Seismic Station
Durga Sarobar,
Guwahati-9.

Copy to :

1. Head, Geo-Science Division,
RRL Jorhat.
2. P.S. to Director, RRL Jorhat.

Sd/-

Administrative Officer.

Attested.

Advocate.

To
The Director, Regional Research Laboratory, Jorhat-6,

Sd Dated Jorhat the 10th Dec.
1990

Through the Head, Geo Science Division,

Respected Sir,

With due respect I would like to place the following information for your kind consideration and necessary action.

1. I have been working as Project Asstt. in Geo-Science Division, RRL, Jorhat since the year 1984. I was selected for the post through recommendation of a duly constituted selection committee.

2. I passed B.Sc. (with physics, Chemistry & Mathematics as combination) from Science College, Jorhat under the Dibrugarh University in the year 1984. My bio-data and academic qualification as enclosed herewith.

3. I understand that according to Merit and Normal Assessment (MANAS), I am eligible for absorption in regular post of this laboratory.

4. The type of my job requires to stay in the sub-stations situated in remote places of N.E.R. where the essential commodities are very costly. Besides I do not get any medical facilities I need to work 365 days in a year and I am deprived of all other essential amenities enjoyed by the regular employees.

Therefore, I request you kindly to consider me for absorption in this laboratory in group III position.

With best regards,

Yours faithfully,

Sd/-

(Shri Dilal Saha)
Geo Science Division,
Regional Research Laboratory,
Jorhat-6.

Attested.
[Signature]
Advocate.

BIO DATA

1. Name in full : Shri Dulal Sahu
2. Father's name : Shri Lashman Sahu
3. Permanent address : Vill & P.O. Kachupather Gaon,
Via Kamargaon
P.S. Kamargaon
Pin-785619
Dist. Golaghat (Assam)
4. Educational Qualification : B Sc. with Physics, Chemistry,
& Mathematics and Language
as Combination.
5. Date of Birth : 14th Feb. 1960.
6. Experience : Since 1984 to till the date.
7. Present address : Seismic Surveillance Station,
Hamren - 782486
West Karbi Anglong Dist.

The above statement are true to my belief and knowledge. I will abide by all rule and regulation.

Sd/-

(Shri Dulal Sahu)

Attested.
Advocate.

To

The Director General
Council of Scientific and Industrial
Research,
New Delhi-110001.

January 22, 1991

Sub : Prayer for regularisation of job.

Honourable Sir,

Most humbly and respectfully I would like to place the following information for your kind consideration and necessary action.

1. I have been working as Project Assistant in Geo-Science Division, Regional Research Laboratory, Jorhat since 1984. I was selected for the post through recommendation of a duly constituted Selection Committee.

2. I passed B.Sc. (with Physics, Mathematics and Chemistry as Combination) from Science College, Jorhat under the Dibrugarh University in 1984. (My id-data and academic qualifications are enclosed herewith).

3. The type of my job requires to stay in the sub-stations situated in remote places of N.E.R. where the essential commodities are very cost. News papers do not reach in time. I do not get any medical facilities. Besides, I need to work 365 days a year and I am deprived of all other essential amenities enjoyed by the regular/permanent employees.

4. I understand that according to Merit and Normal Assessment Scheme (MANAS), I am eligible for absorption in regular post of this laboratory.

5. Therefore, my appointment in regular post (in Group III as per MANAS, Art. 5.3 of page 57) should be made effective from the date of my appointment as Project Asstt. (where I was given consolidated pay of Rs.500/- p.m.)

6. The date of appointment of Project Asstt. should be the basis for fixing my seniority in the permanent cadre.

7. The date of my appointment as Project Asstt. should also be the basis for considering my eligibility for promotion under the CSIR assessment promotion scheme.

Attested.

Advocate.

Contd...

Therefore, I request you kindly to consider me for absorption in this laboratory in Group III position. For this act of your kindness, I shall remain ever grateful to you.

With best regards,

Yours faithfully,

Sd/-

(Sri Dulal Sahu)

Project Assistant
Geo Science Division
Regional Research Laboratory
Jorhat-785006 (Assam)

Bio- Data

1. Name in full - Shri Dulal Sahu
2. Father's name - Shri Lashman Sahu
3. Permanent Address - Vill & P.O. Kachupather Gaon,
Via - Kamargaon, Pin - 785619
Dist, Golaghat (Assam)
4. Present address : Seismic Surveillance Station,
Hamren, PIN 782486 (Assam)
5. Educational qualification - B.Sc. (Physics, Mathematics
and Chemistry).
6. Date of Birth : 14.02.1960.
7. Experience - Working as Project Asstt. since 1984 till date-

The above statements are true to my belief and knowledge, I shall abide by all rules and regulations of CSIR.

Sd/-

(Dulal Sahu)

Copy to :

1. Dr. A.P. Mitra, The Director General, CSIR, Rafi Marg, New Delhi-110001 by post on 5.2.91.
2. The Director General, CSIR, Rafi Marg, New Delhi-110001. Through the Director, RRL Jorhat-785006 on 22.1.91.
3. Shri Omesh Saigal, The Joint Secretary (Admn.), CSIR, Rafi Marg, New Delhi-110001 by post on 5.2.91.

iv. Personal copy by hand writing.

Advocate.

Date 5.9.94.

To

The Director,
Regional Research Laboratory,
Jorhat-785006 (Assam)

Through the Head of Geo-Science Division,

Sub : Prayer for regularisation of service.

Hon'ble Sir,

Most humbly and respectfully I would like to cite the following few lines for your kind consideration and favourable necessary action. That's sir,

(i) I was called to appear in the interview vide letter No. RLJ-9(2)-Estt/84 dt. 4/9/84 which was held in the RRL, Jorhat on 14.9.84 at 10.00 A.M. for the post of Project Assistant in the Geo-Science Division.

(ii) I was selected for the post through recommendation of a duly constituted selection committee and appointed as a Project Assistant in the Geo-Science Division, on a consolidated pay of Rs.500/- p.m (fixed) vide letter No. RLJ-9(95)-Estt/79 dt. 24.9.84.

(iii) I joined in your laboratory on 5.10.84 and since then I was working in different places of North East Region of India till the date.

(iv) The type of my job requires to stay in the sub-station situated at remote places of N.E.R. where the essential commodities are very costly.

(v) I need to work 365 days a year including each and every holidays, Saturdays, Sundays etc. without getting any extra benefits and facilities. Tox work 365 days a year was mentioned neither in the advertisement nor in appointment letter issued from the R.R.L., Jorhat.

(vi) Even I do not get any other essential amenities like medical facilities, city allowance, special duty allowance, Hill allowance, weather allowance, Altitude allowance, Disturbed border area allowance etc. etc. as applicable to Central Govt. employees which are enjoying regular/permanent employees of your laboratory.

(vii) I understand that according to "MERIT AND NORMAL ASSESSMENT SCHEME (MANAS)" with all my experience and qualifications, I am eligible to get appointment in regular/permanent post in the C.S.I.R. laboratories (i.e. in the R.R.L. Jorhat). Therefore, I request you kindly to appoint me in a regular post in group-III as per MANAS, Art-5.3 of page No. 57.

(viii) I was given verbal assurance by the former Hon'ble Director, Dr. N.N. Borua, that he will appoint me in this laboratory without depriving me from my right and also some hope was given about my appointment in the laboratory vide office Memorandum No.-

- (a) RLJ-9(95)-Estt/85 dt. 1.11.85
(b) RLJ-9(2)-Estt/87 dt. 21.1.87
(c) RLJ-9(2)-Estt/90 dt. 11.12.90.

Accepted.

Associate.

Contd...

(ix) I already crossed the upper age limit for any kind of Govt. appointment, and also my name was deleted from the list of employment exchange whenever my appointment was made in your laboratory. Due to burning problem of unemployment, it is becoming very difficult to get a job in other organisation also.

(x) I would like to request you very humble to consider me for absorption in your laboratory in group-III position with great sympathy and great earnestness, keeping in view to effect from the date of my earlier appointment as the basis for fixing my seniority in the regular/permanent cadre considering my eligibility and experience for promotion under C.S.I.R. assessment promotion scheme, such that my ten (10) years deviations for the national interest will be accounted for the purposes.

That sir, if I am not appointed in any regular/permanent post earliest then there will be no hope of my life as well as my families future which will be in a measurable condition. So, I request you again to appoint me in your laboratory in group-III position with great sympathy and earnestness, and also request you kindly to intimate the latest position of my appointment as soon as possible, such that myself and my families future can be saved from future danger and continuous mental torture.

For the act of kindness, I shall remain ever grateful to you.

With profound ~~xxx~~ regards,

Yours faithfully,

Sd/-
(Shri Dulal Sahu)
Project Assistant
Geo-Science Division
Regional Research Laboratory,
Jorhat-785006 (Assam)

Copy for information and necessary action to :

1. The Deputy Commissioner Jorhat
2. The Superintendent of Police, Jorhat.
3. The President/Secretary,
The Employees Union (N.G.), R.R.L., Jorhat.

Encl.
22/06/80.

Date : 12.11.94

To

The Director,
Regional Research Laboratory,
Jorhat-785006 (Assam)

Sub : Confession of Greatfullness.

Hon'ble Sir,

With due respect I would like to say you that I have a great feelings of pleasure and opportunity to offer my heartiest thankfulness to the Hon'ble Director and the Controller of Administration, R.R.L., Jorhat for taking a favourable and sympathetic necessary action vide letter No. RLJ-13-(619)-Estt/86, dt. 21.10.94 in response of my prayer application of dated 18.10.94 addressed to the Hon'ble Director General, C.S.I.R., New Delhi regarding regularisation of my service. Also, I would like to offer my heartiest thanks to the management of R.R.L. Jorhat for helping me with great extent without any hesitation. Sir, I am extremely happy for your kindness and favourable action which you have taken keeping view of my future, expecting more from your end near future.

Sir, I came to know from the confirmation letter of dated 26.10.94 (which was not mentioned on the Telegram) remitted by the Administrative Officer, R.R.L. Jorhat that until a communication is received from C.S.I.R. my extension for futhee period is not considered at this stage. In this regard, sir, I would like to request you not to stop my extension, otherwise, I will be in a measurable condition.

For the act of your kindness, I shall remain ever grateful to you.

With warm regards to you,

Yours faithfully,

Sd/-

(Shri Dual Sahu)

Project Assistant
Seismic Surveillance Station
Durga Sarobar,
Kamakhya Gate,
Buwahati-9.

Attested.

Advocate.

...

(4)

68

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Date of Order: This the 9th Day of January 1996.

1. Original Application No.16/1995.

Sri Dulal Saha Applicant.

-Vs-

Union of India & Ors. Respondent.

2. Original Application No.17/95 with M.P.97/95.

Shri Paresh Kalita Applicant.

-Vs-

Union of India & Ors. Respondents.

3. Original Application No.18/95 with M.P.96/95

Shri Pabitra Pran Sarma, Applicant

-vs-

Union of India & Ors. Respondents.

C O R A M

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

For the Applicant:- Mr.B.K.Sharma with
Mr.B.Mehta and
Mr.S.Sarma.

For the respondents:- In O.A.No.16/95 and | Mr.S.Ali,
18/95 with M.P.96/95 | Sr.C.G.S.C.

In O.A.17/95 with M.P.97/95
Mr.A.K.Choudhury, Addl.C.G.S.C.

O R D E R.

CHAUDHARI J(VC):

All these cases involve question of regularisation and continuation of engagement till then. By the Misc.Petition the applicants have prayed that a direction be issued to the respondents to continue their service as before till disposal of the O.A. Heard Mr.B.K.Sharma the learned counsel for the applicants and Mr.S.Ali, Sr.C.G.S.C. and Mr.A.K.Choudhury Addl.C.G.S.C. representing the respondents

contd/-

hsk

in the applications respectively.

2. The applicants have filed the O.As contending that although their initial appointment was described as temporary and though they have been engaged in spells after giving formal break, they are entitled to be regularised in the post of Scientific Assistant/Junior Technical Assistant, Grade III, with retrospective effect and all consequential benefits.

3. Applicant in O.A.16/95 was initially appointed on 24-9-84. The applicant in O.A. 17/95 was initially appointed on 22-3-83 and the applicant in O.A.No.18/95 was appointed on 26-11-82. The last spell of engagement of each of them was for a period of six months vide orders issued in December 1994 and consequently they would stand disengaged in April 1995. The applicants in ^{all the O.As} ~~O.A. 17 and 18~~ however presented the ~~instant~~ OAs before the period of engagement was over, on 30-1-95. The applications were admitted on 1-2-95. At that stage the respondents were directed not to terminate the service of the applicants. By further interim order dated 2-3-95 the respondents were directed not to terminate the service of the applicants until further orders without prior leave of the Tribunal. Obviously those orders were passed in view of the currency of the engagement.

4. The respondents however did not issue order for further continuation or reengagement of the applicants after the then spell of engagement came to end in April 1995. That ^{led} has to the filing of the Misc.Petitions. The grievance made is that the respondents have committed

contd/-

Sub

the breach of the order dated 2-3-95 by not issuing the orders of further engagement and thus bringing about termination of service of the applicants without obtaining prior leave from the Tribunal.

5. In the show cause reply to the petitions the respondents have stated that in due deference to the order of the Tribunal the services of the applicants have not been terminated but that ~~it is only after~~

"it is only after the completion of the contractual engagement further offer of engagement on contractual basis against project/scheme has not been renewed as the case is sub-judiced and kept in abeyance.....After expiry of the contractual period the offer of engagement stands automatically cancelled."

✓ According to the respondents ^{they} have not thus violated the interim orders.

✓ 6. In our view ^{it} may not be held that the respondents have violated the interim orders in terms. They have however defeated the very object and purpose of the interim orders by reading them narrowly. Although therefore technically they may not be in breach of the order their action has resulted in frustrating the very purpose of the O.As particularly when the question is sub-judice. In that connection it may be stated that the applicants have voiced in the original applications that they not only apprehend that their services may be terminated but also that they may not be granted ~~an~~ appointment after expiry of the then existing period of engagement, that is after 15-4-95. The reply of the respondents in the written statement is as follows:-

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"The respondents further beg to state that as the case is sub-judice further offer of engagement has been kept in abeyance beyond 14-4-95 but as per the advice of the Hon'ble Tribunal the service of the applicant has not been terminated. However, further consideration will be made as per the decision of the Hon'ble Tribunal."

✓ The applicants have averred in the O.A. that there were 17 posts vacant. The respondents have also admitted in the written statement that there ^{are} few posts lying vacant but have added that as there is no identical post and also in view of the ban imposed by the Government of India, these posts cannot be filled. According to them some persons have been appointed by way of fresh appointments after due selection and recruitment. It is however pointed out by the applicants that the respondents have issued orders at least in respect of four persons in the month of November 1995 engaging them for a period of three months on contractual basis. That shows that the applicants could possibly be re-engaged till further orders were passed by the Tribunal without difficulty.

7. In the aforesaid background it was obligatory on the part of the respondents to have apprised the Tribunal with the reasons for which they were not inclined to re-engage the applicants and appointing some others. In the circumstances the withholding of issuance of re-engagement orders amounts to termination while the question of regularisation is the subject matter of the O.As. In the circumstances following interim order is passed:

1. The respondents are directed to issue the order of re-engagement of the applicants in the same posts on which they were

contd/-


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engaged earlier forthwith operative for a period of three months. The re-engagement of the applicants in pursuance of this order will be without prejudice to the rights and contentions of the respondentsⁱⁿ the O.A.s and it will not by itself confer any right on the applicants to claim regularisation or further continuation. The question of the period between expiry of the last engagement and the ~~g~~ fresh engagement as now directed will be open to be agitated at the hearing of the O.A.s. ^{if the OAs are not} ~~is not~~ heard finally within a period of three months it will be necessary for the applicants to seek ^{further} directions before the term of engagement comes to an end and it will also be open to the respondents to seek directions to permit them not to further continue the engagement of the applicants, ~~of the applicants~~. The question of eligibility of the applicants to be considered under MANAL Scheme is left open to be dealt with at the hearing of the O.As.

The respondents are directed to produce at the hearing of the O.As the copy of the instructions circulated in May 1991 by the DGSIR(mentioned in ~~class~~ clause VI of Annexure B to the rejoinder in O.A.17/95)

Order in above terms in both the Misc.Petitions and on O.A.16/95. All the O.As to be listed for hearing on 26-2-96.


(G.L.SANGLYINE)
MEMBER(A)


(M.G.CHAUDHARI)
VICE-CHAIRMAN

(9)

73

Copy of order of 9-1-96

issued to all concerned
v. no. 182-189 J. B. 1996.

by
17/1

Copy issued to card
of parties.

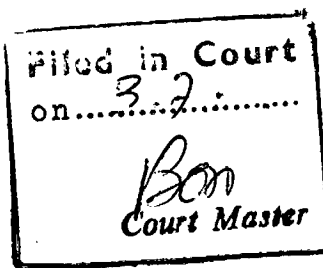
b,

26-2-96

To be listed for
hearing on 12.4.96

by order
B. B.

11.1.96



Filed by:

Shankar
(MD. SHAIKAT 8/2/95)
Mr. Central Officer S.
Central Administrative
Tribunal
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH
GUWAHATI

In the matter of :

O.A. No. 16 of 1995

Shri Dulal Sahu - Applicant

- Vs -

Union of India & Others

- Respondents

Written statements for and on behalf of the Respondents Nos.
1, 2, 3, 4 & 5

I, Sri P P Bhattacharjee, Controller of Administration,
Regional Research Laboratory, Jorhat-785006, do hereby
solemnly affirm and state as follows :-

1. That I am the Controller of Administration of Regional
Research Laboratory, Jorhat-785006, and Respondent No. 5 in
the above case. I am acquainted with the facts and
circumstances of the case. I have gone through a copy of the
application served on me and have understood the contents
thereof. Save and except whatever is specifically admitted in
this written statement, the other contentions and statements
made in the application may be deemed to have been denied. I
am competent and authorised to file these written statements
on behalf of all the respondents.

2. That, with reference to paragraph 1 of the application, I beg to state that the contents of the first part of this paragraph of the application are denied. The application/representation submitted by the applicant for regularisation of his service has already been forwarded to CSIR with a copy to the applicant vide our letter No. RLJ-13(619)-Estt/B6 dated 21.10.94 as can be seen from the Annexure No. A. The applicant had been appointed in different spells since 1984 purely on contractual basis wherein it was specifically mentioned that the offer of engagement was not a CSIR appointment and would not confer any right on the applicant either explicit or implicit for any regular appointment in this laboratory after the completion of six months of contractual service and the appointment was terminable without notice. The appointment letters clearly show the service conditions of the applicant and it was after clear understanding and acceptance of the terms and conditions the applicant joined duty. The appointments of Project Assistants are not on regular footing but on contractual basis as per requirements of the project works. Therefore, the Respondents did not adopt any unfair labour practice. By the order No. RLJ/Geosci/94 dt. 9.9.94 as per Annexure No. B, Shri Dulal Sahu was transferred to Yaongyimsen Sub-station in Nagaland but till now the applicant has not reported for duty at Yaongyimsen, Nagaland. As stated above his application addressed to the Director-

General, CSIR, for regularisation was duly forwarded with recommendation which was communicated to the applicant vide our telegram dated 23.10.94 as per Annexure No. C. He was also instructed to hand over the charge of Guwahati Seismic Surveillance Sub-Station to Shri R K Buragohain. He had applied to the Director-General, CSIR and the Secretary to the Govt. of India, Science & Technology Department, who is the highest authority in the Council of Scientific & Industrial Research (CSIR), and his application was duly forwarded. As he was transferred to Yaongyimsen Sub-Station in Nagaland as per Annexure No. B above, his pay was deemed to be paid on his reporting for duty at Yaongyimsen Sub-Station in Nagaland, but the applicant has not yet reported for duty even after eight months as such it is assumed that the applicant is not interested for the post and as such, further engagement has been kept in abeyance. Therefore, the Respondents did not adopt any unfair labour practices.

3. That with reference to paragraph 2 of the application the respondent begs to state that the applicant is not a regular employee of this laboratory/CSIR either on temporary basis or otherwise. He was appointed as Project Assistant purely on temporary basis on contractual terms and conditions in different spells under the specified clauses that that was a contractual engagement and would not confer any right on the applicant either explicit or implicit for any claim for

any regular post in CSIR service. The engagements were co-terminus and might be terminated at any time without any notice. Accordingly after accepting the terms and conditions of the clauses, the applicant joined duties in different spells. As such his claim for regularisation is nothing but the violation of the clauses which were very clearly mentioned in the appointment letters and now by demanding for a regular post in CSIR, the applicant is putting undue pressure on the respondents. As the applicant is not a regular council employee and does not hold a civil post, the applicant's prayer will not fall within the jurisdiction of the Hon'ble Tribunal and as such may be dismissed with costs.

4. That with reference to paragraph 3 of the application, the respondents denies that the grievances of the applicant were wrongly meted out. His application for regularisation was duly forwarded to the DGSIR who is the highest authority in CSIR (Council of Scientific & Industrial Research), New Delhi, with recommendation as already stated in para 2 above. All his grievances were looked into very carefully and sympathetically.

5. That with regard to the statements made in paragraph 4.1 of the application, the respondent has no comments.

6. That with reference to the paragraph 4.2 of the application, the respondent begs to state that the applicant

has been engaged as Project Assistant purely on temporary and on contractual basis since 1984. As already stated in para 2 above the applicant was transferred from Guwahati Sub-Station to Yaongyimsen Sub-Station in Nagaland but the applicant has not so far reported for duty at the place of posting i.e. Yaongyimsen even after eight months. As such it is apparant that the applicant is not interested to join at the place of posting and accordingly his further engagement has been kept in abeyance. The question of appointment on regular basis does not arise because of the fact that the recruitment of such posts has been banned since 1983 as per Annexure No. D.

7. That with regard to the statements made in paragraph 4.3 of the application, the respondent denies that the applicant was not aware of the fact that it was a purely temporary appointment for a period of six months w.e.f. the date of joining. It is evident from the appointment letter wherein it was specifically mentioned that the appointment was terminable without notice and on clear understanding that the appointment would not confer any right on the applicant either implicit or explicit for any claim for regular appointment in this laboratory/CSIR. It was also mentioned, "If you are willing to accept the appointment on these terms and conditions, you are requested to report for duty in this laboratory". A copy of the appointment letter dated 24.9.84

which is a self-explanatory is enclosed as Annexure No. E. It is evident from the above clauses that it was a temporary assignment and the bonafide belief of the applicant that his sponsorship and selection is for permanent absorption is nothing but a complete misconception and misunderstanding and as such the application may summarily be rejected.

8. That with regard to the statements made in paragraph 4.4 of the application, I beg to state that the applicant was appointed as per Annexure No. E above for a period of six months already stated at para 7 above. As he is an educated person, it is expected that he has read and understood the clauses of the appointment and only after accepting the terms and conditions of the appointment he has joined the duty. His ignorance of the above clauses and assumption that the appointment would be of permanent basis is based on misconception and wrong interpretation of the clauses of the appointment letter for which the applicant is to be blamed.

9. That with reference to the statements made in paragraphs 4.5, 4.6, 4.7, 4.8, and 4.9 of the application, the respondents do not have any comments to offer except to state that the applicant was given fresh offer of engagement on contractual basis from time to time in different spells on the same terms and conditions.

10. That with regard to the statements made in paragraph 4.10 of the application, the respondent begs to state that the applicant was appointed on contractual basis on usual terms and conditions in different spells time and again and the pay was raised from time to time considering the increased price index.

11. That with reference to the statements made in paragraphs 4.11, 4.12, 4.13 and 4.14 of the application, the respondent does not have any comments to offer except to state that the applicant was appointed intermitently on contractual basis on usual terms and conditions and every time a fresh offer of engagement/appointment letter was issued to the applicant.

12. That with reference to the statements made in paragraph 4.15 of the application, the respondents beg to state that the allegation of the applicant that he has not been favoured with further extension after 7.10.94 is stoutly denied because as already stated in para 2 above, he was transferred to Yaongyimsen Sub-station in Nagaland vide this office order no. RRLJ/GEOSC/94 dated 9.9.94 copy of which already annexed as Annexure B but the applicant did not report for duty in Nagaland. The applicant had applied for regularisation of his service to the Director-General, CSIR and the Secretary to the Govt. of India, Science & Technology Department, which was duly forwarded as per Annexure No. A above with

recommendation for consideration. As he has not reported for duty at the place of posting at Yaongyimsen in Nagaland, he was informed vide this office telegram dated 23.10.94 as per Annexure No.C that his further period of extension/engagement will not be considered unless we hear from CSIR about his regularisation and as such his further extension/engagement on contractual basis has been kept in abeyance.

13. That the respondent further begs to state that Shri Prabin Kr. Phukan, Project Assistant, has been working in Accounts Section of Regional Research Laboratory, Jorhat to keep the accounts of all sorts of projects like sponsored/consultancy/Grant-in-aid projects funded by outside organizations/parties. In addition he operates the Computer of Accounts Section to maintain computerised accounts of classified abstract through IMPACT (Integrated Management of Project Accounts), a package developed by CSIR. Since, he has been dealing with works related to the above subject, his training in this particular task was felt very much essential in the interest of projects. Thus he was sent for IMPACT Training. It is worth to mention here that Mr Phukan's deputation for training has no relevance of his claim for regularisation.

14. That with reference to the statements made in paragraph 4.16 of the application, the respondents stoutly deny the statements of the the applicant because there is a standing

Ban on recruitment being imposed by the Govt. of India/CSIR since 1983 as per Annexure No. D. However if the ban is lifted and approval is accorded by the CSIR for recruitment then all the Project Assistants will be given opportunity to appear before the Interview Committee with preference. The question of regularisation does not arise because as per the provision in MANAS (Merit & Normal Assessment Scheme) those Project Assistants who were engaged prior to 1981 and who have completed continuously for three years or more are eligible. Since the applicant was appointed in the year 1984 only, the question of application of the above clause in respect of the applicant does not arise.

15. That with reference to the statements made in paragraph 4.17 of the application, the respondent begs to state that this is repeatative in nature and the replies have already been given in para 14 above. It is denied that the representations submitted by the applicant have fallen into the deaf year of the respondents. In fact all the representations submitted by the applicant were looked into very carefully and sympathetically and the representation submitted by the applicant for regularisation of his service was duly forwarded to the Director-General, CSIR, New Delhi who is the highest authority in CSIR, with recommendation which the applicant himself admitted in his statements mentioned in para 4.16 of the application.

16. That with reference to the statements made in paragraph 4.18 of the application, the respondent begs to state that it is repeatative in nature and the reply has already been elaborately furnished in forgoing paragraphs. The applicant has never been singled out and the respondents have never made a differential treatment and he has been treated at par along with other Project Assistants. Regarding his extension/engagement depended upon his handing over the charge of Guwahati Sub-station to Shri R K Buragohain at the relevant time and reporting for duty at the place of posting on transfer at Yaongyimsen in Nagaland details of which have already been given in para 2 above.

17. That with reference to the statments made in paragraph 4.19 of the application, the respondent begs to state that the contents are stoutly denied. The applicant in fact was served with memorandum from time to time for his irregular attendance, negligence and for his failure to carry out the office order. Copies of the letters dt. 04.10.85 and 11.3.87 and O.M. No. RLJ13(598)-Estt/84 dt. 10.4.87 are enclosed as Annexure No. F(i-iii). As far as the provision of MANAS (Merit & Normal Assessment Scheme), is concerned as stated by the applicant, the persons who were appointed prior to 1981 and rendered continuous service for three years or more will be considered for regularisation. Since the applicant was

appointed during 1984 this clause of the provision is not applicable to him. Copy of the provision of MANAS is enclosed as Annexure No. G.

18. That the Respondent further likes to state that the applicant was asked to hand over the keys of the Guwahati Seismic Surveillance Sub-Station to Shri R K Buragohain, Tech.Assistant, vide our OM No.RRLJ/Geosc/94 dated 9.9.94 as per Annexure No. B but the applicant has never responded to our OM and instead keeping the Guwahati Sub-Station under lock and key, the applicant remained absent unauthorisedly for indefinite period resulting a great loss to seismic data that were recorded in the Guwahati Sub-Station. Since the applicant never responded i.e. neither handed over the charge of the Guwahati Sub-station to Shri R K Buragohain at the relevant time nor reported for duty at Yaongyimsen Sub-station in Nagaland i.e. his new place of posting as already stated in the foregoing paragraphs and as his whereabouts was not known, the respondents had to give Press Notification for directing the applicant to hand over the keys of the Guwahati Sub-station to the Head, Geoscience Division of this laboratory failing which appropriate action would be taken for opening of the Guwahati Sub-station. A copy of the Press Notification is enclosed as Annexure No. H.

19. That with regard to the statements made in paragraph 4.20 of the application, the respondent stoutly denies and

state that the applicant was transferred from Guwahati Seismic Surveillance Sub-station to Yaongyimsen Seismic Surveillance Sub-station, Nagaland, as per Annexure No. B above, but the applicant has never reported for his duty at the place of posting on transfer. This fact has already been stated elaborately in para 2 above. Since the applicant has not joined his duty at Yaongyimsen, Nagaland, it has been assumed that the applicant is not interested in such contractual appointment. The applicant's expectation for regularisation of his service is nothing but misconception as all the engagements of the Project Assistants/Fellows were on contractual basis. As such the question of hostile discrimination does not arise. It is also not true that the Respondents are annoyed because of his representation to the highest authority but on the other hand his representation was forwarded with recommendation as already stated in para 2 above.

20. That in response to the statements made in paragraph 4.21 of the application, the respondent begs to state that this is repeatative in nature. Clarification to this effect have already been furnished elaborately at para 17 above.

21. That with reference to the statements made in paragraph 4.22 of the application, the respondent begs to state that after proper notification in the Employment Exchange and

through proper selection the applicant was selected by the Selection/Interview Committee purely on contractual basis for a period of six months. The clauses of the appointment letter which were very clear are reproduced below for the kind information of the Hon'ble Tribunal :

"The appointment is terminable without notice and on clear understanding that this offer will not confer any right on you for any regular appointment in this laboratory after the aforesaid period. No other benefit/allowance is admissible on this account.

If you are willing to accept the appointment on these terms and conditions, you are requested to report for duty in this laboratory immediately."

The question of regularisation of his service does not arise at all because it was only after clear understanding and acceptance of the terms and conditions of the appointment the applicant joined duty and moreover the provision of MANAS is applicable to those Project Assistants who were appointed before 1981 and also there is no identical post.

22. That with reference to the statements made in paragraph 4.23 of the application, the respondent begs to state that though there are few posts lying vacant at present but as there is no identical post and also in view of the ban imposed by the Govt. of India, these posts cannot be filled up. The Respondant likes to state that the applicant has given a false statement regarding regularisation of Project Assistant. It is stated that no Project Assistant/Fellow has

been regularised so far. All the persons whose names were cited by the applicant, were given fresh appointments through open competition and were recruited by a duly constituted Selection Committee before the imposition of ban on fresh recruitment. Regarding equal pay for equal work, it is submitted that all the Project Assistants/Fellows have been paid equal pay on consolidated basis as per the contractual appointment. It can be stated that the applicant has been paid Rs. 1800/- as pay per month just like other Project Assistants having B.Sc. qualification. As such there is no violation of principles of equal pay for equal work.

23. That in response to the statements made in paragraph 4.24 of the application, the respondent begs to state that the applicant was transferred to Yaongyimsen Sub-Station in Nagaland vide OM No. RRLJ/Geosc/94 dt. 9.9.94 copy of which has already been enclosed as Annexure No.B. This office rested with many correspondences but no response was received from the applicant regarding handing over the charge to Shri R K Buragohain. It was not true that Shri Buragohain did not turn up to take over the charge as because at the relevant time Shri Buragohain was very much present in the Guwahati Sub-Station and moreover this office was not informed about Shri Buragohain's absence from the Guwahati Sub-Station. Instead the applicant kept the Guwahati Sub-Station under lock and key and as such he was asked to deposit the keys to

Dr M M Saikia, Head, Geoscience Division, Regional Research Laboratory, Jorhat through Press Notification already annexed as Annexure No. H. This laboratory cannot effort the Sub-station to remain under lock and key unauthorisedly for an indefinite period. It can be stated that after publication of the Press Notification the applicant has handed over the keys and charge of the Guwahati Sub-station. As such there is no point of confusion. Regarding payment of salary as it has already been stated in para 2 above that the applicant was transferred to Nagaland Sub-Station and he did not report for duty, as such he was not paid his salary. As the appointment was on contractual basis on consolidated pay and as the applicant did not report for duty, accordingly payment of salary cannot be made because the applicant was out of duty.

24. That in reply to the statements made in paragraph 4.25 of the application, the respondent begs to submit that the applicant was transferred to Yaongyimsen Sub-Station, Nagaland but he has not reported for duty and as such it was apparant that the applicant was not at all interested in the said offer of engagement and as such further engagement has been kept in abeyance. This has already been stated in para 2 above.

25. That in reply to the statements made in paragraphs 5.1 and 5.2 of the application, the respondent begs to state that

so far all the actions as per CSIR rules and regulations have been taken and all the Project Assistants/Fellows have been given equal treatment. As such the respondents' action in no way can be stated as "malafide" and hence judicial interference is uncalled for and unwarranted.

26. That with reference to the statements made in paragraph 5.3 of the application, the respondent stoutly denies the statements of the applicant and begs to state that the applicant is neither a regular employee of this laboratory nor can be regularised under the provision of MANAS (Merit & Normal Assessment Scheme) which has been clearly elaborated in para 17 above. He was engaged purely on contractual basis initially for six months and further time to time engagements were given in different spells on usual terms and conditions which have already been elaborately stated in our foregoing paragraphs. The respondent further states that it is a total misconception on the part of the applicant that his service is indispensable to carry out the project works. No body in a Govt. Department is indispensable and the applicant was holding a very insignificant post and not of much importance, hence the word 'indispensable' does not arise. The question of regularisation is not applicable to the applicant as per MANAS (Merit & Normal Assessment Scheme). The applicant after accepting the terms and conditions of our offer, provides his services on contractual basis. By claiming to regularise his

Dr M M Saikia, Head, Geoscience Division, Regional Research Laboratory, Jorhat through Press Notification already annexed as Annexure No. H. This laboratory cannot effort the Sub-station to remain under lock and key unauthorisedly for an indefinite period. It can be stated that after publication of the Press Notification the applicant has handed over the keys and charge of the Guwahati Sub-station. As such there is no point of confusion. Regarding payment of salary as it has already been stated in para 2 above that the applicant was transferred to Nagaland Sub-Station and he did not report for duty, as such he was not paid his salary. As the appointment was on contractual basis on consolidated pay and as the applicant did not report for duty, accordingly payment of salary cannot be made because the applicant was out of duty.

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36. That with reference to the statements made in paragraph B.1 of the application, the respondent begs to state that the services of the applicant cannot be regularised as per the provision of MANAS (Merit & Normal Assessment Scheme) because the applicant has never worked at any point continuously for three years or more. This scheme was applicable to those Project Assistants who were engaged prior to 1981 and the applicant was engaged in the year 1984, also in view of the clauses of the appointment letters which the applicant was fully aware that those were temporary and contractual appointment which would not confer any right on him, either implicit or explicit, for any regular post in this laboratory/CSIR. It was only after proper understanding and acceptance of the clauses/terms & conditions of the appointment, the applicant joined duty. He cannot be appointed as Junior Scientific Assistant/Junior Technical Assistant as he was not holding any identical post. Hence the claim of the applicant is not tenable in the Hon'ble Tribunal and is liable to be dismissed with costs and compensation.

37. That with reference to the statements made in paragraph B.2 of the application, the respondent begs to state that the applicant cannot be given regular pay scale of Rs.1400-2300/- with retrospective effect because of the facts mentioned in the foregoing paragraphs and in para 36 above.

services on the basis of his past services as Project Assistant, after accepting the terms and conditions which were very clearly specified in the appointment letters, the applicant has violated the contractual terms & conditions of the appointment letters and putting undue pressure on the respondents.

27. That with reference to the statements made in paragraph 5.4 of the application, the respondent begs to state that since the applicant was not appointed prior to 1981 as per the provision of MANAS (Merit & Normal Assessment Scheme), his services cannot be regularised. This has elaborately been stated in para 17 above. Furthermore, the statement of the applicant that there is no ban on recruitment is stoutly denied and already explained in paragraphs 6 and 14 above.

28. That with regard to the statements made in paragraph 5.5 of the application, the respondent begs to state that it is repeatative allegation.

29. That with regard to the statements made in paragraph 5.6 of the application, the respondent begs to submit that after clear understanding and acceptance of the terms and conditions of the appointment/engagement letters, the applicant reported for duty. Hence, violation of the principle of natural justice and Article 14 and 16 of the Constitution of India does not arise.

30. That with regard to the statements made in paragraph 5.7 of the application, the respondent begs to state that the applicant has never been given discriminatory treatment and the provision of MANAS (Merit & Normal Assessment Scheme) for regularisation of service is not applicable to the applicant.

31. That with reference to the statements made in paragraph 5.8 of the application, the respondent begs to submit that it is repeatative in nature. Regularisation is not possible as per MANAS (Merit & Normal Assessment Scheme). Furthermore, the clauses of the appointment/engagement letters were very clear that the appointments were purely on temporary and contractual basis. It is further stated that the applicant was free to seek employment elsewhere and if the applicant had not tried for employment elsewhere, it was the lapses on his part.

32. That in response to the statements made in paragraph 5.9 of the application, the respondent begs to state that it is a fact that the name of the applicant was sponsored by the Employment Exchange and after having selected by the Selection Committee, he was appointed as Project Assistant for six months only on contractual basis. Project Assistants posts do not belong to the regular cadre of this laboratory/CSIR. These are specific appointments from time to time depending upon the requirements of the job of the specific projects purely on contractual and temporary basis.

on usual terms and conditions. Further, mere sponsoring the names by the Employment Exchange and selection by the Selection Committee do not confer any right/claim on the applicant for a regular/permanent post. It depends upon the terms and conditions of the post and appointment which the applicant understood very well. Since he was appointed on contractual basis against the projects on consolidated pay the question of giving him a regular pay scale does not arise as the pay scales are prescribed for regular employees.

33. That with reference to the statements made in paragraph 5.10 of the application, the respondent begs to submit that as the applicant joined as Project Assistant from time to time after proper understanding and acceptance of the terms and conditions of the appointment no cost may be allowed to the applicant.

34. That in response to the statements made in paragraph 6 of the application, the respondent begs to state that in view of the clarification given in the foregoing paragraphs and in view of the fact that the applicant is not a regular employee of this laboratory, the case of the applicant thereby does not fall within the jurisdiction of the Central Administrative Tribunal Act 1985. The Hon'ble Tribunal may kindly dismiss the application with costs and compensation.

35. That in response to the statements made in paragraph 7 of the application, the respondents have no comments.

36. That with reference to the statements made in paragraph B.1 of the application, the respondent begs to state that the services of the applicant cannot be regularised as per the provision of MANAS (Merit & Normal Assessment Scheme) because the applicant has never worked at any point continuously for three years or more. This scheme was applicable to those Project Assistants who were engaged prior to 1981 and the applicant was engaged in the year 1984, also in view of the clauses of the appointment letters which the applicant was fully aware that those were temporary and contractual appointment which would not confer any right on him, either implicit or explicit, for any regular post in this laboratory/CSIR. It was only after proper understanding and acceptance of the clauses/terms & conditions of the appointment, the applicant joined duty. He cannot be appointed as Junior Scientific Assistant/Junior Technical Assistant as he was not holding any identical post. Hence the claim of the applicant is not tenable in the Hon'ble Tribunal and is liable to be dismissed with costs and compensation.

37. That with reference to the statements made in paragraph B.2 of the application, the respondent begs to state that the applicant cannot be given regular pay scale of Rs.1400-2300/- with retrospective effect because of the facts mentioned in the foregoing paragraphs and in para 36 above.

38. That with reference to the statements made in paragraph 8.3 of the application, the respondent begs to pray not to set aside the telegraphic order no. RLJ/Geosc/94 dt. 23.10.94 as prayed by the applicant because the applicant was conspicuously absent for indefinite period unauthorisedly after his transfer from Guwahati Sub-Station to Yaongyimsen Sub-Station, Nagaland and the Guwahati Sub-station was kept under lock and key unauthorisedly. This is a gross indiscipline on the part of the applicant to keep the Guwahati Sub-station under lock and key unauthorisedly for indefinite period which has resulted a great loss of very valuable data of seismic records. Furthermore, it was only after issue of Press Notification, the applicant had handed over the charge and key. A copy of the press notification has already been annexed as Annexure No. H. As the applicant did not report for duty in his new place of posting at Yaongyimsen Sub-station in Nagaland, his further engagement has been kept in abeyance assuming that he is not interest. His application for regularisation has already been forwarded to the Director-General, CSIR - the highest authority, with recommendation and untill and unless we hear anything from CSIR and also due to the facts that he has not joined duty at Yaongyimsen Sub-station in Nagaland, his further engagement was not considered and kept in abeyance. As such it is prayed that the prayer of the applicant may be outrightly rejected.

39. That with regard to the statements made in paragraphs 8.4 and 8.5 of the application, the respondent begs to pray that no relief and cost is permissible as per rules. As such the application may be rejected.

40. That in response to the statements made in paragraph 9 of the application, the respondent begs to state that as already stated in para 2 above the applicant was transferred from Guwahati Sub-Station to Yaongyimsen Sub-Station in Nagaland vide OM No. RRLJ/Geosc/94 dt. 9.9.94 a copy of which has already been annexed as Annexure No. B, but the applicant did not report for duty at the place of posting and instead he has been trying by putting undue pressure on the respondents to regularise his service which is not applicable to him as per the provision of MANAS (Merit & Normal Assessment Scheme) which was elaborately stated in para 17 above. It has already been stated by the respondent to the Hon'ble Tribunal that the services of such Project Assistants are not terminated as yet and further engagements have been kept in abeyance as the cases are sub-judiced. So far the economic condition of the applicant is concerned, the applicant himself is to be blamed because he did not report for duty in the new place of posting at Yaongyimsen Sub-Station in Nagaland and instead remained absent unauthorisedly for indefinite period keeping the Guwahati Sub-Station under lock and key for which no payment has been

made. As such for his economic instability the respondents are not responsible and in view of the circumstances the prayer of the applicant may summarily be rejected and dismissed with costs and compensation.

P. P. Bhattacharjee
 DEPENDENT
Controller of Administration
 Regional Research Laboratory
 Jorhat-785 006 (Assam)

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

I, Shri P P Bhattacharjee, Controller of Administration of Regional Research Laboratory, Jorhat-785006, do hereby declare that the statements made in this Written-Statement are true to my knowledge derived from the records of the case.

I sign this verification on this 1st day of July, 1995, at Jorhat.

P. P. Bhattacharjee
 DEPENDENT
Controller of Administration
 Regional Research Laboratory
 Jorhat-785 006 (Assam)

No. RLJ-13(619)-Eatt/86

क्षेत्रीय अनुसन्धान प्रयोगशाला, जोरहाट (आसाम)
REGIONAL RESEARCH LABORATORY
(A CONSTITUENT ESTABLISHMENT OF CSIR)
Dct/for/et-785 0064(Assam)

October 21, 1994

To

The Joint Secretary, (Administration)
Council of Scientific & Industrial Research
Anusandhan Bhavan, Rafi Marg,
New Delhi 110 001.

Sir,

I am directed to forward herewith the representations received from Mr. Santanu Dutta, and Mr. Dulal Sahu, Project Assistants of this laboratory, which are self explanatory.

Mr. Santanu Dutta, having B.Sc. qualification in the entry level, joined this laboratory as Project Assistant in January, 1986 and his services is being continued in different R&D projects after giving 7 days break as a matter of policy - this laboratory is adopting renewal of services of Project Assistants - if they are shifted to other projects in particular. Since then Mr. Dutta is continuing in the project work in the laboratory.

Mr. Dulal Sahu, having B.Sc. qualification in the entry level was appointed in this laboratory as Project Assistant on 5.10.84 and he has been entrusted the work of managing the different Seismic Surveillance Stations. Since then, Mr. Sahu is continuing as Project Assistant in different Sub-stations under Geo-Science Division.

It can be mentioned here that due to ban imposed by Govt. of India on recruitment, none of the Project Assistants could be considered for regular absorption.

You are therefore, requested kindly to consider their cases and approval of the competent authority may kindly be communicated for their absorption.

Thanking you.

Yours faithfully,

Encl: as above.

(P. P. Bhattacharjee)
Controller of Administration

(1) Sri Djalal Saifur,
PRL Seismic Station
Lungu Sarabar,
Gurukahi - 9

(2) Sri Santanu Dutta,
Project Manager
PRL, Faridkot

Control
Regional
Jorhat

Controller of Administration
Regional Research Laboratory
Jersey - 723 003 / 4 Assam

Dated 9th Sept. 1994

OFFICE MEMORANDUM

It is for information to all concerned that the competent authority is pleased to transfer the following staff members as shown against their names for a period of 3(three) months with immediate effect:

<u>Name</u>	<u>Place of posting</u>
1. Shri R K Buragohain Tech. Asstt. RRL Jorhat	RRL Seismic Station Guwahati
2. Shri Dulal Sahu Project Assistant RRL Seismic Station Guwahati	RRL Seismic Station Yaongyimsen, Nagaland

They are requested to take over/hand over their charges immediately and the same may be communicated to this office.

This temporary transfer order of the above persons will be treated as on tour.

This issues with the approval of the competent authority.

(S N Bhagawati)
Administrative Officer

To

1. Shri R K Buragohain
Tech. Asstt, RRL Jorhat
C/o Dr H K Gohain
Milanpur East.
Bamunimaidan P.O.
GUWAHATI - 21

2. Shri Dulal Sahu →
Project Asstt.
RRL Seismic Station
Durga Sarobar
GUWAHATI - 9

Copy to:

1. Head, Geoscience Divn.
2. Controller of Admn
3. Finance & Accounts Officer
4. Bill Section
5. Personal file
6. P.S. to Director

(S N Bhagawati)
Administrative Officer

26
77
Annex - 'C' 99
DELEGRAM

STATE

EXPRESS

SHRI DULAL SAHU
RRL SEISMIC STATION
DURGA SAROBAR
GUWAHATI 9
o

REFERENCE OM NO RLJ/GEOSC/94 DATED NINTH SEPTEMBER
NINETYFOUR STOP YOU ARE DIRECTED TO HAND OVER
CHARGE OF THE GUWAHATI SUB STATION TO SRI RK
BURAGOHAIN IMMEDIATELY IF NOT ALREADY DONE STOP
YOUR REPRESENTATION REGARDING REGULARIZATION ADDRESSED TO
DG HAS BEEN FORWARDED STOP UNTIL A COMMUNICATION
IS RECEIVED FROM CSIR YOUR EXTENSION FOR FURTHER
PERIOD IS NOT CONSIDERED AT THIS STAGE

ADMINISTRATIVE OFFICER
RESEARCH JORHAT

N.T.T.

Dated : 23.10.94

(S.N. Bhagawati)
Administrative Officer,
Regional Research Laboratory,
Jorhat-6, Assam

REGIONAL RESEARCH LABORATORY: JORHAT

No. RLJ/Geosc/94

Dated : 23.10.94

Copy by post in confirmation to :-

Sri Dulal Sahu,
RRL Seismic Station,
Durga Sarebar,
Guwahati - 9

Administrative Officer

Copy to :- 1. Head, Geo-science, Division,
RRL, Jorhat

2. P.S. to Director, RRL, Jorhat

Administrative Officer

New Delhi, the 3rd May, 1993

OFFICE MEMORANDUM

Subject: Economy in administrative expenditure of the Government
Ban on creation of posts/filling up of vacancies
Guidelines for processing of cases.

The undersigned is directed to refer to this Ministry's O.M.No. F.7(1)-E. Coord/84 dated the 20th June, 1984 as amended from time to time on the subject indicated above and to state that instructions already exist for ban on creation/filling up of posts and the procedure for relaxation thereof in exceptional circumstances. Some doubts which arose in this regard were also clarified from time to time. Further clarifications are, however, being sought by various Ministries/Departments etc. regarding the following two points. The matter has been considered in this Ministry and the correct position is clarified below against each point:—

POINTS

CLARIFICATIONS

- (a) Whenever higher level posts are abolished, whether junior level posts are also to be abolished as a consequence thereof.
- Yes, whenever higher level posts are abolished, it will be necessary to abolish personal/supporting staff of that higher level post(s) simultaneously. In addition to such abolition, it will also be desirable to have a work study conducted to determine what other restructuring and abolition of lower level posts would be required as a result of abolition of the higher post(s).
- (b) If a post is vacant or held in abeyance for some time, whether the post can be filled up or revived, as the case may be, by the administrative Deptt/Ministry.
- If a post is held in abeyance or remains unfilled for a period of one year or more, it would be deemed to be abolished. Integrated Finance of each Ministry/Department may monitor abolition of such posts and ensure that abolition orders are issued within one month of the post remaining unfilled/held in abeyance for the period of one year. If the post is required subsequently, the prescribed procedure for creation of new posts will have to be followed, i.e. as briefly set out below:—

PLAN POSTS

GROUP 'A' POSTS

Approval of Finance Minister will be required.

GROUP 'B', 'C' & 'D' POSTS

May be created with the approval of Secretary of the administrative Ministry/Department provided:—

- (i) The expenditure on establishment is within 10% of the project cost;
(ii) The posts to be created are in conformity with the prescribed norms; and
(iii) Group 'A' post(s), if necessary, have been approved by the Finance Minister.

NON-PLAN POSTS

(i) GROUP 'A' POSTS OF AND ABOVE THE LEVEL OF JOINT SECRETARIES (Rs. 5900-6700)

May be created with the approval of Cabinet after obtaining the approval of Finance Minister.

(ii) GROUP 'A' POSTS BELOW THE LEVEL OF JOINT SECRETARY AND GROUP 'B', 'C' & 'D' POSTS.

May be created with the approval of Finance Minister.

Creation/filling up of posts both Plan and Non-Plan is to be done after the posts which have been found surplus as a result of review, have been abolished.

For creation of Non-Plan posts matching savings are required, which should be by surrender of posts in the same group or of posts in the immediate line of promotion.

Posts which are found justified on the basis of workload and functional justification can only be created.

2. All Ministries and Departments are requested to kindly note the above clarifications for strict compliance, particularly in view of the need for adopting austerity measures for containing Government expenditure in the present economic scenario. They may also issue instructions to their attached and subordinate offices (including U.T. Admn.) and monitor compliance. Autonomous Bodies under the control of Ministries/Departments may also be asked to follow these clarifications mutatis mutandis.

3. Hindi version is enclosed.

Joint Secretary to the Govt. of India

नई दिल्ली, दिनांक 3 मई, 1993

कार्यालय ज्ञापन

विषय: सरकार के प्रशासनिक व्यय में किरायत-पदों के सृजन/रिक्त पदों के भरने पर प्रतिबंध-मामलों पर कार्रवाई करने के लिए मार्गनिर्देश।

मुझे उपर्युक्त विषय पर इस मंत्रालय के दिनांक 20 जून, 1984 के समय-समय पर यथा संशोधित का. ज्ञा. सं. एक. 7(1)-संख्या. (सम.)/84 का हवाला देने और यह कहने का निर्देश हुआ है कि पदों के सृजन/पदों के भरने पर रोक तथा अपवादित परिस्थितियों में इस प्रक्रिया में छूट दिए जाने संबंधी अनुदेश पहले से ही मौजूद हैं। इस संबंध में जो शांकाएं उत्पन्न हुई थीं उन्हें भी समय-समय पर स्पष्ट किया गया था। तथापि विभिन्न मंत्रालयों/विभागों आदि ने निम्नलिखित दो मुद्दों पर और स्पष्टीकरण मांगा है। इस मामले पर इस मंत्रालय में विचार किया गया है और सही स्थिति नीचे प्रत्येक मुद्दे के सामने स्पष्ट की गई है:-

मुद्दे

स्पष्टीकरण

(क) जब भी उच्चतर स्तर के पद समाप्त किए जाते हैं तो क्या उसके परिणामस्वरूप कनिष्ठ स्तर के पदों को भी समाप्त किया जाना होता है।

जी हां, जब भी उच्चतर स्तर के पद समाप्त किए जाते हैं तो इसके साथ ही उच्चतर स्तर के पद (दो) के वैयक्तिक/सहायक स्टाफ को भी समाप्त करना आवश्यक होगा। इन पदों को समाप्त किए जाने के अतिरिक्त यह निर्धारित करने के लिए कार्य अमप्यन करना भी जरूरी होगा कि इन उच्चतर पद (पदों) के समाप्त किए जाने के फलस्वरूप किस तरह का पुनर्गठन तथा कितने निम्नतर स्तर के पदों को समाप्त किया जाना है।

(ख) यदि कुछ समय के लिए एक पद रिक्त अथवा प्रास्थगित रखा गया है, तो क्या प्रशासनिक/विभाग/मंत्रालय द्वारा जैसा भी मामला हो उस पद को भरा जा सकता है अथवा फिर से बनाए रखा जा सकता है।

यदि कोई पद एक वर्ष अथवा उससे अधिक को अवधि के लिए प्रास्थगित रखा गया हो अथवा भरा न गया हो, तो उसे समाप्त हुआ समझा जाएगा। प्रत्येक मंत्रालय/विभाग का एकीकृत वित्त इस प्रकार के पदों को समाप्त किए जाने सम्बन्धी जांच करे तथा यह सुनिश्चित करे कि जो पद एक वर्ष तक भरा न गया हो अथवा प्रास्थगित रखा गया हो उसे उसके परभाव समाप्त किए जाने के आदेश एक महीने के भीतर जारी कर दिए जाएं। यदि उसके बाद उस पद की आवश्यकता होती है तो नए पदों के सृजन के लिए निर्धारित प्रक्रिया को अपनाया जाएगा जैसा कि संक्षिप्त में नीचे बताया गया है:-

योजनागत पद

समूह "क" पद

वित्त मंत्री के अनुमोदन की आवश्यकता होगी।

समूह "ख", "ग" तथा "घ" पद

प्रशासनिक मंत्रालय/विभाग के सचिव के अनुमोदन से सृजित किए जा सकते हैं बशर्ते कि:-

- (i) स्थापना पर व्यय परियोजना लागत के 10% के अंदर हो,
- (ii) सृजन किए जाने वाले पद निर्धारित मानकों के अनुरूप हों, तथा
- (iii) समूह "क" पद (पदों), यदि आवश्यक हो तो, का वित्त मंत्री से अनुमोदन हो गया हो।

योजना-भिन्न पद

(1) संयुक्त सचिवों (5900-6700 ठ.) के स्तर के तथा उससे ऊपर के समूह "क" पद

वित्त मंत्री का अनुमोदन लेने के परभाव मंत्रिमंडल के अनुमोदन से सृजित किए जा सकते हैं।

(2) संयुक्त सचिव के स्तर से नीचे के समूह "क" पद तथा समूह "ख", "ग" तथा "घ" पद

वित्त मंत्री के अनुमोदन से सृजित किए जा सकते हैं। योजनागत तथा योजना भिन्न दोनों तरह के पदों के सृजन करने/भरने संबंधी कार्यवाही पुनरीक्षा के परिणामस्वरूप अधिष्ठेय पाए गए पदों को समाप्त किए जाने के परभाव ही की जानी होती है।

- योजना-भिन्न पदों के सृजन के लिए बराबरी की बचत किए जाने की आवश्यकता होती है जो उसी समूह में पदों को अथवा वास्तविक पदोन्नति वाले पदों को अभ्यर्पित करके की जानी चाहिए।

- केवल कार्यभार तथा कार्यात्मक औचित्य के आधार पर न्यायोचित पाए गए पदों का ही सृजन किया जा सकता है।

2. सभी मंत्रालयों/विभागों से अनुरोध किया जाता है कि वे उपर्युक्त स्पष्टीकरण को सख्ती से अनुपालन के लिए नोट कर लें, विशेषकर, वर्तमान आर्थिक परिप्रेक्ष्य में जबकि सरकार के व्यय में मितव्ययिता उपायों को अपनाने की आवश्यकता है। वे अपने संबंधित तत्त्व अधीनस्थ कार्यालयों (संघ-उप-क्षेत्र प्रशासन सहित) को भी अनुदेश जारी करें तथा अनुपालन की मानीटी करें। मंत्रालयों/विभागों के नियंत्रणधीन स्वायत्त निकायों से भी यथाआवश्यक परिवर्तनों सहित इन स्पष्टीकरणों के अनुपालन करने के लिए कहा जाए।

(डी. स्वल्प)

संयुक्त सचिव, भारत सरकार

पैदाइय तथा औद्योगिक अनुसंधान परिषद

अनुसंधान भवन, राप्ती मार्ग, नई दिल्ली-1

संख्या : 31(4)/53-संज्ञा-म

दिनांक : 24/5/93

रूचना, मार्गदर्शन और अनुपालन के लिए अग्रसारित

1. सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों/पीटीसी के निदेशक/प्रधान/प्रशासन नियंत्रक/प्रशासनिक अधिकारी
2. सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों के वरिष्ठ वित्त तथा लेखा अधिकारी/वित्त तथा लेखा अधिकारी
3. सीसराइआर कंप्लेक्स/प्रशासन/लेखा अनुभाग
4. सीसराइआर मुख्यालय के अधिकारी/अनुभाग/यूनिट/प्रभाग/संलग्न सूची अनुसार

अनुभाग अधिकारी

No. RLJ-9(95)-Estt/79

Date: 24 - 9 - 84

From:

The Director
R.R.L., Jorhat.

To

Shri Dulal Sahu
Vill & P.O. Kachupather gaon,
Via Kamar gaon. 795619,
Dist. Jorhat (Assam)

Sub: Appointment as Project Assistant (Geo-Science)

Dear Sir,

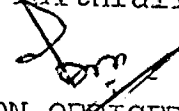
I am directed to inform you that the Director, RRL, Jorhat has been pleased to approve your appointment as Project Assistant (Geo-Science) on a consolidated pay of Rs. 500/- P.M. (fixed) (Rupees Five hundred only for a period of 6 (six) months w.e.f. date of joining.

The appointment is terminable without notice and on clear understanding that this offer will not confer any right on you for any regular appointment in this Laboratory after the aforesaid period. No other benefit/allowance is admissible on this account.

If you are willing to accept the appointment on these terms and conditions, you are requested to report for duty in this Laboratory immediately.

Note: The appointment is made subject to production of medical certificate from the District Medical Health Officer, Jorhat.

Yours faithfully,


SECTION OFFICER

Copy to :-

1. Accounts Section
2. Bill Section
3. Personal File
4. Employer if any

The expenditure is to be debited from the Project

Sismic Surveillance Thrust Area
Project Fund.

NO. RLJ(GS-028)/

(18)

29
Annex - F(i)

81-

109

To

4th October, 1985.

Shri D. Sahu
Project Asstt.

Dear Sri Sahu,

You have not been attending office for last few days (30th Afternoon to till today, the 4th Oct '85). This is a gross indiscipline on your part. Please let me know your view immediately.

Yours faithfully,

Sd/-
(M.M. Saikia)
Head, Geoscience Division

cc: ✓ Administrative Officer,
RRL, Jorhat.

M.M. Saikia
(M.M. Saikia)

4/10/85

(23)

80 Annex-F(ii) 82

GEOSCIENCE DIVISION

104

Date, 11.03.1987.

Tomorrow morning (12.3.87) at 9.30 a.m., it is proposed to hold a meeting of staff members of Geoscience Division to have critical review and discussion on the performance of the stations and also the other projects.

All are requested to attend the meeting.

M. M. Saikia
(M.M. Saikia)
Head, Geoscience Division 11/3/87

To
All staff members of Geoscience Division,
for their record please.

M. M. Saikia

11/3
OFF. Saikia
11/3/87

11/3/87

(in file)
11/3/87

11/3/87

11/3

11/3
Booth
11/3/87

Nag Baid
11.3.87

This is the list of staff who
signed, but he refused to sign
and did not attend the meeting.
13/3/87

83-
Annex - F (iii)
105

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8t

REGIONAL RESEARCH LABORATORY: JORHAT (ASSAM)
(Council of Scientific & Industrial Research)

No. RLJ-13(598)-Estt/84

Dated 10th April

OFFICE MEMORANDUM

The undersigned is directed to say that it has been reported that Shri Dulal Sahu, Project Assistant is very irregular in attendance and he is in the habit of leaving office without prior permission from his Head of Division. This act on his part is highly irregular.

It has also been reported that Shri Dulal Sahu flouted the orders/instructions given by Head, Geo-Science Division relating to his duty at Khonsa Seismic Surveillance Station and also opposed to attend the meeting conducted by Head, Geo-Science Division on 12.3.87 for reviewing the performance of the Seismic Surveillance Stations and other Projects. This is highly irregular and amounts to breach of conduct rules.

He is hereby directed to explain for his gross indiscipline and misconduct within 3 days from the date of receipt of the Office Memo., failing which action will be taken as per rules.

To
Shri Dulal Sahu,
Project Assistant
RRL, Jorhat.


/s/ (N.C. Sarmah)
ADMINISTRATIVE OFFICER.

8/10/87
Copy to Head, Geo-Science Division.
Jm 12.4.87


ADMINISTRATIVE OFFICER.

Annex - G - 84-85

MERIT AND NORMAL ASSESSMENT SCHEME

Annexure 7.6.1(A)

COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
Rafi Marg,

No.16(150)/68-E.II(Pt.II) New Delhi-1, the 13th Jan., 1981

From: Chief (Administration)
Council of Scientific & Industrial Research

To

The Directors/Heads of all the National
Laboratories/Institution/Research Associations.

Subject : Report of the Committee constituted to look into
the question of linking of the technical
assistance programmes with overall plans and
resources and absorption of staff employed in
externally funded projects/schemes.

Sir,

I am directed to invite your kind attention to this office letter No.4/3/78-CTE dated 8.6.1979 regarding the constitution of a Committee to look into the question of linking of the technical assistance programmes with overall plans and resources and absorption of staff employed in externally funded projects/schemes and to state that the Report of the Committee was placed for consideration of the Governing Body at its meeting held on 30.9.1980.

The Governing Body has approved of the report of the Committee subject to certain modifications as proposed by the Director-General, SIR. The salient features of Governing Body's decision are reproduced below:-

1. The sponsored projects / Schemes under different categories should be accepted / undertaken on a selective basis i.e. (i) these should be in consonance with the approved objectives, goals and charter of the Laboratory / Institute; (ii) be in the areas / fields of the regular activities of the Institute; (iii) form part of the total plans of the Laboratory; (iv) be included in the Annual / Five Year Plan of the Institute; and (v) be of a major benefit to the country.
2. The projects should not serve merely as data bases for more advanced countries or provide a chance for dumping obsolete plants / technology in India

Contd.

85- 33
MERIT AND NORMAL ASSESSMENT SCHEME

and retard our growth. These should not also become a tool of diverting the Institute away from its approved priorities by lure of equipment etc. Where equipment is capital intensive, one should normally not look for the acquisition of such equipment through sponsored schemes, but C.S.I.R. should take up the responsibility for this. There could be special situations where there are clear advantages of using a Scheme for this purpose.

3. Such Projects / Schemes should first be cleared by the Research Advisory Council of the concerned Laboratory / Institute from the viewpoint of scientific merit / national relevance. Thereafter, these would be discussed with CSIR Headquarters, the nodal point for such discussions being the Planning Division. After the projects schemes are cleared by the CSIR, the same would be placed before the Executive Committee of the concerned Laboratory for approval.
4. The work relating to these projects should, as far as possible, be managed with the regular staff instead of making them a vehicle for additional manpower. The Laboratories / Institutes should themselves have inherent capability to provide the major inputs for infrastructure to take on the sponsored schemes and the incremental staff should be minimal. While planning to take up sponsored schemes, adequate thought should be given to aspects relating to the building up of staff as also for tapering it off when the scheme gets completed.
5. The prescribed procedure, as applicable for regular posts/staff, should be followed both for creating additional posts and recruiting additional staff, if any, required for UNDP, PL-480 and other Bilateral projects. It should be ensured that while making recruitment for schemes projects posts, there should be no dilution of quality. The staff recruited for such projects will be treated as temporary CSIR staff.

In sponsored projects, however, the recruitment should be on behalf of the sponsor for a fixed period for the duration of Scheme only and it should be so made clear in the appointment letter of the candidate besides stipulating therein that the appointment is not a CSIR appointment, temporary or otherwise, and does not entitle the incumbent to any claim, implicit or explicit, on any CSIR post.

33 34 86

Annex - 'G'

107

MERIT AND NORMAL ASSESSMENT SCHEME

For time bound sponsored projects to start within 6 months of the agreement, the Labs. Instts. would be authorised to make adhoc appointments to various posts through local Selection Committees, without, however, diluting the qualifications and other prescribed standards

The regular staff applying for the posts in such sponsored project, if selected, could function in that position, which may be higher, but purely temporarily, and revert to their substantive (regular) post on completion of the project.

6. The staff recruited for schemes by following the prescribed recruitment procedure, should not be required to undergo this procedure afresh for their appointment / absorption on regular side in identical posts. On such absorption their scheme service will be taken into account for purposes of entitlement to various service benefits in CSIR such as Leave, Study Leave etc.
7. The staff earlier appointed in the sponsored projects / schemes, PL-480 schemes etc., who have since been absorbed on the regular side in the same Lab. / Instt. in which the scheme was under operation, will be entitled to count their service rendered under the scheme in an identical post for purpose of assessment for promotion to the next higher grade. The advantage of assessment on this basis will, however, be available with effect from 1.10.1980 or the date of completing the prescribed number of qualifying years for assessment, whichever is later.
8. The existing persons who have rendered three years continuous service in a scheme should be absorbed either against existing regular vacancies in identical posts or by creating additional posts (by following prescribed procedure) if the work load in the Laboratory / Institute so demands. The supernumerary posts could be created to absorb the staff employed in such projects / schemes, initially being a one time effort only. The Laboratories / Institutes should not recruit further staff until all such staff is absorbed.
9. The grant made for such projects should be treated as an adhoc grant to the Institute and the same should clearly figure in the overall "Income - Expenditure" and "Assets - Liabilities" statements of the Institute.

Contd.

87-3435
MERIT AND NORMAL ASSESSMENT SCHEME

10. More opportunities should be given to younger Scientists to visit abroad for training etc. in the scheme sponsored by U.N.D.P. etc.

A copy of the report of the Committee is enclosed for your information, guidance and necessary action.

The earlier guidelines regarding the appointment (including service conditions) of staff for scheme / projects sponsored / financed by non-CSIR bodies (both Indian and Foreign) and taken up at the Laboratories / Institutes, which are not in accord with the above decisions, will stand superseded to the extent indicated in the above paras.

Yours faithfully,

Sd/-

(C.L. Malhotra)
Under Secretary.

Copy to:

1. The Sr. Finance and Accounts Officers / Finance and Accounts Officers of all the National Laboratories / Institutes / CSIR Headquarters (including CSIR Complex).
2. The Directors / Heads of all the transferred Laboratories / Institutes / Research Associations for information.
3. All the Divisions / Sections at CSIR Headquarters / CSIR Complex.
4. P.S. to DGSIR.
5. Chief (Finance).
6. Chief (Planning).
7. Chief (Administration).
8. D.S.(E).
9. Dy. Chief (Finance).

Sd/-
Under Secretary.

Phone:
Gram: 'CONSEARCH' New Delhi
Telex: 31-05202 } CSIR IN
31-08142 }

रजिस्टर्ड ए.डी.

36
35
COA

Annex - G(1)



108

वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्
COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH

राफ्ट मार्ग,
RAFT MARG,

संख्या
No. 14(26)/94-स्था. II

नई दिल्ली-110 001
New Delhi-110001, the 24. 11. 94

FROM

संयुक्त सचिव (प्रशासन)
Joint Secretary (Admn.)
Council of Scientific and Industrial Research

To

सेवा में,

निदेशक,
क्षेत्रीय अनुसंधान प्रयोगशाला,
जोरहाट, असम

→ C.S.I.R.
P.L. do the
needful
15/12/94

विषय : सेवाएं नियमित किए जाने के संबंध में श्री दुलाल साह
व श्री शांतनु कल्ला, परियोजना सहायक के अभ्यावेदन
महोदय,

आपके पत्र सं. आर.एल.जे. 1386198-स्था./86 दिनांक 21.10.94 के संदर्भ में मुझे यह कहने का निदेश हुआ है कि प्रायोजित परियोजनाओं के अधीन नियुक्त किए गए व्यक्तियों को नियमित रिक्तियों के विरुद्ध अवशोषित करने संबंधी वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद के नियमों/दिशा निर्देशों में कोई प्रावधान नहीं है । उनकी नियुक्ति पूर्णतया अस्थायी आधार पर परियोजना के समाप्त होने की अवधि तक ही होती है व उसके पश्चात स्वतः समाप्त हो जाती है । इस तथ्य को संबंधित कर्मचारियों को स्पष्ट करते हुए आपसे अनुरोध है कि प्रायोजित परियोजनाओं के अधीन नियुक्तियों के संबंध में इस कार्यालय द्वारा जारी मार्गदर्शक सिद्धांतों की सख्ती से अनुपालना की जाए व नियुक्ति पत्र भी इस उद्देश्य हेतु वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद द्वारा निर्धारित विशिष्ट प्रारूप में ही जारी किए जावें ।

10-4-86
2005/12/19/94
1322

भवदीय,

01/12/94
हगिरीश चौपड़ा
अवर सचिव

37 36 89-
Annex-G(i)
109
Translation from Hindi to English

COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH
Rafi Marg

No.14(26)/94-Estt:11

New Delhi- 110001, the 24.11.94

FROM

Joint Secretary(Admn.)
Council of Scientific and Industrial Research

TO

Director
Regional Research Laboratory
Jorhat (ASSAM)

SUBJECT: Forwarding of application of Shri Dulal Sahu and
Shri Shantanu Dutta for regularisation of service.

Sir,

with reference of your letter no.RLJ-13(619)-Estt./86 dated 21.10.94, I am directed to state that there is no provision in CSIR rules/directives to absorb those persons who are appointed for Sponsored Projects against vacant posts on regular basis. Their appointments are purely on temporary basis till to the date of the completion of the Projects and thereafter it's automatically get terminated. This may be brought to the concerned employees and you are also requested to follow the CSIR guidelines regarding in Sponsored Projects and appointment letter may be issued as per CSIR's prescribed format.

Yours

S/D

(Girish Chopra)
Under Secretary

Good looking, slim, accomplished, Convent educated MA (English) topper Lecturer 158cm. Box No. 85 Assam Tribune, Guwahati-3.
/ 85/B1

ance invited for E.B. Hindu Sandhya fair handsome boy DCE permanent way Inspector/N.F.R. (10 cm) and sister BA, BT fair handsome (103 cm). Please contact Box No. 84, The Assam Tribune, Guwahati-3.
/84/B1

ance invited for a beautiful tall Kayastha girl M.Sc. (163 cm, fair complexion, acca origin). Doctor, engineer and established businessman are preferred in respectable family. Write Box No. 83, The Assam Tribune, Guwahati-3.
it/ 83/B1

ide EB Prestigious Kayastha 15/155 cm studying BA very beautiful, proficient. In blindra. Sangeet. Elder others Central Govt. Officers. Actor/Engg./CA/MBA/ Govt. bank/Insurance officer groom from a respectable family wanted. Write Box No. 80 The Assam Tribune, Guwahati-3.
at/80/B1

wanted beautiful graduate son-Bharadwaj Brahmin Benall bride age around 23 for G. PSU Officer, 28/170 cm of Guwahati. Apply with photograph refundable. Write Box No. 87 The Assam Tribune, Guwahati-3.
at/87/B1

Alliance invited for pretty fair complexioned Assamese Kayastha), B.A. bride 30/162 working in Insurance Company from Govt. employee, bank Insurance or reputed businessman, please apply to Box No. 91 The Assam Tribune, Guwahati-3.
at/91/B1

wanted good looking fair complexioned Bride, minimum Higher Secondary passed for a Central Govt. servant (Balshya laka/33 yrs.) well established at Guwahati. Marriage by Arch. Caste no bar write with all particulars along with recent photograph within 7 days to Box No. 90, The Assam Tribune, Guwahati-781003.
at/90/113

Super Model of North East '95. Guys and Gals your dream come true. Work with the top models of India. The Dream Merchant presents "Tint the Fashion" on 12th Feb '95. at Hotel Raj Mahal Guwahati. Collect your application form from the Hotel's reception.
PN/P/293/1

SHRI DULAL SAHU
Vill & P.O. Kachupather Gaon
Vla : Kamargaon-785017
Dist. Golaghat, Assam

Whereas your whereabouts is not known, you are hereby notified by this press notification to hand over the keys of the Guwahati Selsmic Station to the Head of the Geoscience Division of Regional Research Laboratory, Jorhat within 7 (seven) days from the date of publication of this notification failing which the Regional Research Laboratory, Jorhat, will be compelled to take legal action against you and to open the Guwahati Selsmic Station which you have kept under lock & key unauthorisedly since 9th of September, 1994.

(S.N. Bhagawati)
Administrative Officer
Regional Research Laboratory,
Jorhat-785006, Assam.

PN/136/1

TENDER NOTICE

NOTICE INVITING TENDERS

Sealed tenders affixing a non-refundable court fee stamp of Rs. 8.25 (Rupees eight & paise twenty five) only with a validity period of 180 days from the date of receipt of the tender which will subsequently be converted and drawn up in printed 'F-2' form are invited from the registered contractor of Class-I(C) of Assam PWD, Class-II of Superintending Engineer, PWD NH Circle, Tezpur & Class-III of this Division according to their eligibility to submit tender for the work noted below which will be received by the undersigned upto 2 p.m. on 3.2.95 and will be opened on the same date and hours. Detailed particulars may be seen in the office of the undersigned during office hours of all working days.

1. Name of work : Repair of Road surface at Mangaldal Municipal Area (E/W

NO. T/94/
Sealed, quoted papers are hereby bonafied manu supply of 25 (two) of 'PSC Poles' of length to the Un Department, Ga sity. The supplier to quote their pole to be supplied taxes, if any, is extra. The quote received upto 1 03.02.95. The reserves the right or all the quote assigning any, and is not bound lowest rate.

Sd/
Unive
Gau
TN/137/1

CORRID
No. HSCC/XV-V
Date

Refer to ten HSCC/XV-WKS(16.12.1994 pub Tribune, Guwa last date of qualification a be read as 1 of 10.01.1995 submission of cation will Instead of 2 rence will be who is havl experience in

Dy
TN/136/1

SHORT TEN

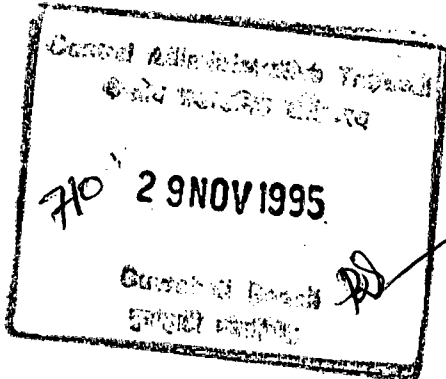
Sealed tend eventually to PWD F-2/HF refundable co Rs. 8.25 (Ru paise twenty from the reg tors of the Department, work as giv Nazira E& Nazira as condition received by upto 2 p.m. o date of tende then tender the next wor be opened o and hours. their autho tive may rem time of open 1. Name of Dikhowb

Annex-H'

The Assam Tribune
Dt 26/1/95

Published on 26/1/95

Similar Press Notification was published in 'In Dainik Jorambhumi, Jorhat and in 'The Sentinel, Guwahati



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL:: GUWAHATI BENCH

O.A. No. 16 of 1995

Shri Dulal Sahu

- Vs -

Union of India & Ors.

REJOINDER TO THE WRITTEN STATEMENT

The applicant begs to state as follows :

1. That the applicant has gone through the copy of the Written statement and has understood the contents thereof. Save and except the statements which are specifically admitted hereinbelow, other statements made in the Written Statement are categorically denied. Further the statements which are not borne on records are also denied.
2. That with regard to the statements made in paragraph 1 of the W.S., the applicant does not admit anything contrary to the relevant records.
3. That with regard to the statements made in paragraph 2 of the W.S. while reiterating and reaffirming the statements made in paragraph 1 of the application, it is categorically denied that vide Annexure-B, the applicant was transferred to Yaongyimsen in Nagaland and that the applicant has not reported for duty. In this connection, the applicant begs to state that till date he has not been served with the copy of the so called

order dated 9.9.95 and the statements made to that effect by the respondents are misleading. Since the copy of the order has not been served on the applicant and he has not been intimated anything in that regard, there is no question of his joining at the new place of posting. Thus there cannot be any assumption on the part of the respondents that the applicant is not interested for the post. It is the genuine apprehension of the applicant that being faced with the contentions raised in the O.A., the respondents have made such an attempt to make out a case although the facts remain that till date, the applicant has not been informed about this order of transfer and new place of posting. This is a conduct unbecoming on the part of the model employer. Merely because, the applicant is at the receiving end, the respondents ought not to have played such game against the applicant. The Hon'ble Tribunal is requested to take a serious view of the matter and the respondents may be called upon to substantiate their claim of such posting of the applicant vide order dated 9.9.94 and as to whether any such intimation was given to the applicant.

4. That with regard to the statements made in paragraph 3 of the W.S. the applicant reiterates and reaffirms the statements made in the O.A. It is really unfortunate that not to speak of regularising the service of the applicant, the respondents have raised all sorts of irrelevant pleas before this Hon'ble Tribunal. He has even been deprived of his engagement merely because he has approached this Hon'ble Tribunal seeking extension

Contd...P/3.

of its protective hands over him. Such malafide and arbitrary action on the part of the respondents is unbecoming of a model employer and contrary to the principles laid down by the Apex Court and various other Courts.

5. That with regard to the statements made in paragraphs 4 and 5 of the W.S., the applicant reiterates and reaffirms the statements made in the O.A.

6. That with regard to the statements made in paragraph 6 of the W.S., the applicant denies the correctness of the statements and reiterates and reaffirms the statements made hereinabove. At no point of time, after expiry of the last extension of service, the applicant has ever been communicated with any order of posting. If any order is issued and kept in the file without informing the applicant, that will not amount to any issuance of any order. All these months, the applicant has been waiting for his engagement as before ; but inspite of his several visits to the office, he has not been granted with any extension of service. On the basis of such a situation, the statements regarding his ~~xxx~~ posting and transfer is totally misconcieved. It is denied that there is any ban on recruitment since 1983 as per Annexure-D. Annexure-D to the written statement refers to a letter of Government of India dated 3.5.93 and there is no indication that a total ban has been imposed in recruitment. Had this been the correct position, there ~~wax~~ would not have been any

recruitment in any department. It need not be emphasised that since 1983 numerous recruitments have been made throughout the country in all the departments. The CSIR cannot make any exception to suit their own purpose so as to defeat the just cause of the applicant.

7. That with regard to the statements made in paragraphs 7 to 11 of the W.S., while denying the contentions made therein, the applicant reiterates and reaffirms the statements made in the O.A.

8. That with regard to the statements made in paragraph 12 of the W.S., the applicant while denying the contentions made therein reiterates and reaffirms the statements made hereinabove. The statements made by the respondents are self-contradictory inasmuch as in earlier paragraph (paragraph-2 of the W.S.), the respondents have stated that further engagement of the applicant has been kept in abeyance on the alleged ground of assumption that the applicant is not interested for the post, but in this paragraph such abeyance has been stated to be resorted to as was allegedly communicated to the applicant vide Annexure-C.

9. That with regard to the statements made in paragraph 13 of the W.S. the applicant states that there is hostile discrimination and violation of Article 14 and 16 of the Constitution of India. Because of the highhandedness and partisan attitude of the respondents Shri Phukan was sent for training even by showing him

as a Dealing Assistant. He has been continued in his service unlike the unfortunate applicant who because of filing of the instant O.A. has been discontinued. It is not a question of following any principle by the respondents, but a question of favouritism and nepotism. Shri Phukan does not possess any special qualification so as to bestow with the benefit as has been given to him.

10. That with regard to the statements made in paragraph 14 of the W.S., the applicant categorically denies the contentions made by the respondents. The C.S.I.R. being under the Ministry of Science and Technology, the respondents cannot absolve their responsibilities of upholding the rules, regulations of the Central Government. The respondents have made a false statement regarding the applicability of the scheme 'MANAS'. The respondents have misrepresented in making statement that the Project Assistants who were appointed prior to 1981 and have rendered three years or more continuous service would be considered for regularisation, but since the applicant was appointed on 30.3.83, the said scheme is not applicable to him. In this connection, the applicant begs to state that the said scheme is effective as on date and the same was revised as on date which will be amply evident from Annexure-A to this rejoinder. It may not be out of place of mention here that pursuant to a discussion held on 20.8.94 between the D.G., C.S.I.R. and Scientific Workers Association, amongst others on the subject of

Contd...P/6.

'Contractual Workers', the following agreement was recorded -

"With regard to the point raised by S.W.A. regarding the benefits of confirmation to the contractual employees, it was clarified to them that necessary instructions on the subject were circulated to the Labs/Instts. in May 1991, D.G. CSIR advised the representatives to bring to his notice in case their instructions are not being followed by any of the Labs/Instts."

The applicant craves the leave of this Hon'ble Tribunal for a direction to the respondents for production of the said instructions of May 1991 by the respondents.

Copies of the Scheme 'MANAS' and letter dated 18.1.95 conveying the above minutes are annexed herewith as ANNEXURES-A & B respectively.

11. That with regard to the statements made in paragraphs 15 and 16 of the W.S. while denying the contentions made by the respondents the applicant reiterates and reaffirms the statements made hereinabove and also in the O.A.

12. That the applicant denies the correctness of the statements made in paragraph 17 of the W.S. and reiterates and reaffirms the statements made hereinabove. The allegations made against the applicant have got no

13.

Contd...P/7.

relevancy to the issues involved in the instant O.A. The respondents were satisfied that the explanation given against the allegations and no further action was initiated against the applicant. Thus those matters of 1985 and 1987 ought not to have been brought to the present case and the same has been done by the respondents with the sole purpose of misleading this Hon'ble Tribunal.

13. That the applicant denies the allegations/ contentions made in paragraph 18 of the W.S. and the respondents are put to the strictest proof thereof. The entire action on the part of the respondents was illegal and arbitrary. In this connection, the applicant had submitted his letter dated 1.2.95 explaining the whole position and also about the filing of the instant O.A. In the said letter dated 1.2.95, the applicant has clearly mentioned that his service has not been extended since 8.10.94 but on the otherhand, the respondents have made misleading statement about so called extension of service of the applicant. They ~~have~~ could have very well replied to the letter dated 1.2.95 making their position clear. The whole action on the part of the respondents is arbitrary and malafide.

A copy of the letter dated 1.2.95 is
annexed herewith as ANNEXURE-C.

14. That with regard to the statements made in paragraphs 19, 20 and 21 of the W.S., while denying the contentions made therein, the applicant reiterates and reaffirms the statements made hereinabove.

15. That with regard to the statements made in paragraph 22 of the W.S., the applicant states that the words "No identical post" are misleading. It is emphatically stated that many posts are lying vacant where in the applicant can be accommodated/regularised taking recourse to the scheme 'MANAS'. Regarding the so called ban on recruitment, the applicant states that his case is not of recruitment ; but of regularisation. In any case, the respondents cannot resort to such mal-practice so as to deprive the applicant from his service benefit.

16. That with regard to the statements made in paragraph 23 of the W.S., the applicant denies the allegations made therein and reiterates ~~and~~ reaffirms the statements made hereinabove. Shri Buragohain did not turn up to take over charge. This position has been clearly explained in the O.A. as well as in the earlier paragraphs of this rejoinder. The respondents are yet to reply to the representation at Annexure-C to this rejoinder.

17. That with regard to the statements made in paragraphs 24 and 25 of the W.S., the applicant reiterates and reaffirms the statements made hereinabove. The respondents are called upon to substantiate their claim that the applicant was transferred to Nagaland and that he has not reported for duty. In this connection, the applicant states that he has never been issued with any order of transfer. Had he been served with any copy of such order, he would have immediately joined inasmuch as

he is ready to work anywhere. In this connection, the applicant begs to state that he having come to know about such a statement made in the W.S., made a representation to the Director on 31.10.95 referring to his earlier representation dated 1.2.95 highlighting as to how he could come to know about such statement and that he is not served with any copy of the order of extension. ~~But~~ the said representation, he apprised the authorities that he is ready to accept the offer of extension.

A copy of the said representation dated 31.10.95 is annexed as ANNEXURE-D.

18. That with regard to the statements made in paragraphs 26 to 37 of the W.S., the applicant while denying the contentions raised therein, ~~the applicant~~ reiterates and reaffirms the statements made hereinabove and in the O.A. It is really unfortunate that the respondents could make a statement "nobody in a Government department is indispensable and the applicant was holding a very insignificant post and not too much important." The applicant squarely comes within the purview of the scheme 'MANAS' and thus his service is required to be regularised from the date when he became eligible for such regularisation.

19. That with regard to the statements made in paragraphs 38, 39 and 40 of the W.S., the applicant while denying the contentions raised therein reiterates and reaffirms the statements made hereinabove.

20. That the applicant begs to state that although the services of the applicant have not been extended which the respondents all along been extending to other similarly circumstanced employees.

In this connection, documents pertaining to extension granted to others are annexed as ANNEXURES C, D and E.

The applicant further begs to state that when the respondents speak of ban on recruitment and have discontinued the services of the applicant for his action in approaching this Hon'ble Tribunal, the respondent No. 3 on the other hand appointed other persons to similar posts like that of the post previously held by the applicant. Such appointment has been made surreptitiously. As per the allegations made, the said persons have been appointed by way of a farcical interview held at Salt Lake City, Calcutta in the residence of the respondent No. 3. The applicant states that if such appointments can be made there is no earthly reason as to why his services could not be extended. It leaves no manner of doubt that the applicant has been made a victim of the circumstances and the respondents have taken it to be a crime for his coming under the protective umbrella of this Hon'ble Tribunal.

In this connection, the applicant begs to annex the documents pertaining to the said appointments and the same are marked as ANNEXURES F, F1, G, G1 and H, H1.

15. That under the facts and circumstances the instant O.A. ~~ix~~ deserves to be allowed with cost.

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

I, Shri Dulal Sahu, the applicant in O.A. No. 16 of 1995, do hereby solemnly affirm and verify that the statements made in the accompanying rejoinder are true to my knowledge and belief and I have not suppressed any material facts.

And I sign this verification on this the day of November 1995 at Guwahati.

Shri Dulal Sahu.

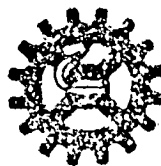
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102 112
ANNEXURE A

**MERIT AND NORMAL ASSESSMENT SCHEME
(MANAS)**

**FOR
SCIENTIFIC, TECHNICAL & SUPPORT STAFF**

Revised and Effective from 1-4-1992



**COUNCIL OF SCIENTIFIC AND
INDUSTRIAL RESEARCH,
NEW DELHI**

COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
Pali Marg,

No.16(150)/63-E.II(Pt.II) New Delhi-1, the 18th July, 1981

From: Chief (Administration)
Council of Scientific & Industrial Research

To

The Directors/Heads of all the National
Laboratories/Institutes/Research Associations.

Subject : Report of the Committee constituted to look into the question of linking of the technical assistance programmes with overall plans and resources and absorption of staff employed in externally funded projects/schemes.

Sir,

I am directed to invite your kind attention to this office letter No.4/3/78-CTE dated 8.6.1979 regarding the constitution of a Committee to look into the question of linking of the technical assistance programmes with overall plans and resources and absorption of staff employed in externally funded projects/schemes and to state that the Report of the Committee was placed for consideration of the Governing Body at its meeting held on 30.9.1980.

The Governing Body has approved of the report of the Committee subject to certain modifications as proposed by the Director-General, SIR. The salient features of Governing Body's decision are reproduced below:-

1. The sponsored projects / Schemes under different categories should be accepted / undertaken on a selective basis i.e.(i) these should be in consonance with the approved objectives, goals and charter of the Laboratory / Institute; (ii) be in the areas / fields of the regular activities of the Institute; (iii) form part of the total plans of the Laboratory; (iv) be included in the Annual / Five Year Plan of the Institute; and (v) be of a major benefit to the country.
2. The projects should not serve merely as data bases for more advanced countries or provide a chance for dumping obsolete plants / technology in India and retard our growth. These should not also

104 114

become a tool of diverting the Institute away from its approved priorities by lure of equipment etc. where equipment is capital intensive, one should normally not look for the acquisition of such equipment through sponsored schemes, but C.S.I.P. should take up the responsibility for this. There could be special situations where there are clear advantages of using a Scheme for this purpose.

3. Such Projects / Schemes should first be cleared by the Research Advisory Council of the concerned Laboratory / Institute from the viewpoint of scientific merit / national relevance. Thereafter, these would be discussed with CSIR Headquarters, the nodal point for such discussions being the Planning Division. After the projects / schemes are cleared by the CSIR, the same would be placed before the Executive Committee of the concerned Laboratory for approval.
4. The work relating to these projects should, as far as possible, be managed with the regular staff instead of making them a vehicle for additional manpower. The Laboratories / Institutes should themselves have inherent capability to provide the major inputs for infrastructure to take on the sponsored schemes and the incremental staff should be minimal. While planning to take up sponsored schemes, adequate thought should be given to aspects relating to the building up of staff as also for tapering it off when the scheme gets completed.
5. The prescribed procedure, as applicable for regular posts/staff, should be followed both for creating additional posts and recruiting additional staff, if any, required for UNDP, PL-480 and other Bilateral projects. It should be ensured that while making recruitment for schemes / projects posts, there should be no dilution of quality. The staff recruited for such projects will be treated as temporary CSIR staff.

In sponsored projects, however the recruitment should be on behalf of the sponsor for a fixed period for the duration of Scheme only and it should be so made clear in the appointment letter of the candidate besides stipulating therein that the appointment is not a CSIR appointment, temporary or otherwise, and does not entitle the incumbent to any claim, implicit or explicit, on any CSIR post.

For time bound sponsored projects to start within 6 months of the agreement, the Labs. / Instts. would be authorised to make adhoc appointments to various posts through local Selection Committees, without, however, diluting the qualifications and other prescribed standards.

The regular staff applying for the posts in such sponsored project, if selected, could function in that position, which may be higher, but purely temporarily, and revert to their substantive (regular) post on completion of the project.

6. The staff recruited for schemes by following the prescribed recruitment procedure, should not be required to undergo this procedure afresh for their appointment / absorption on regular side in identical posts. On such absorption their scheme service will be taken into account for purposes of entitlement to various service benefits in CSIR such as Leave, Study Leave etc.

7. The staff earlier appointed in the sponsored projects / schemes, PL-480 schemes etc., who have since been absorbed on the regular side in the same Lab. / Instt. in which the scheme was under operation, will be entitled to count their service rendered under the scheme in an identical post for purpose of assessment for promotion to the next higher grade. The advantage of assessment on this basis will, however, be available with effect from 1.10.1980 or the date of completing the prescribed number of qualifying years for assessment, whichever is later.

8. The existing persons who have rendered three years continuous service in a scheme should be absorbed either against existing regular vacancies in identical posts or by creating additional posts (by following prescribed procedure) if the work load in the Laboratory / Institute so demands. The supernumerary posts could be created to absorb the staff employed in such projects / schemes, initially being a one time effort only. The Laboratories / Institutes should not recruit further staff until all such staff is absorbed.

9. The grant made for such projects should be treated as an adhoc grant to the Institute and the same should clearly figure in the overall "Income - Expenditure" and "Assets - Liabilities" statements of the Institute.

10. More opportunities should be given to younger Scientists to visit abroad for training etc. in the scheme sponsored by U.N.D.P. etc.

A copy of the report of the Committee is enclosed for your information, guidance and necessary action.

The earlier guidelines regarding the appointment (including service conditions) of staff for schemes/projects sponsored / financed by non-CSIR bodies (both Indian and Foreign) and taken up at the Laboratories / Institutes, which are not in accord with the above decisions, will stand superseded to the extent indicated in the above paras.

Yours faithfully,

Sd/-

(C.L. Malhotra)
Under Secretary.

Copy to:

1. The Sr. Finance and Accounts Officers / Finance and Accounts Officers of all the National Laboratories / Institutes / CSIR Headquarters (including CSIR Complex).
2. The Directors / Heads of all the transferred Laboratories / Institutes / Research Associations for information.
3. All the Divisions / Sections at CSIR Headquarters / CSIR Complex.
4. P.S. to DGSIR.
5. Chief (Finance).
6. Chief (Planning).
7. Chief (Administration).
8. D.S. (E).
9. Dy. Chief (Finance).

Sd/-
Under Secretary.



CSIR SCIENTIFIC WORKERS' ASSOCIATION

(Registered Under Trade Union Act 1926 Registration No. 1564 Dt. 13-4-71)

(ITRC BRANCH)

Ref. No.....

Date.....

President

- 2 -

Secretary

- 4.2 17(132)/A)B7-E-II
Dt. 30.9.94 Benefit of subscription of Scientific Societies extended to Group III staff.
- 4.3 Dt. 6.10.94 Director requested to meet employee's representatives frequently & to give office space notice board and facilities to the extent possible.
- 4.4 17(66)/94-PFS
Dt. 12.10.94 Reduction of threshold in Group III(2) to III(3) from 65 to 60.
- 4.5 -do- Computing period spent on deputation for determining the eligibility for assessment.
- 4.6 17(67)/94-PFS Grant of special casual leave to office bearers of CSIR-SWA/Federation
5. Summary of Proposals for Vth Pay Commission submitted by SWA.

The above documents are being sent to you by me on behalf of the General Secretary. I request you kindly acknowledge receipt of the same and bring the contents to the knowledge of your members. I also request you kindly to send your views on the revised MANAS to Dr B.V. Reddy, General Secretary of SWA at his address.

With kind regards,

Yours sincerely,

(S.N. AGARWAL)
CEC Member



ANNEXURE B

CSIR SCIENTIFIC WORKERS' ASSOCIATION

(Registered Under Trade Union Act 1926 Registration No. 1564 Dt. 13-4-71)

(ITRC BRANCH)

Date 18-1-95 SWA

Ref. No.....

President

Secretary

*Mr. B. C. S. K. Joshi
Secretary ITRC SWA
Dorhat - 785006*

*Forwarded to B. C. S. K. Joshi
for B. C. S. K. Joshi
n/a please
B. C. S. K. Joshi
20/1*

Dear Colleagues,

I am sending herewith a copy each of the following documents :-

1. Record note of discussions held between DG and SWA representatives on 28.9.94.
2. Letter No.GS/DG-CSIR/94/61 dt.19.10.94 about anomalies/defects in the Promotion Policy, MANAS from GS, SWA to Prof S.K. Joshi, DG.
3. Letter No.GS/JS(A)-CSIR/94/60 dt.17.10.94 from Dr B.V. Reddi, GS, SWA to JS, CSIR.
4. Six CSIR circulars as detailed below :-

No. & Date

Subject

4.1 17(66)/94-FPS
29.9.94

Merit Promotion kept in abeyance
under revised MANAS effective 1.4.92

Cont....

The first of the participants is given at Annexure 1.

1. The DG, CSIR welcomed the members. In his opening remarks, DG, CSIR stated that like any other organisation in the country, CSIR is also passing through a transition phase as a result of the liberalised economic policy of the Government. He said that we have had weathered the storm as a result of the hard work of our scientists. Today the earnings of the most of the Labs. are going up and the confidence of the user in us is increasing. DG, CSIR also informed that as per plans, our external cash flow which was Rs. 95 crores last year i.e. 25% of our total budget, has to reach 50% by the end this century and everyone of us has to put in our best to achieve this target.

DG, CSIR mentioned that the Hon'ble Prime Minister and President, CSIR has now a very positive impression about the achievements of CSIR. In his address to the recently held annual session of the Associated Chamber of Commerce and Industry of India (ASSUCHCI), the Hon'ble Prime Minister commended the research work done by the CSIR Labs. and urged the industry to invest in the R&D and adopt the research done by our Laboratories and convert it into commercial propositions. He also praised CSIR and gave the list of CSIR technologies to the Prime Minister of Singapore during his recent visit to that country and a team from Singapore is expected to visit India in the near future for discussing the viability of our technologies. Similarly the Parliamentary Committee on S&T also appreciated the good work being done by the CSIR and has also made a recommendations for one time modernisation grant of Rs. 200 crores.

DG, CSIR assured the representatives that he understands the problems of the employees. He also stated that although all such problems have to be considered in the light of the Govt./CSIR rules, regulations and Bye-laws, but he is completely open to consider any problems of the employees.

With the above opening remarks the DG, CSIR appealed to the representatives not to consider themselves different from the CSIR community and appealed to them to help create a healthy environment conducive to good result and that we should not do anything which brings down the image of CSIR in public estimation.

Responding to the above opening remarks of the DG, CSIR, President, SWA also shared the view that with proper motivation and good personnel policies, CSIR scientists could face any kind of challenge. Thereafter, the following points of the agenda were discussed.

109-
130
2. Recognition of SWA.

As per industrial pronouncement and the guidelines issued in the past in this regard, scientific research & development organisation cannot be classified as "industry" either for the purpose of Industrial Dispute Act or the Trade Unions Act. However, although SWA & Federation of CSIR employees have not been formally recognised but periodical dialogues are being held with the representatives of these Associations at Central level at CSIR Hqrs. and in the Labs./Instit. at local levels. This would no doubt mean defacto recognition of these Associations by CSIR.

SWA representatives stated that their demands is for recognition for the purpose the inclusion of their representatives in the official Committees like Management Council, Research Council, etc. It was clarified to them that these bodies are constituted as per provisions of the Bye-Laws; and as such any addition/modification in the constitution of these Committees can be done only after effecting the changes in the Bye-Laws with the approval of the competent authority. They were accordingly advised to interact with the Committee already constituted under the Chairmanship of Dr. R.A. Mashelkar for modification in the Bye-Laws of CSIR.

After detailed discussions the DG, CSIR agreed to grant 15 days Special Casual leave per year to SWA office bearers for attending their CEC and RCM meetings and other related work.

DG, CSIR also agreed, in principle, to their request for grant of Special Casual leave and TA/DA for the Visits of the President and General Secretary of Central SWA to other Labs. whenever considered necessary for solving the problems. However, they will have to obtain the prior approval of the DG, CSIR for such visits.

On being informed that some of the Directors are not meeting the SWA representatives, DG, CSIR assured that he will again write to the Directors impressing upon them the need to meet the employees representatives to discuss their genuine problems and to provide the possible facilities like office, space, notice board etc. to the extent possible.

3. MANAS

With regard to the demand of SWA for withdrawal of the revised MANAS effective from 1.4.1992 stating that the suggestions made by them have not been incorporated in the same, DG, CSIR made it clear to the representatives that since the present form of the Scheme has been evolved mainly on the demand and with active participation of SWA

made by the DG after detailed deliberation at its two meetings specially convened for the purpose and keeping in view also the fact that there has already been a backlog of assessments of the last two years from 1.4.1992 due to the time taken in the revision of the MANAS and it will neither be advisable nor possible to withhold its implementation. DG, CSIR further advised the representatives that we should not disturb the existing system unless it is changed following proper procedure.

In the light of the above background, DG, CSIR indicated that this being a general issue of personnel policy involving all the employees of CSIR, he will request the VP, CSIR to consider setting up an external Committee headed by an eminent person assisted by a consulting firm known for expertise in human resource development and personnel policy. The Committee may be requested to give its recommendations within six to nine months. Inputs could be provided to the Committee by all concerned. SWA representatives stated that they will study the suggestions and intimate their reaction. However, as short-term solutions, they wanted the withdrawal of the provision of AFAR being the only criteria for eligibility for merit promotions and rationalisations of the AFARs by a Committee to avoid wide variations in the gradings.

After detailed discussions, DG, CSIR was of the view that since these form the components of the MANAS approved by the President, CSIR, it is not within his powers to withdraw or modify any of these provisions but he will discuss the same with the VP, CSIR and based on his response, a proposal will be put up for consideration of the President, CSIR, on the following items:

(i) Normalisation of the AFAR grading at the local level in the Labs./Instts. by a Committee of senior Scientists under the Chairmanship of the Director. SWA wanted that their representatives may also be included in this normalisation Committee, but the suggestion was not agreed to by the DG, CSIR.

(ii) holding in obedience the merit promotions under the revised MANAS effective from 1.4.1992;

(iii) constitute a Committee for reviewing the Personnel Policy for all CSIR employees under the Chairmanship of an eminent person assisted by a Consulting firm known for expertise in human resource development and personnel policies;

(iv) reduction in the threshold from 65 to 60% for assessment promotion from Group-III(2) to Group-III(3) so as to maintain the uniformity of threshold in first two grades of Group-III and Group-IV.

132
Dr. regards the demand of SWA for extending the benefit of reimbursement of the subscription for becoming members of the professional societies also to the staff in Group-III/IV and optees of Bye-law 71(b). In addition to Group-IV scientists, DG, CSIR informed the representatives that he has already issued the instructions to the Directors to reimburse the amount on the existing terms & conditions depending upon the availability of the funds in their Lab. reserve.

With regard to the SWA demand that in view of the ban on direct recruitment, the employees acquiring the higher qualification should be allowed the benefit of change over to the next higher group and to come over to the revised assessment scheme as and when they acquire the higher qualifications, without the restriction of any cut-off date, it was clarified that as per guidelines approved by the Governing Body the change over of the Group is permissible under two conditions i.e. (1) the employees who are in position as on 1.2.1981 and acquired the qualifications of the next higher group before 31.12.1981 could be promoted under the faster track under NRAS; and (2) the employees who though were in position as on 1.2.1981 but acquired the higher qualifications after 31.12.1981, they could be considered along with the outside candidates and can be promoted against their own lower post on acquiring the comparable merit, without affecting the vacancies advertised for direct recruitment.

Similarly, the optees of old Bye-law are given the option every time as and when the scheme is revised. They were given such option under NRAS, MANAS and revised MANAS implemented on 1.2.1981, 1.4.1988 and 1.4.1992 respectively. The concerned employees have exercised their options for the Schemes considered most advantageous by them for themselves.

In view of the above position, it may not be possible to agree to the demand of SWA for removal of the restriction of the cut-off date for change over to the next higher group on acquiring higher qualifications and option to the employees covered by the old Bye-law 71(b).

It was mentioned by the SWA that some of the Labs./Instts. have formulated some internal guidelines for evaluation of APARs, which is not in conformity with the CSIR guidelines. It was clarified by them that in the matter of APARs all the Labs./Instts. have to strictly abide by the CSIR guidelines.

On being informed by SWA that in some of the Labs./Instts. immediate supervisory officers are not being allowed to act as the Reporting/Reviewing Officer, PB,

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CSIR agreed that as per guidelines under normal circumstances, reports should be written by the immediate supervisory officers. It was also clarified that as per instructions, no retired officer can write the reports after one month from the date of his retirement.

4. Administrative set-up.

With regard to demand of SWA for appointment of Directors only from within the CSIR system and for a non-renewal term of six years only, as a matter of rule, DG, CSIR informed the representatives that as per procedure approved by the President, CSIR, the appointment of the Directors is made on the recommendations of a high-level Search Committee and approval of the President, CSIR. Any candidate either from within or outside the CSIR system found most suitable by the Search Committee is appointed to the post, and the tenure of a Director can be extended in exceptional cases on the basis of review of his performance during the initial tenure by an expert Committee.

As regards the other suggestion of SWA for transfer of Central Cadre Officers after every three years, as per guidelines, it was clarified that they are being transferred as and when considered necessary in public interest for efficiency of administration. While considering such issues it has also to be kept in mind that frequent transfers apart from causing lot of unnecessary hardship to the concerned officer, also entail huge expenditure by way of transfer TA, etc. and dislocation of the work of the concerned Labs./Instts. SWA representatives, however, remained persistent in their demand stating that allowing the central cadre officers to remain at one place for longer period is leading to irregularities including corruption. DG, CSIR assured them that if any specific cases of irregularities and corruption are brought to his notice with proof, he will take strong action against the concerned officers.

5. Residential Accommodation

The allocation of funds is being made to the Labs./Instts. on merit basis depending upon the availability of funds allocated by the Planning Commission for this purpose.

As regards, the suggestion made by SWA for bringing uniformity in the criteria for allotment of single, double and three room scientists apartments and conversion of new hostel into Scientist Apartment, DG, CSIR advised Dr. M.P. Dhir, Director (EC) to examine the matter in consultation with the Directors of the local Labs. in which Dr. B.V. Reddi, General Secretary, SWA may also be associated.

113-
6. Contractual Service.

134
With regard to the point raised by SWA regarding the benefits of confirmation to the contractual employees, it was clarified to them that necessary instructions on the subject were circulated to the Labs./Institts. in May, 1991. DG, CSIR advised the representatives to bring to his notice in case their instructions are not being followed by any of the Labs./Institts.

List of Participants

C.S.I.R.

1. DCSIR
2. JS Admn.)
3. Financial Adviser
4. Legal Adviser
5. Dr. M.P. Dhir
6. Dr. D.V. Singh
7. Dr. Krishan Lal
8. D.S.(LA)

S.W.A.

1. Dr. A. Parida,
President, RRL, Bhub.
2. Dr. D.M. Dharmadhikari,
Vice-President, NEERI, Nagpur
3. Dr. A.K. Vaish,
Vice-President, NML, Jamshedpur
4. Dr. B.V. Reddi,
Gen. Secretary, NPL
5. Mr. R.S. Tanwar,
Treasurer, NPL
6. Mr. M.S. Kalra,
Joint Secretary, CBRI, Roorkee
7. Mr. Jai Bhagawan,
Joint Secretary, CRRI.
8. Dr. R.K. Rawlley,
RRL, Bhopal
9. Mr. R. Naresh,
CFTRI, Mysore.
10. Dr. S.N. Sharma,
IIP, Dehradun.
11. Dr. SMH Abidi,
NBRI, Lucknow.
12. Mr. A.K. Singh,
IIP, Dehradun.
13. Mr. B.M. Gandotra,
RRL, Jammu.

To
The Administrative Officer,
Regional Research Laboratory,
Jorhat- 785 006 (Assam).

Dated 1st Feb'1995.

Sub: Handing over of Key of the R.R.L. -
Seismic Station, Guwahati.

Respected Sir,

In response to your Office Memorandum No. RRLJ/- Geose/94 dated 30.11.94 and Press notification in the Doinik Janam Bhumil on 26.1.95, I am handing over the said Key to the Head, Geo-Science Division, R.R.L. Jorhat to-day the 1st February, 1995 in presence of you.

Further I would like to inform you that though I had received the O.M. No. RRLJ/Geose/94 dated 30.11.94 on 16.12.94, I could not hand over the said Key at that time as I was much eagerly waiting for my extension of service like other project Fellow of Geo Science Division. On the other hand, I thought that some body may come to take the charge officially of Guwahati Station at any moment, that is why I kept the key with me. But till today nobody has come to take the charge and the said key at Guwahati.

Now it is clear from the press notification given by you that it is given only to malign my prestige publicly. So by this letter I would like to inform you that I am handing over the key to the Head, Geo-Science Division in presence of you by honouring the official formality. More over Sir, my personal properties and materials will be at Guwahati Station till I manage to hire a truck to bring it to home back.

Further I would like to inform you that due to non-approval of extension of my service since 8th Oct'94, I am compelled to file a case to regularise my service at the CAT (Central Administrative Tribunal), Guwahati.

Case No. - O.A. - 16/95.

This is for your kind information only.

Thanking you,

Yours faithfully,

(Shri DULAL SARU)
Vill & P.O. Kachupather Gaon,
Via- Kamargaon -785 619.
Dist. Golaghat (Assam).

Shri K.C. Deka
will receive the
Key with verification
of the Head, Geo-Science Division
in presence of Shri Dulal
Saru on 7.2.95.

To
The Director,
Regional Research Laboratory,
Jorhat-785006 (Assam).

Date: 31.10.1995.

(Through the Head, Geo-Science Division)

Sub:- Application for extension of Service to complete the
Tour of Yaongyimsen, Nagaland.

Hon'ble Sir,

With due deference, I do hereby like to cite the following few lines regarding the submission in the Hon'ble CAT, Guwahati bench for case No. O.A.16/95 submitted on 2.3.95 by respondent No.5, which came to my notice on 17.10.95.

Sir, I would like to inform you that as mentioned therein, I was not informed by the Office about the extension of my service for a period of 6(Six) months from Dec'94. I am ready to complete the tour now also without breaking the continuity of my service.

Sir, in persuance of O.M. No. RRLJ/Geose/94 dated 30.11.94 and the press note in 'The Dainik Janambhumi' on 26.1.95, I had handed over the key, instruments and belongings to the Office through my letter dated 1.2.95. So, I would like to request you again to arrange the following, to remove my troubles, to complete the tour for bounded period very smoothly.

- (1) Extension of Service with continuity.
- (2) Tour advance and salary to meet the expenditure of self and family.
- (3) ILP (Inner Line Pass) to cross the border.
- (4) Technical expert to bring the instrument in-order, which was lying out-of-order since long back (See the record book of Seismograms).
- (5) Accomodation, as because the Station is in remote solitary place of Nagaland State.
- (6) RRL's regular employee to show me the Station.
- (7) The extrimist NSCN is in active and so Official Surety to self and family. Earlier posted project Asstt. Mr. P.P.Sarma (whose case No.O.A.18/95 is in the Hon'ble CAT's) was threatened.
- (8) Grant of TA/DA as per Govt. rules.
- (9) Other necessary materials allowed to the operator of Sub-Station as because I had handed over all this before.

Cont'd.....2.

- 116 - 123
137

-2-

Therefore, I would like to request you to intimate your order within 7(Seven) days from the date of receiving this letter, and I shall abide by the order to complete the tour very smoothly.

This is my humble request to you to keep the continuity of my service reviewing letter No. RLJ-13(619)-ESTT/86 Dt. 21.10.94 and to take necessary action to the person concerned with the matter for not sending the engagement letter to me in due course.

With profound regards.

Yours faithfully,

Shahol
31/10/95
(D. SAHU)

Vill. & P.O. Kachupather
Gaon,
Via-Kamar Gaon - 785619
Dist. Golaghat, Assam.

Encl: True Copy of the Hon'ble
CAT's Report dt. 2.3.95.

Copy to: Shri B.K.Sarmah, Advocate, CAT. Guwahati.

— 7 —

Ph. 20353, 20315, 20317

117 ANNEXURE - C 124
Gram: RESEARCH, JORHAT 98

REGIONAL RESEARCH LABORATORY : JORHAT : ASSAM.
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/95

Date 13.07.1995.

From : The Director,
Regional Research Laboratory,
Jorhat-785 006. (Assam)

To

Shri Dipankar Karnakar
C/O Shri T.L. Karnakar
DOSON CHEMICALS, MC Road
Machkhawa
GUWAHATI - 781 009.

SUB.: Offer for engagement in a Sponsored Project/Scheme.

Sir,

With reference to your requested dated 23.05.95 you are hereby intimated that the Director, Regional Research Laboratory, Jorhat on behalf of the sponsor of the Project/Scheme, namely Stereospecific synthesis. has been pleased to offer you on contract basis to work as Junior Project Fellow on a consolidated amount of Rs 2500/- P.M. (fixed) Rupees Two thousand five hundred only on the following terms and conditions :-

- 1). Your engagement is for the Project, namely Stereospecific synthesis funded by DST
- 2). It is not an offer of appointment in CSIR temporary or otherwise. It is a contractual engagement for the Project/Scheme funded by the above sponsor. It would therefore, not confer any right/claim implicit or explicit for your consideration against any CSIR post.
- 3). Your engagement on contract is for a specific period of 6 (Six) months only. which may be extended or curtailed depending upon the status of the sponsored Project/Scheme. In any event, your engagement shall be co-terminus with the duration with the above mentioned sponsored Project/Scheme only.
- 4). The contract of engagement may be terminated by giving one month's notice in writing by either side.
- 5). No travelling allowance will be paid to you for reporting for duty.

Contd.(2).....

39

6). Your engagement on contract will be subject to the production of the following documents at your expenses at the time of your reporting for duty.

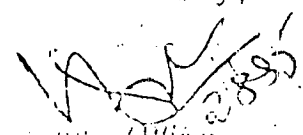
a). MEDICAL CERTIFICATE of health and physical fitness for service issued by the competent medical authority in the prescribed format; if not already so medically examined the latter case, a certified copy of the relevant medical certificate should be furnished.

b). Documentary evidence in support of your DATE OF BIRTH & QUALIFICATIONS.

7). Any service matter not specifically stated herein shall be determined by the Director, RRL, Jorhat whose decision shall be final and binding on both the parties to the contract.

If you are willing to accept the engagement on these terms and conditions, you may please communicate your acceptance within a WEEK from the date of receipt of this letter while intimating probable date of your reporting for duty.

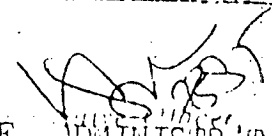
Yours faithfully,



CONTROLLER OF ADMINISTRATION.
(Assam)

2 :-

1. Accounts Section.
2. Bills Section.
3. Personal file.
4. Head of Division / P.I. Dr. J.S. Sanahu, Scientist



CONTROLLER OF ADMINISTRATION.
(Assam)

I. 95

Gram: RESEARCH, JORHAT

Ph: 20353, 20315, 20317

REGIONAL RESEARCH LABORATORY : JORHAT : ASSAM.
(Council of Scientific & Industrial Research)

140

No. RLJ-S(21-Estt/95

Date 13-07-1995From : The Director,
Regional Research Laboratory,
Jorhat-785 006. (Assam)

To

Shri Shyamal Chandra Mandal
C/O Shri S.K. Mandal
Accountant, Office of the Supdt. Telegraphs, Traffic,
Bongaigaon Division
Bongaigaon.SUB.: Offer for engagement in a Sponsored Project/Scheme.

Sir,

With reference to your requested dated 24-4-1995 you are hereby intimated that the Director, Regional Research Laboratory, Jorhat on behalf of the sponsor of the Project/Scheme, namely16-DPA pilot plant has been pleased to offer you on contract basis to work as Junior Project Fellow on a consolidated amount of Rs 2,500/- PM P.M. (fixed) Rupees Two thousand five hundred only. on the following terms and conditions :-1). Your engagement is for the Project, namely 16- DPA Pilot plant funded by M/s. Maya India Ltd.

2). It is not an offer of appointment in CSIR temporary or otherwise. It is a contractual engagement for the Project/Scheme funded by the above sponsor. It would therefore, not confer any right/claim implicit or explicit for your consideration against any CSIR post.

3). Your engagement on contract is for a specific period of 6 (six) months only. which may be extended or curtailed depending upon the status of the sponsored Project/Scheme. In any event, your engagement shall be co-terminus with the duration with the above mentioned sponsored Project/Scheme only.

4). The contract of engagement may be terminated by giving one month's notice in writing by either side.

5). No travelling allowance will be paid to you for reporting for duty.

Contd.(2).....

6). Your engagement on contract will be subject to the production of the following documents at your expenses at the time of your reporting for duty.

14/ a). MEDICAL CERTIFICATE of health and physical fitness for service issued by the competent medical authority in the prescribed format, if not already so medically examined the later case, a certified copy of the relevant medical certificate should be furnished.

b). Documentary evidence in support of your DATE OF BIRTH & QUALIFICATIONS.

7). Any service matter not specifically stated herein shall be determined by the Director, RRL, Jorhat whose decision shall be final and binding on both the parties to the contract.

If you are willing to accept the engagement on these terms and conditions, you may please communicate your acceptance within a WEEK from the date of receipt of this letter while intimating probable date of your reporting for duty.

Yours faithfully,

CONTROLLER OF ADMINISTRATION.

o :-

1. Accounts Section
2. Bills Section.
3. Personal file.
4. Head of Division / P.I. Dr. R.K. Mathur, Dy. Director,
RRL, Jorhat-6.

CONTROLLER OF ADMINISTRATION.

I.95

Ph. 20353, 20315, 20317

Gram: RESEARCH, JORHAT

REGIONAL RESEARCH LABORATORY : JORHAT : ASSAM.
(Council of Scientific & Industrial Research)

142

No. RLJ-9(2)-Estt/95

Date 30-05-1995

From : The Director,
Regional Research Laboratory,
Jorhat-785 006. (Assam)

To
Shri Bharat Buragohain
Geo-Science Division
Regional Research Laboratory
Jorhat - 6.

SUB.: Offer for engagement in a Sponsored Project/Scheme.

Sir,

With reference to your requested dated 3-4-95 you are hereby intimated that the Director, Regional Research Laboratory, Jorhat on behalf of the sponsore of the Project/Scheme, namely

_____ has been pleased to offer you on contract basis to work as Project Assistant on a consolidated amount of Rs 1,800=00 only P.M.(fixed) Rupees One thousand eight hundred only on the following terms and conditions :-

1). Your engagement is for the Project, namely _____ funded by _____

2). It is not an offer of appointment in CSIR temporary or otherwise. It is a contractual engagement for the Project/Scheme funded by the above sponsore. It would therefore, not confer any right/claim implicit or explicit for your consideration against any CSIR post.

3). Your engagement on contract is for a specific period of 6 (Six) months w.e.f. 24-4-95 which may be extended or curtailed depending upon the status of the sponsored Project/Scheme. In any event, your engagement shall be co-terminus with the duration with the above mentioned sponsored Project/Scheme only.

4). The contract of engagement may be terminated by giving one month's notice in writing by either side.

5). No travelling allowance will be paid to you for reporting for duty.

Contd.(2).....

6). Your engagement on contract will be subject to the production of the following documents at your expenses at the time of your reporting for duty.

a). MEDICAL CERTIFICATE of health and physical fitness for service issued by the competent medical authority in the prescribed format, if not already so medically examined the later case, a certified copy of the relevant medical certificate should be furnished.

b). Documentary evidence in support of your DATE OF BIRTH & QUALIFICATIONS.

7). Any service matter not specifically stated herein shall be determined by the Director, RRL, Jorhat whose decision shall be final and binding on both the parties to the contract.

If you are willing to accept the engagement on these terms and conditions, you may please communicate your acceptance within a WEEK from the date of receipt of this letter while intimating probable date of your reporting for duty.

Yours faithfully,


CONTROLLER OF ADMINISTRATION.

o :-

1. Accounts Section. Expenditure is debitable to
2. Bills Section. P-2 Lab-budget.
3. Personal file.
4. Head of Division / P.I. Dr. MV Sitaram, Head, Geo-Science Div

CONTROLLER OF ADMINISTRATION.

I.95

REGIONAL RESEARCH LABORATORY : JORHAT : ASSAM.
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/95

Date 13.07.1995.From : The Director,
Regional Research Laboratory,
Jorhat-785 006. (Assam)

To

Shri Dipankar Karnakar
C/O Shri T.L. Karnakar
DOSON CHEMICALS, MG Road
Machkhawa
GUWAHATI - 781 009.SUB.: Offer for engagement in a Sponsored Project/Scheme.

Sir,

With reference to your requested dated 23.05.95 you are hereby intimated that the Director, Regional Research Laboratory, Jorhat on behalf of the sponsor of the Project/Scheme, namely

Stereospecific synthesis.

has been pleased to offer you on contract basis to work as Junior Project Fellow on a consolidated amount of Rs 2500/- P.M. (fixed) Rupees Two thousand five hundred only on the following terms and conditions :-

1). Your engagement is for the Project, namely Stereospecific synthesis funded by DST

2). It is not an offer of appointment in CSIR temporary or otherwise. It is a contractual engagement for the Project/Scheme funded by the above sponsor. It would therefore, not confer any right/claim implicit or explicit for your consideration against any CSIR post.

3). Your engagement on contract is for a specific period of 6 (Six) months only. which may be extended or curtailed depending upon the status of the sponsored Project/Scheme. In any event, your engagement shall be co-terminus with the duration with the above mentioned sponsored Project/Scheme only.

4). The contract of engagement may be terminated by giving one month's notice in writing by either side.

5). No travelling allowance will be paid to you for reporting for duty.

Contd.(2).....

124-
6). Your engagement on contract will be subject to the production of the following documents at your expenses at the time of your reporting for duty.

13
a). MEDICAL CERTIFICATE of health and physical fitness for service issued by the competent medical authority in the prescribed format, if not already so medically examined the later case, a certified copy of the relevant medical certificate should be furnished.

b). Documentary evidence in support of your DATE OF BIRTH & QUALIFICATIONS.

7). Any service matter not specifically stated herein shall be determined by the Director, RRL, Jorhat whose decision shall be final and binding on both the parties to the contract.

If you are willing to accept the engagement on these terms and conditions, you may please communicate your acceptance within a WEEK from the date of receipt of this letter while intimating probable date of your reporting for duty.

Yours faithfully,

[Signature]
CONTROLLER OF ADMINISTRATION.
Jorhat (Assam)

cc :-

- 1. Accounts Section.
- 2. Bills Section.
- 3. Personal file.
- 4. Head of Division / P.I. Dr. J.S. Sandhu, Scientist

[Signature]
CONTROLLER OF ADMINISTRATION.
Jorhat (Assam)

I.95

-125- ANNEXURE - F1 128
145

REGIONAL RESEA RCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research).

No. RLJ-13415)-Estt/95

Dated 14.8.95

OFFICE MEMORANDUM

In pursuance of offer of appointment in sponsored Project Scheme vide letter No. RLJ-9(2)-Estt/95 dated 13.7.95 Shri Dipankar Karmakar reported for duty on 2.8.95 (FN) as Junior Project Fellow on a consolidated amount of Rs.2500/- (Rupees two thousand five hundred only) per month for a period of 6(six) months.

SECTION OFFICER

To
Shri Dipankar Karmakar,
J.P.F. RRL, Jorhat

- Copy to:-
1. Accounts Section.
 2. Bills Section.
 3. Library
 4. Medical Centre
 5. Recruitment cell
 6. P.S. to Director.
 7. Office copy.

[Signature]
SECTION OFFICER
15

REGISTERED

ANNEXURE 6 129

Ph: 20353, 20315, 20317

Gram: RESEARCH, JORHAT

REGIONAL RESEARCH LABORATORY : JORHAT : ASSAM.
(Council of Scientific & Industrial Research)

No. RLJ-S(2)-Estt/95

Date 13-07-1995

From : The Director,
Regional Research Laboratory,
Jorhat-785 006. (Assam)

To

Shri Shyamal Chandra Mandal
C/O Shri S.K. Mandal
Accountant, Office of the Supdt. Telegraphs, Traffic,
Bongaigaon Division
Bongaigaon.

SUB.: Offer for engagement in a Sponsored Project/Scheme.

Sir,

With reference to your requested dated 24-4-1995 you are hereby intimated that the Director, Regional Research Laboratory, Jorhat on behalf of the sponsor of the Project/Scheme, namely

16-DPA pilot plant has been pleased to offer you on contract basis to work as Junior Project Fellow on a consolidated amount of Rs 2,500/- PM P.M. (fixed) Rupees Two thousand five hundred only. on the following terms and conditions :-

1). Your engagement is for the Project, namely 16- DPA Pilot plant funded by M/s. Maye India Ltd.

2). It is not an offer of appointment in CSIR temporary or otherwise. It is a contractual engagement for the Project/Scheme funded by the above sponsor. It would therefore, not confer any right/claim implicit or explicit for your consideration against any CSIR post.

3). Your engagement on contract is for a specific period of 6 (six) months only. which may be extended or curtailed depending upon the status of the sponsored Project/Scheme. In any event, your engagement shall be co-terminus with the duration with the above mentioned sponsored Project/Scheme only.

4). The contract of engagement may be terminated by giving one month's notice in writing by either side.

5). No travelling allowance will be paid to you for reporting for duty.

Contd.(2).....

6). Your engagement on contract will be subject to the production of the following documents at your expenses at the time of your reporting for duty.

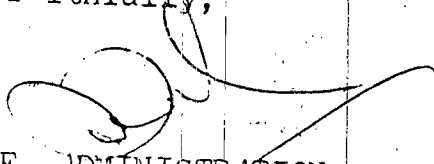
a). MEDICAL CERTIFICATE of health and physical fitness for service issued by the competent medical authority in the prescribed format, if not already so medically examined the later case, a certified copy of the relevant medical certificate should be furnished.

b). Documentary evidence in support of your DATE OF BIRTH & QUALIFICATIONS.

7). Any service matter not specifically stated herein shall be determined by the Director, RRL, Jorhat whose decision shall be final and binding on both the parties to the contract.

If you are willing to accept the engagement on these terms and conditions, you may please communicate your acceptance within a WEEK from the date of receipt of this letter while intimating probable date of your reporting for duty.

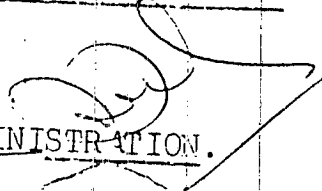
Yours faithfully,


CONTROLLER OF ADMINISTRATION.

o :-

1. ✓ Accounts Section
2. ✓ Bills Section.
3. ✓ Personal file.

4. ✓ Head of Division / P.I. Dr. R.K. Mathur, Dy. Director,
RRL, Jorhat-6.


CONTROLLER OF ADMINISTRATION.

I.95

-128- ANNEXURE G-I 30
148

REGIONAL RESEARCH LABORATORY: JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-13(816)-Estt/95

Dated 15.8.95

OFFICE MEMORANDUM

In pursuance of offer of appointment in sponsored Project Scheme vide letter No. RLJ-9(2)-Estt/95 dated 13.7.95 Shri Shyamal Ch. Mandal reported for duty on 1.8.95 (FN) as Junior Project Fellow on a consolidated amount of Rs. 2500/- (Rupees two thousand five hundred only) per month for a period of 6(six) months.

SECTION OFFICER

To
Shri. Shyamal Ch. Mandal,
J.P.F.
RRL, Jorhat

- Copy to:-
1. Accounts Section.
 2. Bills Section.
 - ✓ 3. Library
 4. Medical centre
 5. Recruitment cell
 6. P.S. to Director.
 7. Office copy.

[Signature]
16/8/95
SECTION OFFICER

Ph. 20353, 20315, 20317

Gram: RESEARCH, JORHAT

REGIONAL RESEARCH LABORATORY : JORHAT : ASSAM.
(Council of Scientific & Industrial Research)

No. RLJ-9(2)-Estt/95

Date 13-07-95.

From : The Director,
Regional Research Laboratory,
Jorhat-785 006. (Assam)

To
Shri Banasua Ulon Mangang
Pishunthong-Khong
Imphal 795 001.
Manipur.

SUB.: Offer for engagement in a Sponsored Project/Scheme.

Sir,

With reference to your requested dated 24-04-95. you are hereby intimated that the Director, Regional Research Laboratory, Jorhat on behalf of the sponsor of the Project/Scheme, namely

16-DPA

has been pleased to offer you on contract basis to work as Jr. Project Fellow on a consolidated amount of Rs 2500/- P.M. (fixed) Rupees Two thousand five hundred only on the following terms and conditions :-

1). Your engagement is for the Project, namely 16-DPA funded by M/s Navy India Ltd.

2). It is not an offer of appointment in CSIR temporary or otherwise. It is a contractual engagement for the Project/Scheme funded by the above sponsor. It would therefore, not confer any right/claim implicit or explicit for your consideration against any CSIR post.

3). Your engagement on contract is for a specific period of 6 (Six) months only which may be extended or curtailed depending upon the status of the sponsored Project/Scheme. In any event, your engagement shall be co-terminus with the duration with the above mentioned sponsored Project/Scheme only.

4). The contract of engagement may be terminated by giving one month's notice in writing by either side.

5). No travelling allowance will be paid to you for reporting for duty.

Contd.(2).....

6). Your engagement on contract will be subject to the production of the following documents at the time of your reporting for duty.

a). MEDICAL CERTIFICATE of health and physical fitness for service issued by the competent medical authority in the prescribed format, if not already so medically examined the later case a certified copy of the relevant medical certificate should be furnished.

b). Documentary evidence in support of your DATE OF BIRTH & QUALIFICATIONS.

7). Any service matter not specifically stated herein shall be determined by the Director, RRL, Jorhat whose decision shall be final and binding on both the parties to the contract.

If you are willing to accept the engagement on these terms and conditions, you may please communicate your acceptance within a WEEK from the date of receipt of this letter while intimating probable date of your reporting for duty.

Yours faithfully,

CONTROLLER OF ADMINISTRATION.

cc :-

✓ 1. Accounts Section.

✓ 2. Bills Section.

✓ 3. Personal file.

✓ 4. Head of Division / Dr. V. C. Barua, Scientist
Org. Chem. Divn/

Dr. R. K. Mathur, Dy. Director, RRL, Jorhat

CONTROLLER OF ADMINISTRATION.

I. 95

131- 132
ANNEXURE - 2/1

REGIONAL RESEA RCH LABORATORY JORHAT: ASSAM
(Council of Scientific & Industrial Research)

No. RLJ-13(818)-Estt/95

Dated 16.8.95

OFFICE MEMORANDUM

In pursuance of offer of appointment in sponsored Project Scheme vide letter No. RLJ-9(2)-Estt/95 dated 13.7.95 Shri Sonaram Ulen Mangang reported for duty on 9.8.95 (FN) as Junior Project Fellow on a consolidated amount of Rs. 2500/- (Rupees two thousand five hundred only) per month for a period of 6(six) months.

SECTION OFFICER

To
Shri Sonaram Ulen Mangang,
J.P.F. RRL, Jorhat

- Copy to:-
1. Accounts Section.
 2. Bills Section.
 3. Library
 4. Medical centre
 5. Recruitment cell
 6. F.S. to Director.
 7. Office copy.

16/8/95
SECTION OFFICER