

30/100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 172/95.....

R.A/C.P No.....

E.P/M.A No.....

(1) CP 33/96 under para 1 to 2 CP closed 3/10/96
(2) CP 40/96 under para 1 to 3 CP closed 19/9/97
(3) RA 41/96 under para 1 & 2 23/2/96

1. Orders Sheet..... Pg. 1 to 3
2. Judgment/Order dtd. 13.9.95 Pg. x to 10. Supreme and O.D.
3. Judgment & Order dtd..... Received from H.C/Supreme Court
4. O.A..... 172/95 Pg. 1 to 28
5. E.P/M.P..... Pg. to
6. R.A/C.P. 33/96..... Pg. 1 to 11
7. W.S..... Pg. 1 to 13
8. Rejoinder..... Pg. to
9. Reply..... Pg. to
10. Any other Papers..... Pg. to
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

Gahs
6.2.18

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH : GUWAHATI

ORIGINAL APPLN. NO.

172 OF 1995

TRANSFER APPLN. NO.

OF 1995

CONT EMPT APPLN. NO.

OF 1995 (IN

NO.)

REVIEW APPLN. NO.

OF 1995 (IN

NO.)

MISC. PETITION NO.

OF 1995 (IN

NO.)

..... *Shyamal K. Mehta* APPLICANT(S)

-vs-

..... *V. O. I. T. S.* RESPONDENT(S)

For the Applicant(s)

... Mr. B. K. Sharma
Mr. M. B. Mehta
Mr. S. Sarma
Mr.

For the Respondent(s)

Mr. *G. Sarma Addl. C.A.*

OFFICE NOTE

DATE

ORDER

This application is in
form and within time.
C. F. of Rs. 50/-
deposited vide
IPO/BD No. 885073
Dated 14-6-95

13.9.95

Mr B.K. Sharma for the applicant.
Mr G.Sarma, Addl.C.G.S.C for the
respondents.

O.A. admitted. Notice waived.

Prima facie it appears from Annexure B that the applicant ^{who} belongs to Scheduled Caste should be eligible to be appointed either under the Scheme "Casual Labourers (Grant of Temporary Status and Regularisation) Scheme" of Government of India 1993" meant for permanent absorption of Group 'D' staff since the applicant belongs to Group 'D'. The services of the applicant was terminated by a verbal order in the Month of November, 1990. The applicant had been representing to the authorities to absorb him. Eventually he addressed a representation to the Prime Minister's office. That being referred to the Director General of All India Radio, the office of the Directorate requested the Assistant Engineer(Civil), Civil Construction Wing, All India Radio, Dibrugarh by letter dated 11.5.95 to submit his comments to the Directorate at the earliest. That infor-

12-9-95

Passed over for the day
for Admision.

Bto

(contd. to Page No. 2)

OA/~~PA/CP/PA/MP~~ No. 172 of 1995

OFFICE NOTE	DATE	ORDER
	13.8.95	<p>Information was furnished but it transpires that the matter was to be dealt with by Chief Engineer(C), CCW, AIR, New Delhi and therefore the Assistant Engineer(C), CCW, AIR, Dibrugarh by letter dated 15.7.94 requested the Directorate to despatch all the related documents in respect of the applicant to Chief Engineer(C), CCW, AIR, New Delhi for early action. It is seen that by earlier letters Assistant Engineer(C), CCW, AIR, Dibrugarh has recommended for sympathetic consideration of the case of the applicant as he was a good, efficient and sincere worker and was a needy person and only earning member of the family. The Chief Engineer(C), CCW, AIR, New Delhi does not appear to have taken the decision even though the matter has been pending since July 1994 and as anxiety was shown by the Directorate by letter dated 11.5.94 to decide the matter early in view of the reference from Prime Minister's office. It is now the grievance of the applicant that while the matter is thus pending some others who were junior to him are being absorbed and thus injustice is being caused to him.</p> <p>In the circumstances it is desirable that the decision on the request for absorption of the applicant in Group 'D' category staff be taken expeditiously by the Chief Engineer(C), CCW, AIR, New Delhi with whom the matter seems to have rested since July 1994. The said authority is therefore directed to take the decision and convey it to the applicant within a period of two months from the date of communication of this order. In the event of no such decision being taken within that time or the applicant feels aggrieved by such decision he will be at liberty to approach this Tribunal for relief.</p> <p style="text-align: right;"><i>hsl</i></p>

13.9.95

O.A. is accordingly disposed of.

No order as to costs.

8.12.95

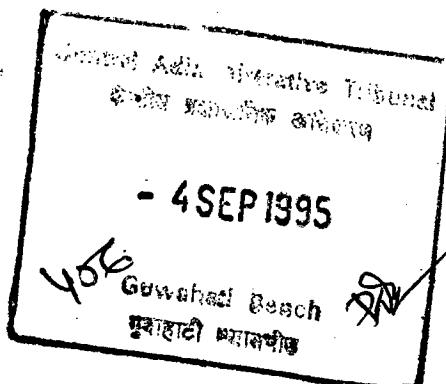
copy of order dtd.
13.9.95 issued
to the counsel
of the parties
re file no. 5405-06
Dtd. 20.12.95.

Member

Subbanchari
Vice-Chairman

P9

gfs.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GAUHATI BENCH,
GUWAHATI.

An Application under section 19 of the
Central Administrative Tribunal Act, 1985.

O. A. No. 172/95.

Shri Shyamol Kumar Mallick. Applicant.

-Versus-

Union of India & ors. Respondent.

I N D E X.

<u>Sl. No.</u>	<u>Annexure.</u>	<u>Particulars.</u>	<u>Page.</u>
1.	-	Application.	1 - 17.
2.	-	Verification.	17.
3.	A.	Cast certificate.	18.
4.	B	Details of working days.-	19.
5.	C	Representation dated 20.9.90.	- 20
6.	D	Representation dated 16.9.91.	- 21
7.	E	Letter dt. 24.3.92.	- 22
8.	F	Representation dt. 30.6.92	- 23
9.	G	Letter dt. 12.10.92	- 24
10.	H	Letter dt. 23.3.93.	- 25
11.	I	Director General's Letter Dt. 11.5.94.	- 26
12.	J	Letter dt. 8.6.94	- 27
13.	K	Letter dt. 15.7.94.	- 28

Recd Copy
Salman
Wali Se
CAT
4/17 30-8-95

Filed by the applicant
through
O. M. H.
30.5.95

1. Particulars of the applicant.

Shri Shyamal Kumar Mallik,
S/O. Late Satish Ch. Mallik,
Borbari Railway Colony,
Railway Quarter No. 45A,
P.O. - Dibrugarh, Assam.

2. Particulars of the Respondents.

1. Union of India,
through Secretary,
Govt. of India,
Ministry of Information and
Broad Casting, New Delhi.

2. Director General,
All India Radio,
Akashvani Bhawan,
Parliament Street,
New Delhi - 110001.

3. The Chief Engineer (Civil),
Civil Construction Wing (CCW),
AIR, New Delhi.

4. The Superintending Engineer (Civil),
Civil Construction Wing,
All India Radio, Guwahati.

5. Executive Engineer, (Civil),
Civil Construction Wing,
All India Radio, Dibrugarh.

6. Shri Ajit Baran Mitra,
O/o the Civil Construction Wing
All India Radio, Dibrugarh. 3.....

3. Particulars for which this application is made :

This application is made for appointment of the appointment of the applicant on priority basis in any regular group 'D' vacancy, in the All India Radio, Civil Construction Wing, and also against the appointment of Shri Ajith Baran Mitra, Group 'D' Peon in the month of July, '94 in the o/o the Civil Construction, All India Radio, Dibrugarh.

4. Jurisdiction :

The applicant declare that the case is within jurisdiction of this Hon'ble Tribunal.

5. Limitation :

The applicant further declares that the case is within limitation prescribed under section 19 of the Central Administrative Tribunal Act, 1985.

6. Facts of the case :

1. That the applicant is a citizen of India as such he is entitled to all the right and privileges guaranteed under the Constitution of India. The applicant belongs to Scheduled Caste community. He belongs to poor family having no source of income. The applicant passed his Matriculation Examination in the year 1991 from Board of Secondary Education, Assam (SEBA).

A copy of S.C. Certificate is enclosed as Annexure - 'A'.

2. That the applicant initially engaged as casual Labour w.e.f. 1.12.88 in the office of the Assistant, Engineer Civil Construction wing, All India Radio. The applicant was entrusted with different nature of works in the

office of the Assistant Engineer, Civil Construction Wing, Dibrugarh. The applicant is also some times engaged in clerical work in the office of the Assistant Engineer. The applicant continuously worked without any break for 348 days from 1st December 1988 to 31 Dec./89 and further he worked for 310 days during the year 1990 without any break as per official records maintained for casual workers. This would be evident from the Details of muster rolls wages of applicant for the year 1988 and 1990.

A copy of the Muster Roll wages indicating working days is enclosed as Annexure - 'B'.

3. That the service of applicant was terminated with verbal order in the month of November, 1990. Thereafter the applicant approached the authorities on several occasion for his re-engagement as casual labour and submitted representation dated 20.9.90, 18.9.91, 30.6.92 and also submitted an application to the Hon'ble Prime Minister of India on 16.3.94 for his appointment. Thereafter Director General, All India Radio vide his Letter No. 4/75/93-S. V.I/202 dated 11.5.94 whereby ~~byxxix~~ it is stated that a copy of representation addressed to the Hon'ble Prime Minister for absorption/appointment in a regular Group D post is endorsed and requested that

necessary

a

necessary comments in this regard may please be sent to to Directorate at the earliest. Thereafter the Asstt. Engineer Civil vide his letter No. AIR/AE/DIB/94-95/9-~~E~~/33 dated 8.6.94 whereby the Asstt. Engineer Civil Construction Wing intimated the Director General that as per records available in his office the applicant was engaged on muster roll as unskilled labour on casual basis w.e.f. 1.12.88 and he had been engaged 348 days in the year 1989 and 310 days in the year 1990, and also certified that the applicant is a sincere worker and deserves a job, being only earning male member of the family and also requested for sympathetic consideration of the case of the applicant. Be it stated that in all the representation the applicant prayed for appointment on regular basis any group 'D' post in the Civil Construction Wing and even the Executive Engineer vide his letter No. ITA(C)/1(9)/91-5/2895-96 dated 24.03.92 whereby forwarded his case to the Superintending Engineer Civil Construction Wing, Guwahati. The applicant also submitted numbers of representation to the Respondents and the Executive Engineer strongly forwarded ~~to~~ vide letter No. 1(5)/90-S/228-29 dated 23.3.93 to the Superintending Engineer, Civil Construction Wing, Guwahati. But no action was initiated for his appointment in regular Group D vacancy.

Copies

Copies of the representation dated 20.9.90, 16.9.91 forwarding letter dated 24.3.92 Representation dated 30.6.92, forwarding letter dated 12.10.92 and 23.3.93 Director General's Letter dated 11.5.94 and reply dated 8.6.94 are enclosed as Annexure -- C, D, E, F, G, H, I and J.

4. That the applicant further begs to state that the Assistant Engineer (Civil) Dibrugarh, vide his letter No. AE(C)/DIB/E-9/94/68-69 dated 15.7.94 requested the Director General to despatch all relevant documents in respect of the applicant to Chief Engineer Civil, CCAIR, New Delhi for early action as regard absorption of the applicant in any group D post. But upto till now no action was initiated for appointment.

A copy of the letter dated 15.7.94 is enclosed as Annexure - 'K'.

5. Most surprisingly when the representation of the applicant are pending for regular absorption before the authorities one Sri Ajit Baran Mitra, Respondent No. 6 is appointed on regular basis against a group D vacancy in the month of July/94 in the office of the Civil Construction Wing, Dibrugarh Division in supersession of the claim of the applicant. This action of the applicant is highly illegal, arbitrary and discriminatory.

The.....

The applicant could not collect the copy of the appointment letter of Sri Ajit Baran Mitra in spite of best efforts. Therefore the Hon'ble Tribunal be pleased to direct the Respondent to produce a copy of the appointment letter of Sri A.J. Mitra before the Hon'ble Tribunal.

6. That the applicant acquired a legal and valuable right after serving as casual worker during the year 1988, 1989, 90 continuously without any artificial break.

Be it stated that when the applicant was working as casual labours more persons were recruited through Employment Exchange, and the name of the applicant also sponsored by the Employment Exchange in relevant time. The applicant regd. with Dibrugarh Employment Exchange. ~~xx~~ But the applicant was not appointed in any group D vacancy.

7. That the applicant acquired a right for appointment in terms of the policy guideline laid down by the Ministry of Finance for appointment of casual workers in any group D vacancy. The relevant portion of the condition and guideline is quoted hereunder from Swami's Complete Manual on Establishment and Administration for Central Govt. Officers, 1989 Edition :

2. Appointment of casual labourers to Group 'D' posts.

2.1. The appointment of casual labourers to Group 'D' posts, borne on the regular establishment which are required to be filled by direct recruitment, will be made subject to the following conditions :-

- (i) No casual labourer not registered with the Employment Exchange should be appointed to posts borne on the regular establishment ;
- (ii) Casual labourers appointed through Employment Exchange and possessing experience of a minimum of two years' continuous service as casual labour in the office/establishment to which they are so appointed will be eligible for appointment to posts on the regular establishment in that office/establishment without any further reference to the Employment Exchange.
- (iii) Casual labourers recruited in an office/establishment direct, without reference to the Employment Exchange, should not be considered for appointment to regular establishment unless they get themselves registered with the Employment Exchange, render, from the date of such registration, a minimum of two years' continuous

service.....

service as casual labour, and are subsequently sponsored by the Employment Exchange in accordance with their position in the register of the Exchange. (See paragraph 3 below for one time relaxation).

2.2. A casual labourer may be given the benefit of 2 years' continuous service as casual labourer if he has put in at least 240 days (226 days in the case of offices observing 4 1/2 days week) of service as a casual labourer (including broken periods of service) during each of the two years of service referred to above.

G.I. M.F., O.M. No. F.8(2)-Estt. (Spt/60 dated the 24th January, 1961; M.H.A., O.M. No. 6/52/60-Estt. (A), dated the 16th February, 1961; No. 16/10/66-Estt. (D), dated the 2nd December, 1966&14/1/68-Estt. (C), dated the 12th February, 1969; and D.P. & A.R., O.M. No. 498/49014 19/84-Estt. (C), dated the 26th October, 1984.]".

From the above it is quite clear that the applicant has acquired a legal right for appointment on priority basis.

8. That the applicant begs to state that initially cause of action arose in the month of 1990 when the service of the applicant was terminated following verbal order, and thereafter against cause of action arose

in the.....

in the month of July/94 when Sri Ajit Baran Mitra was appointed on regular basis in Group 'D' post in the office of the Civil Construction Wing, Dibrugarh, Division,

9. That the applicant begs to state that the respondents are very sympathetic towards the applicant and they have taken all necessary action for his appointment but the office of the Chief Engineer, still silent regarding his appointment in Group 'D' post. Therefore the Hon'ble Tribunal be pleased to direct the Chief Engineer to consider the case of the applicant on priority basis for appointment in any Existing Group - 'D' vacancy. Be it stated that there are number of Group - 'D' vacancy still available under the S.E. Civil Construction Wing, All India Radio. There is no difficulty for the Respondents to accommodate the applicant in any Group 'D' vacancy in the North Eastern Region. The applicant is also willing to serve anywhere in India.

10. That the applicant beg to state that the Hon'ble Principal Bench, New Delhi, in a similar case of ~~regularisation~~ regularisation in Vasudev And others -vs- Union of India & others, O.A. No. 894, 2322 and 1775 of 1990, which was decided on 8.2.1991 was pleased to hold as follows in paragraph 12 and 13 and 14 of the judgement reported in 1991 (17) ATC. 679 :-

"12. The Supreme Court has directed the Government to prepare schemes for regularising casual workers in the Railways, the Posts and Telegraphs Department, the Income Tax Department, the Delhi Municipal Corporation, Nehru Yuvak Kendras, C.P.W.D. and P.W.D. Daily-wage Employees in Karnataka (vide Inder Pal Yadav vs. Union of India relating to the Railways; Daily-Rated Casual Labour Employed under P & T. vs. Union of India relating to P & T. Department; U.P. Income Tax Department v. Union of India; Delhi Municipal Corporation Karamchari Ekta Union v. P.L. Singh, Dhirendra Chamoli vs State of U.P. relating to Nehru Yuvak Kendras; Surinder Singh v. Engineer-in-Chief, C.P.W.D., and Dharward District P.W.D. Literate Daily Wage Employees vs. State of Karnataka. Referring to the leading decisions on the subject, the Supreme Court made the following pertinent observations in the Karnataka case, mentioned above.:

"We have referred to several precedents all rendered within the current decade - to emphasise upon the feature that equal pay for equal work and providing security of service by regularising casual employment within a reasonable period, have been unanimously accepted by this Court as a constitutional goal to our polity. Article 141 of the Constitution provides how the directions of this Court are to be treated

and we

and we do not think there is any need to remind the instrumentalities of the State - be it of the Centre or the State, or the public sector - that the Constitution makers wanted them to be bound by what this Court said by way of interpreting law".

13. In the light of the aforesaid legal position, the framing of a suitable scheme for regularising the Casual Artistes of Doordarshan is a constitutional imperative and long overdue.

14. In our considered view, the respondents should frame a scheme for absorption of Casual Artistes who have worked for a period of one year and more, keeping in view the following aspects :

- (i) Casual Artistes who have been engaged for an aggregate period of 120 days, may be treated as eligible for regularisation. The broken periods in between engagement and disengagement are to be ignored for this purpose.
- (ii) The respondents shall prepare a panel of Casual Artistes who had been engaged on contract basis, depending on the length of service. The names of those who have not been regularised so far, specially from 1980 onwards, though they may not be in service now,

are to be....

are to be included in the panel. Persons borne on the panel, are to be considered for regularisation in the available vacancies.

(iii) For the purpose of regularisation the upper age-limit has to be relaxed to the extent of service rendered by the Casual Artistes, 120 days' service in the aggregate shall be treated as the service rendered in one year for this purpose.

(iv) Till all the Casual Artistes who have been engaged by the respondents have been regularised the respondents may not resort to fresh recruitment of such Artistes through Employment Exchange or otherwise.

(v) Till the Casual Artistes are regularised, the wages to be paid to them should be in accordance with the scale of pay of the post held by a regular employee in an identical post. The amount of actual payment would be restricted to the actual number of days worked during a month".

The case of the applicant gain support from the above decision of the Hon'ble Principal Bench, New Delhi. Similar view also expressed by the Hon'ble Principal Bench

in

in Raj Kamal & others -Vs- Union of India & Ors., which also support the case of the applicant, therefore, application deserves to be allowed.

11. That this application is made bona fide and for the cause of justice.

7. Reliefs prayed for :

Under the facts and circumstances, the applicant prays for the following reliefs -

(1) That the respondents be directed to appoint the applicant in any regular Group 'D' vacancy under the respondent No. 1, 2 and 3, preferably in the North-eastern region, on priority basis, considering the past service of the applicant.

(2) That any other order/orders, deem fit and proper under the fact and circumstances of the case.

The above reliefs are prayed on the following amongst other -

- G R O U N D S -

1. For that the applicant rendered 2 years continuous service as casual worker, without any artificial breaks.

2. For that the applicant is eligible and entitled to be appointed on regular basis, in terms of Central Government Policy laid down for regularisation on continuous service of 240 days, after two subsequent years.
3. For that Shri Ajith Baran Mitra was appointed in July, 94 and regularised in the post of Group 'D' Peon in supersession of the claim of applicant during pendency of his representation.
4. For that the applicant acquired a legal and valuable right after serving more than two years without any break for appointment on regular basis.
5. For that there are available group 'D' vacancy under the respondents No. 1, 2 and 3 in the North-Eastern Region.
6. For that the applicant has no source of earning for maintaining himself and his other family members, as he belonged to a very poor family.
7. For that the case of the applicant ought to have been considered on priority basis for appointment in any Group 'D' vacancy.

8. Interim Reliefs prayed for :

During the pendency of this application the applicant prays for the following interim reliefs :

(1) That the respondents be directed to consider the case of the applicant for appointment in any group 'D' vacancy on casual basis till disposal of this application.

The above interim relief is prayed on the grounds mentioned in para 7 of this application.

9. That the applicants declares that there is no remedy under any rule and the Hon'ble Tribunal is the only remedy.

10. That the applicants further declares that they have not filed any other application on this subject matter before any other Tribunal/Court.

11. Details of I.P.O. -

Postal Order No. - 8 03 885073

Date - - 14. 6. 95

Issued by - - G. P.O. GUWAHATI

Payable at - - G. P. O., GUWAHATI

12. Details of Index

Index containing the details of documents are enclosed.

13. List of enclosures :

As per Index.

VERIFICATION

I, Shri Shyamal Mallick, son of late Satish Mallick, resident of Borbari Railway Colony, Railway Quarter No. 45A, Dibrugarh do hereby declare and verify that the statements made in para 1 to 13 are true to my knowledge, and I have not suppressed any material facts.

Shyamal Mallick

Place : *Guwahati*

Signature

Date : 28.8.95.

Sub-Divisional Scheduled Caste Development Board

DIBRUGARH : ASSAM

No. 1547

Date 10 - 6 - 87

Caste Certificate

This is to certify that Shri / Shrimati / Kumari Shyamal Mallik son / wife / daughter of Shri Chittu Mallik in the sub-division Dibrugharh of the state Assam belongs to the Nomusuda Community which is recognised as a Scheduled Caste under the constitution (Scheduled Caste) order. 1950 the constitution as amended from time to time.

2 Shri / Shrimati / Kumari Shyamal Mallik and his / her family ordinarily reside (s) in village / town Borbari Railway Colony P. O. Dibrugharh of Dibrugharh District Sub-Division of the state



*Chittu
217 187*
Counter Magistrate
Deputy Commissioner
DIBRUGARH.

1. ch are not applicable.
1. The term "ordinarily resides" used here will have the same meaning as in section 20 of the Representation of the people act. 1950

10/6/87
Chairman
DOHAIRMAN, Divisional
Sub-Divisional Scheduled Caste
Development Board

Annexure - B

19

DETAILS OF MUSTER ROLL WAGES OF MR. SHYAMAL MALLICK
FOR THE YEAR OF 1989 AND 1990.

M.R. No. & Date	Month	Days	Rate	Amount
105/21.12.88	January'89	31 days	17/-	527/-
118/30.01.89	February'89	28 days	17/-	476/-
130/02.03.89	March'89	27 days	17/-	459/-
145/31.03.89	April'89	26 days	17/-	442/-
008/01.05.89	May'89	31 days	17/-	527/-
15/30.05.89	June'89	24 days	17/-	407/-
024/12.06.89	July'89	31 days	17/-	527/-
042/20.07.89	August'89	31 days	17/-	527/-
054/23.08.89	September'89	30 days	17/-	510/-
69/19.09.89	October'89	30 days	17/-	510/-
89/20.10.89	November'89	28 days	17/-	476/-
110/27.11.89	December'89	<u>31 days</u>	17/-	527/-
		<u>348 days</u>		
-----	-----	-----	-----	-----
124/02.12.89	January'90	20 days	17/-	340/-
128/23.01.90	February'90	28 days	17/-	476/-
138/13.02.90	March'90	31 days	17/-	527/-
154/23.03.90	April'90	24 days	17/-	408/-
012/25.04.90	May'90	29 days	17/-	493/-
023/25.05.90	June'90	29 days	17/-	493/-
030/03.07.90	July'90	29 days	17/-	493/-
036/31.07.90	August'90	31 days	17/-	527/-
Hand Receipt	September'90	29 days	17/-	493/-
Hand Receipt	October'90	31 days	17/-	527/-
Hand Receipt	November'90	<u>29 days</u>	17/-	493/-
		<u>310 days</u>		

verified from S/District office record

18/10/91

Assistant Engineer (civil)
CCW: AIR: DIBRUGARH

Assistant Engineer (Civil)
G.C.W., A.I.M., Dibrugarh

Attested.

Advocate,

To,

The Superintending Engineer(civil)
Civil Construction Wing,
Doordarshan Premises,
R.G. Baroh Road,
P.O.- Zoo Road,
Gauhati: 24

Subject:- Request for permanent absorption in
any group 'D' category staff in this
department.

Sir,

With due respect and humble submission, I beg
to lay few lines for favour of your kind sympathetic considera-
tion please.

That Sir, I am belongs to a very poor family
and I have lost my father after appearing of class-X. After
the death of my father I fell in great distress with my widow
mother and minor sister. For the reason I couldnot prosecute
my higher studies also.

That Sir, I joined the Civil Construction Wing,
All India Radio, Dibrugarh in the office of the Assistant Engi-
neer(civil) on casual basis from 1st December, 1988 and still
working.

That Sir, Since then I have been serving in the
said post to the entire satisfaction of all my superior.

In the circumstances mentioned hereabove, I
request you to be so kind as to issue an order so that I may
be appointed in the permanent post of any group 'D' category
staff in this department. Copy of schedule cast certificate
and details of Muster Roll labour wages is also enclosed here-
with for your kind consideration please.

Dated Dibrugarh
the 20th Sept'90

Yours faithfully,
Shyamal Mallick
(SHYAMAL MALICK)

Attested.
Advocate.

TO
The Superintending Engineer(Civil)
Civil Construction Wing,
Zoo Narangin Tinali,
By Lane No. 1
P.M. Samuni Maidan
Guwahati- 21.

Annexure 1

25/21

(Through proper channel)

Subject:- Request for permanent absorption in any group 'D' category staff in this department.

Sir,

With due respect and humble submission, I beg to lay few lines for favour kind of your kind sympathetic consideration please.

That Sir, I am belongs to a very poor family and I have lost my father after appearing in class-X. After the death of my father I fell in great distress with my widow mother and minor sister. For the reason I couldnot prosecute my higher studies also.

That Sir, I joined the Civil Construction Wing, All India Radio, Dibrugarh in the office of the Assistant Engineer(Civil) on casual basis from 1st December, 1988 and still working.

That Sir, since then I have been serving in the said post to the entire satisfaction of all my superior.

In the circumstances mentioned hereabove, I request you to be so kind as to issue an order so that I may be appointed in the permanent post of any group 'D' category staff in this department. Copy of schedule caste certificate and details of Master Roll labour wages is also enclosed herewith for your kind consideration please.

Enclos:-

- 1) Details of Master Roll wages.
- 2) Caste Certificate.
- 3) H.S.L.C. Pass certificate.
- 4) P.R.Certificate.
- 5) Character Certificate.

Dated Dibrugarh
the 16-9 Sept'91

Yours faithfully,

Shyamal Mallick

(Shyamal Mallick)

NO. AIR/AE.DIN/31.31/94/

Forwarded to E.E.(11/11) M.F.
Manager for favour of kind
consideration and further
Submission please.

Asstt. Engineer (Civil)
C.C.W., A.I.R., Dibrugarh

Attested.

Advocate.

GRAM:AIRCIVIL

PHONE:2535

GOVERNMENT OF INDIA
OFFICE OF THE EXECUTIVE ENGINEER(CIVIL)
CIVIL CONSTRUCTION WING/ALL INDIA RADIO
ITANAGAR:791 111

NO. ITA(C)/1(9)/91-S/ 2875-9161

Dated:- 24.03.92.

To,

The Superintending Engineer(civil)
Civil Construction Wing,
All India Radio,
Zoo Narangi Tinali,
By Lane No.1.
P.O:- Bamunimaidan,
Guwahati:781 021.

Subject:- Request for permanent absorption in Group 'D'
post.

Sir,

Enclosed please find one representation sub-
mitted by Shri Shyamal Mallick, Casual worker, CCW, AIR, Dib-
rugarh, for kind and sympathetic consideration

Yours faithfully,

M.S. Mukherjee
24.3.92
(M.S. MUKHERJEE)
EXECUTIVE ENGINEER(CIVIL)
CCW: AIR: ITANAGAR

Copy to the Assistant Engineer(civil), Civil Construction Wing,
All India Radio, Dibrugarh, for information with reference to
his endorsement No. AIR/AE/DIB/91-92/9-E/ dt. 18.9.91.

Executive Engineer(civil)

Accepted
M.

Accepted

Annexure F
28/23

To
The Superintending Engineer (Civil),
Civil Construction Wing,
All India Radio,
Guwahati:21.

(THROUGH PROPER CHANNEL)

Sub:- Prayer for permanent absorption in as a
peon in group 'B' category staff.

Ref:- My letter no. dated 16.09.91 and forwarded
by AE(C), Dibrugarh vide letter no. AIR/AB-
DIB/91-92/9-E/ , 18.9.91

Sir

With due respect and humble submission, I beg to
lay few lines for your kind sympathetic consideration please.

That Sir, I am belongs to a very poor family and
more over I have already lost my faith and after that with
a great financial difficulty I passed H.S.LC examination
in the year 1991 and at the same time with a great difficulty
I am pooling my family with my dependent widow mother and
minor sister.

That sir, I was joined as a casual worker in
C.C.W, All India Radio, Dibrugarh sub-division from 1st
December 1988 and I worked 317 days in the year of 1989 and
368 days in the year of 1990 and I surved the entire period
with full satisfactory of Superior officer and staff.

That Sir, I learnt from the reliable source
that under Dibrugarh Division one post of peon laying vacant
and for the said post I may kindly be appointed, so that
my family can be saved and oblige.

Encle:-1)Details of Muster Roll wages.
2)Caste Certificate.
3)H.S.L.C. Pass certificate.
4)P.R.Certificate.
5)Character Certificate.

Dated: 30.6.92.

Yours faithfully,
Shyamal Mallick.
(Shyamal Mallick)

Advocate
X
Advocate.

Annexure G

24
28

GOVERNMENT OF INDIA
OFFICE OF THE EXECUTIVE ENGINEER (CIVIL)
CIVIL CONSTRUCTION WING:::: ALL INDIA RADIO
DIBRUGARH DIVISION
DIBRUGARH

NO :- CWD/1(5)/92-S/
~~XXXXXXXXXXXXXX~~

Dated:- 12.10.92.

To
The Superintending Engineer(Civil),
Civil Construction Wing,
All India Radio,
Zoo narangi Tiniali,
By lane no.1
P.O. Bamunimaidan,
Guwahati: 781-021.

Sub:- Request for permanent absorption in Group
'D' post. (forwarding thereof).

Sir

Enclosed please find herewith an application,
received from Shri ~~Shyamal~~ Mallick, Casual worker, CCW,AIR,
Dibrugarh which is self explanatory. This is for your kind
and sympathetic consideration.

Yours faithfully ,

Enclo:- As above.

(Signature)
Assistant Surveyor of Works (Civil)
For The Executive Engineer (Civil).
Civil Construction Wing , A.I.R ,
DIBRUGARH.

Copy to :-

- 1) The EE(C),CCW,AIR,Itanagar for information please.
The same application was already forwarded to the
division office vide AE(C),CCW,AIR,Dibrugarh,
AIR/AE-DIB/92-93/9-E/330, Dt.30.6.'92, for further
submission to SE(C),Ghy.

ASSISTANT ENGINEER SURVEYOR OF WORKS.
FOR E.E. (C), CCW,AIE, Dibrugarh.

*Exccsio...
S.
Advocate.*

GOVERNMENT OF INDIA
OFFICE OF THE EXECUTIVE ENGINEER(CIVIL)
CIVIL CONSTRUCTION WING:ALL INDIA RADIO
DIBRUGARH

Annexure H
29/25

No. 1(5)/90-8/228-29 Dated: 23-3-93

To

The Superintending Engineer(Civil),
Civil Construction Wing,
All India Radio,
Guwahati.

Sub:- Request for permanent absorption as a Peon
in Group 'D' contingency staff in favour of
Shri. Shyamal Mallik.

Ref:- A.E.(c), Dib's letter No. Air/AE-DIB/91-92/9-E/330
dt. 30.9.93.

Sir,

With reference to the above I would like to
draw your kind attention that Shri. Shyamal Mallik was
joined as a casual worker in C.C.W., All India Radio,
Dibrugarh Sub- Division from 1 st. December'1988 and
worked for 348 days upto 31 st. December 1989 and in
the year 1990 he worked 310 days as per Official Record
maintained for Casual Workers.

Shri. Mallik belongs to very poor family.
With great difficulty, he runs the family. He continued
his his education and succeeded in the H.S.L.C. examination
in the year 1991 struggling with the circumstances.

During his working period he served with full
satisfaction of all the staff of Dibrugarh Sub-Division.
He got very good knowledge of plumbing work and during
emergency, in all maintenance work in A.I.R. Staff Quarters
and Studio he used to engaged for the said type of work.

Sometime he also engaged for some clerical work
during the time of urgency and he performed the duties
which was entrusted to him with full satisfaction.

Considering the above points, his case may
kindly be consider and save his family.

Yours faithfully,

Sd/-
Assistant Surveyor of Works
For Executive Engineer (Civil)
Civil Construction Wing,
All India Radio:Dibrugarh

Copy forwarded to :

1. The Executive Engineer(Civil), Civil Construction
Wing, All India Radio, Itanagar for information
and necessary action please.
- 2) A.E.(c), C.W, AIR, Dibrugarh, *Ans*

Assistant Surveyor of Works,

1700000

Encl. No. 3/5/372

Govt. of India

GOVERNMENT OF INDIA

PRIME MINISTER'S OFFICE

NEW DELHI-110011

Dated: 15/5/75

MEMORANDUM

Communication dated..... is forwarded
herewith to the Ministry of..... for action.....

for appropriate action.

The communication has not been acknowledged.

P.M.O. 13.

for Senior Petition Officer

Encl. AIR, 5-1

Government of India
Directorate General: All India Radio

No. 4/75/93-SVI/2 82

New Delhi, dated 17.5.75

Subject : Request for permanent absorption in any Group 'D'
category staff at OIW, AIR, Dibrugarh.

A copy of representation of Shri Shyamal Mallik
Signal Worker, OIW, AIR, Dibrugarh addressed to PM's office
regarding his appointment in the permanent post of a Group 'D'
staff is sent herewith. It is requested that necessary
comments in this regard may please be furnished to this
Directorate at the earliest.

Encl. As above

Gen. Secy
(G.C. Das)
Dy. Director of Admin. (WL)
for Director General

Assistant Engineer (Civil),
Civil Construction Wing,
All India Radio,
Dibrugarh

Annexure J
31 27

GOVERNMENT OF INDIA
OFFICE OF THE ASSISTANT ENGINEER(CIVIL)
CIVIL CONSTRUCTION WING, ALL INDIA RADIO
DIBRUGARH 786 003

No. AIR/AE/DIB/94-95/9-B/ 33

Dated: - 8.6.94.

To,

The Director General
All India Radio,
Akashvani Bhawan,
Parliament street,
New Delhi 110 001.

Sub:- Request for permanent absorption in any Group 'D'
category staff at CCW, AIR, Dibrugarh.

Reft:- Your office letter No. 4/75/93-SVI/202, dt. 11.05.94.

Sir,

In reply to the aforesaid letter, it is to be intimated that as per records available in this office, Sri Shyamal mallick was engaged on muster roll as un-skilled labourer on casual basis with effect from 1st December, 1988. He had been engaged 348-days in the year of 1989 and 310-days in the year of 1990 (Details as enclosed for ready reference.)

As records available, Sri Shyamal mallick seems to be a good and efficient worker does the jobs entrusted to him sincerely, since I have joined in this office on 23rd April '94 (F/N). He is a needy person and he is the only earning member of his family. His case may kindly be considered sympathetically please.

Enclos:- As Above.

Yours faithfully,

21/6/94
(RAJ PAL SINGH) 8/6/94
Assistant Engineer(civil)
CCW, AIR, DIBRUGARH

Attested.
N.
Advocate.

SPEED POST

Arr. 28
32

GOVERNMENT OF INDIA
OFFICE OF THE ASSISTANT ENGINEER(CIVIL)
CIVIL CONSTRUCTION WING, ALL INDIA RADIO
DIBRUGARH: 786 003.

NO. AE(C)/DIB/E-9/94/ 68-69

Dated: - 15.07.94

To,

xxx in

The Director General,
Shri G.C.Das, by name)
Dy. Director of Admin(WL)
All India Radio,
Akashvani Bhawan,
Parliament street,
New Delhi: 110 001.

Sub:- Request for permanent absorption in any group 'D'
category staff at CCW, AIR, Dibrugarh.

Ref:- Your office letter No. (1) 4/75/93-SVI/282, dt.11.5.94
(2) 4/75/93-SVI/411, dt.27.6.94

Sir,

As per above referred letter No.1, information had been furnished to your office vide our office letter No. AIR/AE-DIB/94-95/9-E/33, dt. 08.06.94, but as per your above referred letter No.2 you have been asked to take up the matter with the Chief Engineer(civil), CCW, AIR, New Delhi. Hence it is requested to despatch all the related documents in respect of sri Shyamal Mallick, Casual worker, CCW, AIR, Dibrugarh to Chief Engineer(civil), CCW, AIR, New Delhi, for early action.

Yours faithfully,

Assistant Engineer(civil)

CCW: AIR: DIBRUGARH

29.7.94

Copy to :-

(1) The Chief Engineer(civil), CCW, AIR, New Delhi, for information with a xerox copy of above referred letter and related documents in respect of sri Mallick, Casual worker, CCW, AIR, Dibrugarh. The matter may kindly be look, so that some favourable decision may be given against him.

Assistant Engineer(civil)

Attested.

S.

Advocate.