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6

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

30/1/18

OA No. 221/96.

Shri R. Saha & Cos. Applicant(s)
VS-

Union of Andhra etc. Respondent(s)

Mr. M. Chanda, A. Deb Roy Advocates for the applicant(s)

Mr. J. Sarkar, R. Advocates for the Respondent(s)

Office Notes

Date

Courts' Orders

This OA was filed in July, 96 and was defective in Vakalatnama & in other aspects. IPO annexed with the application was also invalidated.

7.10.96

Mr M.Chanda with Mr A.Deb Roy for the applicants. Mr J.L.Sarkar for the respondents.

List for admission on 16.10.96

Now the defects have been removed and fresh IPO no. 444461 dt. 1.10.96 pg 2 for Rs. 50/- has been submitted. M/7/10
The OA is now in order & may be placed before the Hon'ble Court.

16.10.96

Mr. M.Chanda for the applicant.
Mr. J.L.Sarkar for the respondents.

Vide Order of today in M.P. 181/96 (O.A. 221/96) the applicant has been allowed to submit fresh verification and the M.P. to form part of the Original Application.

Heard Mr. Chanda for admission and perused the contents of the application and reliefs sought. Application is admitted. Issue notice on the respondents by registered post. Written statement within six weeks.

List for written statement and further order on 28.11.1996.

Am
31/10/96

T. Samra
3/11/96
20 (3)

18.11.96

Notice issued to the concerned parties vide D.No. 3827 to 3833 dt. 20.11.96

By T. Samra

1) Service Reports are still omitted.
2) If statement has not been filed.

29/11

trd
M/27/10

bo
Member

bo
Member

(3)

28.11.96

Notice duly served on Respondant No-1,2,3,4,

28/11
11.12

Mr. A. Deb Roy for the applicants. Written statement has not been submitted.

List for written statement and further orders on 19.12.1996.

ba
Member

trd
M
28/11

19.12.96

13.12.96

Notice unserved on Respd No 5,7. as mark n/a availability of said respondents.

written statement has not been submitted.

28/12

M
19/12

15.1.97

8.1.97 Received Notice Respd No. 5,7

8.1.97

Copy of Notice have been received by the applicant Advocate Advocate No. 5,7. (by hand)

Mr. M. Chanda for the applicants. Mr. G.N. Das appears for the private respondents No. 4,5,6 and 7.

Mr. J.L. Sarkar seeks 4 weeks time to submit written statement.

Mr. G.N. Das for the respondent Nos. 4,5,6 and 7 also seeks 4 weeks time to submit written statement.

List for written statement and further orders on 17.2.1997.

ba
Member

ba
Member

10-1-97

trd
M
15/1

1) Notice duly served on Respondant No-1, 2, 3 & 4.

2) written statement has not been filed.

10.1 N/S has not been filed.

(7)

OA 221/96

14-2-97

- 1) Notice duly served on R-1-4.
 - 2) Notice received by Advocate for R-5-7.
 - 3) Written statement has not been submitted.
 - 4) No appearance has been filed by the Pky. counsel.
- 14/2

17.2.97

Mr M. Chanda, learned counsel for the applicant is present. The order sheets indicate that several adjournments have been granted to the respondents to file written statement. We are not inclined to grant any further extension of time.

Let this case be listed for hearing on

17.3.97.

Member


Vice-Chairman

nkm

17/2

17-3-97

On the prayer of Mr.M.Chanda case is adjourned for hearing on 20-4-97.

Member


Vice-Chairman

14-3-97

Notice duly served on Respond. No. 1 to 4.

written statement has not been submitted.

lm

17/3

17.4.97

Mr J.L.Sarkar, learned counsel for the respondents is ~~present~~ present. List on 20.5.97 for hearing.

Member


Vice-Chairman

pg

22/4

20.5.97

On the prayer of Mr B.K.Sharma on behalf of Mr M.Chanda the case is adjourned to 17.7.97.

Member


Vice-Chairman

pg

23/5

17.7.97

Left over. Case to be listed on 12-8-97.

By order

5 221/96
CA

1, 2

24-6-97

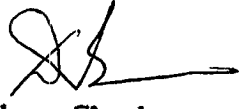
12-8-97

Division Bench is not sitting.
Let this case be listed for hearing
on 4-11-97.

Written statement
filed on behalf
of Respondents No.
4 to 7 with a prayer
MP 138/97.

lm

13/18


Vice-Chairman

Ex

17-7-97

4.11.97

On the prayer of Ms. B. Dutta
learned counsel for respondents No. 5 &
7 the case is adjourned to 28.1.98.

Written statement
has not been filed by the
Applicant.


Member


Vice-Chairman

pg

15/11

Row

2-2-98

Case is otherwise ready for
hearing. List for hearing on 5.5.98.

w/s has been filed
on behalf of R. Nos.
4-7.


Member


Vice-Chairman

lm

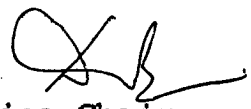
11/8

5.5.98

On the prayer of Mr J.L. Sarkar, learned
Railway standing counsel the case is
adjudged till 10.6.98.

28.1.98
Due to non-availability of
vacation list, it was fixed
for hearing on 28.1.98. Now it is
placed before the Hon'ble Court
for fixing a date of hearing.


Member


Vice-Chairman


w/s has been filed on
R. Nos 4-7.

pg

15/5

10-6-98

On the prayer of Mr. A. Deb Roy
learned counsel appearing on behalf
of the applicant case is adjourned till
16-6-98.


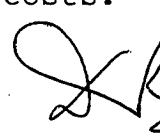

Member


Vice-Chairman

lm

w/s has been filed
on R. Nos 4-7. The
R. Nos 1-3 has not been filed.

w/s has been filed on
R. Nos 4-7. The other
Respondents has not been filed.

Notes of the Registry	Date	Order of the Tribunal
<p><u>26.6.98</u></p> <p>Copies of the Judgment have been sent to the D/Sec. for Security & Home to the parties through Regd. with A/D.</p> <p>HL</p> <p>issued vide No. 1762-1766 dt. 29-6-98</p> <p>nr.</p>	<p>16.6.98</p> <p>nkm</p>	<p>Heard the learned counsel for the parties. Hearing concluded. Judgment delivered in open court, kept in separate sheets. The application is disposed of. No order as to costs.</p> <p> Member</p> <p> Vice-Chairman</p>

X

Notes of the Registry No	Date	Order of the Tribunal No
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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::: GUWAHATI-5.

O.A. NO. 221 of 1996
T.A. NO.

DATE OF DECISION 16.6.1998

Shri Radheshyam Saha and five others

(PETITIONER(S))

Mr M. Chanda and Mr A. Deb Roy

ADVOCATE FOR THE
PETITIONER (S)

VERSUS

Union of India and others

RESPONDENT (S)

Mr J.L. Sarkar, Railway Counsel,
Mr G.K. Bhattacharyya and Mr G.N. Das

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 ?
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



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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.221 of 1996

Date of decision: This the 16th day of June 1998

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

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

1. Shri Radheshyam Saha
2. Shri Radharaman Saha
3. Shri Patal Chandra Dey
4. Shri Bimal Kanti Dey
5. Shri Kajal Bandu Dey
6. Shri Nirmal Kanti Bhattacharjee
All are employees of Engineering Departments,
N.F. Railway, Lumding Division.Applicants
By Advocate Mr M. Chanda and
Mr A. Deb Roy.

- versus -

1. The Union of India, through the
General Manager, N.F. Railway,
Maligaon, Guwahati.
2. The Divisional Railway Manager (P),
N.F. Railway, Lumding.
3. The Divisional Superintendent,
N.F. Railway, Lumding.
4. Shri Subhas Singh,
5. Shri Alemla Ao
6. Shri Haradhan Nath
7. Shri Satyendra Chakravorty
Respondent Nos.4 to 7 are employees of
Engineering Department, N.F. Railway,
Lumding Division.Respondents
By Advocate Mr J.L. Sarkar, Railway Counsel,
Mr G.K. Bhattacharyya and Mr G.N. Das.

.....

O R D E R

BARUAH.J. (V.C.)

The six applicants have approached this Tribunal challenging the position of their seniority fixed by the authority. According to the applicants they were senior to the respondent Nos.4 to 7 in the initial appointment, but the said respondents were promoted earlier to the

B

next post overlooking the case of the applicants. The grievance of the applicants is that they were overlooked even at the initial stage without any reason. According to them they ought to have been promoted earlier in view of the fact that in this type of promotion seniority-cum-merit was the basis. Being aggrieved the applicants submitted representation and the said representation was disposed of by Annexure X order dated 14.7.1995. In the said Annexure X order the authority stated that the seniority of the applicants had been correctly fixed. Hence the applicants have filed this present application.

2. We have heard Mr A. Deb Roy, learned counsel for the applicant and Mr J.L. Sarkar, learned Railway Counsel. Mr Roy submits that the applicants were arbitrarily denied promotion within time and therefore they submitted representation and the representation was disposed of by the respondents by Annexure X order dated 14.7.1995. The said Annexure X order is very cryptic. We also find it difficult to understand as to why the applicants were overlooked when the basis of promotion was seniority-cum-merit and not merit-cum-seniority.

3. Mr J.L. Sarkar does not dispute the contention of the learned counsel for the applicants. However, he submits that the seniority was rightly fixed because of the date of promotion.

4. Looking at Annexure X order dated 14.7.1995 it is difficult for us to come to a definite conclusion as to the legality of fixing seniority of the applicants. Therefore, we feel it expedient to remand the matter to the authority concerned to decide the matter afresh after giving the applicants an opportunity of being heard. The applicants may also file fresh representation giving

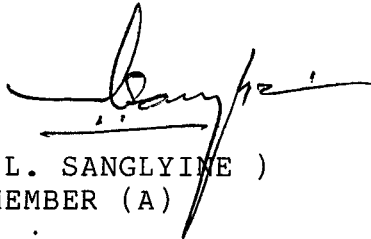


details.....

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details of their grievances and if such fresh representation is filed within fifteen days from today the authority may consider the said representation also and dispose of the entire matter with a reasoned order within two months thereafter.

5. With the above observation the application is accordingly disposed of. No order as to costs.



(G. L. SANGLYINE)
MEMBER (A)



(D. N. BARUAH)
VICE-CHAIRMAN

nkm

Central Administrative Tribunal
GUWAHATI BRANCH
12 JUL 1996

Central Administrative Tribunal
GUWAHATI BRANCH
OCT 1996

Filed by the applicant
through A. Das, Advt
Advocate
12/7/96

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BRANCH

AN APPLICATION UNDER SECTION 19 OF THE C.A.T. ACT, 1985

OA No 221 OF 1996

Shri Radheshyam Saha
& Others
- Vs -

Union of India & Others

Sl No.	ANNEXURE	PARTICULARS	PAGE No.
1.	I	Found suitable for promotion. Letter dt. 27.4.77.	15
2.	II	Found suitable for promotion. Letter dt 12.5.77.	16
3.	III	Notification regarding selection for promotion	17
4.	IV	Exemption from appearing in the selection order dt. 4.5.78.	18
5.	V	Transfer and posting order dt. 3.10.81.	19-22
6.	VI	Suitability test for the post of Sr. Clerk dt. 27.7.87.	23
7.	VII	Result of suitability test Memorandum dt. 27.8.87.	24
8.	VIII	Office order no. 3 of 1988	25
9.	IX	Representation dt. 9.6.95.	26
10.	X	DRM (P) Lunding letter dt. 17.7.95 towards fixation of Seniority.	27

A copy is handed over to Shri. Y. L. Sankar, Advocate
12.7.96

Bimal Kant Das

Filed by the applicant
through Bimal Dey,
Assistant,
12/7/56

(1) Particulars of the applicants

1. Shri Radheshyam Saha
2. Shri Radharman Saha
3. Shri Patal Chandra Dey
4. Shri Bimal Kanti Dey
5. Shri Kajal Bandu Dey
6. Shri Nirmal Kanti Bhattacharjee.

All of Engineering Departments, NF Rly.
Lumding Division.

(2) Particulars of respondents

1. Union of India
2. Through the General Manager, N.F.Rly., Maligaon, Guwahati-11).
3. Divisional Railway Manager (P)
N.F.Rly., Lumding.
4. Divisional Superintendent,
N.F.Rly., Lumding.
5. Shri Subhas Singh
6. Shri Alemla Ao
7. Shri Haradhan Nath
8. Shri Satyendra Chakravorty

(3) Application is made for

1. This application is made for fixing the seniority of the applicants above the private respondents and to consider the applicants senior to the private respondents for the purpose of promotion to next higher grade.

Bimal Kanti Dey

contd..P/2-

2. To rectify the seniority lists showing the applicants senior to the private respondents and to set aside and quash the impugned letter no.E/255/1(c)/LM(E) dated 17.7.95.

(4) Jurisdiction

The applicants declare that, the subject matter of the order against which they want redressal is within the Jurisdiction of the Tribunal.

(5) Limitation

The applicants further declare that, the application is within the limitation prescribed in section 21 of the Administrative Tribunal Act, 1985.

Bimal Kanti Singh

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6. Facts

1. That the applicants are citizens of India and as such they are entitled to all the rights and previledges granted by the Constitution of India.
2. That the applicants no.1,2,3,4, and 5 were appointed in 1965 as Khalasi and applicant no.6 was appointed as Gangman in 1966 under the Lunding Division N.E.Rly, Lunding. The applicants are presently serving as Senior Clerk in the Engineering Department, N.F.Rly., Lunding.
3. That the applicants attained the eligibility for promotion to the Cadre of group 'C' in the post of Store Clerk/Trine Keeper/Junior Clerk, while serving in the Group 'D' Cadre under Lunding Division of the N.F. Rly.
4. That there were requirement for filling of vacancies of Store Clerk/Trine Keeper for restoration works in Hill sections in the year 1977 and accordingly the applicants being senior most in the Engineering Department in the Cadre of Group 'D' were called for the selection test held on 3.4.77 in terms of DS(P)/LMG's letter E/283/2 - Restoration dated 23.3.77. The applicants appeared in the said selection test along with other candidates and altogether 26 candidates appeared in the said selection test. The applicants came out successfully in the said selection test and appointed to the Post of Store Clerk/Trine Keeper on temporary basis vide Office order dated 24.7.77 and office order dated 12.5.77.

The applicants pray to move this application jointly u/s 4(5)(a) of the Central Administrative Tribunal Procedure Rules, 1987. contd..P/2-

of

Balraj Kant Singh

11 4 11

Copy of the office order dated 27.4.77 and 12.5.77 are enclosed hereto and marked as ANNEXURE-I and ANNEXURE-II respectively.

5. That the Divisional authorities of N.F.Rly proposed another selection for promotion from class IV category to class III category in the post of Store Clerk/Trunk Keeper/Junior Clerk although the present applicants were declared successful in the earlier selection and the applicants were also suprisingly called for appearing in the Selection test proposed to be held in terms of Notification dated 1.12.77 without regularising the services of the applicants who were declared selected in the earlier selection. The applicants being highly aggrieved preferred appeal before the Rly. authorities. However the Rly authorities letter dated B/283/2(B) dt. 5.1.78 intimated the applicants that the previous selection was only for the restoration of works post and the present selection which is proposed under Notification dt 1.12.77 is for regular vacancies and it is further stated in the same letter that, if the applicants fail to appear in the proposed selection in terms of Notification dt.1.12.77 they would lose the chance for regular selection and further liberty was granted for filing reply if any.

Copy of the letter dated 5.1.78 is enclosed hereto and marked as ANNEXURE - III.

6. That the applicants further beg to state that after issuance of the letter dated 5.1.78 the Divisional

contd..P/3-

Bimal Kanti Singh

11 5 11

Superintendent, Lunding intimated vide XXR, message dt. 4.5.78 quoting the reference of letter no. E/283/3 (Promotion) ^{february} ~~february~~ of even no dated 11-4-78 regarding selection for promotion from class IV category to class III regular posts, all the applicants were exempted from appearing in the selection test proposed to be held on 7.5.78 and requested to inform the applicants accordingly.

Copy of the letter dated 4.5.78 is enclosed as ANNEXURE - IV.

7. That although the applicants were exempted from appearing in the selection test held on 7.5.78, but other candidates were allowed to appear in the said selection dated 7.5.78 and in the said selection only three candidates were declared selected. Again another selection was held for the post of clerk (G) in the year 1980 for work charged posts in the Engineering Department, ^{where} ~~where~~ 9 candidates were selected. Therefore position of the three selections held in the year 1977, 1978 and 1980 stands as 9+3+9 i.e. altogether 21 candidates were declared successful in the respective years mentioned above in the matters of promotion from class IV category to class III category.

In this connection it may be stated that, Shri Dulal Bhattacharjee, Shri Sasadhar Chakravorty and Shri Manik Roy were appointed to the post of Time Keeper following 1978 selection vide office order no. 113 of 1978 and again the following group 'D' staff namely Shri Subhas Singh, Shri Alambao Ao, Shri Haradhan Nath of 1980 select list and Shri Sailendra Chakravorty of 1983

Bimal Kanti Singh

contd..P/4-

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select list were promoted as General Clerk and it appears from the office order dated 31.10.81 that, the respondents no. 4 to 7 were adjusted in different offices under the Lumding Division in the promotional posts. It is not known from which department and against which vacancies the respondents no.4 to 7 were promoted and adjusted. Be it stated that, the respondents no. 4 to 7 were not belonged to Engineering Department and they were initially appointed in other unit of Lumding Division and their initial appointment in Group 'D' category were in the 1977, 1978 and 1980 : whereas the applicants were appointed in the Group 'D' category under the Engineering Department in the year 1965, 1966 as Gangmen and appointed in Group 'C' category following the selection of the year 1977.

Therefore as the applicants were regularly selected candidates of 1977 selection and although temporarily appointed to the post of Store Clerk in the Hill Sections restoration works and they were subsequently exempted from 1978 selection against regular group 'C' vacancies by the Railway authorities itself, therefore any candidate of subsequent selection particularly juniors cannot be declared seniors to the applicants in the cadre of Store Clerk/Time Keeper/Junior Clerk and it is the obligation of the Railway authority to declare the applicants as regularly selected candidates of 1977 selection.

Copy of office Memorandum dated 31.10.81 is enclosed as ANNEXURE - V.

Biswal Karthi Singh

contd..P/5-

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8. That most suprisingly vide office memorandum dated 27.8.84 it is declared that the provisionally selected on Ad-hoc measures against temporary work charged posts in the year 1977 and 1980 are now declared to be have been finally selected for the post of Clerk (G)/Time Keeper/Store Clerk in the scale of Rs.260/- - 400/- against 33 $\frac{1}{2}$ % vacancies as a result of selection held on 22.4.84. It is further stated that, the proceedings of the selections have been approved by DRM on 2.8.84, in the said memorandum only the name of the applicant no. 1, 3, 4 and 6 appeared in serial no.2,4,5 and 6 of the memorandum dt 27.8.84 and again another office order was issued on 23.12.86 wherein it is stated as per minutes of the Joint meeting between DRM, Lunding and both the Unions held on 11.12.86 the following class IV staffs of the Engineering Department were now working as Clerk Ad-hoc^{clerk} on the basis of Ad-hoc selection for promotion against work charged posts are hereby declared to have been selected for the post of clerk (G) in the scale of Rs.260/- - 400/- against 33 $\frac{1}{3}$ % regular vacancies (7 posts) as available upto December, 1986. The names are shown in order of seniority. In the said office order dt. 23.12.86 the names of the applicant no.2 and applicant no.5 were shown against serial no.1 and 6.

The above declaration of selection on regular basis in the year 1984 as well as in the year 1986 by declaring the earlier promotion of the applicants to the posts of Store Clerk/Time Keeper/Clerk(G) as Ad-hoc although selection is made through duly constituted

Bimal Kanti Singh contd..P/6-

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Selection Committee against the temporary vacancies of Restoration works of Hill Sections and subsequently the Railway authorities by their decision exempted the applicants from 1978 selection against regular group 'C' vacancies and thereby confirmed their earlier promotion on temporary basis through 1977 selection as regular group 'C' promotion and thereby the respondents are now barred by law of Estoppel for further declaring them as regularly selected candidate following 1984 selection and as well as 1986 decision in consultation with the Unions. This action of the Railway authorities highly irregular, illegal, unfair and discriminatory. The applicants who belonged to Engineering Department ought to have been declared as regularly selected candidate against the first regular vacancies available immediately after their selection held in the year 1977.

9. That the applicants further beg to state that in the year 1987 some vacancies in the cadre of Senior Clerk had fallen vacant in the Lunding Division and vide Notification dated 27.7.87 four applicants out of the six applicants namely (1) Shri Radheshyam Saha, (2) Shri Bimal Kanti Dey, (3) Shri Pdtal Chandra Dey and (4) Shri N. K. Bhattacharjee were asked to appear for the suitability test held on 14.8.87 for forming a panel for filling up of two existing and three anticipated vacancies. The above named four applicants appeared in the suitability test and declared selected by Memorandum dated 27.8.87 and they were posted in different offices in Lunding Division vide office order no. 3 of 1988.

Bimal Kanti Dey

contd..P/7-

11 9 11

Copies of the Notification dt.27.7.87, Memorandum dt. 27.8.87 and Posting Order under Office order no.3 of 1988 are enclosed as ANNEXURE- VI, VII and VIII respectively.

10. That the applicants no. 2 and 5 were also promoted to the posts of senior clerk subsequently thereafter and they were also accommodated and adjusted in the cadre of senior clerk in the establishment of DRM, Luming and now all the applicants are serving in the cadre of senior clerk in the pay scale of Rs. 200/- - 2040/- in the Luming Railway Division. The applicants at the time of their promotion from the cadre of Junior clerk to the first time came to know that, their juniors namely respondent no 4 to 7 were promoted, although they were initially appointed in the Group (C) cadre long back in the year 1977 following a duly constituted selection committee.
11. That your applicants beg to state that since 1980 a doubt has arisen in the minds of all the applicants, regarding their confirmation and adjustment in the vacancies occurred in the year 1977 and 1978, although they were exempted from appearing in the selection test held on 7.5.1978. Therefore the present applicants had submitted representations on several occasions since 1978 seeking clarification of their seniority position, the representations submitted by the applicants on different dates on their individual capacity, say for example Shri Radheshyam Saha (Applicant no. 1)

Biswal Kant Singh

contd..P/8-

// 10 //

submitted representation on 28.7.78, applicant no.3
submitted representation on 12.8.78, applicant no.2
submitted representation on 23.3.82. However several
representations were submitted on several occasions before
the Rly authorities on the subjects stated above. In the
year 1984 also applicant no.1 submitted representation
on 1.10.1984 seeking a clarification regarding seniority
position of the applicant and also specifically mentioned
the names of the respondents, who are junior to the
present applicants, how they were adjusted against the
vacancies of clerical posts (SG/T.K/Clerk) and how they
were shown senior to the applicants. However the appli-
cants came to know from a reliable source that the
private respondents were shown above the applicants and
further considered for promotion to the posts of senior
clerk during the year 1985 and 1986 and the same came
to the notice of the applicants when the private
respondents are now going to be considered for further
promotion to the posts of Head Clerk and with this
apprehension the applicants again submitted joint
representation on 9.6.1995 wherein the applicants stated
that the private respondents from 4 to 7 illegally
supersided in the matter of promotion to the cadre of
senior clerk and also for assigning seniority above the
applicants. In response to this representation the Rly.
authorities vide their letter no.E/225/1(C)/LM(E) dated
17.7.1995 intimated all the applicants that after
scrutiny it is seen that private respondents 4 to 7
are sufficiently senior to the applicants and it is
also stated in the said letter that regular promotion as

Biswal Kant Singh

contd..P/9-

// 19 //

Junior clerk of the private respondents are 17.6.1981, 15.6.1981, 15.6.81 and 13.9.82 respectively and the date of applicants' regular promotion are indicated as 2.8.84, 2.8.84, 2.8.84, 23.12.86, 2.8.84 and 23.12.86 respectively and it is also stated that, seniority of the applicants as junior clerk have been counted with effect from the date of regular promotion as junior clerk, thereby the Rly authorities sought to ~~be~~ deprive the present applicants in the matter of seniority as well as in the matter of promotion to the next higher grade and as there is no other alternative, the applicants under compelling circumstances approaching this Hon'ble Tribunal for setting aside the impugned letter dated 17.7.95 and also praying for a declaration that the applicants be declared senior to the private respondents no 4 to 7 in the cadre of junior clerk as well as in the cadre of senior clerk and accordingly all seniority list in the cadre of junior clerk and senior clerk be rectified showing the names of the applicants senior to private respondents no 4 to 7 and the applicants be considered senior for the purpose of next promotion to the grade of Head Clerk etc.

Copy of the representation dated 9.6.95 and impugned letter dated 17.7.95 are enclosed as ANNEXURE-IX and ANNEXURE - X respectively.

12. That this application is made bonafide and for the ends of Justice.

7. Reliefs sought for :

In the facts and circumstances the applicants pray for the following reliefs.

Bismal Kant Singh

contd..P/10-

- 24
- // 12 //
1. That the applicants be declared senior to the respondents no 4 to 7 in the cadre of junior clerk and also in the cadre of senior clerk.
 2. That the applicants be considered senior to respondents no 4 to 7 for the purpose of promotion to the next higher grade.
 3. That the respondents be directed to rectify all seniority lists showing the applicants senior in the cadre of junior clerk and senior clerk.
 4. That the impugned letter no.E/255/1(C)/LM(E) dated 17.7.95 be set aside and quashed.

G R O U N D S

1. For that the applicants were selected by a duly constituted selection committee in the year 1977.
2. For that Rly authorities have duly exempted the applicants from appearing in the selection held on 7-5-1978 for ~~reg~~ regular vacancies in the group 'C' clerical cadre.
3. For that the private respondent no 4 to 7 were actually not belonged to Engineering Department.
4. For that respondent no 4 to 7 junior to the applicants in the cadre of group 'D'.
5. For that the applicants contineously persuaded the Rly. authorities for fixing the seniority of the applicants treating them as regularly selected candidates of the 1977 selection.
6. For that representations are duly submitted before the Rly. authorities but the same was rejected.

Bimal Kant Singh

contd..P/11-

8. The applicants state that he has not filed any other case/application before any court/Tribunal.

9. Remedies Exhausted

The applicants have submitted representations as explained in the application, but with no result. There is no remedy under any rules and the Hon'ble Tribunal is the only remedy.

10. Particulars of the P.O.

Postal Order no.. .	09311291	444661
Date . . .	9/1/96	1.10.96
Issued by ..	Gurwaha	
Payable at ..	Gurwaha	

11. An index with particulars of enclosures is enclosed.

12. Particulars of documents

As per index.

Balraj Kant Singh

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

I Shri Bimal Kanti Dey son of late Batiram Dey aged about 56 years resident of P.O. & P. S. Lumding, district Nagaon, Assam, do hereby verify that the Statements made in paragraphs 1 to 12 are true to my knowledge and that I have not suppressed any material facts.

Gawalati
12.7.56

Bimal Kanti Dey

ANNEXURE-I

15
5

W.F. Railway.

Office order.

DS(P)'s office,
Lumding, dt/-27-4-77.

The following staff who were found suitable for promotion to the post of Store Clerk in scale Rs.260-400/-(R1) are hereby temporarily promoted as Store Clerk in scale Rs.260-400/-(R1) and posted against the post shown against each.

1. Sri Chitta Ranjan Dey, G/man under PWI(P)/IMG- Posted under PWI(P), IMG against estimate No.12/CE of 1976-77 for complete track Renewals works between Lamsakhang-Howraipur for 12 months sanctioned vide DS(W)/IMG's Memo No.W/411/IM/L/PIV/W-1 76-77 dt.1.1.77.
2. Sri Niranga Behari Dey, Khalasi Under) Posted under XE/Spl/IMG, IOW(S)/IMG.) against estimate No.20/CE
3. " Radhashyam Saha, Khalasi under) of 1975-77 for "Proposed IOW(N)/IMG.) remedial measures on
4. " Bimal Kanti Dey, G/man under) IMG-BPB Hill section". PWI/HJI.) Sanctioned vide IM(W)/MLG's
5. " Patal Ch.Dey, G/man under) memo No.W/315/IGS/Pt.II/ PWI/DMR.) W-1 dt.3.2.77 for a period
6. " Kajal Bindu Dey, G /man under) of 10 months. PWI/NOG.)
7. " Bimal Ch.Pramanik(SC), G/man) under PWI(P)/IMG.)

SN.2 to 7 are to report to XE/Spl/IMG for further posting. On expiry of sanction, the above staff will be returned to their former posts.

This has the approval of Sr.DPO/IMG.

le me
for DS(P)/Lumding.

No.E/233/2(Restoration). dt/-27-4-77.

Copy forwarded for information & n/action to-

- 1) Staff concerned through proper channel for information & guidance.
- 2) GEN/Spl/IMG. This is in terms of his office Note dt.3.2.77 to Sr.DPO/IMG.
- 3) PWI(P)/IMG, IOW(S)/IMG, IOW(N)/IMG, PWI/HJI, PWI/DMR, PWI/NOG. They will please start the staff concerned accordingly.
- 4) AENs/IMG, GEN, IGS, HPG.
- 5) DAO/IMG.
- 6) Sr.DEN/IMG, DEN/III/IMG.
- 7) HC/IV/I & EN/III, CC/W.
- 8) Sr.

le me
for DS(P)/Lumding.

For war deed

Horan
29/4/77

Attended
Asst Dy
Advocate
12/7

17/4/77

PERMANENT WAY INSPECTOR
M. P. B. BOJAL.

Northeast Frontier Railway

Office of the

Divisional Supdt. (P)/LMG

Dated: 12 /5/1977.

OFFICE ORDER.

The following staff who have been found suitable for promotion to the post of store clerk in Scale Rs. 260-400/- (R.S) against workcharged posts are hereby temporarily promoted to officiate as Store clerk on Rs. 260 p.m. in Scale Rs. 260-400 (RS) and posted against the estimates shown against each.

1. Shri Bimal Kanti Dey, Gangman under PWI/Hojai posted against JID quarry estimate under IOW/JID vice Shri J.C. Das Store Clerk. transfer on promotion as Sr. Clerk.
2. Shri Patal Ch. Dey, Gangman under PWI/DMR is posted against estimate No. HGS/10 of 74-75 Rebuilding of Bridge No. 18KD between NLRB-KTGM, under IOW/KXJ with H. at KXJ.
3. Shri Kajal Bindu Dey, Gangman under PWI/NO G is posted against estimate No. LMG/19 of 76-77 Renewals of Rails under PWI NOG with H.Q. at NOG.
4. Shri Bimal Ch. Pramanik, (SC) gangman under PWI(P)/LMG is posted against estimate No. LMG/15 of 76-77 Renewals of Non-Standard Rails. He will be attached to D.S.(I) Office/Lunding.
5. Shri Nirmal Kanti Bhattacharjee, Khalasi under IOW/S/LMG is posted against estimate No. HGS/24 of 75-76 proposed extension of running room to accommodate 18 beds etc. He will be attached to D.S.(W)/Office/Lunding.
6. Shri Radha Raman Sana, Gangman under PWI/DCA is posted against estimate No. HGS/16 of 75-76 Proposed Bank protection work between DCA- BXK under IOW/DIC with H. at DIC.

Item No. 4 & 5 should report to CC(W). Their date of promotion as store clerk will take effect from the date they report to their respective place of posting.

This issues have the approval of SR.DEN & D.N/III/Lunding.

Divisional Superintendent (P),
N. F. Railway / Lunding.

P. T. O.

Attended
Shri Bimal Kanti Dey
Shri Patal Ch. Dey
12/5/77

ANNEXURE - III

(8)

N. F. Railway.

No. 4/283/2(B).

DS(P)/LFG's office.
t. 5-1-78.

To

Shri Nikunja Behari Dey, Offg. Store Clerk thro: AEN/Spl/LFG.

Shri Radha Raman Saha, G/Man thro: PWI/DCA.

Shri Bimal Kanti Dey, Offg. Store Clerk thro: PWI/BXP.

Shri Bhitta Ranjan Deb, Offg. Store Clerk/CTR thro: PWI/P/LMG.

Shri Bimal Kr. Paramanik, Gangman thro: PWI/P/LMG.

Shri Nirmal Kanti Bhattacharjee, Khalasi thro: IOW/S/LMG.

Sub: Notification No. 5/203/3 dt. 1.12.77.
regarding selection for promotion from class
IV to class III regular posts (Store Clerk/T.K./
Jr. Clerk) and your appeal thereto.

You are hereby informed that the previous selection
was only for the Restoration works posts and this is for regular
vacancies.

If you fail to appear you will lose the chance for
regular selection. You are hereby given one week's time for
reply, if any.

Please acknowledge receipt.

for Divl. Supdt. (Personnel),
N.F. Railway, Ludhiana.

*For file
Shri
8/1/78*

*Attended
Asst. Secy
Asst. Secy
12/17*

N. F. Railway.

Office order.

DDM(P)'s office
Ludhiana dated 19-9-81.

GROUP - A.

The following transfer and posting orders are issued provisionally with immediate effect :-

1. Consequent on passing the suitability test of Sr. Clerk/G published provisionally vide this office letter of even no. dt. 19-9-81 Sri G.D. Chakraborty, Jr. Clerk/G now officiating as Sr. Clerk/G under Sr. DEN/LMG will continue to officiate as Sr. Clerk/G in scale Rs 330-560/- on same pay and scale and posted at the same office against an existing vacancy.
2. Consequent on passing the suitability test of Sr. Clerk/G published provisionally vide this office letter of even no. dt. 19-9-81 Sri P.C. Das Clerk/G now officiating as Sr. Clerk/G under DEN/III/LMG will continue to officiate as Sr. Clerk in his same pay and scale and posted to the same office against an existing vacancy.
3. Consequent on passing the suitability test of Sr. Clerk/G published provisionally vide this office letter of even no. dt. 19-9-81 Sri N.N. Chakraborty, Clerk/G in scale Rs 260-400/- (RS) under Sr. DEN/LMG is promoted to officiate as Sr. Clerk/G in scale Rs 330-560/- and posted in the same office. His pay has been fixed to Rs 416/- in scale Rs 330-560/- with ref: to his sub: pay Rs. 400/- in scale Rs. 260-400/- (RS).
4. Consequent on passing the suitability test of Sr. Clerk/G published provisionally vide this office letter of even no. dt. 19-9-81 Sri U.R. Bhattacharjee, Store Clerk/G of IOW/N/LMG under Sr. DEN/LMG will continue to officiate as Sr. Store Clerk/G in scale Rs 330-560/- (RS) and posted in the same office against an existing vacancy.
5. Consequent on passing the suitability test of Sr. Clerk/G published provisionally vide this office letter of even no. dt. 19-9-81 Sri Panna Lal Mazumder, LR/TK under Sr. DEN/LMG is promoted to officiate as Sr. Clerk/G in scale Rs 330-560/- (RS) and posted under IOW/N/LMG as Sr. TK against an existing vacancy. His pay has been fixed to Rs 416/- in scale Rs. 330-560/- in ref: to his sub: pay Rs 400/- in scale Rs. 260-400/- (RS).
6. Consequent on passing the suitability test of Sr. Clerk/G published provisionally vide this office letter of even no. dt. 19-9-81 Sri P.C. Joiti, Clerk/G of AEN/BPG under DEN/III/LMG is promoted to officiate as Sr. Clerk/G in scale Rs 330-560/- (RS) and posted under PWI/BPB as Sr. TK against existing vacancy. His pay has been fixed to Rs 404/- in scale Rs 330-560/- (RS) in ref: to his sub: pay Rs 390/- in scale Rs 260-400/- (RS).

Contd. to page No. 2.

*Attended by
Asst. Secy
12/7/86*

7) Consequent on passing the suitability test of Sr. Clerk 'C' published provisionally vide this office letter of even no. dt. 19-9-81 Sri S.K. Nandy, TK of PWI/Sup/DCA under DEN/III/LMG is promoted to officiate as Sr. TK and posted in the same office against an existing vacancy. His pay has been fixed to Rs. 416/- in scale Rs. 330-560/- (RS) in ref: to his sub: pay Rs. 400/- in scale Rs. 260-400/- (RS).

Group - B.

The following transfer and posting orders are issued provisionally with immediate effect and posted against stations indicated against each for a period of one year's only against the upgraded posts vide this office memorandum No. E/283/2/LMG dt. 7-7-81.

1) Consequent on passing the suitability test of Sr. Clerk/G published provisionally vide this office letter of even no. dt. 19-9-81 Sri S.K. Sanyal, Store Clerk 'G' against an existing vacancy and posted in the same office. His pay has been fixed to Rs. 416/- in scale Rs. 330-560/- in ref: to his sub: pay Rs. 400/- in scale Rs. 260-400/-.

2) Consequent on passing the suitability test of Sr. Clerk/G published provisionally vide this office letter of even no. dt. 19-9-81 Sri R.G. Bhattacharjee, Store Clerk/G of IOW/CPK under Sr. DEN/LMG is promoted to officiate as Sr. Store Clerk/G and posted in the same office against an existing vacancy. His pay has been fixed to Rs. 416/- in scale Rs. 330-560/- (RS) in ref: to his sub: pay Rs. 400/- in scale Rs. 260-400/- (RS).

3) Consequent on passing the suitability test of Sr. Clerk/G published provisionally vide this office letter of even no. dt. 19-9-81 Sri S.P. Banerjee, TK of PWI/NOG under Sr. DEN/LMG is promoted to officiate as Sr. TK in scale Rs. 330-560/- and posted in the same office against an existing vacancy. His pay has been fixed to Rs. 416/- in scale Rs. 330-560/- (RS) in ref: to his sub: pay Rs. 400/- in scale Rs. 260-400/- (RS).

4) Consequent on passing the suitability test of Sr. Clerk/G published provisionally vide this office letter of even no. dt. 19-9-81 Sri M.C. Bhattacharjee, TK of PWI/JID under Sr. DEN/LMG is promoted to officiate as Sr. TK in scale Rs. 330-560/- (RS) and posted in the same office against an existing vacancy. His pay has been fixed to Rs. 416/- in scale Rs. 330-560/- in ref: to his sub: pay Rs. 400/- in scale Rs. 260-400/-.

5) Consequent on passing the suitability test of Sr. Clerk/G published provisionally vide this office letter of even no. dt. 19-9-81 Sri N.C. Dutta, TK of IOW/DTC under Sr. DEN/III/LMG is promoted to officiate as Sr. TK of in scale Rs. 330-560/- against existing vacancy and posted in the same office. His pay has been fixed to Rs. 416/- in scale Rs. 330-560/- (RS) in ref: to his sub: pay Rs. 400/- in scale Rs. 260-400/- (RS).

Contd. to page No. 3.

*Alerted
Asst. Secy
12/7/86*

6) Consequent on passing the suitability test of Sr. Clerk/G published provisionally vide this office letter of even no. 19-9-81 Sri N.C. Malakar (SC), Store Clerk/G of IOW/HGS under DEN/III/LMG is promoted to officiate as Sr. Store Clerk/G and posted in the same office against an existing vacancy. His pay has been fixed to Rs 330/- in scale Rs 330-560/- (RS) (i.e. minimum of the pay in higher scale of pay).

GROUP - C.

Transfer and posting order of the following Jr. Clerks/TKs/SCs are issued to take immediate effect.

1) Sri Satya Joti Sengupta, Jr. Clerk/G in scale Rs 260-400/- under DEN/III/LMG is hereby transferred and posted under AEN/BPG in his same pay and scale vice existing vacancy of Sri P.C. Joti of item No. 6 of Group-A.

2) Sri S.K. Chakraborty, TK of IOW/JID in scale Rs 260-400/- (RS) under Sr. DEN/LMG is hereby transferred and posted under PWI/JID on same pay and scale vice vacancy of Sri A.C. Bhattacharjee of item No. 4 of Group-B.

3) Sri Jatindra Ch. Das, Clerk/G of AEN/HGS in scale Rs 260-400/- under DEN/III/LMG is hereby transferred and posted under IOW/HGS as Store Clerk/G on his same pay scale vice vacancy of Sri N.C. Malakar of item No. 6 of Group-B.

4) Sri R.S. Saha, Store Clerk/G in scale Rs 260-400/- of IOW/T/LMG under DEN/III/LMG is hereby transferred and on same pay and scale and posted as Clerk/G under AEN/HGS vice vacancy of Sri Jatindra Ch. Das of item No. 3 of Group-C.

5) Sri Dhimanendu Chakraborty, Clerk/G in scale Rs 260-400/- (RS) under Sr. DEN/LMG is hereby transferred and posted under IOW/S/LMG on his same pay and scale vice vacancy of Late Chitta Ranjan Dey.

6) Smt. Ira Aditya Chowdhury, Clerk/G in scale Rs 260-400/- (RS) under DEN/III/LMG is hereby transferred and posted on her same pay and scale vice vacancy of Sri Dhimanendu Chakraborty of item No. 4 of Group-C.

7) Smt. Anjali Paul, Jr. Clerk/G in scale Rs 260-400/- (RS) under DEN/III/LMG is hereby transferred and posted in her same pay and scale vice vacancy of Smt. Ira Aditya Chowdhury of item No. 5 of Group-C.

8) Sri Aloma Ao (ST), Clerk/G in scale Rs 260-400/- under DEN/LMG is hereby transferred and posted in his same pay and scale vice vacancy of Smt. Anjali Paul of item No. 7 of Group-C.

9) Sri Patal Ch. Dey, TK in scale Rs 260-400/- of PWI/P/LMG under Sr. DEN/LMG is hereby transferred on same pay and scale and posted in TK/LR under PWI/BPB.

Contd. to page No. 4.

Handwritten signature and date:
12/7/81

/III/

10) Sri Haradhan Ch. Math, Clerk/G in scale Rs 250-400/- under DEN/LMG is hereby transferred and in his same pay and scale and posted as TK under PWI/P/LMG vice vacancy of Sri Patal Ch. Dey of item NO. 8 of Group-C.

11) Sri R.R. Saha, Store Clerk/G (ad-hoc) in scale Rs 250-400/- of PWI/BPB under DEN/III/LMG is hereby transferred and posted as TK under IOW/BPB in his same pay and scale vice vacancy of Sri D. Roy retired.

12) Sri Subash Ch. Singh, Clerk/G in scale Rs 250-400/- (RS) under DEN/III/LMG is hereby transferred and posted in W/4 Sec. in his same pay and scale.

13) Sri M.M. Das, SC/LR (ad-hoc) in scale Rs 250-400/- (RS) under DEN/III/LMG is hereby continue to work as SC/LR (ad-hoc) till permanent incumbent is posted.

14) Sri D.P. Dhar Chowdhury, SC (ad-hoc) under Sr. DEN/LMG now working under IOW/S/LMG is hereby transferred and posted in 5/5 section under Sr. DEN/LMG.

This issues with the approval of Sr. DEN & BEX DEN/III/LMG.

/ Divl. Rly. Manager (P) / Lunding.

No. E/283/1-LM(C)

Lunding, dated 31-10-81

Copy forwarded for information and n/action to :-

1. IOWs- N/LMG, Line/LMG, CPK, DTC, HGS, JID & T/JTG.
2. PWIs, NOG, JID, Sup/DCA, P/LMG, BPB, AENS-HGS & BPG, LMG, GHY. They are requested to spare the staff concerning under the to carry out their transfer and posting of the above.
3. OS(W)/LMG, (4) DAO/LMG (5) EW-I & III - Bill section
6. Staff concerned through OS(W) - IOW's, PWI's & AEN's.
7. P/Case for record please.
8. DEN/II/DBRT. He is requested for arranging transfer and posting order under his jurisdiction. who had been declared passed in the S/test for the promotion of Sr. Clerk/G held on 12-9-81 and the result in this respect has also been published vide this office memorandum of even no. dt. 19-9-81 (Copy already endorsed).

/ Divl. Rly. Manager (P) / Lunding.

dn/-

*Attested by
A. S. Das
12/1/96*

ANNEXURE - V

N. Railway.

No. P/266/1(7)/LM(E).

DTM(P)'s office,
Lumding, dt/ 27/7/87

- To-
- 1) Sri R.S. Saha, Clerk thro. IO/WS/LMG ✓
 - 2) J.L. Majumder, Clerk, thro. PWI(P)/LMG
 - 3) Bimal Kanti Dey, Clerk thro. PWI/BXP
 - 4) Patal Ch. De, Clerk, thro. PWI/DMR
 - 5) V.K. Bhattacharjee, Clerk thro. OS(W)/LMG.

Sub:- Suitability test for the post of Sr. Clerk
In scale 1200-2040/-(Rp).

In order to form a panel for filling up of 2 existing and 2 anticipated vacancies of Sr. Clerk in scale Rs. 1200-2040/-(Rp) a suitability (Written) test will be held on 14/8/87 at 10 hrs. in DTM(W)/LMG's office.

You are, therefore, directed to appear at the above mentioned suitability test on the specified date and time. The syllabus for this S/test is given below for your guidance.

In case you are unwilling to appear at the S/test written declaration (in duplicate) in this respect must be submitted so as to reach this office by 8-8-87 positively.

SYLLABUS.

1) Precise and drafting (2) Knowledge of office procedure and rules :- (a) Manual of office procedure (b) General knowledge of working of En&G. deptt. specially with regard to the following:-

Accounts:-

1) Different types of estimates (2) Various demands of grants (3) Types of tenders (4) Urgency certificate (5) Works programme (6) Deposit works.

Stores:-

1) Procedure of indent (2) Arrangement of critical stores- steel, cement, rails etc. (3) Issue notes, stock verification (4) Stock head of accounts viz. improved charges off, surplus etc.

General :- 1) Knowledge of land requisition (2) Knowledge of classification of grs. (3) Licensing of land (4) Function of M&S (5) Working time table (6) Movement of OTC (7) Issue of trolley passes (8) Preparation of reports.

for DTM(P)/Lumding.

Copy for information & n/action to-

- 1) IO/WS/LMG) They are requested to spare the staff concerned
- 2) PWI/P/LMG) to appear at the S/test.
- 3) PWI/BXP
- 4) PWI/DMR
- 5) OS(W)/LMG. He is requested to arrange sitting accommodation of the candidates in consultation with Sr. DTM and to keep 45 answer books ready for the candidates.

Attested
A. Saha
12/7/86

for DTM(P)/Lumding.

24

ANNEXURE - VI

N. F. RAILWAY.

MEMORANDUM

The result of the suitability test for the post of Sr. Clerk in scale Rs.1300-2040/- held on 14.8.87 is declared as under.

The names are shown in order of Seniority.

This has the approval of Sr. DEN/Lunding.

Sl. No.	Names	Design.	Station	Result
1	2	3	4	5

S/Shri

1.	R.S.Saha.	Clerk	IOW/WS/IMG	Passed
2.	J.L.Majumdar.	-do-	IRM(W)/DG	Passed
3.	Bimal Kanti Doy.	-do-	PWI/BXP	Passed
4.	Patal Ch.Doy.	-do-	PWI/DMR	Passed
5.	N.K.Bhattacharjee.	-do-	DRM(W)/IMG	Passed

Bhattacharjee 27.8.87
 for Divisional Rly. Manager (P),
 N. F. Railway : Lunding.

No. E/266/I(C)/LM(E), dtd. 27-8-1987.

Copy for information to L-

- 1) Staff concerned. 2) P/cases.

Three copies/long

Bhattacharjee 27.8.87
 for D.R.M.(P)/Lunding.

'naha'
25887

For information of Sr. K.S. Saha
27/8/87
Advocate
12/7/96

1w/WS/14

- 25 -

N. F. Railway.

OFFICE ORDER NO. 3 0. 1988.

(A) The following clerks in scale Rs. 950 - 1500/- are provisionally promoted as Sr. Clerk in Scale Rs. 1200 - 2040/- and posted at the place mentioned and against each.

S.N.	Name	Designation.	Promoted as Sr. Clerk and Posted at.	Remarks.
1.	Shri Sandeshyati Saha,	Clerk, IOW/WS/LMG.	CIO/N/LMG	Against the post of Sr. Clerk temporarily transferred for one year DRM(W) LMG to CIO/N/LMG.
2.	J.L. Majumdar,	Clerk DRM(W) LMG.	DRM(W)/LMG.	Against regular vacancy.
3.	Bimal Kanti Dey,	Clerk PWI/BXP.	PWI/BXP.	- do -
4.	Bimal Kanti Bhattacharyya,	Clerk DRM(W)/LMG.	DRM(W)/LMG.	- do -

Note :- (1) This has the approval of Sr. DEN.
(ii) The temporary transfer of one post of Sr. Clerk (for one year) from DRM(W) LMG to CIO/N/LMG has the approval of DRM.

(B) The following orders are issued to take immediate effect.

1. Miss. Protima Ghose, Clerk under DRM(W)/LMG who is under order of posting under IOW/BPB vide this office letter of even No. dt. 7.5.87 is hereby posted as LR/Clerk under AEN/BPG.
2. Sri Anaswar Deury, Clerk under DRM(W)/LMG who is under order of posting under AEN/BPG vide this office letter of even No. dt. 25.9.87 is hereby posted under IOW/WS/LMG vice vacancy of Shri R.S. Saha posted under CIO/N/LMG.
3. Sri Rajani Kanta Das, clerk under DRM(W)/LMG who is under order of posting under AEN/HGS vide this office letter of even No. dt. 25.9.87 should immediately report for duty under AEN/HGS.

Note :- (1) This has the approval of Sr. DEN.

Forwarded to Sri
R.S. Saha

M. S. Saha

W. S.
N. F. Railway, Lumding

for Divl. Rly. Manager (F),
N. F. Railway, Lumding

Contd. 2.

Accepted
Asst Dy
12/7/96

To
The D.C.H.(P)/N.F.Rly.
Ludhiana.

Sub:- Injustice towards fixation of seniority.

We have the honour to state the following few lines regarding wrong fixation of our seniority and would request you kindly to look into the matter sympathetically.

That Sir, a selection was called for the post of Store clerk and T.K. to be filled up 6 (six) posts (4U - unreserved - 1G 1G) vide Ds(P)/MC's No. 7/1-256 dt. 13.4.76. We the undersigned were also the candidates for that posts. Subsequently we were declared exempted vide Ds(P)/MC's XIR No. 15/15/LMC-4. On the basis of such selection and result, we were promoted as Time keeper/Store Clerk in scale of Rs. 200-400/- w.e.f. 25/09/78. Since, then we have been working continuously without any break.

At the time of promotion from Jr. clerk to Sr. Clerk in 1988 we find that our juniors were promoted earlier dropping our seniority position in the cadre of Jr. clerk though we are senior most Jr. clerk has not been taken into account and the batch of recruits and promotees of 1985, 1986, 1987 and 1988 has marked senior to us as Jr. clerk.

On the other hand, the Administration irregularly absorbed the Peon and Khalasis of the other Deptt. as Jr. Clerk in the Engg. deptt. depriving us as a selected candidates of 1977 of Engg. deptt.

The following are the persons under to whom irregularly entered in the Engg. deptt.

S/Shri:-

1. Subash Singh, Signal Khalasi.
2. Alemla Ao Peon of 'P' Branch.
3. Haradhan Nath, Peon of 'P' Branch.
4. Satyendra Chakraborty, Khalasi/P.K.

The above four persons were appointed in the Rly. service in 1977, 1978, and 1980 whereas we were appointed in 1965, 1966 as Gangman and on 25/9/78 as Jr. clerk.

As a result, our juniors have already been promoted as Sr. Clerk prior to us, and we have been deprived which reflect on our pay structure, next promotion as Hd. clerk etc. and in future on our pensionary benefit.

In view of above we would further request, you kindly look into our grievances and arrange for fixation of our seniority correctly and promotion too.

With regards,

Yours faithfully,

- 1) Nirmal Kumar Bhattacharya, Sr. Clerk
- 2) Radha Sanyal Saha, Sr. Clerk
- 3) Patal Ch. Roy, Sr. Clerk
- 4) Radha Ramon Saha, Sr. Clerk
- 5) Nirmal Kumar Roy, Sr. Clerk
- 6) Rajal Bindu Roy, Sr. Clerk

Dt. _____

Attested
Asst. Dy. Commr.
12/7/96

ANNEXURE X
10/6/11/10/19

Indian Railways

No. E/255/1(C)/IM(E)

DSM(P)'s office
Lucknow, dated 17-7-1995

10/6/11/10/19
350

- Shri N.K. Bhattacharjee, Sr. Clerk/G under AEN/IMG.
- Radheshyam Saha, Sr. Clerk/G under IOW/N/IMG.
- Patal Ch. Dey, Sr. Clerk/G under PWI/DNR.
- Radha Ramesh Saha, Sr. Clerk/G under IOW/BFB.
- Bimal Kr. Dey, Sr. Clerk/G under IOW/BFB.
- Kajal Chandra Dey, Sr. Clerk/G under PWI/NOG.

Sub :- Injustice towards fixation of seniority

Ref :- Your approval towards fixation of seniority

After scrutiny it is seen that Shri S. Singh, Shri A.C. Shri N. Nath and S. Chakraborty are sufficiently senior to you. Their dates of regular promotion as Jr. Clerk-G are 17-6-81, 15-6-81, 15-6-81 and 13-9-82 respectively and your dates of regular promotion as Jr. Clerk/G are 2-8-84, 2-8-84, 2-8-84, 23-12-86, 23-12-86 and 23-12-86 respectively. Your seniority as Jr. Clerk/G has been counted with effect from the date of your regular promotion as Jr. Clerk-G.

This is for your information please

Forwarded
19/7/95

14/7/95

For DSM (P)/Lucknow

dobnath/14795

Attested
12/7/96

28

Filed by: 30
Bill
(G.N. Das)
Advsocate

Central Administrative Tribunal
গুৱাহাটী বেঞ্চ
984
24 JUN 1997
Guwahati Bench
গুৱাহাটী বেঞ্চ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :

GUWAHATI BENCH
GUWAHATI.

O.A. 221/96.

Radheshyam Saha and others.

... Applicants.

-Versus-

Union of India and others.

.. Respondents.

WRITTEN STATEMENT FOR AND ON BEHALF OF THE
RESPONDENTS No.4,5,6 AND 7 :

1. That the statements made in paragraphs No.1,2 and 3 are substantially correct but the applicants were not eligible for regular promotion against $33\frac{1}{3}$ p.e. quota of posts against which the respondents were promoted.

2. That with reference to paragraph No.4, the answering respondents beg to state that the applicants alongwith others were selected and promoted to work- charged posts of Clerk and posted against estimate number 20/CE of 1976-77 for "proposed remedial measures on LMG-BPB Hill Section ".

3. That the answering respondents are not aware about the statements and communications referred to in paragraph No. 5,6,7 and 8 but submit that the applicants were promoted

contd...

Advs
9-5-97

[Handwritten signature]

against work- charged posts only during 1977 and they were promoted to regular posts only during 1984 and 1986.

4. That with reference to paragraphs No. 9 and 10, the answering respondents beg to state that the Respondents No. 4, 5, 6 and 7, after being duly selected, were regularly promoted as Junior Clerks under $33 \frac{1}{3}$ p.a. reserved quota w.e.f. 17.6.81, 15.6.81, 15.6.81, and 30.9.82 respectively. The Respondents No. 4, 6 and 7 were subsequently, promoted to the grade of Senior Clerk on 19.8.86, 20.8.86 and 29.8.86 respectively. The respondent No. 5 who belonged to S.T. was promoted as Senior Clerk on 5.9.82 and he was promoted as Head Clerk w.e.f. 1.1.84. The Respondents No. 4, 6 and 7 were promoted to the rank of Head Clerk w.e.f. 21.8.92, 15.10.91 and 20.10.95 respectively. In the gradation list of Junior Clerks, as on 1.4.85, the names of respondents No. 4, 6 and 7 appeared above the applicants who were shown to have been promoted only in August, 1984 and as such they were promoted to the grade of Senior Clerk after the private Respondents during 1988 and later. In view of the seniority list of Junior Clerks, as on 1.4.85, it is not open to the applicants to say that they came to know that the Respondents who were junior to them were already promoted to the grade of Senior Clerk only at the time of their promotion from the grade of Junior Clerk.

A copy of the said gradation list and the promotion orders are annexed herewith and marked as Annexure-I and II respectively.

contd...

- 36-
12

5. That with reference to paragraph No.11, the answering Respondents beg to state that the Respondents are not aware of the representations filed by the applicants but submit that the representations were misconceived and without any merit. The applicants were regularly promoted to the rank of Junior Clerk during 1984 and 1986 whereas the answering Respondents were promoted during 1981 and the Respondent No.7 in 1982 and as such they are senior to the applicants.

The seniority between the private Respondents and the applicants was settled as far back as in 1981 and the same cannot be re-opened at this belated stage after lapse of more than 16 years and the application is liable to be dismissed.

Contd.....

VERIFICATION

I, Satyendra Chakravorty, son of Shri Rajendra Kishore Chakraborty, aged about 40 years, a resident of Lumding in the District of Nagaon, Assam, being authorised by Respondents No.4, 5 and 6 in this regard, do, hereby verify that the statements made in paragraphs No.1 to 5 are true to my knowledge and belief and that I have not suppressed any material fact.

Satyendra Chakravorty
Signature. 9-5-97

FOR DIRM (P) / DIR

FOR DIRM (P) / DIR

1) Staff concerned, representation, if any, in regard to the seniority position should be submitted to this office within the date of publication of this S/List. No representation will be entertained after the stipulated period.

2) Genl. Secy./H.S. Minu./AO with 3 spare copies.
3) Genl. Secy./A.S. Minu./AO with 3 spare copies.

19.	SRI Pradip K. Deb	17.1.58	2.3.58	2.3.58	17.3.76	SRI Pradip K. Deb
20.	SRI Ganga A. Das	7.2.58	2.3.58	2.3.58	17.3.76	SRI Ganga A. Das
21.	MISS. HOPT. Chandra Sekhri, do	21.1.61	3.3.58	3.3.58	17.3.76	MISS. HOPT. Chandra Sekhri, do
22.	SRI Pradip K. Deb	17.1.58	2.3.58	2.3.58	17.3.76	SRI Pradip K. Deb
23.	SRI Ganga A. Das	7.2.58	2.3.58	2.3.58	17.3.76	SRI Ganga A. Das
24.	SRI Pradip K. Deb	17.1.58	2.3.58	2.3.58	17.3.76	SRI Pradip K. Deb
25.	SRI Ganga A. Das	7.2.58	2.3.58	2.3.58	17.3.76	SRI Ganga A. Das
26.	SRI Pradip K. Deb	17.1.58	2.3.58	2.3.58	17.3.76	SRI Pradip K. Deb
27.	SRI Ganga A. Das	7.2.58	2.3.58	2.3.58	17.3.76	SRI Ganga A. Das
28.	SRI Pradip K. Deb	17.1.58	2.3.58	2.3.58	17.3.76	SRI Pradip K. Deb
29.	SRI Ganga A. Das	7.2.58	2.3.58	2.3.58	17.3.76	SRI Ganga A. Das
30.	SRI Pradip K. Deb	17.1.58	2.3.58	2.3.58	17.3.76	SRI Pradip K. Deb
31.	SRI Ganga A. Das	7.2.58	2.3.58	2.3.58	17.3.76	SRI Ganga A. Das
32.	SRI Pradip K. Deb	17.1.58	2.3.58	2.3.58	17.3.76	SRI Pradip K. Deb
33.	SRI Ganga A. Das	7.2.58	2.3.58	2.3.58	17.3.76	SRI Ganga A. Das
34.	SRI Pradip K. Deb	17.1.58	2.3.58	2.3.58	17.3.76	SRI Pradip K. Deb
35.	SRI Ganga A. Das	7.2.58	2.3.58	2.3.58	17.3.76	SRI Ganga A. Das
36.	SRI Pradip K. Deb	17.1.58	2.3.58	2.3.58	17.3.76	SRI Pradip K. Deb
37.	SRI Ganga A. Das	7.2.58	2.3.58	2.3.58	17.3.76	SRI Ganga A. Das
38.	SRI Pradip K. Deb	17.1.58	2.3.58	2.3.58	17.3.76	SRI Pradip K. Deb
39.	SRI Ganga A. Das	7.2.58	2.3.58	2.3.58	17.3.76	SRI Ganga A. Das
40.	SRI Pradip K. Deb	17.1.58	2.3.58	2.3.58	17.3.76	SRI Pradip K. Deb

DIR, as Sr. Clerk

(1/10.2)

32A

(7)

Sri, Haradhan Ch. Nath.

Thro: 10W/DMV

33

Office Order No: 50 of 1985.

1. Shri M. B. Majumder, Sr. Clerk under AEN/3PG who is under order of transfer on promotion as Hd. Clerk (Rs. 425-700), vide this O.O. No. E/283/1(c)/LM(E) dt. 5/9-9-85 is hereby posted as Hd. Clerk under PWI/DMR against the existing vacancy.
2. Shri Dhimanendu Chakraborty, Sr. Clerk under 10W/3/LMG is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) and posted under AEN/LMG against the existing vacancy.
3. Shri N. Mitra Majumder, Sr. Clerk under PWI/HJI is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) and posted under DRM(W) LMG.
4. Shri R. K. Choudhury, Sr. Clerk under PWI/GHY is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) and posted under 10W/CPK against the existing vacancy.
5. Shri S. K. Singha, Sr. Clerk under DRM(W) LMG is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) and posted under DRM(W) LMG against the existing vacancy.
6. Shri B. G. Sarkar, Sr. Clerk under PWI/DMV is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) and posted under PWI/DMV.
7. Smt. Chhaya Rani Suklabaidya (SC), Sr. Clerk under DRM(W) LMG is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) against the existing vacancy.
8. Shri B. K. Pramanik (SC), Sr. Clerk under DRM(W) LMG is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) and posted under 10W/T/JTG against the existing vacancy.
9. Smt. Anjali Singh, Clerk under DRM(W) LMG is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under DRM(W) LMG against existing vacancy.
10. Shri Jatindra Ch. Das, Clerk under 10W/HGS is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under 10W/HGS against existing vacancy.
11. Shri Haradhan Ch. Nath, Clerk under 10W/DMV is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under 10W/DMV against the existing vacancy.
12. Shri Subhas Ch. Singha, Clerk (now ad-hoc STS) under DRM(W)/LMG is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under DRM(W) LMG.
13. Shri Jahangir Khan, Clerk under PWI/DCA is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under PWI/DCA against the existing vacancy.

24

.....(2)

Attested

Bill
Adv.

8

-: 2 :-

14. Shri S.J.Sengupta, Clerk under PWI/DMR is provisionally promoted to officiate as Sr.Clerk (Rs.330-560) and posted under AEN/BPG vice item.I above.
15. Smt.Arati Biswas, Clerk under AEN/BPG is provisionally promoted to officiate as Sr.Clerk (Rs.330-560) and posted under AEN/GHY.
16. Shri Satyendra Chakraborty, Clerk under DRM(W)LMG is provisionally promoted to officiate as Sr.Clerk (Rs.330-560) and posted under DRM(W)LMG against existing vacancy.
17. Shri N.G.Paul, Sr.Clerk under IOW/BPB who had refused promotion of Hd.Clerk for one year vide his application dt.12-9-85 is promoted to officiate as Hd.Clerk (Rs.425-700) vice vacancy of Shri R.M.Roy, Hd.Clerk under IOW/BPB who will retire from service w.e.f. 1-10-86.
18. Smt.Ruhini Sribastab, Clerk under IOW/BPB is provisionally promoted to officiate as Sr.Clerk (Rs.330-560) and posted under IOW/BPB vice item No.17 above.
19. Shri Swapn Kr.Dey, Clerk under DRM(W)LMG (attached to DRM/DMG) is provisionally promoted to officiate as Sr.Clerk (Rs.330-560) and posted under PWI/LFG.
20. Shri Patal Ch.Dey, Clerk (Rs.260-400) who has been temporarily working under PWI/DMR is now posted as Clerk (Rs.260-400) under PWI/DMR vice item no.14 above.
21. Shri Pradip Kr.Dey, Clerk under DRM(W)LMG is posted in place of Shri Swapn Kr.Dey, (item No.19).
22. Shri N.N.Dutta, Sr.Clerk under IOW/CPK is transferred and posted under PWI/GHY in his same pay and scale vice item No.4 above.
23. One post of Hd.Clerk was transferred from DRM(W)LMG to AEN/GHY's for one year vide DRM(P)LMG's O.O. No.E/283/I(C)/LM(E) dated, 5/9-9-85 and Shri D.N.Ghosh, H.C. under AEN/GHY was posted against this post. On expiry of the currency of one year of transfer of post, Shri D.N.Ghosh, H.C. will continue to work as Hd.Clerk under AEN/GHY against the existing vacancy of Chief Clerk (being downgraded to H.C.) till the regular Chief Clerk is posted.

Note: (i) This has the approval of Sr.DEN/Lunding.

(ii) Item No.1,3,4,8,14,15,19,22 are granted 10 days joining time from the date of sparing.

(iii) Promotion will be effective from the date of joining of the post holder in case (3) as per items 17, 18, 19 which will not be effective before 10

Contd. 3

(a)

172

-: 3 :-

(ix) All the promotees should submit their option for fixation of pay within one month from the date of promotion if they desire to get their pay refixed under Rule FR-22-C from the next date of increment in lower scale.

Amunishin
for DRM(P)/Lunding.

No. E/283/I(C)/LM(E) Dated: 17-8-1986.

Copy for information and necessary action to :-

1. DAO/LMG.
2. Sr. DEN/LMG.
3. AENs/LMG, GHY, HGS, BPG.
4. PWI/DMV, HJI, GHY, DCA, LFG, DMR. *They will ensure*
5. IOW/DMV, (S)LMG, JTG, HGS, CPK, BPB. *Staff under*
6. EE/Bill, OS(W)LMG, OS(G)/LMG. *order of transfer immediate*
7. P/Case.

Forwarded to Sr. A.C. Mr. T. K. at Office

20.8.86
Inspector of Works
G. E. Railway, Dimaapur.

Amunishin
for DRM(P)/Lunding.
17/8

Attested
Sill
Adv.

E/7-502
CQ-11-95

10

N. F. RAILWAY.

Office of the
Divisional Rly. Manager(P),
Ludhiana.

MEMORANDUM

Consequent on promotion to the post of Sr. Clerk in scale - 1400-2300/- vide DM(P)/LNG's office order NO.E/283/1(C)/LM(L) dt 2.5.95 and modification office order NO.E/283/1(C)/LM(L) dt 11.10.95, the pay of Sri Satyendra Ar. Chaudhary, Sr. Clerk under 10W/N/LNG is fixed in scale - 1400-2300/- as under :-

Sl. No.	Name	Pay in scale - 1200-3040/-		Pay in scale - 1400-2300/-	
		1200-30-15000-40-2040/-		1400-40-18000-50-2300	
		Date	Pay	Date	Pay
1.	Sri Satyendra Ar. Chaudhary	20.10.95.	R.1470 + 70 Spl. pay.	20.10.95.	1600/-

:::

for Divisional Rly. Manager(P),
N. F. Railway : Ludhiana.

NO.E/132/1(C). P/LNG 1-11-95.

Copy forwarded for information and necessary action to:-

- 1) DM(LNG) SE B/II at office. 3. 10W/N/LNG. 4. Staff concerned thro. 10W/N/LNG.
- 5) 2/copy for P/cas.

for Divisional Rly. Manager(P),
N. F. Railway : Ludhiana.

Handwritten notes and signatures on the left side of the page, including 'Arhs' 1195 and various initials and dates.

Attested
Gull
Adv.

(11)

35 8

19/11/85
Shri. Subin Das Chakraborty
Thru 15/10/85

Office Order No. 50 of 1985.

1. Shri. A. Rajender, Sr. Clerk under AM/MS who is under order of transfer on promotion as Hd. Clerk (Rs. 425-700) vide this O.O. No. 1/223/1(c)/LM(E) 11.5/9-9-85 is hereby posted as Hd. Clerk under PM/DAA against the existing vacancy.
2. Shri. Dhimanendu Chakraborty, Sr. Clerk under IOW/S/LMG is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) and posted under AM/LMG against the existing vacancy.
3. Shri. M. Sitar Rajender, Sr. Clerk under PM/HJI is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) and posted under DRM(W) LMG.
4. Shri. R.K. Choudhury, Sr. Clerk under PWI/GHY is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) and posted under IOW/CPK against the existing vacancy.
5. Shri. S.K. Singha, Sr. Clerk under DRM(W) LMG is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) and posted under DRM(W) LMG against the existing vacancy.
6. Shri. B.G. Sarkar, Sr. Clerk under PWI/DMV is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) and posted under PWI/DMV.
7. Smt. Chhaya Rani Suklabaiaya (SC), Sr. Clerk under DRM(W) LMG is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) against the existing vacancy.
8. Shri. B.K. Pramanik (SC), Sr. Clerk under DRM(W) LMG is provisionally promoted to officiate as Hd. Clerk (Rs. 425-700) and posted under IOW/I/JTG against the existing vacancy.
9. Smt. Anjali Singh, Clerk under DRM(W) LMG is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under DRM(W) LMG against existing vacancy.
10. Shri. Jitendra Ch. Das, Clerk under IOW/HGS is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under IOW/HGS against existing vacancy.
11. Shri. Haradhan Ch. Nath, Clerk under IOW/DMV is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under IOW/DMV against the existing vacancy.
12. Shri. Subhas Ch. Singha, Clerk (now ad-hoc) under DRM(W)/ LMG is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under PM(D) LMG.
13. Shri. Jyotindra Ch. Das, Clerk under PM/DAA is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under PM/DAA against the existing vacancy.

xx

Affixed
Gill
RS

.....(2)

-: 2 :-

14. Shri S.J. Sengupta, Clerk under PWI/DMR is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under AEN/PG vice item I above.
15. Smt. Arati Dasgupta, Clerk under AEN/PG is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under AEN/PG.
16. Shri Satyendra Chakrabarty, Clerk under DRM(J) LMG is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under DRM(W) LMG against existing vacancy.
17. Shri N.G. Paul, Sr. Clerk under ICW/CPB who had refused promotion of Hd. Clerk for one year vice his application dt. 12-9-85 is promoted to officiate as Hd. Clerk (Rs. 425-700) vice vacancy of Shri R.M. Roy, Hd. Clerk under ICW/CPB who will retire from service w.e.f. 1-10-86.
18. Smt. Ruhini Sriastab, Clerk under ICW/CPB is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under ICW/CPB vice item No. 17 above.
19. Shri Swapan Kr. Dey, Clerk under DRM(W) LMG (attached to DRM/LMG) is provisionally promoted to officiate as Sr. Clerk (Rs. 330-560) and posted under PWI/LFG.
20. Shri Patal Ch. Ray, Clerk (Rs. 260-400) who has been temporarily working under PWI/DMR is now posted as Clerk (Rs. 260-400) under PWI/DMR vice item no. 14 above.
21. Shri Pradip Kr. Dey, Clerk under DRM(W) LMG is posted in place of Shri Swapan Kr. Dey, (item No. 19).
22. Shri N.N. Dutta, Sr. Clerk under ICW/CPB is transferred and posted under PWI/GHY in his same pay and scale vice item No. 4 above.
23. One post of Hd. Clerk was transferred from DRM(W) LMG to AEN/GHY's for one year vice DRM(P) LMG's O.O. No. E/283/I(C)/LM(E) dated 15/9-85 and Shri D.N. Ghosh, H.C. under AEN/GHY was posted against this post. On expiry of the currency of one year of transfer of post, Shri D.N. Ghosh, H.C. will continue to work as Hd. Clerk under AEN/GHY against the existing vacancy of Chief Clerk (being downgraded to H.C.) till the regular Chief Clerk is posted.

Note: (i) This has the approval of Sr. DEN/Leading.

(ii) Items No. 1, 3, 4, 8, 14, 15, 19, 22 are granted 10 days joining leave from the date of joining.

13

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- 3 -

(iii) All the officers should submit their option for fixation of pay within one month from the date of promotion if they desire to get their pay refixed under Rule FR-22-C from the next date of increment in lower scale.

As per file
for DDM(P)/Lumding.

No. E/283/I(C)/LM(E) Dated: 19-8-1985.

Copy for information and necessary action to :-

1. DAO/LMG.
2. Jr. JEN/LMG.
3. AENs/LMG, GHY, HGS, BPG.
4. PWI/DMV, HJT, GHY, DCA, LEG, DMR.
5. IOB/DMV, (S)LMG, JTG, HGS, CPK, BPS.
6. LE/BIH, OS(N)LMG, OS(G)/LMG.
7. P/Cope.
8. *Staff concerned.*

They will ensure transfer of Staff under order of transfer immediately

for DDM(F)/Lumding.

with int 26/08/1985 dt 19.8.85

19/8

Forwarded.

19/8
19/8
19/8

Attested
Sill
As

141

37

N.F. Railway

Office Order

The following persons who have qualified themselves for promotion from Class IV to Class III specified posts of Clerk(G) in scale Rs. 260-400/- (RS) (ref. This office order of ~~xxx~~ even no. dt. 12-6-81) against 33 1/3% reserved quota are hereby directed to under go necessary training in the offices mentioned against each :-

S/No.	Name & designation and station.	Deputed for training under
1.	Shri Haradhan Ch. Nath,	DEN/III/Lumding.
2.	" Subhash Ch. Singh	-do-
3.	" Alamba Ao, (ST)	-do-
4.	" Swapn Kr. Debnath	DME(P)/LMG
5.	" Ramendra Mohan Baul	-do-
6.	" Anukul Ch. Dey,	-do-
7.	" Mantosh Sarker	DSTE/LMG.

All movements must be completed by 17-6-81. The above staff should be put to under go training for a period of three months and the training will be the same as per direct recruitment for the post of clerk(G) in scale Rs. 260-400/- (RS). In the case of failure in the first attempt they will be given second chance to qualify in terms of CPO's Letter No. EPS/SE/230/II/PIII(C) of 11.1.63.

During the training period they will get stipend of Rs. 260/- p.m. plus usual dearness allowances of the pay and allowance of their present post which ever is higher, regarding payment of ~~xxx~~ A.C.A., the staff who will get stipend of Rs. 260/- plus dearness allowance, it will be adjusted on satisfactory completion of their training and passing the prescribed test.

On satisfactory completion of training they will be examined by DEN/AEN, DME/AME, DSTE/ASTE to consider their suitability for the post of Clerk(G) and passing the test they will be eligible for promotion as Clerk(G) in scale Rs. 260-400/- (RS) plus usual allowances, applicable from time to time.

Seniority to the post of clerk(G) in scale Rs. 260-400/- (RS) will be decided as per position assigned in the results published under this office order of even no. dated 12-6-81. ~~xxx~~

No. E/230/LM/EO-Pt. XVI Lumding, dated 12-6-81. ¹⁵ for DRM(P)/Lumding.

Copy forwarded for information and necessary action to :-

1. CPO/MLG. 2. DAO/LMG. 3. DME(P), DEN/III.
4. DSTE, DCS/LMG.
5. AEE/MLG. They will please spare and direct the staff under them to carry out promotion order as above.
6. OS(Mech), CC/Comml. 7. CC/ET, CC/EM, HC/FS.
8. Staff concerned. 9). Spare copy for P/Case.

for DRM(P)/Lumding.

Attested
Gull
12/6