

50/600

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

MP-227/96 order sheet Pg 1 to 3

Disposed Date-18/12/96

MP-83/96 order sheet Pg 1

Disposed date-26/9/96

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

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SECTION OFFICER (Judl.)

ORIGINAL APPLN.NO. 23 OF 1995
 TRANSFER APPLN.NO. OF 1995
 CONTEMPT APPLN.NO. OF 1995 (IN NO.)
 REVIEW APPLN.NO. OF 1995 (IN NO.)
 MISC.PETITION NO. OF 1995 (IN NO.)

.....*Mr. S. Ali*..... APPLICANT(S)

-VS-
*Mr. S. Ali*..... RESPONDENT(S)

For the Applicant(s) ... Mr. *B.K. Sharma*
 Mr. *B. Mehta*
 Mr. *S. Sen*
 Mr.
 For the Respondent(s) Mr. *S. Ali, Sr. Clerk*

OFFICE NOTE	DATE	ORDER
<p>his application is in form and within time</p> <p>B. F. of Rs. 50/- deposited vide</p> <p>IPO/BD No. <i>311759</i></p> <p>Dated <i>14.2.96</i></p> <p><i>Mr. S. Ali</i></p>	<p><i>19-2-96</i></p> <p>1m</p> <p>22-2-96</p>	<p>Leave note of applicant's counsel.</p> <p>Adjourned to 22-2-96.</p> <p><i>Mr. B.K. Sharma</i> for the applicant.</p> <p><i>Mr. S. Ali, Sr. C.G.S.C.</i> for the respondents.</p> <p>O.A. is admitted. Issue notice to the respondents. Adjourned to 25-4-96.</p> <p>Liberty to apply earlier for interim relief with notice to the respondents.</p>
<p><i>Requisite steps are received & issued</i></p> <p><i>v.m. 504-7. D. 8.3.96.</i></p> <p><i>4/3</i></p> <p><i>Notice duly send on</i></p> <p><i>R.no. 3.4.2.</i></p>	<p>1m</p>	<p><i>Member</i></p> <p><i>Vice-Chairman</i></p>

OFFICE NOTE

DATE

ORDER

3.4.96

25.4.96

Mr S. Sarma, learned counsel for the applicant and Mr S. Ali, learned Sr. C.G.S.C., are present.

List on 7.6.96 for hearing.

Member

nkm

7.6.96

Mr. S.Sarma, learned counsel for the applicant. Mr. S.Ali, Sr. C.G.S.C. for the respondents.

Hearing adjourned to 21.6.96. To be listed for hearing alongwith O.A. 214/95.

Member(J)

Member(A)

trd

21-6-96

None is present. List for hearing on 22-7-96.

lm

Member

26.9.96

None for the applicant.

Mr. S.Ali, Sr. C.G.S.C. for the respondents.

List for hearing on 14.11.96.

Member

trd

14.11.96

Mr.B.Mehta for the applicant. Mr. S.Ali, Sr. C.G.S.C. for the respondents.

List for hearing on 13.12.1996.

Member

nkm

14/11

W/s Sonballe
31st Report no. 1 to 4.

13

Notice duly served
on respondents no 2, 3, & 4.
2) W/statement has been filed.

25/9

W/statement has been filed

13/11

27/9

18.12.96

Vide order today in M.P.227/96
the interim order dated 15.10.96
in M.P.153/96 has been modified.

6-3-97

- 1) Memo of appearance
has been filed by Mr.
H.K. Gupta, Addl. Case
on behalf of the
Respondents, pg


Member

- 2) No rejoinder has been
filed.

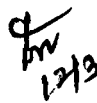
10.3.97

Let the case be listed on 21.4.1997 for
hearing.


Member


Vice-Chairman

trd


12/3

12-4-97

Ready for Hearing.

21.4.97

Let the case be listed for hearing
on 2.6.97.


Member


Vice-Chairman

pg


22/4

2.6.97

The respondents have filed an affidavit in Misc.Petition No.94/97 stating inter alia that the scheme has since been approved and it is likely to be notified. In view of the above Mr.B.K.Sharma, learned counsel appearing on behalf of the applicant submits unless the scheme is notified and we come to know about the scheme it will be difficult for him and for that purpose Mr.Sharma prays for till the scheme is notified. Mr.M.K.Gupta learned Addl.C.G.S.C. submits that the scheme will be notified very soon, may within three weeks. Mr.S.Ali, learned Sr.C.G.S.C. and Mr.M.K.Gupta, learned Addl.C.G.S.C. also agreed that the matter should be heard after the publication of the scheme.

ntd/-

2.6.97

Mr.S.Ali, learned Sr.C.G.S.C. and
Mr.M.K.Gupta, learned Addl.C.G.S.C.
also agreed that the matter should
be heard after the publication of the
scheme,

Considering the submissions of
the learned counsel for the parties
we adjourn the case till 7-7-97.


Member


Vice-Chairman

pg
3/6

7.7.97

Heard both counsel of the parties.

Hearing concluded. The application is disposed
of on withdrawal with liberty to file fresh
application if so advised. No order as to costs.

Order is kept in separate sheets.


Member


Vice-Chairman

trd

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH

(An application under section 19 of the Administrative Tribunal Act, 1985)

TITLE OF THE CASE O.A. NO. 23 OF 1996

Md. Rahmat Ali ... Applicant

Versus

Union of India and others ... Respondents.

I N D E X

<u>Sl. No.</u>	<u>Particulars of the documents</u>	<u>pages nos.</u>
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4.	do B	20 to 21
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11.	do I	40.

For use in Tribunal's office

Date of filing	15.2.96
Application No.	CA 23/96
	Registrar

Received COPY
Sd/-
14/2/96

Filed by Asstt. Secy
14.2.96

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL :: GUWAHATI BENCH

O.A. NO. 23 1996.

B E T W E E N

Md. Rahmat Ali

son of Chakal Ali,

Bangalikhuchi, Rangia,

Kamrup, Assam.

...APPLICANT

A N D

1. Union of India,

represented by the Secretary to the

Govt. of India, Ministry of Water Resources,

Choram Shakti Bhawan, New Delhi.

2. The Chairman,

Central Water Commission

Sewa Bhawan, R.K. Puram

New Delhi.

3. The Executive Engineer

M.O.S.T. Sub Division SWC

Bamunimaidan, Guwahati-21.

4. The Asstt. Engineer,

M.O.S.T. Sub-division, C.W.C.

Bamunimaidan, Guwahati-21.

...RESPONDENTS.

DETAILS OF APPLICATION

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

(a) The instant application is not made against any particular order but has been made seeking a relief towards regularisation of the aforesaid applicant's services. Recently the applicant was under casual employment/worked charged (seasonal) Khalasi under the respondents and as per the scheme prevalent as well as the verdict of the Apex Court, the aforesaid applicant is entitled to be appointed with temporary status with further regularisation of his service with all consequential benefits.

(b) Appointment/termination order dated 27.4.95 (Annexure B)

2. LIMITATION

The applicant further declares that the application is within the limitation period prescribed under Section 21 of the Administrative Tribunals Act, 1985. However, the circumstances leading to the filing of the instant application has been explained under the Head - "Facts of the case" and which may be taken into account.

3. JURISDICTION OF THE TRIBUNAL

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

4. FACTS OF THE CASE.

4.1 That the applicant is a citizen of India and a permanent resident of Assam and as such he is entitled to all the rights privileges guaranteed under the Constitution of India and laws assigned thereunder.

4.2 That the applicant belongs to the lower ~~stratum~~ ^{stratum} of society and a member of a very poor family. In the want of job to earn livelihood for him as well as for his family members, he could not prosecute further studies after passing class IX and accordingly he joined in the services at Respondents in the year 1983, 15th May as a seasonal work charged khalasi (Group D). It will be pertinent to mention here that the applicant ~~was~~ appointed in the service ~~at~~ the Respondents after he was found suitable for the post. The name of the applicant was sponsored by the Employment Exchange for the said post and after a due selection process he was found suitable for the post and was appointed as s seasonal work charged khalasi (Group D) for a specified period and to that effect the applicant was issued with interview letter.

Some of the interview letters dt. 8.5.84, 7.5.85, 26.4.92 are annexed herewith and marked as Annexure A1, A2, and A 3 respectively and one of the such appointment letters is annexed herewith and marked as Annexure B.

4.3 That the applicant has put in his sincere service under the respondents for more than 12 years in different spells. Being satisfied by the service rendered by the applicant some time the respondents has engaged him as casual as well as worked charged Khalasi in continuation to his earlier mode of service.

For better appreciation of the different spells of services rendered ~~in~~ by the applicant, a brief table is given below :-

<u>Years.</u>	<u>days</u>	<u>mode of employment.</u>	
1983	153	Seasonal khalasi	
1984	153	do	
1985	153	do	
1986	153	do	
1987	154	do	
1988	154	do	
1989	258	Casual labour/seasonal khalasi	
1990	360	do	do
1991	330	do	do
1992	330	do	do
1993	330	do	do
1994	254	do	do

TOTAL 2952 days in 12 years.

4.4. That the applicant states that he was allowed to work in an exploitative ^{terms} ~~terms~~ by the respondents. The applicant being aggrieved by the action/inaction of the

of the respondents, he has preferred a representation dtd. 18.9.92 and he ~~has~~ made a categorical prayer for regularisation of his services but contrary to it the respondents did not ~~also~~ ~~also~~ reply to the said representation. The applicant in his said representation stated all the circumstances which leads to some sort of sympathetic consideration from the respondents for his regular appointment and he made a categorical statement regarding the illegality caused to him by not selecting him where his name in the Sl.No.3. The respondents have acted arbitrarily w in the said selection where the Sl.No. 1,2 and 4 has been appointed as regular work charged khalqsi leaving aside him.

A copy of the said representation dated 18.9.92 is annexed herewith and marked as Annexure C.

4.5 That it is stated earlier that the applicant has been working since 1983 and has completed almost 12 years of service as casual/w/c khalasi without any ray of hope of regularisation of his service. Instead of regularisation of the applicant's service, the respondents have not even granted the temporary status under the scheme ^{of 1993} formulated by the Govt. of India for grant of temporary status and regularisation, pursuance of the Apex Court's verdict. It will be pertinent to mention here that

the applicant has put more than 12 years of services and from the different spells and days of service rendered by the applicant as stated earlier, it is crystal clear that the case of the applicant is squarely covered under the said scheme formulated by the ^{Govt of India} ~~XXXXXX~~ - ~~XXXXXX~~ pursuant to Apex Court's verdict. Hence there is no earthly reason as to why the services of the applicant has not been regularised till date.

4.6 That ~~as~~ as stated earlier the applicant was appointed as a seasonal khalasi by the respondents in the year 1983, and he was working affixed pay at Rs.750/- to 940) which is a prescribed scale of Grade D employee. However, the applicant's services is terminated and/or he is kept in employment for a definite period and after he is engaged on casual basis for rest of the period in some of the years, again in the next year, he ~~was~~ appointed for a further period. Thus the process is going on since the time of his appointment and inspite of the fact that Govt. of India in the year 1993 has formulated a policy decision for grant of temporary status with the consequence of regularisation in due course. The applicant is still deprived of his legitimate claim of regularisation of his service where his case is squarely covered by the said scheme. It will be pertinent to mention here that the applicant has put more than 240 days of continuous work more than 6 years in the same

department from the year 1989 but contrary to it, he has not yet granted with temporary status whereas the scheme came into force in 1993 only.

A copy of the said scheme is annexed herewith and marked as Annexure.D.

4.7 That the applicant states that every year he is issued with the same kind of appointment letters and thereafter he is also required to work beyond the prescribed period in the appointment letter on casual basis on daily wages.

His such appointments are not in dispute and thus instead of annexing all the appointment letters including appointment letters of casual basis, the applicant begs to annex one set of such appointment letter showing more than 240 days of works and the same is marked as ANNEXURE E(Set)

4.8 That the applicant states that some of the Group D employees of Central Water Commission who are similarly situated like that of the applicant had moved the Principal Bench of the Hon'ble CAT, New Delhi, by way of filing various OAS wherein same kind of grievances have been raised as in the instant application were raised. The Principal Bench of Hon'ble CAT in its judgement dated 10.2.94 in O.A. No.

273/92, 604/92, 1601/92 and 2418/92 allowed the said OAS with the following directions:

*(i) the respondents shall prefer a scheme for retention and regularisation of the casual labours employed by them. This scheme should take into account the regular posts, that can be created taking into account the fact that even if a particular schemes are launched every year. In assessment of the regular posts that can be created on the basis should be made .For regularisation all those who have completed 240 days service in two consecutive years, should be given priority in accordance with their length of service.

(ii) Those who ~~were~~ have completed 120 days of service should be given temporary status in accordance with the instructions issued in the Department of Personnel from time to time. After completion of the required period of service, they should be considered for regularisation.

(iii) adhoc/temporary employees should not be replaced by other adhoc/temporary employees and should be retained in preference to their juniors and outsiders.

(iv) Such a scheme shall be submitted by the respondents for scrutiny of this Tribunal within a period of three months from the date of communication of this order by the petitioner to them.

A copy of the said judgement is annexed herewith and marked as ANNEXURE E.

4.9 That the applicant states that the said judgement was carried on review by the respondents therein but the same was dismissed by the Hon'ble Tribunal by its judgement and order dated 9.9.94.

A copy of the said judgement dated 9.9.94 is annexed herewith and marked as ANNEXURE F.

4.10 That pursuant to the aforesaid judgement, the applicant therein have been granted temporary status and to the knowledge of the applicant, all the applicants therein have been continuing in their services without any interruption and break and they are enjoying the consequences of granting the temporary status. One of the applicant in the aforesaid O.A. has been transferred to Shillong and he has been continuing as a Group 'D' employee on conferment of temporary status with all consequential benefits. After the aforesaid judgement

there has been no occasion to terminate the services of the applicant therein and they are enjoying the benefit of temporary status as per the scheme holding the field. The Central Water Commission has formulated and adopted the scheme as was formulated by the Govt. Ministry of Personnel and Public grievances with slight modification here and there, more particularly, as regards number of working days. The respondents may be directed to produce a copy of the same formulated by them under which the applicant is entitled to be conferred with temporary status with all consequential benefits.

4.11 That the applicant states that the respondents instead of being a modal employer have envisaged under the Constitution of India as the laws framed thereunder have been utilising the services of the applicant for last several years in exploitative terms without giving him any ray of hope of future prospect. The office order vide No.CWC/BSD/SIL/CB-12/92/734 dated SIL 05/08/92 bears the testimony to the facts that of the respondents exploitative attitude towards the applicant by which the applicant was asked to observe and to collect the water level from River Gumuti (which is a remote area) round the clock. It is further ordered by this aforesaid office order, allotting the said work to the

applicant day and night with out any hindarence.

A copy of the aforesaid order dated 5.3.92

is annexed herewith and marked as ANNEXURE G.

4.12 That the applicant states that he was put in more than 12 years of services under the respondents and being aggrieved by the action of the respondents for non implementation of the orders of Apex Court and the 1993 scheme made several representations but no fruitful purpose has been served. It is further stated by the applicant that he put more than 12 years of service but there is no such guarantee that he will get in job in the next year and there is no prescribed Roll or seniority list. The applicant is working at a legitimate expectation that his services will be regularised but even if his services are regularised on what basis he would be listed in the seniority as because by now he became over aged and in the case if he is not appointed for the next spell he will face an irreperable loss and injury.

One of such representation dated 11.9.95 is annexed herewith and marked as ANNEXURE H.

4.13 That the applicant states that in view of the aforesaid judgement of the Principal Bench pertaining to the same Department, there is no earthly reason as to why the benefit of the said judgement

should not be extended to the applicant. The respondents of their own ~~ought~~ ought to have extended the benefit of the said judgement to the applicant instead of compelling them to come under the protective hands of this Hon'ble Tribunal. It will be pertinent to mention here that as stated above a scheme in the year 1993 has ^{been} prepared pursuant ~~to~~ ^a ~~the~~ said Principal Bench's judgement and from the year 1989 the applicant has put in more than 240 days of continuous service under the respondents as stated above in the table. Hence the applicant is covered by the Scheme of 1993 ^{also} and he should have ^{been} given temporary status along with consequence of regularisation. The applicant further states that it is his reasonable expectation that since he has come under the protective hands of this Hon'ble Tribunal, his services ~~may need~~ would be continued and thus it is a fit case for an interim order directing the respondents not to terminate in service of the applicant and ~~and~~ alternatively prays that he may be considered for regular vacancy during the prndency of the O.A.

5. GROUND FOR RELIEF WITH LEGAL PROVISION

5.1 For that prima facie the action/inaction of the respondents are illegal and arbitrary.

5.2 For that the applicant has continued in the employment of the respondents for the last several years and his services are required to be regularised with all consequential benefits.

5.3 For that there being a judgement holding in field pertaining to the same department, the respondents are duty bound to apply the principle laid down therein in case of the applicant also, without compelling him to approach this Hon'ble Tribunal.

5.4 For that the constitutional mandates demand that the service of the applicant be made continuous with further benefit of regularisation and his service should not be utilised in exploitative terms as has been done by the respondents in the instant case.

5.5 For that there is no earthly reason as to why the same treatment should not be meted out to the applicant whereas in other similarly situated persons were already getting the fruits of the said scheme prepared by the respondents.

5.6 For that the applicant has been treated differently and thus there is violation of Articles 14 and 16 of the Constitution of India.

5.7 For that the applicant has been continued under the respondents for more than 12 years without any seniority and increments and in the process he has lost his chances of other employment, being overaged, the Hon'ble Tribunal may direct the respondents to regularise in service of the applicant in Group 'D' and to prepare a seniority list and accordingly to pay increments and other service benefits to the applicant.

5.8 For that the respondents are duty bound to give wage to the service rendered by the applicant towards regularisation of his service and his service cannot be utilised in exploitative terms in violation of the provisions of the Constitutional Rules and the laws framed thereunder.

5.9 For that in any view of the matter the action/inaction on his part as the respondents are not sustainable.

6. DETAILS OF REMEDIES EXHAUSTED

The applicant declares that he was no other alternative remedy other than approaching this Hon'ble Tribunal.

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

The applicant further declares that he had not previously filed any application, writ petition or suit regarding the matter in respect of which the application has been made before any other Court of law, or any other authority and/or other Bench of the Tribunal and/or any such application, writ petition or suit is pending before any of them.

8. RELIEF SOUGHT FOR:

In view of the facts and circumstances stated

above, it is most respectfully prayed that the instant application be admitted, records be called for and or perusal of the same and upon hearing the parties on the cause/causes that may be shown, be pleased to grant following reliefs.

8.1 To direct the respondents to regularise the service of the applicant with retrospective effect i.e. the date of this initial ~~appointment~~ appointment from 1983 with all consequential benefits including arrear salary, other dues like increments and seniority. *in terms of 1993 scheme.*

8.2 To direct the respondents to extend the benefit of Annexure E judgement and order of the Principal Bench of the Hon'ble CAT, New Delhi.

8.3 To direct the respondents not to terminate the service of the appellant and to allow him to work in his earlier post as per earlier scheme, pending disposal of this O.A.

9. INTERIM ORDER PRAYED FOR

The applicant prays for an interim order from this Hon'ble Tribunal directing the respondents to allow the applicant to continue in his service as before during the pendency of the instant application.

10....

16

11. PARTICULARS OF THE I.P.O.

1. I.P.O. No. 09 311759
2. Date 14.2.96
3. Payable at : Guwahati.

12. LIST OF ENCLOSURES

AS stated in the Index.

Verification

I, Md. Rahmad Ali, Son of Late Chakal Ali
aged about 32 years resident of Bangalikhuchi, Dist.
Rangia, Assam do hereby solemnly affirm and verify
that the applicant is the instant application
that the statements made in paragraphs

are true to my legal advice. I have
not suppressed any material facts.

And I sign this verification on this
14 th day of February, 1996 at Guwahati.

Md. Rahmat Ali

APPLICANT

17

GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
M.O.S.T. SUB-DIVISION
BAMUNIMAIDAN: GAUHATI-21

NO. WR-II/MOST/G-19/84/ 279 Dated S. S. /84.

To

Shri Md. Rahmat Ali,
c/o. Golam Hussian.
P.O. Athgaon,
Gauhati-1.

Sub.: RECRUITMENT OF W/C SEASONAL KHALASI.

You are requested to attend before an Interview Board at 11.00 A.M. on 15-5-84 in the office of the Assistant Engineer, M.O.S.T. Sub-Division, C.W.C., Bamunimaidan, Gauhati-21 for : recruitment of W/C Seasonal Khalasis as sponsored by the Employment Exchange, Gauhati.

All original Certificates may be produced at the time of interview.

~~... will be admissible for attending the~~
interview.

per 8/5/84
ASSISTANT ENGINEER
M.O.S.T. SUB-DIVISION
BAMUNIMAIDAN: GAUHATI-21

Advocate

GRAM: "XENGAUGE"
GUWAHATI;

PHONE: 32012

GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
W.R. & F.F. DIVN. NO. II
PUB-SARANIA, GUWAHATI-3;

NO. WR&FFD-II/CB/WE-4/VOL. II/ 2288-89 Dt. 7/5/85.

To

Shri RAHMAT ALI
C/O. Golam Hussin
Athgaon. (Kumbar Para.
Guwahati-1.

Sub:- Recruitment of W/C Seasonal Khalasi.

You are requested to appear before the Interview Board at 11.00 Hrs. on 14.5.85 in the office of the Executive Engineer, WR&FFD-II, C.W.C. Pub-Sarania, Guwahati for recruitment of W/C Seasonal Khalasi as sponsored by the Employment Exchange, Guwahati.

All original educational Certificates, testimonials and Employment Exchange Registration Card may be produced at the time of Interview.

No T.A. & D.A. will be allowed for attending the Interview.

✓ EXECUTIVE ENGINEER::

Employment Officer,

Copy to the Employment EXCHANGE for unskilled applicants, Silpukhuri, 72/85/792 Dt. 30.4.85. to his Letter No. ORD/70-

Copy to the Assistant Engineer, M.O.S.T. Sub-Divn. CWC. Guwahati for information with reference to this Office letter No. WR&FFD-II/CB/WE-4/Vol. II/1710 dt. 11.4.85.

EXECUTIVE ENGINEER::

00000000

Advocate.

GRAM : "XENGAUCE"
GUWAHATI

PHONE NO. 60445.

19
No. A-16021/4/Estt-II/92/ 1342-5/
Government of India
Barak Division
Central Water Commission
Six Miles : Narengi Road
Khanapara : Guwahati- 22

Dated Guwahati, the 8/4/1992.

To

Md. Ramlal Ali (B.S/Khalasi)

(Through the *A.E.B.S.D. Pw. S. Khan.*)

Subject:- Recruitment of W/C Khalasi.

Sd/- 8/4/92
You are requested to appear before the Interview Board at 11 A.M. on 28-4-92 in the office of the Executive Engineer, Barak Division, C.W.C., 6th Mile, Narengi Road, Khanapara, Guwahati-781022 for recruitment of work-charged Khalasi.

All the original educational qualification certificate, and other testimonial, may be produced at the time of interview.

No T.A./D.A. will be allowed for attending the interview.

N. KAKATI
(N . KAKATI)
EXECUTIVE ENGINEER

MCB



Attes. ed.
Advocate.

GRAM : "XENGAUGE"
GUWAHATI

TELE : 560445

20
No. MBD-II/CB/Estt.II/95//35-175
Government Of India
Middle Brahmaputra Division,
Central Water Commission,
Rajgarh Road, Guwahati - 7,

Dated the 27/4/95,

MEMORANDUM

The undersigned hereby offers appointment to the following persons as "SEASONAL" W/C Khalasi in the work-charged establishment in the pay scale of Rs. 750-12-870-EB-14-940/- with the usual allowances as admissible as per rules from time to time.

S/N	Name & address of candidates.	Employment, Exchange, Regd. No.	Place of posting	Remark
(1)	(2)	(3)	(4)	(5)
1.	Sri Sushil Ch. Das, C/O, Sri Rajendra Ch. Das, C/O, Chitta Ranjan Road, Janiganj Bhuiya Road, Silchar, Cachar.	2768/79	Barak Sub-Divn. CWC, Silchar.	
2.	Miss Sulekha Paul, C/O, Swjala Paul, C/D, House, Meherpur, P.O-Meherpur, Cachar.	W/776/77	-do-	
3.	Miss Purnima Das, D/O, Lakesh Rn. Das, C/O, Subash Chakraborty, Chakraborty Cycle Stores, Tarapur, Station Road, Silchar, Cachar.	W/184/83	M.S.D. CWC, Guwahati-22,	(Compilation of GDS data)
4.	Sri Jitendra Ch. Das, S/O, Tarachand Das, P.O & Vill-Salchakra, Cachar.	1451/79	W/T Station, Matizuri under B.S.D., Silchar	
5.	Sri Sukumar Das, C/O, Lt. Kamini Das, Vill-Meherpur, C/D Home, P.O-Meherpur, Cachar.	7060/80	W/T Station Dholai, under B.S.D., Silchar	
6.	Sri Arun Kr. Das, C/O, Lt. Prafulla Kr. Das, Vill-Bakrihawar-vii, P.O-Kalinagar, Cachar,	539/82	Lakhipur site, under B.S.D., Silchar	
7.	Sri Pradip Kr. Dey, C/O, Swapan Kr. Bhadra, Tarapur, Silchar-3, Cachar,	2143/79	Manu site, under BSD, CWC, Silchar	

Contd..... 2/-

Attested.

Advocate.

(1)	(2)	(3)	(4)	(5)
8.	Sri Harinarayan Nunia, 1956/83 C/O, Shukdo Dee Nunia, P.O-Singalla, Cachar,	Harangajao, under B.S.D. Silchar		
9.	Sri Lalpiongthar Hmar, J/US/74/ S/O, Lt. K. Khupa, Chotto- 85 bekra, through A.E. Barak Sub-Div. CWC, Silchar,	W/T Station Chottobekra under B.S.D., Silchar		
10.	Sri Aswini Kr. Das, 769/80 S/O, Lt. Prakash Ch. Das, P.O & Vill-Ganganagar, Dist-Cachar,	W/T Station Amraghat, under B.S.D. Silchar		
11.	Sri Dipu Dutta, 5521/81 C/O, Dwijendra Dutta, Vill-Amaraghat, P.O- Dharmikhal, Dist- Cachar,	W/T Station Amarpur, under B.S.D. Silchar		
12.	Sri Kunja Mohan Das, 3858/76 C/O, Sri Baistab Ch. Das, Sonai Road, Silchar-5,	W/T Station, Matizuri, under B.S.D. Silchar		
13.	Sri Subendu Barman, 6139/84 C/O, Bhugesh Ch. Barman, Vill-Sadargram, P.O- Dholai Bazar, Dist.- Cachar,	W/T Station Dhulai, under B.S.D. Silchar		
14.	Sri Nibaran Namasudra, 570/77 C/O, Lt. Kalimohan Nama -sudra, Vill & P.O - Gossaipur, Cachar,	W/T Station Gharmura, under B.S.D. Silchar		
15.	Sri Faizul Haque Bar- 1756/80 bhuya, C/O, Sidur Rah- man Borbhuya, Vill-Pur- bekiharbond-ii, P.O - Amala, Cachar,	W/T Station Amarpur, under B.S.D. Silchar		
16.	Sri Shyamal Kanti Das, 5378/80 C/O, Binode Behari Das, Vill-Chandpur, Cachar,	Harangajao site, under B.S.D., Silchar		
17.	Sri Brigujoy Das, 105/81 C/O, Sri Bharat Ch. Das, Vill-Narainpur, P.O - North Narainpur, Cachar,	Manu site under B.S.D. Silchar		
18.	Sri Sankar Sinha, 41/84 C/O, Bijan Ch. Sinha, Vill-Nabasantipur, P.O-Janekibazar, Vill- -do- Cachar,	Borkhola site, under B.S.D. Silchar,		
19.	Sri Firoz Khan Laskar, 1096/80 C/O, Montazur Laskar, Vill-Vivbingoha, Cachar,	W/T Station Gharmura, under B.S.D. Silchar		
20.	Sri Dilip Kr. Das, 6307/83 C/O, Monoranjan Das, Annapurnaghat, Tarapur, Silchar-3, Cachar,	W/T Station A/P ghat, under B.S.D. Silchar		

(3)

(1)	(2)	(3)	(4)	(5)
21.	Sri Abdus.Samed Barbhuya, C/O, Lt. Sunahar Ali Barbhuya, Gangapar, Dhumkar- iii, Dist- Cachar,	2610/84	W/T Station Amraghat, under B.S.D. Silchar	
22.	Sri N.S. Pitter, Babupara, Jiribum Near A.R.C.S. Office, P.O-Jiribum,	J/US/10/ 88	Karimganj site, under B.S.D. Silchar	
23.	Sri Himangshu Dutta, Borobekra Bazar, P.O-Borobekra,	J/US/47/ 83	Barak Sub-Divn. CWC, Silchar	
24.	Sri Krishna Kt. Roy, C/O, Kalahand Roy, Vill & P.O-Badripar, Dist - Cachar,	5234/79	W/T Station Lakhipur, under B.S.D. Silchar	
✓ 25.	Md. Rahmat Sli, Vill-Bangdi Kuchi, P.O- Rangia, Dist.-Kamrup, Assam,	2053/82	W/T Station A.P.ghat, under B.S.D. Silchar	
26.	Sri Ramendra Choudhury, C/O, A.E. Barak Sub-Divn. CWC, Silchar,	4780/88	Karimganj site under B.S.D. Silchar	
27.	Sri H. Sangkhum, C/O, A.E. Barak Sub-Divn. CWC, Silchar,	-	W/T Station Chotobe- kra, under B.S.D. Sil- char	
28.	Sri Nalini Mohan Das, C/O, A.E. Barak Sub-Div. CWC, Silchar,	1396/84	Sonamura site, under B.S.D., Silchar	
29.	Sri Dharmeswar Das, C/O, A.E. Barak Sub-Divn. CWC, Silchar,	4408/82	G&D site, Kulsi, under M.S.D. Guwahati	
30.	Sri Phanihhar Kakati, C/O, A.E. Barak Sub-Div. CWC, Silchar,	3649/90	Amraghat site under B.S.D. Silchar	
31.	Sri Dinoram Gagai, C/O, A.E. Barak Sub-Div. CWC, Silchar,	13158/ 91	M.S.D. Guwahati-22	
32.	Sri Dinesh Kakati, C/O, A.E. Barak Sub-Div. CWC, Silchar,	-	W/T Station Matizuri, under B.S.D. Silchar	
33.	Sri Debasis Dutta, Purkayastha, C/O, G.R. Seh, J.R.C. Sub-Divn. Kanakpur, Silchar.5.	4930/ 82	W/T Station Amarpur, under B.S.D. Silchar	

Contd..... 4/-

(1)	(2)	(3)	(4)	(5)
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34. Sri Dwijaraj Debnath, Vill & P.O-Srirampur, Kailashahar, North Tri- pura,	N-1054/88	W/T Station Kaila- sahar, under B.S.D. Silchar		
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35. Sri Kusum Debbarmam, C/O; Radha Krishna Deb- barmam, P.O & Vill- ChotoSurma, Kamalpur, N.Tripura,	N-977/82	Manu Gauge site, under B.S.D. Silchar		
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36. Sri Haren Ch. Kakati, C/O, M.S.D. Guwahati-22.		A.P. Ghat Site under B.S.D. Silchar		
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The appointment is on ad-hoc basis to be
effective from 15-5-95 (FN) and is purely temporary and will
not continue beyond 14-10-95 (AN), or completion of work -
whichever is earlier without further notice.

The appointee should produce before joining
the post a certificate of physical fitness from a competent
authority.

No travelling allowance will be allowed for
joining the above appointment.

All the person concern may please report
to their respective site on 15-5-95 (FN) positively.

A. S. Sinha
27/4/95
(A.S.P. SINHA)
EXECUTIVE ENGINEER

Copy forwarded for information & necessary action to :-

- 1) The Asstt. Engineer, Barak Sub-Division,
CWC, Silchar-7. The date of joining of the persons concern-
ed may please be intimated to this office in due course.
- 2) The Asstt. Engineer, Mechanical Sub-Divn.,
CWC, Guwahati-22 for information & necessary action.
- 3) Person concerned (36 copies).
- 4) The A/B, D/B, Middle Brahmaputra Divn.,
CWC, Rajgarh Road, Guwahati-7.
- 5) The J.E. (HQ), MBD-II, Guwahati-22.

To

The Superintending Engineer, Brahmaputra Barak Circle
Central Water Commission,
Gauhati - 24.

(Through The Executive Engineer,
Barak Division, C.W.C. Gauhati-22
Assam.)

Sub :- Prayer for retention of my Service beyond 15th
Oct. 1992 as regular W/C. Khalasi.

Sir,

I beg most respect fully to lay before you the following facts for favour of your kind and sympathetic consideration.

That Sir, I am an eldest son of my parents and my home town at Gauhati there my family is residing consisting of 6 (six) members and passing their days with distress condition with my peer income.

That Sir, I am serving in this Organisation as a seasonal W/c. Khalasi since 1983 in Assam State at Gauhati and at Amarpur C.W.C Wireless station under Indo-Bangladesh Scheme from 1989 with entire satisfaction of my superior.

That Sir, I am always engaging as Casual Labour for 89 (Eightynine) days Basic after completion of Seasonal period of every year since 1989 at Wireless station, C.W.C. Amarpur, South Tripura.

That Sir, I was called for interview in Division Office, Gauhati Vide letter No. A-16021/4/ESTT-II/92/1342-31 dated 06-04-1992 on 28th April 1992 and there I was selected for appointment as W/c. Khalasi and my name was recorded in your interview paper in 3rd position as per records of our seniority list. But due to my ill luck I was not favoured with appointment of Regular W/C. Khalasi though Sl No. 1, 2 & 4 have already been appointed as regular W/c. Khalasi of that time.

Under the circumstance stated above I am request you to kindly look into the matter personally so that I may be favoured with the appointment of Regular W/c. Khalasi beyond 15th Oct. 1992 after completion of seasonal period and to save my family from starvation.

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

Yours faithfully,

(RAHMAT ALI)

Advance copy:- The Superintending Engineer, Brahmaputra Barak Circle, Central Water Commission, Gauhati - 24.

R25. Rahmat Ali
RAHMAT ALI 18.9.92

W/T. Station, C.W.C
Amarpur (S) Tripura

Attested.
Advocate.

TAK

23
ANNEXURE- 5

No. 51016/2/90-Estt(C)
Government of India
Min. of Per, P.O. and Pensions,
Deptt. of Per. & Trg.

20

Annexure 5

New Delhi, the 10th Sep. 1993.

OFFICE MEMORANDUM

Subject: Grant of Temporary status and regularisation of Casual workers- formulation of a scheme in pursuance of the CAT, Principal Bench, New Delhi, judgement dated 16th Feb. 1990 in the case of Shri Raj Kamal & others Vs. U.O.I.

1440(2) SLR(SC)
169

The guidelines in the matter of recruitment of persons on daily wages basis in Central Government offices were issued vide this Department's O.M.No. 49014/2/86-Estt (C), dated 7-6-1988. The policy has further been reviewed in the light of the judgement of the CAT, Principal Bench, New Delhi, delivered on 16.2.1990 in the writ petition filed by Shri Raj Kamal and others Vs. Union of India and it has been decided that while the existing guidelines contained in O.M. dated 7-6-1988 may continue to be followed, the grant of temporary status to the casual employees, who are presently employed and have rendered one year of continuous service in Central Govt. offices other than Department of Telecom, posts and Railways may be regulated by the schema as appended.

2: Ministry of Finance etc. are requested to bring the scheme to the notice of appointing authorities under their administrative control and ensure that recruitment of casual employees is done in accordance with the guidelines contained in O.M. dated 7-6-1988. Cases of negligence should be viewed seriously and brought to the notice of appropriate authorities for taking prompt and suitable action.

Bd/-

(Y.P. PARANDE)
DIRECTOR

All Mins./Deptts. of the Govt. of India.

Approved
Date
By

Aves.ed.
Advocate.

Department of Personnel & Training, Casual Labourers (Grant of Temporary Status and Regularisation) Scheme.

1. This scheme shall be called "casual labourers (Grant of Temporary Status and Regularisation) Scheme of Govt. of India, 1993".

2. This scheme will come into force w.e.f. 1-9-1993.

3. This scheme is applicable to casual labourers in employment in the Ministries/Departments of Govt. of India and their attached and subordinate offices; on the date of issue of these orders. It shall not be applicable to casual workers in Railways, Department of Telecommunication and Deptt. of posts who already have their own schemes.

Temporary status

i) Temporary status would be conferred on all casual labourers who are in employment on the date of issue of this O.I. and who have rendered a continuous service of at least one year which means that they must have been engaged for a period of at least 240 days (206 days in the case of offices observing 5 days week).

ii) Such conferment of temporary status would be without reference to the creation/availability of regular Group 'D' posts.

iii) Conferment of temporary status on a casual labourer would not involve any change in his duties and responsibilities. The engagement will be on daily rates of pay on need basis. He may be deployed anywhere within the recruitment unit/territorial circle on the basis of availability of work.

iv) Such casual labourers who acquire temporary status will not however, be brought on to the permanent establishment unless they are selected through regular selection process for Group 'D' posts.

5. Temporary status would entitle the casual labourers to the following benefits:-

i). Wages at daily rates with reference to the minimum of the pay scale for a corresponding regular Group 'D' official including DA, HRA and CCA.

ii) Benefits of increments at the same rate as applicable to a Group D employees would be taken into account for calculating pro-rata wages for every one year of service, subject to performance of duty for at least 240 days (206 days in administrative offices observing 5 days week) in the year from the date of conferment of temporary status.

[Signature]
Secretary

- 3 -
(28)

- iii) Leave entitlement will be on a pro-rate basis at the rate of one day for every 10 days of work, casual or any other kind of leave, except maternity leave, will not be admissible. They will also be allowed to carry forward the leave at their credit on their regularisation. They will not be entitled to the benefits of encashment leave on termination of service for any reason or on their quitting service.
- iv) Maternity leave to lady casual labourers as admissible to regular group 'D' employees will be allowed.
- v) 50% of the service rendered under Temporary status would be counted for the purpose of retirement benefits after their regularisation.
- vi) After rendering three years' continuous service after conferment of temporary status, the casual labourers would be treated on par with temporary Group 'D' employees for the purpose of contribution to the General Provident Fund, and would also further be eligible for the grant of Festival Advance/Flood Advance on the same conditions as are applicable to temporary Group 'D' employees, provided they furnish two surities from permanent Govt. servants of their Department.
- vii) Until they are regularised, they would be entitled to productivity Linked Bonus/Ad-hoc bonus only at the rates as applicable to casual labourers.

6. No benefits other than those specified above will be admissible to casual labourer with temporary status. However, if any additional benefits are admissible to Casual Workers working in Industrial establishments in view of provisions of Industrial Dispute Act, they shall continue to be admissible to such casual labourers.

7. Despite conferment of temporary status, the services of a casual labourers may be dispensed with by giving a notice of one month in writing. A casual labourer with temporary status can also quit service by giving a written notice of one month. The wages for the notice period will be payable only for the days on which such casual worker is engaged on work.

8. Procedure for filling up of Group D posts

- 1) Two out of every three vacancies in Group 'D' cadres in respective offices where the casual labourers have been working would be filled up as per extant recruitment rules and in accordance with the instructions issued by Deptt. of Personnel & Training from amongst casual workers with

..... 4/-

Attended
Advocate.

temporary status. However, regular Group 'D' staff rendered surplus for any reason will have prior claim for absorption against existing/future vacancies in case of illiterate casual labourers, or those who fail to fulfil the minimum qualification prescribed for post, regularisation will be considered only against those posts in respect of which literacy or lack of minimum qualification will not be a requisite qualification. They would be allowed age relaxation equivalent to the period for which they have worked continuously as casual labourer.

9. On regularisation of casual worker with temporary status, no substitute in his place will be appointed as he was not holding any post. Violation of this should be viewed very seriously and attention of the appropriate authorities should be drawn to such cases for suitable disciplinary action against the officers violating these instructions.

10. In future, the guidelines as contained in this Department's O.M. dated 7.6.1988 should be followed strictly in the matter of engagement of casual employees in Central Government offices.

11. Department of Personnel & Training will have the power to make amendments or relax any of the provisions in the Scheme that may be considered necessary from time to time.

Approved
(Signature)
Date

23/11/88

Government of India
Central Water Commission
Barak Division, Six Miles Narongi Road
Khanapara, Guwahati-22.

No. A-16021/5/90-Estt. II/281-8F Dated the 28/1/90.

OFFICE ORDER

Shri Rahamat Ali is hereby appointed as Ad-hoc Khalsi in the scale of pay Rs. 750-12-870-BR-14-940/- plus other allowances as admissible under Rule with retrospective effect from 15.12.89 to 13.3.90 and posted to Amarpur site (Tripura) in connection with Indo-Bangladesh scheme for transmission of flood/hydrological data.

His pay is chargeable to "Arrangement for receiving & transmission of hydromet data".

a The appointment is purely on temporary basis.

His appointment will be terminable at any time without assigning any reason.

No T.A. will be admissible for joining duty.

The period of his service will not count for seniority.

(H. R. BHAGAT)
EXECUTIVE ENGINEER

Copy for information & necessary action to :-

1. The A.E., Barak Sub-Division, CWC, Silchar w.r. to his letter No. BSD/SII/CR-9/89/55 dated 15.1.90. Date of joining of Shri Ali Ad-hoc Khalsi may be intimated to this office.
2. The Account Branch Barak Divn., CWC, Guwahati.
3. Shri Rahamat Ali, Ad-hoc Khalsi, Barak Sub-Division, CWC, Silchar.
4. The Drawing Branch, Barak Division, CWC, Guwahati.


EXECUTIVE ENGINEER

Government of India
Central Water Commission.
Barak Sub:Division:Vivekananda Road:Silchar-7

NO.BSD/SIL/BB CB-19/90/286-87

Dated,Silchar, the 22/2/90.

To

The Executive Engineer.
Barak Division.
Central Water Commission.
Guwahati-22.

Sub:- Submission an application of Shri/Md.Rahamat Ali.
Ad/Hoc Khalasi for extension of Service. Reg.

Sir,

An application dated 12.2.90 received from Shri /Md.Rahamat Ali.Ad/hoc Khalasi of W/T,Station,CWC,Amarpur Site is addressed to you,regarding prayer for extension of the same post.So,the self explanatory of above person concerned is forwarded herewith for your information and further necessary action at your end please..

Enclosed:-
As stated above.

Yours faithfully,

ASSISTANT ENGINEER.
BARAK SUB:DIVISION:CWC:SILCHAR-7

Copy to :-

Shri Rahamat Ali,Ad/hoc Khalasi,W/T,Station,CWC,
Amarpur(Through Site-in-Charge) for information and reference
to your letter dtd. 12-2-90.

21/2/90
ASSISTANT ENGINEER.
BARAK SUB:DIVISION:CWC:SILCHAR - 7.

Attes.ed.
Advocate.

GRAM: "KENGGAUCH"
GUWAHATI

No. A-16021/5/90-Estt.II/
Government of India
Barak Division
Central Water Commission
Six Miles : Narengi Road
Khamapara : Guwahati-22

80-10

PHONE NO: 83445.

Dated Guwahati, the 12/10/1990.

OFFICE ORDER

Shri Rahamat Ali is hereby appointed as Ad-hoc Khalasi in the Scale of Pay Rs. 750-12-870-EB-14-940/- plus other allowances as admissible under Rule with retrospective effect from 15-08-90 to 12-5-90 and posted to Amarapur site (Tripura) in connection with Indo-Bangladesh scheme for transmission of flood/hydrological data.

His pay is chargeable to "Arrangement for receiving & transmission of hydromet data".

The appointment is purely on temporary basis.

His appointment will be terminable at any time without assigning any reason.

No T.A. will be admissible for joining duty.

The period of his service will not count for seniority.

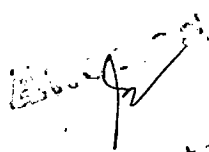
(H. R. BHAGAT)
EXECUTIVE ENGINEER

Copy for information & necessary action to :-

- 1) The A.E., Barak Sub-Division, CWC, Silchar w.r. to his letter No. BSN/Sil/CB-9/90/58 dated 25.8.90. Date of joining of Shri Ali Ad-hoc Khalasi may be intimated to this office.
- 2) The Account Branch, Barak Division, CWC, Guwahati-22.
- 3) Shri Rahamat Ali, through the A.E., Barak Sub-Division, CWC, Silchar.
- 4) The Drawing Branch, Barak Division, CWC, Guwahati.


EXECUTIVE ENGINEER

MCB


Advocate.

NO. BSD/SIA/EB-19/90/450 Dated 24.3.90

Forwarded in original to Shri Rahamat Ali appointed Ad-hoc Khalan through the Site in charge W/T Station Amarapur. The date of joining of Shri Rahamat Ali; Ad-hoc Khalan may be intimated to this office for further action for information & n/a immediately.

OFFICE ORDER

ASSISTANT ENGINEER

BARAK SUB-DIVISION C.W.C.

PUTAKANDA ROAD,

DISPUR (ASSAM)

Shri Rahamat Ali is hereby appointed as Ad-hoc Khalan in the Barak Sub-Division C.W.C. Putakanda Road, Dispur (Assam) on the basis of pay Rs. 150-15-870-15-100/- plus other allowances as provided in the rules with retrospective effect from 15-03-90 to 15-03-90 and posted to Amarapur site (Tribune) in connection with the transmission of flood/hydrological data.

His pay is chargeable to "Arrangement for receiving & transmission of hydrological data".

The appointment is purely on temporary basis.

His appointment will be terminable at any time without assigning any reason.

No T.A. will be admissible for joining duty.

The period of his service will not count for seniority.

(H. R. BHAGAT)
EXECUTIVE ENGINEER

Copy for information & necessary action to :-

- 1) The A.E., Barak Sub-Division, CWC, Silchar w.r. to his letter No. BSD/SIA/EB/90/450 dated 24.3.90. Date of joining of Shri Ali Ad-hoc Khalan may be intimated to this office.
- 2) The Account Branch, Barak Division, CWC, Guwahati-25.
- 3) Shri-Rahamat Ali, through the A.E., Barak Sub-Division, CWC, Silchar.
- 4) The Training Branch, Barak Division, CWC, Guwahati.

(Signature)
EXECUTIVE ENGINEER

COPYNO.42Dt. 10/5/90.

FROM :: E.E.BARAK DIVISION, GUWAHATI (.)

TO :: A.E., BARAK SUB DIVISION (.)
SILCHAR.

REFER YOUR MESSAGE NO. 10-5-1990 (.) THE SERVICES OF
SHRI N.C.DEKA AND SHRI RAHMAT ALI MAY BE TERMINATED W.E.F.
12-5-1990 (.) FURTHER THEY MAY BE DIRECTED TO JOIN AS W/C SEASONAL
KHALASI W.E.F. 15/5/1990 IN THEIR RESPECTIVE SITES (.) ORDER
FOLLOWS (.)

GOVT. OF INDIA
CENTRAL WATER COMMISSION
BARAK SUB DIVISION
VIVAKANANDAROAD ::: SILCHAR-788007.

NO.BSD/S11/CB-19/96/

Dated _____/1990.

Copy of the above mentioned W/T message forwarded
to the site-in-charge CWC., Wireless Station, Amarpur/ Kahilashwar
for information & necessary action. The joining report along with
Medical fitness certificate may be sent to this office at an early
est for onwards submission to the higher authority. The concern
person may be intimated accordingly.

(A. MAJUMDER .)
ASSISTANT ENGINEER
BARAK SUB DIVISION: CWC: SILCHAR-7.

Spon GM

*Ref: Ex. Engineer Barak.
Dn Rm CWC Guwahati.
MT Memo no. 42
Dt. 10/5/90*

No. A-16021/4/90-Estt.II/
Government of India
Barak Division -)
Central Water Commission
Six Miles : Marengi Road
Thangpore : Gwahati-22.

PHONE NO: 83445.

Dated Goshwami, the 15/10/1990.

MEMORANDUM

The undersigned hereby offers appointment to the persons as "Seasonal Khalsi" in the W/C Establishment in the Pay scale of Rs. 750-12-870-EE-14-940/- with usual allowances as admissible as per rules from time to time.

Sl. No.	Name & Address OF Candidate	Employment Exchange Ragn. No.	Place of posting	Remarks.
1.	Shri Nripen Ch. Deka, C/o A.E., Barak Sub-Divn., CWC, Silchar.	4426/82 1645/85(1)	Kailasar site, Tripura	The person concerned should report for duty to the site as mentioned.
2.	Shri Rahmat Ali, C/o A.E., Barak Sub- Divn., CWC, Silchar.	2055/82 9625/83	Amarpur site, Tripura.	-do-

The appointment is on ad-hoc basis & is purely temporary & will not continue beyond 15.10.90 A.N.

The person concerned are hereby asked to report for duty to the place of posting as mentioned above on 15.5.90 P.M.

The appointee should produce before joining the post a certificate of Physical fitness from a competent Medical authority.

No T.A. will be allowed for joining the above appointment.

(C. V. RAO)
EXECUTIVE ENGINEER

Copy forwarded for information & necessary action to :-

1. The Assistant Engineer, Barak Sub-Division, CWC, Silchar. The date of joining of the persons concerned may please be intimated in due course.
2. The Account Branch, Barak Division, CWC, Guwahati.
3. The Drawing Branch, Barak Division, CWC, Guwahati.
4. The person concerned - 2 nos.
5. The Site in-charge, Kailashar site, Tripur.
6. The Site in-charge, Anarpur site, Tripur.

REF ID: A66887

EXECUTIVE ENGINEER

NO. BSD/SIL/EB-18/98/775

17-0221

Dated 22/5/90

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
HEADQUARTERS
NEW DELHI
OFFICE OF THE
ASSISTANT ENGINEER
VIVAKANANDA ROAD,
CHITRAKOOT (ASSAM)

1) Forwarded in original to
Shri Rahman Khan
In-charge through his file
for necessary action
in the light of the
information received
from the site in-charge.

2) The site in-charge with station
Amari
The date of joining of the person
concerned should be
immediately
reported to the
person in-charge
pl. otherwise
pending the person
concerned will be
kept in
the place of posting
as mentioned above on 15.5.90 P.M.

The person concerned is hereby asked to report for duty to
the place of posting as mentioned above on 15.5.90 P.M.
The appointment should be made before joining the post &
certificate of physical fitness from a competent medical authority.
No T.A. will be allowed for joining the above appointment.

(O. V. B.)
EXECUTIVE ENGINEER

Copy forwarded for information & necessary action to:-

1. The Assistant Engineer, Bank Sub-Division, Chitragoot, the date
of joining of the person concerned may please be intimated in this
course.
2. The Assistant Engineer, Bank Division, Chitragoot.
3. The Assistant Engineer, Bank Division, Chitragoot.
4. The person concerned - 2 nos.
5. The site in-charge, Kallian, also, Tripura.
6. The site in-charge, Assam, also, Tripura.

EXECUTIVE ENGINEER

40222504

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- 26 -
CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O. As No. 223, 884, 1601, 2246 & 2418 of 1992

New Delhi, this the 10th day of February, 1994.

HON'BLE MR JUSTICE S.K. DHAN, VICE CHAIRMAN

HON'BLE MR B.N. DHONDIAL, MEMBER (A).

O. A. No. 223 of 1992

1. Vinod Kumar
S/O Shri Raman Singh
R/O F-25, Transit Camp,
Khichari Pur,
Delhi.
2. Ram Kumar
S/O Shri Ratan Singh,
RZ-139, X - Block-11,
New Roshan Pura, Najafgarh,
New Delhi.
3. Yash Pal Singh
S/O Shri Devi Singh,
WZ-288, Vill. & P.O. Naraina,
New Delhi.
4. Parmod Kumar
S/O Shri Bijli Singh
No. 421, Sewa Nagar,
New Delhi.
5. Narendra Paswan,
B-50, Naharpur, Sector 7,
Rohini, Delhi.

.. .. Applicants.

(through S.N. Shukla, Advocate).

O. A. No. 884/1992

1. Sewak Ram,
S/O Shri Hari Ram
R/O G-195, Sector 10,
Faridabad (Haryana).
2. Suresh Kumar
S/O Shri Om Parkash
R/O Village Sidipur Lona
P.O. Bahadur Garh,
District Rohtak (Haryana).
3. Nand Kumar
S/O Shri Vishal Chand
R/O S 27/B-303, Railway Colony,
Gughlakabad,
New Delhi.

.. .. Applicants.

(through S.N. Shukla, Advocate).

vs.

1. The Chairman, Central Water Commission,
Govt. of India, Ministry of Water Resources,
Sewa Bhawan, Sector 1, R.K. Puram, New Delhi.

2. The Executive Engineer (C.S.D.),
Central Store Division,
Central Water Commission,
West Block No.1, Wing No.4,
2nd Floor, R.K.Puram, New Delhi Respondents.
(in both above O.As.)

(through Mr Jog Singh, Advocate).

O.A.No.1601 of 1992

Shri Rajesh Kumar Saini
s/o Shri Veer Sain Saini
Workcharged Khallasi
Under Executive Engineer
Central Stores Division
Central Water Commission
West Block No.1, Wing No.4,
2nd Floor, R.K.Puram,
New Delhi. Applicant.

(through B.S.Maine, Advocate).

O.A.No.2245 of 1992

Shri Jayant Kumar Pathak,
S/O Shri Kusheshwar Pathak,
Assistant Electrician,
Central Stores Divn., Central
Water Commission, West Block 1,
Wing No.4, 2nd Floor, R.K.Puram
New Delhi. Applicant.

(through B.S.Maine, Advocate).

O.A.2418 of 1992

1. Shri Rajender Sharma
S/O Shri Bhagwan Sharma
Carpenter, Central Stores Divn.,
Central Water Commission,
West Block No.1, Wing No.4,
2nd Floor, R.K.Puram,
New Delhi.
2. Shri Raju Kashyap, S/O
Shri Nikka Ram;
3. Shri Daya Ram S/O Ganga Ram.
4. Shri Dali Singh S/O Bhup Singh.
5. Shri Giri Raj S/O Mishri Singh
6. Shri Bijendra S/O Tota Ram.
7. Shri Ram Kumar Rai S/O Hardev Rai.
8. Shri Udai Kumar S/O Sh.Kurukul.

Applicants 2 to 8 working in Central Stores Divn.,
Central Water Commission, R.K.Puram, New Delhi.

..... Applicants.

(through B.S.Maine, Advocate).

vs.

1. The Secretary, Ministry of Water Resources
Shri Shakti Bhawan, New Delhi.
2. The Chairman, Central Water Commission
Sewa Bhawan, R.K.Puram, New Delhi.
3. The Executive Engineer, Central Stores Divn.,
Central Water Commission, R.K.Puram, New Delhi.

..... Respondents

(in all three above O.As)

(through Mr Jog Singh in O.A. No. 1601 and 2245/92 and

through Mr. P.P.Khurana in O.A.No.2418 of 1992).

- 75 -

- 1-3-1

ORDER

B.N.DHOUNDIYAL, MEMBER(A)

The applicants, in all the above-mentioned O.As have been working as Khalasis, Carpenters, Mistries, Motor Mechanics, Drivers and Electricians under the Executive Engineer, Central Water Commission, R.K.Puram, New Delhi. One of them, Shri Jayant Kumar Pathak, was engaged as Casual Labourer on 2.1.1987 but claims to have been working against the post of regular electrician w.e.f. 7.12.1987. The date of engagement of the applicants ranges between 1.10.1982 to 5.9.1988 in case of O.A.No.223/92, between 15.4.1986 to 26.10.1987 in case of O.A.No.884/92, between 6.1.1987 to 7.9.1990 in case of O.A.No.2418/92. Shri Rajesh Kumar Saini (applicant in O.A.No.1501/92) was engaged on 19.2.1988 and Shri Jayant Kumar Pathak (applicant in O.A.No.2246/92) was engaged on 2.1.1987. In some of the O.As, prayer has been made for issuance of a direction to the respondents to prepare a scheme on rational basis for absorption of Casual Labourers and for not disengaging the applicants till such a Scheme is prepared. In all the cases, interim orders were passed by this Tribunal, restraining the respondents from terminating the services of all the applicants. They are continuing till date.

2. In the counter filed by the respondents, the main averments are these. The appointments were made for specific projects and in the appointment orders, it was clearly mentioned that these are purely on ad hoc basis and will not lead to any claim for any permanent employment. They have worked in broken periods and many of them have not completed 240 days of service in two consecutive years. The rules

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provide for appointment of Khalasis by direct recruitment through selection by a selection committee of which the Executive Engineer is the Chairman. The posts of Casual Khalasis etc. are provided in the working estimates for a definite period and the services of these workers are terminated after that period. In case of Jayant Kumar Pathak (C.A.No.2245/92), it has been stated that the applicant was appointed as an adhoc work-charged Khalasi from 3.8.1987 and later on he was offered appointment as Assistant Electrician on ad hoc basis at minimum fixed basic pay of Rs.1100/-. However, this appointment was for a specific period, though with breaks, the applicant continued to work against vacancies in different works. They have, however, admitted that during the years 1989 to 1991, he worked for more than 240 days in all the three years.

3. We have gone through the records of the case and heard the learned counsel for the parties.

Sri B.S.Mainee, learned counsel for the applicants has drawn our attention to the following observations made by the Hon'ble Supreme Court in case of State of Haryana and others vs. Pura Singh and others, 1992(3) Vol.45 S.C.R.34:

"The proper course would be that each State prepares a scheme, if one is not already in vogue, for regularisation of such employees, consistent with its reservation policy and if a scheme is already framed, the same may be made, consistent with our observations herein so as to reduce avoidable litigation in this behalf. If and when such person is regularised, he should be placed immediately below the last regularly appointed employee in that category, class or service, as the case may be.

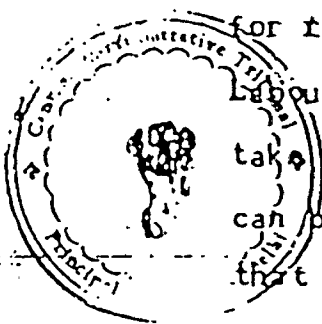
So far as the work-charged employees and casual labour are concerned, the effort must

-5-

be to regularise them as far as possible and as clearly as possible subject to their fulfilling the qualifications, if any, prescribed for the post and subject also to availability of work. If a casual labourer is continued for a fairly long spell - say two or three years - a presumption may arise that there is regular need for his services. In such a situation, it becomes obligatory for the concerned authority to examine the feasibility of his regularisation. While doing so, the authorities ought to adopt a positive approach coupled with an empathy for the person....."

4. As the applicants have been working for a long period, through intermittently, their cases have to be considered in light of the above observations of the Hon'ble Supreme Court as also directions issued by the Government from time to time. It may be noted that in accordance with these directions, a special Scheme for regularisation of the Casual Labourers have been prepared by the Railways, Post and Telegraphs and other Departments. In the circumstances of this case, we dispose of these applications, with the following directions:

(i) the respondents shall prepare a scheme for retention and regularisation of the Casual Labourers employed by them. This scheme should take into account the regular posts, that can be created, taking into account the fact that even if a particular scheme is completed, new schemes are launched every year. An assessment of the regular posts that can be created on this basis should be made. For regularisation, all those, who have completed 240 days service in two consecutive years, should be given priority in accordance with their length of service;



Attested:
Advocate

(ii) Those, who have completed 120 days of service should be given temporary status in accordance with the instructions issued by the department of personnel from time to time. After completion of the required period of service, they should be considered for regularisation;

(iii) Adhoc/temporary employees should not be replaced by other ad hoc/temporary employees and should be retained in preference to their juniors and outsiders.

(iv) Such a scheme shall be submitted by the respondents for scrutiny of this Tribunal within a period of three months from the date of communication of this order by the petitioner to them.

5. There shall be no order as to costs.

(B.N.Dhondiyal)
Member(A)

(S.K.Dhaon)
Vice Chairman

CHIEF CLERK

(25/12)

Section Officer

2-2-2007

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

Faridkot House
Copernicus Marg,
New Delhi-1.

Dt. 30/5/94

Registrar
Central Administrative Tribunal,
Principal Bench,
New Delhi.

1. Sh. Jog Singh
counsel for the applicant in RA
1108, Prakash Deep, 7, Vilestot Marg,
New Delhi.

Versus

2. Sh. Rajendra Sharma, Carpenter Central
Stores Divi., Central Water Commission
West Block No 1, Wing No 4, 2nd floor,
R.K. Puram New Delhi.

3. Raju Kashyap S/o Sh. Nikka Ram

4. Sh. Daya Ram S/o Sh. Ganga Ram

5. Sh. Dali Singh S/o Sh. Bhup Singh

6. Sh. Riri Raj S/o Sh. Mishri Singh

7. Sh. Bijendra S/o Sh. Tota Ram

(Serial No. 2 To 6 working in Central Stores
Divi. Central Water Commission, R.K. Puram,
New Delhi.)

Soc'y. Mini. Water Resources

Applicants

RA 172/94 in

D.A. No. 2418/92

VS

Rajender Sharma & Ors.

Respondants

I am directed to forward herewith a copy of Judgment/Order dt.
9/5/94 passed by this Tribunal in the above mentioned case.
Information and necessary action, if any.

Yours faithfully,

(Signature)

SECTION OFFICER (D-II)

Advocate

-2- -37 36

Administrative Tribunal
1 Bench, New Delhi.

RA-165/94 in CA-2246/92, RA-171/94 in CA-1601/92
and RA-172/94 in CA-2418/92.

New Delhi this the 9th Day of May, 1994.

Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman(J)
Hon'ble Mr. S.M. Dhoundiyal, Member(A)

RA-165/94 in CA-2246/92 RA-171/94 in CA-1601/92 &
RA-172/94 in CA-2418/92.

1. The Secretary,
Ministry of Water Resources,
Shram Shakti Bhavan,
New Delhi.

2. The Chairman,
Central Water Commission,
Sewa Bhavan, R.K. Puram,
New Delhi.

3. The Executive Engineer,
Central Stores Divn.,
Central Water Commission,
R.K. Puram, New Delhi.

Review Applicant/-
respondents in CA.

(through Sh. Jag Singh)

RA-165/94 in CA-2246/92 versus

Shri Jayant Kumar Pathak,
S/o Sh. Kusheshwar Pathak,
Assistant Electrician,
Central Stores Divn.,
Central Water Commission,
West Block 1, Wing No.4,
2nd Floor, R.K.-Puram,
New Delhi.

Respondent in RA/
Applicant in CA.

RA-171/94 in CA-1601/92

Shri Rajesh Kumar Saini,
S/o Shri Veer Saini Saini,
Workcharged Khillasi,
under Executive Engineer,
Central Stores Division,
Central Water Commission,
West Block No.1, Wing No.4,
2nd Floor, R.K. Puram,
New Delhi.

Respondent in RA/
Applicant in CA

RA-172/94 in CA-2418/92

1. Shri Rajender Sharma,
S/o Sh. Bhagwan Sharma,
Carpenter, Central Stores Divn.,
Central Water Commission,
West Block No.1, Wing No.4,
2nd Floor, R.K. Puram,
New Delhi.

Advocate.

2. Sh. Raju Kashyap,
S/o Shri Nikka Ram.
3. Sh. Daya Ram,
S/o Sh. Ganga Ram.
4. Shri Dali Singh,
S/o Sh. Bhup Singh.
5. Shri Giri Raj,
S/o Shri Mishri Singh.
6. Shri Bijendra,
S/o Sh. Tota Ram.
7. Sh. Ram Kumar,
S/o Sh. Harnam Rai.
8. Sh. Udal Kumar,
S/o Shri Kurukul.

Respondents in RA/
Applicants in OA.

(Serial No. 2 to 6 working in Central Stores
Divn., Central Water Commission, R.K. Puram,
New Delhi.)

ORDER (BY CIRCULATION)

delivered by Hon'ble Mr. B.N. Dhoundiyal, Member (A)

These revised applications have been filed
by the respondents against the common judgment delivered
on 10.02.94 in O.A. Nos. 223, 884, 1631, 2246 & 2418 of
1992. The following directions were given:-

- (i) the respondents shall prepare a scheme for retention and regularisation of the Casual Labourers employed by them. This scheme should take into account the regular posts, that can be created, taking into account the fact that even if a particular scheme is completed, new schemes are launched every year. An assessment of the regular posts that can be created on this basis should be made. For regularisation, all those, who have completed 240 days service in two consecutive years, should be given priority in accordance with their length of service;
- (ii) Those, who have complete 120 days of service should be given temporary status in accordance with the instructions issued by the department of personnel from time to time. After completion of the required period of service, they should be considered for regularisation;

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Ldvooc

- (iii). Adhoc/temporary employees should not be replaced by other ad hoc/temporary employees and should be retained in preference to their juniors and outsiders;
- (iv) Such a scheme shall be submitted by the respondents for scrutiny of this Tribunal within a period of three months from the date of communication of this order by the petitioner to them.

The review applicants claim that though the impugned order is very much legal and has been passed after giving considerable thought, it ~~was a result~~ in retention of junior people while rendering the senior people surplus. It is their contention that due to financial constraint and completion of works in hand W/C staff under different categories from both Central Store Division as well as Planning Division are likely to be rendered surplus after 31.3.1994. It has also been mentioned that the Ministry of Finance has emphasised surrender of 10% of existing post under W/C Estt. also for declaring 10% post on W/C establishment. They have stated that due to financial constraints and lack of schemes, the applicants were not entitled for any regularisation of their services.

There is nothing in these directions which forces the review applicants to regularise casual workers in the absence of any post. They can take into account the latest position regarding the projects which are continuing and reach the conclusion that no more regular post can be created. The second direction only relates to implementation of the decision of the Deptt. of Personnel regarding temporary status being given to casual workers who have worked for 120 days. Certainly, it cannot be accepted that the applicants will not implement their own orders. The direction No.3 is based on a well

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L. J. J.

established principle.

We, therefore, hold that no error apparent on the face of judgment has been brought out in the review applications, which are hereby dismissed. It is reiterated that a scheme prepared in the light of these directions, shall be presented for scrutiny to this Commission within the stipulated time.

Let a copy of this order be placed on all the three files.

(S. N. CHANDRAN) MEMBER (A)

(S. K. SHARMA) VICE-CHAIRMAN

/vv/

*Original sent to
Section Officer
for the copy
T.S. 74
CC. C.D.
CAT. P.B.
New Delhi*

RECEIVED
Section Officer
28/1/79

GRAM: FORECAST
SILCHAR.

OFFICE OF THE

PROBAND-
22349

ASSISTANT ENGINEER,
SILCHAR DISTRICT

VIVABHARDA ROAD

SILCHAR-781007 ASSAM

NO. CWC/BSD/SIL/CB-12/94 734

DD, SIL - 05/3/92

TO WHOM IT MAY CONCERN.

MD. RAHAMAT ALI, SEASONAL W/C KHALASI,
IS WORKING AT WT, STATION, CWT, AMARPUR, SOUTH TRIPURA,
TRIPURA, FOR OBSERVATIONS AND COLLECTION OF
WATER LEVEL FROM RIVER GUMUTI ROUND THE
CLOCK

HE MAY PLEASE BE ALLOWED TO
PROCEED HIS DUTIES DURING DAY AND NIGHT
WITHOUT ANY HINDERANCE.

PHOTOGRAPHS AND
SIGNATURE OF THE
PERSON CONCERNED.
ARE ATTESTED BELOW:-

5/8/92
(A. MAJUMDER)
ASSISTANT ENGINEER,
SILCHAR DISTRICT
VIVABHARDA ROAD
SILCHAR-781007 ASSAM

SIGNATURE OF PERSON

Attested

5/8/92

ASSISTANT ENGINEER,
SILCHAR DISTRICT
VIVABHARDA ROAD
SILCHAR-781007 ASSAM

D. No-09
AMP-

Attested.

Advocate.

To, 54
 The Superintending Engineer, Brahmaputra Barak Circle.
 Central Water Commission.
 Gauhati- 24.

(Through proper channel)

Sub :- Prayer for regularisation of my service as Gr.D employee.

Sir,

With due respect , I beg to state ~~that~~ the facts and circumstances for your kind favour and necessary action along with some sort of sympathetic concideration.

That Sir, I am a very poor and have no livelyhood to maintain my family members. I have been serving in Deptt. as W/C Khalasi as well as Casual Labour since 1983 but sorry to state that our services has neither be regularised nor temporary status has been conferred. In this connection I made a number of representation but no action has been taken towards regularisation of my services inspite of the fact that a scheme has been formulated as per direction of the Apex court and Govt of India.

Under the facts and circumstances stated above I request your Honour to regularise the service and for this I would remain in deep gratitude.

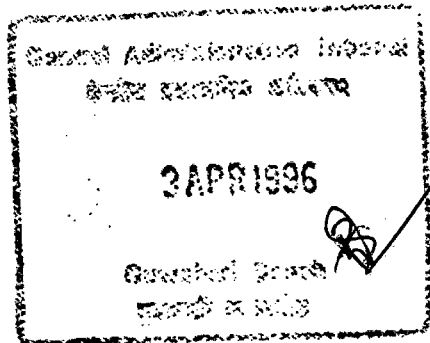
Sincerely Yours .

SA

(Rahmat Ali)

11.09.95.

Attested.
 Advocate.



41
Filed by
Shankar
Sr. 198 C
3/4/96

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
Guwahati Bench at Guwahati.

In the matter of :-

O.A. NO. 23 of 1996

Md. Rahmat Ali

- Vs -

Union of India and others.

- And -

In the matter of :-

Written statements submitted by the
Respondents No. 1 to 4.

WRITTEN STATEMENTS: -

The humble Respondents submit their
written statements as follows :-

1. That with regard to statements made in paragraph 1 of the application, the Respondents beg to state that the scheme referred to in this paragraph is not at all applicable for workcharged seasonal khalasis. However a scheme for grant of temporary status and regularisation of workcharged employees is under active consideration and is being process in Central Water Commission. On receipt of the above scheme for implementation, the Respondents will take a sympathetic view to consider the demands according to their seniority cum fitness as and when vacancies will arise.

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B. Mehta
1.1.2006
30.5.96
BOK-87mm
adv...

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2. That with regard to statements made in paragraphs 2 and 3 of the application, the Respondents have no comments on them.

3. That with regard to statements made in paragraphs 4.1 and 4.2 of the application, the Respondents have no comments on them.

4. That with regard to statements made in paragraph 4.3 of the application, the Respondents beg to state that the services of seasonal workcharged Khalasis are required for a very specific purpose i.e. for collection of Hydrological data from the respective rivers during monsoon period normally (15th May to 15th October) every year which is related to flood forecasting. This fact is always mentioned in their office memorandum.

Sometimes as per temporary nature of work for a short time the applicant was engaged on daily wages basis.

As mentioned in paragraph 1, a scheme is under active consideration and is being processed in Central Water Commission. On receipt of scheme sympathetic view will be taken as explained in paragraph 1.

5. That with regard to statements made in paragraph 4.4 of the application, the Respondents beg to state as per nature of job the applicant was engaged for a specific work for a particular period. Depending upon the temporary nature of work the applicant was engaged on daily wages

basis also, so question of exploitation does not arise. However the respondents will take a sympathetic view to consider his demand on receipt of the scheme as stated in paragraph 1.

Regarding the selection of the regular workcharged Khalasis the Respondents beg to state that the selection was made based on interview at that time. As per records available it is stated that the candidates at Sl.No. 1 & 2 belongs to general category and Sl.No.4 belongs to reserved category of Scheduled caste.

6. That with regard to statements made in paragraphs 4.5 to 4.10 of the application, the Respondents beg to state that as stated in paragraph 1, the scheme as well as the judgment referred here is not applicable for the work-charged khalasis. However a scheme for grant of temporary status regularisation services of workcharged employees is under active consideration. On receipt of the above scheme for implementation, the respondents will take a sympathetic view to consider the applicant's demand.

7. That with regard to statements made in paragraph 4.11 of the application, the Respondents beg to state that as mentioned in paragraph 4.3 of the application as per nature of job the applicant was engaged for a specific work for a particular period. Depending upon the temporary nature of work the applicant was engaged on daily basis also, so question of ~~tx~~ exploitation does not arise.

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8. That with regard to statements made in paragraphs 4.12 and 4.13 of the application, the Respondents beg to state that as stated in paragraph 1, the scheme as well as the judgment referred here is not applicable for the workcharged seasonal Khalasis. However as stated in paragraph 1, on receipt of the said scheme for implementation the respondents will take sympathetic view to consider the applicant demand. So far seniority list is concerned this office is maintaining seniority list of the seasonal workcharged Khalasis.

9. That with regard to statements made in paragraph 5 of the application, regarding grounds for relief with legal provision, the Respondents beg to state that none of the grounds is maintainable in law as well as in facts and as such the application is liable to be dismissed.

10. That with regard to statements made in paragraphs 6 and 7 of the application, the Respondents have no comments on them.

11. That with regard to statements made in paragraph 8, regarding Relief sought for, the Respondents beg to state that the applicant is not entitled to any of the relief sought for and as such the same is liable to be dismissed.

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12. That with regard to statements made in paragraph 9 of the application, regarding Interim Order prayed for the Respondents beg to state that in view of the facts and circumstances narrated above the interim order prayed for is liable to be dismissed.

13. That with regard to statements made in paragraphs 10 to 12 of the application, the Respondents have no comments on them.

14. That the Respondents submit that the application is devoid of merit and as such the same is liable to be dismissed.

- V e r i f i c a t i o n -

I, V.P. Shiv, Executive Engineer, Middle Brahma-putra Division, Central Water Commission, Rajgarh Road, Guwahati-7 and respondent No.3 do hereby solemnly declare that the statements made above are true to my knowledge, belief and information.

And I sign this verification on this 2nd day of April, 1996 at Guwahati.

V.P. Shiv
DECLARANT