

30/100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

Kalita
29/1/18

DA No. 95/96

IP No. (DA)
RA No. (DA)
LP No. (DA)

Mr. Parich Ch. Boreman & Ors. APPLICANT(S)
VERSUS

Union of India & Ors. RESPONDENT(S)

Mr. D. G. Goswami, Advocate for the applicant.
, P.K. Goswami

Mr. P.K. Goswami, Advocate for the Respondents.

Office Number Court's Order

Form No. 1
C. I. No.
Date

1. 346/85 20.6.96
Dated 25.6.96

Re: Name
1/6/96

Mr P.K. Goswami for the applicant. None for the respondents. Permission to join 24 applicants in this single application is granted under Rule 4(5)(a) of the C.A.T (Procedure) Rules 1987 as prayed for.

It has been submitted by Mr Goswami that this application is for getting the benefits of regular employees on their transfer and not against the transfer as such.

Issue notice on the respondents to show cause as to why this application should not be admitted and the relief should not be granted.

List on 4.7.96 for show cause and consideration of admission.

Heard Mr Goswami on the interim relief prayer. Pending disposal of show cause and consideration of admission respondents are directed not to implement the transfer Order No. 8 dated 26.2.96 (Annexure-B) in respect of the applicants.

26.6.96

Copy of order issued to
the parties & file No.

28.6.96

For: Notice received
and issued on 1.7.96
to the a/c Head post.

For: Shri Gopal Das, a/c
Head post

4-7-1996

Learned counsel Mr. D. Goswami for the applicant is present. None for the respondents. Show cause has not been submitted. Service report awaited.

5.7.96

*Cop. of order add. 4.7.96
28/6/96 to the
respondents and
applied on 5.7.96.*

List for show cause and consideration of Admission on 1-8-96.

62
Member*Bon*

1-8-96

None present. List for show cause and consideration of Admission on 13-8-96.

63
Member5.7.96

1m

Notice issued to
the respondents

D. No. 1933 dt. 4.7.96.

13.8.96

Mr. P.K. Goswami for the applicant.
Mr. B.K. Sharma for the respondents. At the request of Mr. B.K. Sharma list for consideration of admission on 20.8.96.

*Bon*15.7.96

Notice duly served
on respondent No. 4, 12.

64
Member

pg

*Bon. Show cause is not 13/8
but 6/8*

20-8-96

Learned counsel Mr. K.K. Goswami for the applicant. None for the respondents. Show cause has not been submitted. Mr. S. Sarma prays for short adjournment on behalf of Mr. B.K. Sharma.

Adjourned for Admission on 30-8-96.
for order.

65
Member

1m

M/20/8

*Show cause has not been
given*

DEPT. OF ADMINISTRATIVE TRIBUNAL
DA No. 113/96/DA 95/96
DA No. (DA)
CP No. (DA)

3
Dr. P. C. Barman & Ors. APPLICANT(S)
VERSUS

Union of India & Ors. RESPONDENT(S)

Mr. D. Gordon Advocate for the applicants
"P.K. Goswami"

Mr. B.K. Sharma, Esq. Advocate for the Respondents.

Office Notes

Court's Orders

The application filed by the applicants for payment of pay and allowances as per the order dt. 26.2.96 passed in OA 95/96.

13.8.96

To be listed together with O.A. 95/96 on 20.8.96.

6
Member

PG

PR
13/8

20.8.96

To be listed together with O.A. 95/96 on 30.8.96 for order.

6
Member

Laid on the aforesaid
Am 3/8/96
Deputy Registrar (D)
Central Administrative Tribunal
Guwahati Bench

1m

PR
20/8

3.9.96

Mr P.K.Goswami for the petitioner. Leave note of Mr B.K.Sharma, Railway counsel.

Issue notice on the respondents with copy of the M.P. for objection if any.

The applicant may serve copy of this order together with copy of the Misc.Petition directly on the respondent No.4, i.e. Deputy Chief Engineer(Con.), Maligaon, Guwahati.

List on 13.9.96 for further orders.

Copy of this order may be furnished to the counsel of the parties.

6
Member

Information as per order dated 3.9.96.

17.9.96

17.9.96

No. Notice to be issued
17.9.96

Requisition yet to be filed by the applicant for pg 3/9

18.9.96

Learned counsel Mr P.K. Goswami for the applicant. Leave note of Mr B.K. Sharma, counsel for the respondents. Show cause has not been submitted.

List for show cause and consideration of admission on 26.9.96.

6
Member

nkm

26.9.96

Mr P.K.Goswami for the petitioner. None for the respondents.

In this Misc.Petition the applicants have stated that although the transfer order has been stayed pending disposal of show cause and consideration of admission on 20.6.96 the applicants have not been paid their salary inspite of their regular attendance in the department and have not been allotted works inspite of representation to that effect. Learned counsel Mr P.K.Goswami has submitted that the applicants are in great financial difficulties because they were not paid any salary.

I have heard learned counsel for the applicants and I am of the view that pending submission of show cause by the respondents and disposal of the same and consideration of admission further interim direction is to be issued to the respondents. Therefore, the respondents are directed to forthwith allow the applicants to work pending disposal of show cause and consideration of admission and to pay the applicants salary for the period they actually worked. Liberty to the respondents to apply for alteration, modification or cancellation of this interim order.

Misc.Petition disposed of.

Copy of this order may be furnished to the counsel of both sides.

6
26.9.96
Member

pg 119

3.9.96

Mr P.K. Goswami for the applicant.

Leave note of Mr B.K. Sharma.

List for consideration of admission
on 13.9.96.show cause has not
been filed

M 17/9

6
Member

pg

M
3/9

18.9.96

Learned counsel Mr P.K. Goswami
for the applicant. Leave note of Mr B.K.
Sharma, counsel for the respondents. Show
cause has not been submitted.List for show cause and consideration
of admission on 26.9.96.show cause has not been
filed

M 25/9

6
Member

nkm

26.9.96

Mr P.K. Goswami for the appli-
cants. Learned Railway counsel Mr B.K.
Sharma has not appeared and he has
submitted leave note.Show cause has not been submi-
tted though notices have been duly
served on respondents No.1, 2 and 4.List for show cause and consi-
deration of admission on 10.10.1996.Vide order of today in M.P.No.
113/96., a copy of which is placed in
this O.A., further interim order has
been issued on the respondents.order M.R. Dist/96
order dated 26.9.96
in O.A. which was
passed to theM.P. order dated pg
26.9.96 kept with M
OA. 27/9

M 27/9/96

6
Membershow cause has not been
filed
809/10

10.10.96 None present. List for consideration of admission on 17.10.96.

60
Member

16-10-96

nkm

ADS filed by the
Respondents at Pg. 28-33.
Copy of ADS served
the applicant on 17.10.96
at 09.10.96.

17.10.96 Noné present.

Written statement has been submitted by the respondents. Let a copy of the same be served on the counsel of the applicant.

List for consideration of admission and further order on 19.11.1996.

60
Meber

trd

M
17/10

19.11.96

Learned counsel Mr P.K. Goswami for the applicant. Leave note of Mr B.K. Sharma, learned Railway counsel, upto 30.11.96. Written statement has been submitted, copy of which has been received by the counsel for the applicant.

List for consideration of admission on 3.12.96.

60
Member

nkm

M
19/11

10-1-97

17-1-97

Additional written statement
filed by one behalf of the
Respondent. at page - 34
to 38.

26-1-97

Learned counsel Mr.P.K.Goswami
for the applicants Mr.S.Sarma submits
on behalf of Mr.B.K.Sharma, additional
written statement of the respondents
with 11 copies of letters written by
some of the applicants showing condi-
tion placed them for accepting the
spare memos. Copy of the written
statement may be served counsel of
the applicants.

List for ~~index~~ consideration
of Admission on 20-1-97.

68
Member

lm

N
20/1

28-1-97

20-1-97

None present. List for considera-
tion of Admission on 29-1-97.

Member

lm

N
20/1

29-1-97

Learned counsel Mr.P.K.Goswami
for the applicants. Mr.B.K.Sahrma for
the respondents. Additional written
statement has been submitted by the
respondents and copy has been received
by the counsel of the applicant as
stated by him.

Heard counsel of both sides.

Perused the contents of the application
and ~~xxxx~~ relief sought for. Application
is admitted. Case ready for hearing.
By consent of both sides list for
hearing on 12.2.97.

68
Member

lm
N
20/1

11-2-97

- 1) N/S has de-
scribed.
- 2) Both N/S filed on
behalf of the respon-
dents.
- 3) NO appearance
- filed.

(5) O.A. 95 of 1996

3.12.96

Mr. P.K.Goswami for
applicants.

Mr. S.Sarma seeks for short adjournment on the ground of personal difficulties of Mr. B.K.Sharma.

Adjourned for order on 6.12.1996.

6 Member

trd

6.12.96

Mr. P.K.Goswami for the applicants.

Mr. S.Sarma for Mr. B.K.Sharma copies of release orders of the applicants except applicant Nos. 3,8,13,14,20, 21, 22, and 24 with copy to Mr. Goswami in support of written statement. Mr. Goswami submits that neither these release orders nor any ~~other~~ further release orders have been served on the applicants. Therefore his contention is that release orders without serving copies to applicants are ineffective.

Adjourned for consideration of admission on 31.12.1996. The respondents shall apprise the Tribunal on that date whether the release orders the applicants had been served on the applicants.

6 Member

trd

6/12

31.12.96

Learned counsel Mr D.C. Goswami for the applicant. Learned counsel Mr M.K. Choudhury, learned Railway Counsel for the respondents. Mr Choudhury submits that he may be allowed a short adjournment to enable him to file documents supporting service of release orders on the applicants.

Adjourned for consideration of admission on 10.1.1997.

Mr Choudhury may submit documents with copy to the counsel for the applicant.

6 Member

nkm

11.1.1997

04 25/96

12.2.97

Mr P.K.Goswami for the applicant.
Mr B.K.Sharma for the respondents.

Mr Goswami submits that since the applicants in the O.A have been screened by the respondents he may be allowed to withdraw this application. Prayer is allowed.

Application is dismissed on withdrawal. Interim order dated 20.6.96 is vacated. The applicants may join their posts in the respective places of posting pursuant to the impugned order of transfer.

Copy of the order
has been issued to
the party along with the
Advocates of the party
vide L.No 528 to 534 pg
2/17.2.97

6
Member

7/6/96

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL::: GUWALI BENCH

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

O.A.No. 95/96

Sri Paresh Chandra Barman
and others ... Applicants.
Vergus

The Union of India and
others ... Respondents.

I N D E X

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For the use in Tribunal's office.

Date of filing 17/6/96

Registration No. OA 95/96

Ram
11e Registrar. 17/6

12

(2) 20/2/96
Filed by
Sri. Paresh Ch. Barman
for
Petition
T. H. Barman
Pradip
K. G. Gorai
11/6/96

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL GUWAHATI BENCH
GUWAHATI.

DETAILS OF THE APPLICATION

1. Particulars of the applicants

1. Sri Paresh Ch. Barman

son of Simbhu Ram Barman.

Vill. Porakuchi, P.O. Sondha

Dist. Nalbari.

2. Sri Bhaben Barman

Son of late Sona Ram Barman

Vill. Porakuchi, P.O. Sondha

Dist. Nalbari.

3. Sri Bishoy Chandra Das

son of Late Purka Das

Vill. Hatikuchi, P.O. Tulsibari

Dist. Kamrup.

4. Sri Rabindra Nath Barman

Son of Sri Simbhu Ram Barman

Vill. Porakuchi, P.O. Sondha

Dist. Nalbari.

5. Sri Gamir Ali

Son of late Haidor Ali

Vill. Uttar Bardol P.O. Bardol

Dist. Kamrup.

6. Sri Dwipen Kalita,

son of late Phatik Ch. Kalita,

Vill & P.O. Sondha.

7. Sri Ramesh Ch. Kalita,
son of Sri Naniram Kalita,
Vill. Bichennala
P.O. Jomtola
Dist. Kamrup.

8. Sri Anirudho Barman,
son of late Desharam Barman
Vill. Baikar kuchi
P.O. Sondha
Dist. Nalbari.

9. Sri Jameed Ali
Son of late Somir Ali
Vill. Khundikar, P.O. Bealkuchi
Dist. Kamrup.

10. Sri Dabiram Boruah
son of late Abhoi Boruah
Vill. Perakuchi, P.O. Sondha
Dist. Nalbari.

11. Sri Gajendra Boruah
Son of late Mogara Boruah
Vill. Barakuchi, P.O. Sondha
Dist. Nalbari

12. Sri Samsher Ali,
S/o. Md. Sarif Ali
Vill. & P.O. Udi ana
Dist. Kamrup.

13. Sri Sohir Ali,
Son of Paninur Ali
Vill. & P.O. Udi ana
Dist. Kamrup.

(P. Barman)

SRI PEREZ (15)

✓ 14. Sri Melek Ali
 Vill. Kaoi Hari
 Dist. Nalbari.

✓ 15. Sri Kutub Ali
 Son of Gani Ali
 Vill. Kurari Salmora
 P.O. Rangia
 Dist. Kamrup.

✓ 16. Sri Taizul Islam
 S/o. Farina Ali
 Vill. Rangapani
 P.O. Barghuli, Dist. Nalbari

✓ 17. Sri Keshab Ch. Kalita
 Vill. Talaibari
 P.O. Tulsibari
 Dist. Kamrup

✓ 18. Sri Pratul Barman
 Son of Sri Lakhi Barman
 Vill. Paikarkuchi
 P.O. Sondha
 Dist. Nalbari

✓ 19. Sri Dayaram Saloi
 S/o. Late Kashi Ram Saloi
 Vill. Kaoimari
 Dist. Nalbari.

✓ 20. Sri Ramesh Rajbongshi
 son of sri Ranjit Rajbongshi
 Vill. Bhadra Mangal
 P.O. Khatikuchi
 Dist. Nalbari.

✓ 21. Sri Karimuddin Ahmed
 son of late Fazor Ali
 Vill and P.O. Udiana
 Dist. Nalbari. Kamrup

(P. Barman)

Sect. perha (P)

22. Sri Jagen Ch. Das,
son of Laghanu Ram Das
Vill. Bishennala
P.O. Jomtala, Dist. Kamrup.

23. Sri Naren Ch. Kalita,
son of late Apinta Kalita
vill. Bichennala
P.O. Bishennala
P.O. Jamtala, Dist. Kamrup.

24. Sri Sarbeswar Barman
Son of Late Mohendro Barman
Vill. Parahushi, P.O. Sandha
Dist. Nalbari

APPLICANTS

2. PARTICULARS OF THE RESPONDENTS

1. The Union of India,
represented by
The Secretary to the Govt. of India,
Ministry of Railways, New Delhi
2. The General Manager, N.F. Railway
Maligaon, Guwahati-781 0011.
3. The Divisional Railway Manager(F)
N.F. Railways, Alipur Division
Alipur Duar
4. The Deputy Chief Engineer(Con)
Maligaon, Gauhati 781 011

... Respondents.

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

(P. Barman)

This application is directed against the order of transfer dated 26.2.96 issued by the Deputy Chief Engineer Con/GC/MLG vide its order no.

81-E dated 26.2.96 transferring the applicants, without giving their service benefits although they have been serving for more than 12 years continuously.

4. JURISDICTION OF THE TRIBUNAL

The applicants declares that the subject matter of this application is well within the jurisdiction of this Tribunal as all the applicants are employees of the Central Government and the dispute relates to their service conditions. The subject matter of the case are common to all the petitioners/ applicants. As such they may be allowed to approach jointly through the single petition under rule 4(5) of the CAT(Proceedings) Rules 1987.

5. LIMITATION

The applicants further declare that this application is within the period of limitation. And there has been no action/order made, either allowing or disallowing the various representations of the appointments by the Respondents. Further more the impugned order of transfer has not yet been served upon the applicants nor it has been given effect to.

(P. Borsig)

Sect. 22
662/2000 (L)6. FACTS OF THE CASE:

- i. That the applicants are citizens of India and are permanent residents of Assam.
- ii. That all the applicants have been engaged/recruited in the Railways, after being duly selected by the Railways Selection Board as Casual Gaugemen in the year 1984 under the PWI/CON/Rangia, N.F. Railway, Since the date of their joining as such all of them have been rendering their valuable service continuously till date. As such, all of them have completed more than 120 working days.

A few copies of those appointment letters are annexed hereto which are marked as Annexure A(1), A(2), A(3), A(4) and A(5)

- iii. That as per their appointment letters the applicants had joined to their services and subsequently they were transferred to different places.

A statement as to the list showing their respective joining date as well as transfer of the applicants is given as under :

Sl.	Name of the applicants	Date of joining	Transfer orders.
1	2	3	4
1.	Parash Ch. Barman	3.5.84	Transferred to PWI/BG/CON/PNO in 1986 and at present working in Guwahati
2.	Sri Bhaben Barman	3.5.84	do
3.	Sri Bishoy Ch. Das	3.5.84	do

(P. Barman)

Prepared by
(P. Barman)

4. Sri Rabindra Nath Barman. 3.5.84 transferred to CPWI/CON/BYU in t the year 1988 and subsequently transferred in 1993 and 1995 at present serving in Gauhati at Digaru.

5. Sri Gamir Ali 17.4.84 Transferred to CPWI/BG/CON/PNO and now serving at Gauhati.

6. Sri Dwipen Kalita 17.4.84 transferred to CPWI/BG/CON/ PNO in the year 1986 and again transferred to PWI/G-C C/JID and at present working in Gauhati.

7. Sri Ramesh Ch. Kalita 3.5.84 Transferred to CPWI/BG/CON/PNO and subsequently transferred to PWI/G-C/CON/Jid in 1994 and presently working in Gauhati.

8. Sri Anirudha Barman 17.4.84 Transferred to CPWI/BG/C/PNO in 1986. Now working at Gauhati PNO.

9. Sri Jamsed Ali 17.4.84 Transferred to CPWI/BG/C/PNO in 1986 and subsequently transferred to PWI/G-C/CON DGU in 1990 and is working in the same place.

10. Sri Doloi Ram Baruah 17.4.84 Transferred to CPWI/BG/C/PNO in 1986. Subsequently transferred to PWI/BG/C/Barsoi and PWI/BG/C/JID and at present at JID.

11. Sri Gajendra Baruah 17.4.84 Transferred to CPWI/BG/C/PNO in 1986. Subsequently transferred to PWI/BG/C/Barsoi next transferred to PWI/P-G/C/JID and was working at JID.

(P. Barman)

19
P.W.I./C/CON/JID
(P. Borman)

12. Sri Samaher Ali 17.4.84 transferred to CPWI/C/CON/BYU in 1988. Subsequently transferred to PWI/G-C/C/CON/JID and afterwards transferred to PWI/G.C/C/DGU and at present working there.

13. Sri Sahir Ali 17.4.84 do

14. Sri Melek Ali 17.4.86 Transferred to CPWI/BG/C/PNO in 1986. Subsequently transferred to PWI/BG/C/BYU Boknai and afterwards transferred to PWI/G-C/C/JID and now working there.

15. Sri Kutub Ali 17.4.84 do

16. Sri Tajul Islam 26.3.84 Transferred to CPWI/BG/C/ENO in 1986 and subsequently transferred to PWI/BG/C/Barsoi and afterwards transferred to PWI/G-C/C/JID and now working there.

17. Sri Keshab Ch. Kalita 17.4.84 do

18. Sri Pratul Banman, 17.4.84 transferred to CPWI/BG/G/PNO. Subsequently transferred to PWI/BG/C/Malda in 1987 and again transferred to PWI/C/Jid in 1993 and is working there.

19. Sri Daya Ram Saloi do transferred to CPWI/BG/C/PNO in 1986 and transferred to PWI/BG/C/Barsoi and transferred to PWI/G-C/C/JID and is working there.

20. Sri Ramesh Rajbangshi do

21. Sri Karimuddin Ahmed do Transferred CPWI/BG/G/Bvn in 1988 afterwards transferred to P.W.I./G.C/C/CON/JID

22. Sri Jagen Ch.Das 17.4.84 Transferred to CPWI/BG/CON/THD in 1986. Next transferred to PWI/BG/C/Barsoi and again transferred to PWI/B-C/CON/JID in 1992.

23. Sri NarenCh.Kalita 17.4.84 Transferred to CPWI/BG/Q/PNO in 1986 and now working there.

24. Sri Sarbeswar Barman do Transferred to CPWI/BG/CON/PNO in 1986. Subsequently, transferred to PWI/BG/G/Barsoi and again transferred to PWI/C-C/C-BJ BJI. Now working at BJI.

iv. That these applicants beg to state that as mentioned above all of them have completed more than 129 days of work day continuously and as such they are entitled to get permanent employment with consequential benefits as given to other employees under the Railways Department. The applicants beg to state after the completion of 120 days they are entitled to get all service benefits in case of transfer.

v. That the applicants beg to state that under the Raioway Board's circular No.E(EG411-75-CL/77 dated 12.11.75 casual labourers and substitutes who have completed 4(four)months continuous service should be considered for empenellment by the screening committee for absorption against regular Class IV Posts. As such for non screening of the applicants, they have been denied from their legitimate dues.

vi. That the applicants beg to state that they were recruited initially after conducting a selection test.

(P. Barman)

(P. Barman)

in 1986 but they are not regularised till to-day, while some other persons engaged much latter to the applicants, were already regularised, but not the applicants for which the applicants have been suffering immensely in as much as no allowance as admissible to a regular employee has been received by them. Further if any misfortune happens to ~~happens~~ them during this period of transfer, they will not get any compensation from the Railway. As such the family of the applicants are not secured till to-day inspite of their valuable service for a quite long time.

(vii) That the applicants beg to state that some persons recruited much later to your applicants have already been absorbed on regular basis and allowed to draw all benefits.

(viii) That the applicants beg to state that they have been transferred from place to place as stated above but they are not getting the benefits, as they are not regarded on regular employee, even after serving for more than 11 years in the Department.

(ix) That the applicants with a high hope of regularisation of their services, complied with each transfer order, inspite of great hardship.

(P. Barman)

22
Ex parte
(S)

X. That the persons who have been appointed

much after to the applicants have already been

regularised and they are getting all benefits.

XI. That the applicants beg to state that

as they are 4th grade employees, so the impugned

transfer order has caused great hardships to them

without getting any allowance on transfer and without

security of their lives.

XII. That the applicants beg to state that

still they have no objection in transferring them to any

nearby stations from Guwahati, provided their families

are secured.

XIII. The applicants being very poor persons could

not afford to stay at different distant places

at their own risk. However they are ready to

join as directed by the Respondent No. 4, of the Railways

authority undertakes the responsibility of paying

compensation and benefits to the persons concerned.

XIV. That the applicants beg to state that

several transfer made earlier as stated above,

they have been suffering without any fault on

them.

(P. Barman)

29
ESD reser
(2)

(xv) That the applicants have been drawing their salaries since their appointment upto the month of April, 1996 and they are still attending to their duties as before, but they are not allowed to sign any attendance register presently.

(xvi) That an enquiry the applicants could come to know that purported office letter has been issued by the Respondent No.4 vide office Order No.31-E dtd.

26.2.96 transferring your applicants. Be it stated that no copy has yet been served upon the applicants nor any information has been given to them nor they have been released from their service as yet.

A copy of the said letter is annexed hereto and marked as Annexure B.

(XVII) That the applicants beg to state that as no screening has been done in respect of the applicants they have been financially effected in each case of transfer as they have not been allowed to draw benefits like Transfer allowance, Insurance benefits, Bennianary benefits and the like benefits.

(XIX) That being aggrieved the applicants preferred several representation before the authority concerned, but till date no action has been taken by the respondents for regularisation of the service of the applicants and for

(P. Barman)

23
LSD
REPLACED

staying the transfer order.

A copy of these representations is annexed
hereto as ANNEXURE C.

7. GROUNDS FOR RELIEF:

The reliefs are prayed for on the following
amongst grounds -

A. For that the transfer is one of the ^{incidence} condition of
service and the applicants are to follow it, ^{^ 1/2} provided
the consequential benefits are given to them.

B. For that as per Railway Rules the applicants
have acquired the status of other regular employees
on completion of 120 days of service and have earned
seniority too and as such, this cannot be denied to
them.

C. For that the Respondents sought to have
treated the applicants as regular railway servants
in the 4th Grade cadre immediately on completion of four
months(120 days) working days and sought to have put
allow them to raw all benefits in case of transfer of them.

D. For that for the apathy of the respondents
the junior of the applicants have been put in the
process of screening and test and allowed to draw all
benefits before the applicants which is discriminatory
and violative of Article 14 of the Constitution of
India.

(P. Borkman)

Smt. N. R. Patel (B)

(E) For that the applicants have been denied the benefits to which they are entitled to.

F. For that the 4th Grade employees like the applicants should not have been transferred frequently without giving full service benefits to them.

G. For that there is no job security of the applicants inasmuch as they have crossed the age limit for other Government services.

H. For that for negligence of the department and delay in proceeding the applicant's case and disposing of the applicants' claim, they are put to suffer enormous loss and injury.

8. RELIEF SOUGHT FOR

IN the facts and circumstances dated above, the applicants pray for the following reliefs:

(a) A direction that the applicants have acquired the status of regular workmen under the Railways Department and they are entitled to get all benefits on their transfer.

(b) To give all the service benefits entitled by Railway servant, namely, yearly increment leave, railway pass, medical benefit, provident fund, pensionary benefit, quarter facility etc. to the applicants.

*This is
the relief
sought in this
case.*

(P. B. D. M.)

26
Sect 37(2)(b)

(R) To pass an interim order staying the operation of the ~~impugned~~ purported order No.81-E dated 26.2.96 issued by the Respondent No.4.

(d) And any other relief the applicants are entitled under the law and equity.

9. INTERIM ORDER, IF PRAYED FOR:

Pending disposal of this application the Hon'ble Tribunal may be pleased to pass interim order for staying the operation of the impugned order dated 26.2.96 (Annexure B) and direction may be issued to the Respondents to allow the applicants to serve in their present respective posts and not to disturb them from their continuity of services during the pendency of this ~~application~~ application.

10. DETAILS OF REMEDIES EXHAUSTED

The applicants declare that there is no other alternative efficacious remedy available to the applicants at present than to prefer this application under the facts and circumstances of the case and after denial of justice to them.

11. IF THE MATTER IS PENDING IN ANY OTHER COURT:

(P. Ramm)

The applicants declare that no application has been filed by the applicants in any other Court regarding the matter involved in the application and as such no application is pending in any court. However, an application has been filed by the applicants praying interalia for a direction to the authorities to screen the applicants for regularisation, before this Hon'ble Tribunal. The same was registered as O.A. 80/96. In that petition, this Hon'ble Court was pleased on 28.5.96 to give liberty to the applicants to file a separate petition. As such this present petition has been filed.

A copy of the order dated 28.5.96 is annexed and marked as Annexure D.

12. PARTICULARS OF POSTAL ORDER/BANK DRAFT IN RESPECT OF THE APPLICATION FEES:

A(i) Name of the Bank on which drawn | Kil

(ii) Demand draft No. :

B3.B. (i) Indian Postal order No. 346185- dt. 5-6-96.

(ii) Name of the Issuing office, Guwahati GPO

(iii) Date of issue of the IPO May, 1996

(iv) Post office at which payable at.

At Guwahati G.P.O.

(P. Barman)

13. DETAILS OF INDEX.

An Index containing the details of the documents to be relief upon is enclosed.

14. LIST OF ENCLORUES

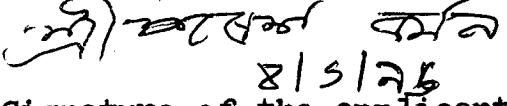
As stated in the index

Verification

I, Sri Paresh Barman, son of Sri Sambhu Barman, aged about 32 years, by profession employee under the Railway Department, Guwahati, resident of Nalbari, Assam do hereby solemnly affirm and verify that the contents of this application from paragraphs 7 to 14 —

— are true to my knowledge as one of the applicants and I have not suppressed any material facts.

And I sign this verification on this 12th day of June, 1996 at Guwahati.


8/5/96
Signature of the applicant
(SRI PARESH BARMAN)


(P. Barman)

Government of Assam
Department of Labour: Employment Exchange
Nalbari.

No. GRD.9/84/1676-98 dated Nalbari, the 2.5.84.

To Sri Paresh Ch. Barman,
Reg. no. 3979/82

Aub. Recruitment of Casual Gangman

Dear Sir,

You have been enclosed by the selection Board
for the post of casual Gangman under the PWI/Con/Rangiya,
N.F. Railway.

You are, therefore, requested to report to
PWI/Con/Rangiya, NF. Railway immediately (within 3 days)
with all certificates in original and employment exchange
Registration Card.

No. TA/DA is admissible for the purpose.

Yours faithfully,

Sd/-

2.5.84
(P.C. Barman)
Assistant Employment officer,
Employment Exchange, Nalbari.

Copy to

The Assistant Engineer, PWI/Con/Rangiya, NF Railway for
information and necessary action with reference to his
letter no. N11 dated 3004.84

Sd/P.C. Barman

Assistant Employment officer
Employment Exchange, Nalbari

Mr. P.C. Barman

(P.C. Barman)

Annexure A(2)

Government of Assam
 Department of Labour: Employment Exchange
 Nalbari.

No.CRD.9/84/1380-1547 dtd. Nalbari, the 16th April/84.

To Sri Aahir Ali
 Reg.no.7429/83

Sub Recruitment of casual Gangman.

Dear Sir,

You have been selected by the selection Board for the post of casual Gangman under the PWI/Con/Rangiya N.F.Railway.

You are, therefore, requested to report to PWI/Con/Rangiya, N.F.Railway immediately (within 3 days) with all certificates in original and employment exchange Registration Card.

No. TA/DA is admissible for the purpose.

Yours faithfully,

Sd/-P.C.Sarma

Assistant Employment officer,
 Employment Exchange, Nalbari.

Copy to

The Assistant Engineer, PWI/Con/Rangiya, N.F.Rly for information and necessary action with reference to his letter no.nil dtd. 16.4.84.

Sd/-P.C.Sarma

Assistant Employment officer,
 Employment Exchange ,Nalbari.

*Appreciate
 Radepn. Datta*

Annexure A(3)

Government of Assam
 Department of Labour
 Employment Exchange, Nalbari.

No.CRD.9/84/1380-1547 dtd. Nalbari, the 16th Apr. '84.

To Sri Samsher Ali
 Reg. no. 438/83.

Sub Recruitment of Casual Gangman.

Dear Sir,

You have been selected by the selection Board for the post of Casual Gangman under the PWI/Con/Rangiya N.F.Railway.

You are, therefore, requested to report to PWI/Con/Rangiya, N.F.Railway immediately (within 3 days) with all certificates in original and Employment Exchange Registration card.

No.TA/DA is admissible for the purpose.

Yours faithfully,

Sd/-

Assistant Employment officer
 Employment Exchange, Nalbari.

Copy to
 The Assistant Engineer, PWI/Con/Rangiya, N.F.Rly. for
 information and necessary action with reference to his
 letter no. Nil.dt. 16.4.84.

Sd/- P.C.Sarma
 Assistant Employment officer,
 Employment Exchange, Nalbari

*Attached
 Rate of Mr. Kaur*

Annexure A(4)

Government of Assam
 Department of labour
 Employment Exchange, Nalbari.

No. CRD-9/84/1380-1547 dtd. Nalbari, the 16th April '84

To Sri Karimuddin Ahmed,

Reg. no. 58/83

Sub Recruitment of casual Gangman.

Dear Sir,

You have been selected by the selection Board for the post of casual Gangman under the PWI/Con/Rangiya N.F. Railway.

You are, therefore, requested to report to PWI/Con/Rangiya, N.F.Rly immediately within 3 days with all certificates in original and Employment Exchange Registration card.

No. TA/DA is admissible for the purpose.

Yours faithfully,

Sd/- P.C. Sarma

Assistant Employment Officer,
 Employment Exchange, Nalbari.

Copy to

The Assistant Engineer, PWI/Con/Rangiya, N.F.R.

for information and necessary action with request to his letter no. Nil dtd. 16.4.84.

(P.C. Sarma)
 Assistant Employment Officer
 Employment Exchange, Nalbari.

*Appended by
 Basir H. Guent.*

Government of Assam
 Department of Labour Employment
 Exchange,,, Nalbari.

No.CDD./9/84/1676-98 dtd. Nalbari, the 2.5.84.

To Sri Ramesh Kalita,
 Reg. no.2898/78

Aub Recruitment of casual Gangman.

Dear Sir,

You have been selected by the Selection Board for the post of casual Gangman under the P.W.1/Con/Rangiya N.F.Railway.

You, are threre requested to report to P.W1/Con/Rangiya, N.F.Railway, immediately(within 3 days) with all certificates in original and Employment Exchange Registration Card.

No.TA/DA is admissible for the purpose.

Yours faithfully,

Sd/- P.C.Sarma

Assistant Employment officer,

Employment Exchange officer, Nalbari.

copy to

The Assistant Engineer, P.W1/Con/Rangiya, N.F.Rly, for information and necessary action with reference to his letter no nil dated 30.4.84

Sd/-P.C.Sarma

Asstt. Employment officer,

Employment Exchange, Nalnari.

*Attached by
 Pratip K. Karmakar*

OFFICE OF THE

Deputy Chief Engineer/Ghy/Con/GC/NLA, Guwahati 781 001.

Office order no.81-E

dated 26.2.96

Following unscreened CL/OPC of this unit have been transferred and posted as mentioned against each in their same capacity, pay & scale with immediate effect.

<u>S/No.</u>	<u>Name & Designation</u>	<u>At present working</u>	<u>Posted under</u>
1.	Sri Ratneswar Bora G/non	P WI/G/CPK	By CD/NOON
2.	Sri Bhaben Hazarika "	P WI/C/BJI	"
3.	Sri Basudev G/Non	" .	"
4.	Sri Budhilal Lama "	"	"
5.	Sri Srikanta Das "	CI WI/C/ENO	"
6.	Sri Rahijuddin "	P WI/C/JID	"
7.	Sri Ajit Kr.Sen "	P WI/C.CPK	"
8.	Sri Bijoy Kr.Ghosh, Chow	DSK/C/PNO	"
9.	Sri Narayan Bora, 6/man	P WI/C/NGC, New Gauhati	.
10.	Sri Bhaben Barman"	CP WI/C/PNO	" .
11.	Sri Bikhy Ch.Das "	" .	"
12.	Sri Parash Barman"	"	"
13.	Sri Ramesh Kalita	P WI/C/NGC	"
14.	Sri Rabindranath Barman Gangman	P .WI/C/DGU(Digaru)"	.
15.	Sri Bhuban Pd.Kha"	IO W/C/HQ	"
16.	Sri Gonir Ali G/man	CP WI/C/PNO	"
17.	Sri Weipen Kalita "	PHI/C/DGU	"

Written by
David K. Brown

18.Dharmeswar Talukdar, G/non	PW1/C/DGU	Dy. CE/C/MIN
19.Sri Bipin Ch.Kaiborta "	CI WI/C/PNO	Dy. CE/C/MIN
20."Aniruddha Barman, G/men	"	"
21.Abdul Jalil, Gameam "	"	"
22.Jamched Ali"	PW1/C/DGU	"
23.Sri NarenCh.Kalita "	CPW1/C/PNO	"
24."Sarbeswar Barman	PW1/C/HJI	"
25.Sri SurenCh.Das "	IOW/C/CPK	"
26." Mojamil Ali, Gangman	PON/C/HJI	"
27." Damodar Das "	"	"
28." Daloyram Barua "	PW1/C/JID	"
29." Gajendra Barua "	"	"
30." Somaher Ali, Gangmen	"	"
31." Sahir Ali, Gangman	"	"
32." Malek Ali, Gangmen	"	"
33." Kutub Ali, Gangman	"	"
34.Sri Taisul Islam, G/man	PW1/C/Jid	"
35.Sri Keshab Ch.Kalita, Gangman"		"
36." Sri Pratul Barman/G/non	"	"
37."Sri Doyaram Saloi "	"	"
38.Sri Ramesh Rajbangshi, G/Men"	"	"
39.Sri Jogen Ch.Das, Gangman	"	"
40.Sri Karimuddin Ahmed "	PW1/C/CPK	"

This iussued with the approval of CE/CON/II &
CE/CON/1/MLG against the PP/12 of file No.W/227/BG/CON

E-3 pt.II

sd/-I legible,
20.2.96

Dey Chief Engineer/Con/GC/MLG

Attached W
Dated 20 Jan

No.V/227/BG/CON/E-3 pt.IX dt. 26.2.96.

Copy for information & Necessary action to

1. GM(P) CON/MLG

2. CE/CON/II/MLG

3. CE/CON/V/MLG

4. PA & CAD/CON/MLG

5. CPWII/CON/BG/PNO.DSK/CON/BG/PNO, PVI/CON/HJI, 10W/CON
CPK, PWI/CON/DGU/NGC, JID, CPK

They are advised to spare the above staff with the direction to report to their new place of posting under intimation to this office immediately.

6. Bill section at office.

7. DAG/IMG

8. DAO/TSK

9. Spare copy for personal file.

10. Staff concerned.

Sd/- 26.2.96

Dy. Chief Engineer/CON/GC/MLG

*Referred by
Rakesh Kumar*

To

The Dy. Chief Engineer/Con/GC/MLG
N.F. Railway.

(Through proper channel)

Sub Transfer and posting

Ref. Your office order no. 31-E dt. 26.2.96

sir,

With reference to above mentioned order, the following staff under PWI/Con/JID like to represent the following facts for your kind consideration.

That Sir, we were appointed on CA/CEC in the year 1984 under APDJBn. still then we were working in several project in N.F. Railway. To speak the truth, we are loitering like 'vagabond' here and there. As a result we become frustrated and feeling insecurity in our service life. From reliable source it come to our knowdge that large number of staff are going to be screened and dechnolised within a short time. So, we request you not to transfer on beyond Gauhati till completion of screening on the other hand, as originally we are from ABDJ Division, we will be highly obliged if you transfer up to any project under ABDJ Dn. Now Jogighopa project also opened and staff are transferred to that project for maintanance works. Most of us from Kamrup district and it will be very helpful for us if you transfer us to Jogighopa project. We came to know that some CL/C2C under PWI/CPK/Con are transferred to Jogighopa project, who are most junior to us. So if any employee transferred to that project, we should get first preference.

We hope you will consider our appeal sympathically and will issue favourable order.

With regards,

Yours aithfully,

- 1. Taizul Iskam
- 2. Sri Doleram Barua
- 3. Pratul Barman
- 4. Gajendra Barua
- 5. Kutub Ali
- 6. Md. Somsher Ali

Copy to

BJ/Jagiroad Branch
for information & Necessary action please.

*Abdul Kader
Pratul Barman*

27-

CENTRAL ADMINISTRATIVE TRIBUNAL:: GUWAHATI BENCH
GU WAHATI.

O.A. NO. 80/96

Sri Paresh Ch. Barman & Ors...Appellant(s)

Vs.
Union of India and ors Respondent(s)

Mr. Dibakar Goswami

Mr. P.K. Goswami, Advocates for the applicant.

Mr. B.K. Sharma, Rly, Advocate for the respondents.

Order.

28.5.96

Learned Counsel Mr. P.K. Goswami for the applicants

None for the respondents.

There are 24 applicants and they have sought permission to join together in a single petition under rule 4(5)(a) of the C.A.T (Procedure) Rules, 1987. Heard Mr. Goswami, Prayer allowed in terms of Rule 4(5)(a) of the CAT (Procedure) Rules, 1987 as they fulfil the condition prescribed under the Rule.

Heard Mr. Goswami for admission perused the contents of the application and the reliefs sought. The application is admitted subject to determination of limitation in the final hearing. Issue notice on the respondents by Registered post. Written statement within 6 weeks

List on 17.7.96 for written statement and further orders.

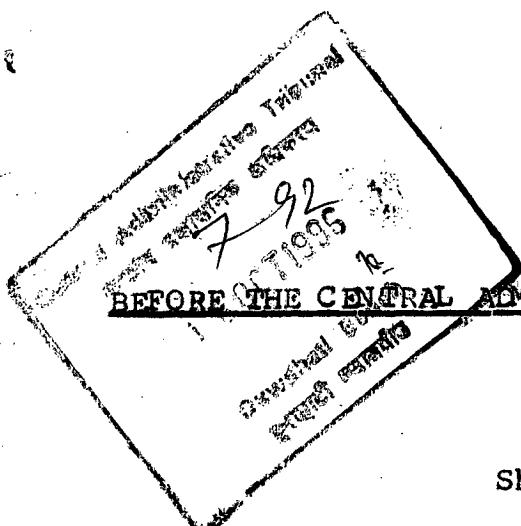
Heard Mr. Goswami on the interim relief prayer.

The interim relief as prayed for cannot be granted in this O.A. However, the applicants will be at liberty to file a separate O.A. in the matter of transfer without prejudice to the rights and contentions raised in this application.

It is made clear that pendency of this O.A. shall not be a bar for the respondents to consider regularisation of the services of the applicants.

Sd/- Member (Admn)

Addressed by
Pratip Kumar



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL :: GUWAHATI BENCH

O.A. No. 95 of 1996

Shri Paresh Ch. Barman & Ors.

- Versus -

Union of India and others.

WRITTEN STATEMENT ON BEHALF OF THE RESPONDENTS

The answering respondents beg to state as follows :

1. The answering respondents have gone through the copy of the application on the basis of which the above case has been registered and have understood the contents thereof. Save and except the statements which are specifically admitted hereinbelow ; other statements made in the O.A. are categorically denied. Further the statements which are not borne on records are also denied and the applicants are put to strict proof thereof.
2. That with regard to the statements made in paragraphs 6(i) and 6(ii) of the O.A., the answering respondents do not admit anything contrary to the relevant records.
3. That with regard to the statements made in paragraph 6(iii) of the O.A. the answering respondents state that Shri Taizul Islam, Sl. No. 16 against whom date of joining has been shown as 26.3.84 is not correct. As per records, his date of joining is 17.4.84.
4. That with regard to the statements made in paragraph 6(iv) and 6(v) of the O.A. it is stated that the relevant rules vide letter No. E/NG/4/CI/41 dated 11.9.86

and clarification has been issued as follows :

"..... The Ministry of Railways have decided on principle that casual labour employed in project also known as "Project Casual Labour" may be treated as temporary (temporary status) on completion of 360 days of continuous service with consequential benefits ; but their absorption against regular post depends on vacancy, seniority and screening test etc."

5. That with regard to the statements made in paragraph 6(vi) of the O.A., it is denied that the applicant who were recruited initially after ~~marking~~ conducting a selection test in 1986. The applicants were recruited in 1984. No junior casual labour working as G/man in scale Rs. 775-10 25 to them have been regularised as Class-IV (Group-D). They are working as G/man in the scale of pay of Rs. 775-10 25/- If any casual labour/G/man expired during the time of his tenure, compensation under the Workmen Compensation Act, 1923 is paid observing all necessary formalities.

6. That the answering respondents deny the contentions made in paragraph 6(vii) of the O.A. and reiterate and reaffirm the statements made hereinabove. No junior person to the applicants working as G/man in scale of Rs. 775-10 25 have been absorbed on regular basis against Group 'D' posts in scale of Rs. 775-10 25/- as alleged. The applicants have been working as G/man in scale of Rs. 775-10 25/-.

7. That with regard to the statements made in paragraph 6(viii) of the O.A., it is stated that casual

labourers are deemed to be terminated from service as and when the works are complete ~~and~~ for which they were recruited. However, as far as possible, these casual labourers are transferred from one place to another so as to maintain continuity of their services and not to deprive of their livelihood.

8. That with regard to the statements made in paragraph 6(ix) of the O.A., it is stated that the case of the applicants for regularisation of services will be considered as and when their turn will come which will be dependent on seniority, availability of posts, screening test etc.

9. That the answering respondents deny the contentions made in paragraph 6(x) of the O.A. and ~~replies~~ reiterates and reaffirms the statements made above.

10. That with regard to the statements made in paragraph 6(xi) of the O.A. the answering respondents state that the applicants are liable to be transferred from one place to another where works exist and requirement of staff is there. Thus the question of getting any allowance consequent upon their transfer does not arise.

11. That with regard to the statements made in paragraph 6(xii) of the O.A., it is stated that the applicants are liable to be transferred to the place where works exist and requirement of staff is there.

12. That with regard to the statements made in paragraph 6(xiii) of the O.A. it is stated that the applicants are liable to be transferred on the degrees of works of the present unit. They are not entitled to get transfer allowances and other consequential benefits until and unless they are screened and absorbed on regular basis.

13. That with regard to the statements made in paragraph 6(xiv), the answering respondents while denying the contentions made therein, reiterate and reaffirm the statements made hereinabove.

14. That with regard to the statements made in paragraph 6(xv) and 6(xvi) of the O.A., it is stated that the applicants have drawn their salary upto April 1996. They have not been allowed to work in the present unit as they have already been transferred out by the impugned order dated 26.2.96 and spared accordingly on

Whether these were disclosed in the O.A./MP | 3/4.5.96 vide PWI, Grade-I/CON/GC/Hagi road and Chief Permanent Weigh Inspector/Con Pandu's letter No. ND/CON/G-E/E/02 dated 3.5.96 and No. E/1/BG/CON/Spare/3604 dated 2.5.96 and E/1/BG/Con/Spare/3514 respectively.

Their LPCs have already been sent to their new place of posting. Thus there is no question of attending to their duties. Since they have been transferred and spared there is no question of allowing them to sign their Attendance Register.

15. That with regard to the statements made in

paragraph 6(xvii) of the O.A., the ~~applicants~~ answering respondents while denying the contentions made therein reiterate and reaffirm the statements made above.

16. That with regard to the statements made in paragraph 6(xix) of the O.A., the answering respondents state that the regularisation of the services of the applicant will be made on their turn. No preferential treatment may be given to the applicants. However, their such regularisation are also dependent on the availability of vacancy, seniority, screening test etc. It is stated that the transfer order dated 26.2.96 has already been implemented. Hence the interim orders passed in this connection are liable to be vacated.

17. That with regard to the statements made in ~~xxx~~ the grounds taken by the applicants in support of their contentions in O.A., the answering respondents state that the applicants are not entitled to get any transfer benefits until and unless they are screened and absorbed on regular measure. No junior ~~xxx~~ person of the unit has been allowed for screening, regularisation of service and consequential benefits as G/Man ~~xxx~~ in scale of Rs. 775-1025 as alleged. The applicants are working as G/man in scale of Rs. 775-1025/-.

18. That the respondents state that as pointed above, the transfer order was issued in the interest of service and the same was for the benefits of the applicants. They have already been spared and the LPCs etc. have been

sent to their new unit on their posting.

19. That ~~xxx~~ in view of the facts and circumstances stated above, the instant application is not maintainable and liable to be dismissed with cost.

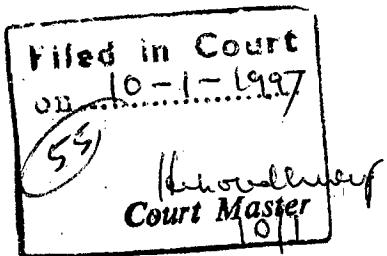
20. That the answering respondents submit that the impugned transfer order has already been implemented and spare orders have also been issued by different subordinates. In this connection, the answering respondents crave leave of this Hon'ble Court to produce the relevant records at the time of hearing of the instant application.

✓ V E R I F I C A T I O N

I, Shri Prasun Kumar Gupta aged about 55 years, the respondent No. 4 in the aforesaid O.A. do hereby solemnly affirm and verify that the statements made above are true to my knowledge and I have not suppressed any material facts.

And I sign this verification on this the 15th day of October 1996.

Prasun Kumar Gupta
Deputy chief Engineer/conc/c



(34)

Ques
Prasun Kumar Grophia
brought by Soma
for S. C. S. C.
by S. C. S. C.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH.

IN THE MATTER OF :-

O.A. No. 95 of 1996

P.C. Barman & Ors. ... Applicants.
Vs.

Union of India & Ors. ... Respondents.

AND

IN THE MATTER OF :-

Additional written statement on
behalf of the respondents.

The answering respondents beg to state as follows :-

1. That the answering respondents have already filed a written statement in the above mentioned case. Contending inter-alia that pursuant to the transfer orders issued in respect of the applicants, all of them have been spared enabling them to join their new place of posting and their last Pay Certificate (LPC) have also been sent to the concerned authorities.

2. That out of 40 staff transferred under the same order, all others except the applicants have carried

Contd...:2

- 2 -

out the transfer order and they are doing their duties at the new place of posting. They are regularly being paid their salary. The applicants in the instant case have not joined their duties at the new place of posting and instead have filed the aforesaid case by suppressing the material facts. However, from the statements made in M.P. No. 197/96 filed by the applicants it is crystal clear that they are well aware of their sparing from the old units to the new units. In the said MP., the applicants have contended for their alternative accommodation at Rangia and Jogighopa. Presently no construction work is going on at Rangia and the works at Jogighopa are at the verge of completion. Accordingly, there is no vacancy/works at Rangia and Jogighopa. Neither it was existing when the transfer order was issued. The applicants cannot have their choice place of posting.

3. That the answering respondents state that all the applicants are well aware of their sparing from the old units to the new units in-as-much-as spare memos were issued to them individually as well as the same were hung in the Notice Board. The applicants also submitted their letters in the month of May, 1996 making the acceptance of spare memos conditional. By such letters they urged upon the authorities for payment of salary for the month of April '96 making the same condition precedent towards receipt of the spare letters.

Contd....3.

- 3 -

4. Some of such letters are annexed as ANNEXURE 'A' series. The respondents further crave leave of the Hon'ble Tribunal to produce the relevant records at the time of hearing of the instant case.

4. That the answering respondents state that it is an admitted position that all the applicants are well aware of their order of transfer and spare memos. However, with the sole purpose of making out a case they have suppressed the same from this Hon'ble Tribunal. Law is well settled that refusal to accept spare memos and for that matter, any order should be deemed to be adequate service on the incumbents.

5. That the answering respondents submit that in view of the above, it is evident that the applicants have not come before this Hon'ble Tribunal with clean hands and there being suppression of material fact, the instant O.A. is liable to be dismissed on that score alone.

6. That the additional written statement has been filed bonafide and for ends of justice.

- 4 -

VERIFICATION.

I, Shri P.K. Gupta, aged about 55 years,
 by occupation Railway Service, working as Dy. Chief Engineer/
Con/Sc/Maligaon of the Northeast Frontier Railway,
 do hereby solemnly affirm and state that the statements
 made in paragraph 1 to 5 are true to my information being
 matters of records of the case and the rests are my
 humble submission before this Hon'ble Tribunal.

Pradumn Kumar Gupta

Shri, CHIEF ENGR

NEAR CONDUCTOR, M.G. RAILWAY

NEAR CONDUCTOR, M.G. RAILWAY

NEAR CONDUCTOR, M.G. RAILWAY

S/o

OA vol 96
application no 13

50/3/9

The Afn/Bas-Cmn/MLG
NFRailway

Sir, you are requested to kindly
arrange to release my salary for
the month April/96 as I am agreed
to receive my spanning to L-B Project
on 15-5-96.

Date 10-5-96

Yours faithfully

50/23/96
C/P M
Mahan Prv/Cmn/Sciv.

J. J. J.
J. J. J.

- 6 -

To

OK as 1⁹⁶
application 12

22.02.5.96.

Ady B.G. Govt. of Mys.

Bill

N. Tally.

You are requested to please
to pay the bill in favor of me
for one month of April '96 as
the unfixed bill. receiving the
same letter accordingly on monthly

Yours faithfully

Md. Sam Ghosh M.

Q/Recd. under

Pass/Ady J.D.

Ady J.D.

3/10

5

7-

On 26/2/96
Application to
Shri B.G.Goswami M.L.L.
H.R.Hy.

St. 02.3.96,

SD/SD

You are requested to please
to pay the of bill informer of me
for the month of April 1996 as the
by signed bill reciting the same
below accordingly on Monday.

Yours faithfully

SD/SD/SD/SD

SD/SD/SD/SD

SD/SD/SD/SD

Alauddin

(41)
sd

8 -
or no as/ab
application no. 14

sof 309

To
The AEN / BG - con/MLG
N.F. Railway.

Sir

you are requested to kindly arrange
to release my salary for the month
of April '96 as I am agreed to
receive my sparing to T D Project
on 15-5-96.

Date 9-5-96

yours faithfully

Mr. Match Ae

6 man under
P.WI / con / DUG

After
pm

Q -

57

OT 95/96
Application no 15

Subj

To

The AEN / BG - con/MLG
N.F. Railway.

Sir

you are requested to kindly arrange
to release my salary for the month
of April '96 as I am agreed to
receive my sparing to T D Project
on 15-5-96.

Date 9-5-96

yours faithfully

Dr. S. S. Ray

6/ man under
PWI / con / JID

Ans

(43)

51

10

459 & 666 M.H.

N.A. Hly.

of. 02.3.96

OA 95/16
Application no 16

You are requested to please
to pay me 8/- bill for the month of
April 96 after which will receive
the same later accordingly on
Monday.

Opposite signature

Yours faithfully

Mc. Taijul. Islam

Ghosh under

Power of attorney

After

11-

✓ To ^{or go/ab} application no. 14
 Dated 02-8-96
 S.D. 25.

GEN/ BG-CAT Mohy.
N.R. Rty.

You are requested to please
 to pay the bill for the menu
 of 2nd inst as the signature
 will receive the same letter
 accordingly on Monday.

Yours faithfully

DR. K. R. B. D.

Colon under
 Govt/ Govt J.D.

Pls

12 -

10

02-5-96

200
JEN/ BG-60/ MNG.

M. A. Shy

You are requested to pl.
to pay the bill after the month
of April '96 as the 14th instant
bill receiving the same bill or
accordingly on Monday.

Dr. and Mrs. F. J. D. Murphy

Portrait Baroque

Gleny Whalen

Pw1 / cont'd 1)

Flora
m

13

16

OK 05/06
application 02-5-96
90

Sub 316

Find 06-6 of) MLG
N.R. Army.

You are requested to please
to pay the bill for the month
of April 96 as the signed
will receiving the spoke letter on
mondays accordingly.

Yours faithfully

Government

Gman under
P.W.G.C. & D.

Amr

-14-

OA 95/96
Application no 21To The AEN / BG-Com/MLG ..
N.F. Railway.

Subject

you are requested to kindly arrange
to release my salary for the month
of April '96 as I am agreed to
receive my sparing to T.D. Project
on 15-5-96.

Date 9-5-96

yours faithfully
Md Karimuddin Ahmed

6/ man under
BWI/Com/DOOR

Jawad

-15-

51

On 04/5/96
Application no 19.

Copy

The AEN / BG-Com/MLG
N.F. Railway.

Sir

you are requested to kindly arrange
 to release my salary for the month
 of April '96 as I am agreed to
 receive my sparing to T.D. Project
 on 15-5-96.

Date 9-5-96

yours faithfully

Daya Ram Sahoo

6/way under
P.W.D/Com/MLG

P.W.D.