

FORM NO. 4

(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

Contempt APPLICATION NO. 42/98 OF 199
OA. 49/96



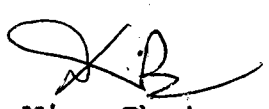


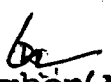
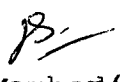

Applicant(s) Shri Jagat Das

Respondent(s) Shri S. R. Paul and ors.

Advocate for Applicant(s) Mr. J. L. Sarkar.
Mr. M. Chandra.
Mr. N. D. Goowami

Advocate for Respondent(s)

Notes of the Registry	Date	Order of the Tribunal
<p>The learned applicant Advocate for the filed this Contempt petition with a prayer for non-implementation of Judgment and order dtd. 15.9.98</p> <p>Passed by this Hon'ble Tribunal</p> <p>Record before Hon'ble Court for further orders.</p> <p>Section Officer <u>6/12/99</u></p> <p><u>AB</u></p>	<p>7.12.99</p> <p>nkm</p> <p><u>7/12/99</u></p> <p>7.1.2000</p> <p>pg</p>	<p>Present: Hon'ble Mr Justice D.N. Baruah Vice-Chairman</p> <p>Heard Mr M. Chanda, learned counsel for the petitioner. Issue notice to show cause why contempt proceedings shall not be drawn up against the alleged contemnors. List on 7.1.2000 for orders.</p> <p><u>AB</u> Vice-Chairman</p> <p>Await service report. List on 27.1.2000 for order.</p> <p><u>ba</u> Member</p> <p><u>AB</u> Vice-Chairman</p>

Notes of the Registry	Date	Order of the Tribunal
<p>9- 12 - 99</p> <p>Notice prepared and sent to D. Section for issuing of the same to the contemners through Regd. post with A/D.</p> <p>27.1.00</p> <p>trd</p> <p>8.2.2000</p> <p>Notice issued to the contemners vide D.No. 4058 & 4059 Dtd-14.12.99.</p> <p>17.12.99</p> <p>6- 1- 2000</p> <p>① Notice duly served on R.No. 1,</p> <p>② Show cause has not been filed.</p> <p>6.1.</p> <p>25-1-2000</p> <p>Notice duly served on R.No. 1.</p> <p>show cause has not been filed</p> <p>25/1</p> <p>7-2-00</p> <p>Notice duly served on R.No. 1.</p> <p>objection has not been filed.</p> <p>22/2</p> <p>22-2-00</p> <p>objection has not been filed.</p>	<p>27.1.00</p> <p>trd</p> <p>8.2.2000</p> <p>pg</p> <p>23.2.00</p> <p>3.3.2000</p> <p>trd</p> <p>3.3.2000</p> <p>lm</p> <p>16.3.2000</p> <p>pg</p>	<p>One week time is allowed for filing of objection if any. List on 8.2.00 for further order.</p> <p> Vice-Chairman</p> <p>Mr A. Deb Roy, learned counsel has entered appearance on behalf of the alleged contemners and prays for two weeks time to file objection. Mr J.L. Sarkar, learned counsel for the petitioner has no objection.</p> <p>List on 23.2.2000 for order.</p> <p> Member</p> <p> Vice-Chairman</p> <p>Two weeks time is allowed on the prayer of Mr. A. Deb Roy, learned Sr. C.G.S.C for filing of objection.</p> <p>List on 8.3.00 for further order.</p> <p> Member</p> <p>On the prayer of Mr. A. Deb Roy, Sr. C.G.S.C. case is adjourned to 16.3.00 for order.</p> <p> Member(J)</p> <p> Member(A)</p> <p>Objection has been submitted today. Mr M. Chanda, learned counsel for the applicant prays for two weeks time to file rejoinder. Time allowed.</p> <p>List on 3.4.2000 for order.</p> <p> Member(J)</p> <p> Member(A)</p>

(3) CP 42/99/0A 49/96 3

Notes of the Registry

Date

Order of the Tribunal

15-3-00

objection has not been filed

5/15/3

16-3-2000

Written statement has been filed by the respondent No. 1.

Don

Notice duly served on respondent No. 2

17/7

① Service completed.

③ Wfs filed on behalf of the Contemner No. 1.

8/1/2001

10-1-2001

Reminder has been filed by the respondent applicant through.

Don

3.4.00

Written statement has been submitted. Mr. Chanda, learned counsel for the contempt petitioner submits that the Contempt Petition may be listed for hearing. Prayer allowed. List for hearing on 21.6.2000.

Member

trd

21.6.00

There is no bench today. Adjourned to 5.9.00.

8/7/00

5-9-00

No Bench. Adjourned to 9.1.01.

8/7/00

9.1.2001

Present: Hon'ble Mr Justice D.N. Chowdhury, - Vice-Chairman
Hon'ble Mr K.K. Sharma, Administrative Member.

Heard the learned counsel for the parties at length. An opportunity be procided to the respondent No.1 to explain the position further before passing any order by appearing in person. List the matter on 30.1.2001 for hearing and personal appearance of the Respondent No. 1.

Member(A)

Vice-Chairman

nkm

30.1.01

Mr. Mohar Singh, the REgional Manager, Canteen Store Depot, Narengi is present in person as ordered and explained the situation.

List the matter after two months for further order. The presence of Mohar Singh is dispensed with for the time being.

List on 2.4.2001

Member

Vice-Chairman

trd

Notes of the Registry	Date	Order of the Tribunal
<p>27-4-01</p> <p>Service of Notice issued to the new contemners on Report No. 2, 3 vide No.</p> <p>Boo</p> <p>Notice prepared and sent to D/S for monitoring the Respondent No 3 & 4 vide DI No 1595 to 1596 dtd. 1/5/07.</p>	<p>xxxxxx</p> <p>2.4.01</p> <p>lm</p> <p>10.4.</p> <p>9.5.</p> <p>23.5.2001</p>	<p>Heard Mr.M.Chanda learned counsel and also Mr.A, Deb Roy, Sr.C.G.S.C appearing on behalf of the alleged contemners submitted a communication dated 30.3.01. The communication is placed on records. At this stage Mr.Chanda prays for sometime to implement, the person responsible for implementation of the order. This may same on records. List on 10.4.01 for orders.</p> <p>Member Vice-Chairman</p> <p>There is no response made today. Adjourned to 9.5.2001.</p> <p>Mo A.K. 10.4.</p> <p>Let over, list again on 23/5/2001.</p> <p>Mo A.K. 9.5.</p> <p>Mr A. Deb Roy, learned Sr. C.G.S.C. submitted that the respondents desire to submit reply on behalf of the newly added respondents, Shri Mohar Singh and Shri N.B. Singh and accordingly Mr Deb Roy sought for time to file the reply. Prayer allowed. List again for orders on 26.6.01.</p> <p>Notices on respondent Nos.3 and 4 namely, Shri Mohar Singh and Shri N.B. Singh respectively were already accepted by Mr A. Deb Roy. Therefore, no fresh notice need be issued to them.</p> <p>VC Asharp Member Vice-Chairman</p>

Notes of the Registry

Date

Order of the Tribunal

26.6.01

Reply has been filed by contemner Nos.3 and 4. Mr M.Chanda, counsel for the applicant prays for and granted two weeks time for the rejoinder.

List on 18.7.01 for hearing.

K. Ushah
Member

[Signature]
Vice-Chairman

pg

28.6.2001

18.7.2001

Reply has been submitted by the alleged contemner No. 3 and 4.

[Signature]

List it again on 6.8.01 to enable Mr A. Deb Roy, learned Sr. C.G.S.C. to produce the connected records mentioned in para 2 of the rejoinder filed on 17.7.2001 by the applicant against the show cause reply submitted by the alleged contemner No.3 on 25.6.2001.

K. Ushah
Member

[Signature]
Vice-Chairman

nkm

6.8.01

17.7.2001

Rejoinder submitted by the applicant against the show cause reply submitted by alleged contemner No. 3 & 4.

[Signature]

trd

Heard learned counsel for the parties at length. Let the alleged contemner Sri Mohar Singh, Regional Manager, East Canteen Store Depot appear in person before the Tribunal for explaining the matter on 27.8.2001.

List the matter on 27.8.2001 for further order.

K. Ushah
Member

[Signature]
Vice-Chairman

27.8.01

Mr. Mohar Singh, Regional Manager, East Canteen Store Depot is present today and submitted the written reply.

List on 27/9/01 for order.

[Signature]
Vice-Chairman

mb

27.8.2001

Reply of the rejoinder has been submitted by the contemner No. 3.

[Signature]

27.9.

Hearing concluded,
Judgment reserved,

[Signature]
Vice-Chairman

Notes of the Registry	Date	Order of the Tribunal
<p><u>19.9.2001</u></p> <p>Wfs Submitted by Sri Mohan Singh, Regional Manager (east) esd.</p>	5.10.2001	<p>Judgment pronounced in the open court, kept in separate sheets. The Contempt petition is dismissed. No costs.</p>
<p><u>21.11.2001</u></p> <p>Copy of the Judgment has been sent to the Office for issuing the rule to the L/Adv. for the parties.</p>	trd	<p>Member <i>K. L. Sharma</i></p> <p>Vice-Chairman <i>[Signature]</i></p>

CENTRAL ADMINISTRATIVE TRIBUNAL ::
GUWAHATI BENCH.

C.P. No. 42 of 1999 in
O.A./R.A. No. 49 of 1996. . of

DATE OF DECISION 05.10.2001

Shri Jagat Das APPLICANT(S)

Mr. M.Chanda ADVOCATE FOR THE APPLICANT(S)

VERSUS -

Sri S.R. Paul & 3 Ors. RESPONDENT(S)

Mr. B.C.Pathak, Addl. C.G.S.C. ADVOCATE FOR THE
RESPONDENTS.

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

THE HON'BLE MR. K.K.SHARMA, MEMBER (A).

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the judgment is to be circulated to the other Benches ?

5. Judgment delivered by Hon'ble Vice-Chairman.

9

CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Contempt Petition No. 42 of 1999 (O.A. 49 of 1996)

Date of decision : This the 5th day of October, 2001.

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

Hon'ble Mr. K.K. Sharma, Member (A).

Shri Jagat Das
Son of Late Satram Das
Villate Nabil,
P.O. Thoubanga,
District-Sonitpur
Assam

..Petitioner

By Advocate Mr. M. Chanda.

-versus-

1. Sri S.P. Paul
Regional Manager,
Canteen Stores Department
Ministry of defence,
Satgaon, Narengi,
Guwahati.
2. Sri N. Chāndrasekar
Assistant General Manager (P.)
'Adelphi'
119 Maharshi Kave Road
Bombay
3. Sri Mohar Singh,
Regional Manager
East Canteen Store Deport
Government of India,
Ministry of Defence,
C.S.D. Depot Complex
Guwahati-27.
4. Sri N.B. Singh
Dy. General Manager (P and Admn.)
CSD Headquarters,
'Adelphi, 119 Maharshi Karve Road,
Mumbari 400020.

..Alleged Contemners

By Advocate Mr. B.C. Pathak, Addl. C.G.S.C.

ORDER

CHOWDHURY J. (V.C.).

O.A. 49 of 1996 was instituted praying for a direction upon the respondents to consider his case for appointment against the existing vacancies of Chowkidar, Watchman or any other Group D Post lying vacant under the Canteen Store Department, Misamari by granting age relaxation.

Contd....

By order dated 15.9.1999 a direction was issued to that extent to consider the case of the applicant with reference to interview held on 2.6.1996 by taking into consideration the provision of age relaxation as mentioned in the judgement. The respondents this time also turned down the case of the applicant on ground of age. The applicant was fighting for his case as is reflected in the earlier judgement of the Tribunal in O.A. No. 49 of 1996 which reads as follows :

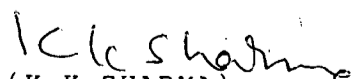
The applicant was a casual Mazdoor on daily rate basis in Canteen Stores Department, Missamari, from 29.10.85 to 1989. He was selected for appointment as Peon in 1986 but he was not appointed. In 1988 he was selected for appointment in Group 'D' post but again he was not appointed. In 1990 he was selected for appointment as Mali. But at that time also he was not appointed. In 1994 he was not considered for appointment as Cook. The applicant submitted this O.A. on 19.3.1996. During the pendency of the application the respondents made recruitment to some vacant Group 'D' posts. The interview was held on 23.9.96. Pursuant to the interim order dated 19.9.1996 issued by the Tribunal the applicant was allowed to participate in the Interview. It is however, alleged that although he qualified in the selection his case was not considered for appointment due to being over aged.

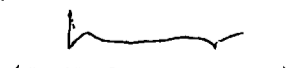
It was contended by the counsel for the applicant that the respondents were wilfully disregarding the direction of the Tribunal in computing the age the respondents in a most illegal fashion overlooked his earlier period of service from 26.10.1985 to 28.2.1989, approximately three years four months in contravention of all norms and standards. The respondent contended that said period could not be counted since for the aforesaid period the applicant was engaged on daily rated basis and not on casual basis. The learned counsel for the applicant contended that the respondents were playing with the words in a most contumacious manner. It was stated and contended that the respondent authority by the aforesaid action sought to lower the functional utility of the Institution and thereby rendering it ineffective.

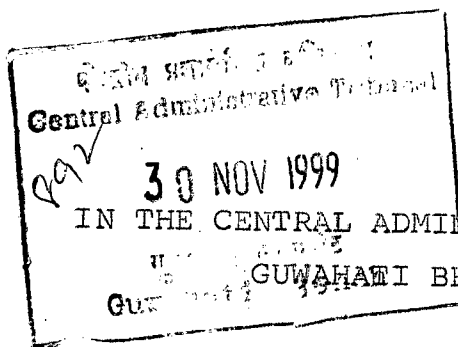
Contd..

We have given our anxious consideration in the matter. We are of the view that the said period of three years four months were meant to be considered in computing his service for the purpose of age relaxation on proper construction of the judgement. The respondents fell into error in interpreting the provisions of the Executive instructions & orders etc. but for that count the respondents cannot be held guilty of contempt of court without something more. To constitute Civil Contempt there must be wilful disobedience to any judgement. The alleged disobedience must be deliberate. A contempt proceeding is not an usual or matter of course affair. The power is of summary nature. - It is to be wielded with care and caution. The power should be exercised when a clear case of contumacious conduct not explainable or justifiable otherwise, then and then only the contemner must be pushed. The jurisdiction is entrusted in the Superior Courts for punishing contempt of its authority for the purpose of averting or frustrating the course of justice and for maintaining the authority of the law. The present proceeding is also hit by Section 20 of the Contempt of Courts Act 1971. From the tenor of the Notice itself it cannot be inferred that the Tribunal in fact initiated the proceeding for contempt by calling upon the contemnors to show cause as to why they should not be punished. The Contempt Proceeding thus stands terminated. Therefore the Contempt Petition is ^{also} liable to be dismissed in view of Section 20 of the Contempt of Court Act. The tenor of the notice itself did not indicate that the Tribunal in fact initiated proceeding for contempt by calling upon them to show cause as to why they should not be punished.

In the circumstances the Contempt Petition stands dismissed. There shall, however be no order as to costs.


(K.K.SHARMA)
Member (A)


(D.N.CHOWDHURY)
Vice-Chairman



Filed by one applicant
for N.D. Gross Dam
behalf of M. M. Chandra
Advocate
30/11/99

Contempt Petition No. 42

in

Original Application No. 49 of 1996

Sri Jagat Das

-vs-

Union of India & Ors.

-And-

In the matter of

An application praying for initiation
of Contempt proceeding against the
alleged contemnors for wilful non-compli-
ance of the Judgement and Order dated
~~15.9.98~~
~~23.6.96~~ in O.A. No. 49/96 under Section
17 of the Administrative Tribunals Act,
1985.

-And-

In the matter of :

Shri Jagat Das
Son of late Satram Das
Village Nabil, P.O. Thoubanga
District-Sonitpur
Assam

...Petitioner

-versus-

1. Shri S. R. Paul

Regional Manager, Canteen Stores Deptt.
Ministry of Defence, Satgaon, Narengi,
Guwahati.

Contd....

④ vide order dtd.
10.4.2001 in MP.
108/01

3. Sri Madan Singh
Regional Manager.
East Canteen Store Depot
Gate 7 India M/o. Defence
CSD Depot Complex.

2. Shri N.Chandrasekar
Asstt. General Manager (P)
'Adelphi'
119 Maharshi Karve Road
Bombay.

...Contemners

4. Sri N.B. Singh.
General Manager.
(P and Admr)
CSD Head Qtrs.

ADELPHI.
119. Maharshi
Karve Road.
Mumbai-400020.

The humble petition of the petitioner above named
Most Respectfully Sheweth :

1. That your applicant approached the Hon'ble
Tribunal through Original Application No. 49 of 1996
praying for a direction to the respondents to appoint
him against existing vacancies of Chowkidar/Washerman
or any other Group D post lying vacant under the Canteen
Stores Department, Misamari by granting age relaxation.

The said O.A. was decided by the Hon'ble Tribunal on
15.9.98 directing the respondent to consider the case
of the applicant with reference to the interview held
on 23.6.96 by taking into consideration the provision of
age relaxation as stated in the application. It is also
observed by the Hon'ble Tribunal that as has not been
disputed by the respondents as that the applicant had
qualified in the said interview the respondents shall
make appointment of the applicant according to merit after
relaxing the age and also directed that the final order
shall be communicated by the competent authority by the
respondents within 60 days from the date of receipt of
the order.

2. That the applicant immediately after receipt of the
Judgement and order dated 15.9.98 submitted the same

Contd...

alongwith representation dated 7.10.98 praying interalia for immediate implementation of the Judgement and Order dated 15.9.98 which would be evident from the letter of the General Manager issued vide letter No. 3/Pers/A-1/1107 (Misamari)/5501 dated 17.11.98. Thereafter surprisingly the Assistant General Manager informed the applicant only on 13.7.99 that the applicant is not entitled to get the age relaxation under the category of casual worker as provided in Swamy's Compilation at Chapter No. 14 does not apply. This decision of General Manager is amount to violation of the Hon'ble Tribunal's Judgement and order dated 15.9.98. It is pertinent to mention here that the applicant submitted a detailed representation dated Nil (Annexure- 4) addressed to the General Manager, Canteen Stores Department, Ministry of Finance, Mumbai wherein the applicant stated that he is entitled to age relaxation for the entire period during which he rendered service in the Canteen Stores Department in addition to normal age relaxation of 5 years by virtue of his belonging to Scheduled Caste Community. The applicant also stated that he had also prayed for age relaxation in terms of the scheme of age relaxation issued by the Government of India, for casual workers i.e. the period which has been spent by the casual labourer while working on casual basis ~~xxx~~ in the Government department in addition to the normal relaxation by virtue of his belonging to Scheduled Caste Community. It was further stated that it appears from the respondents letter dated 16.12.98 that the period of his casual service rendered in the Canteen

Contd...

Stores Department has not been counted for relaxation in addition to his entitlement to normal relaxation for five years, as a result his claim for age relaxation has been rejected without application of mind and further requested to implement the judgement and order in the manner indicated by the Hon'ble Tribunal in its judgement and order dated 15.9.98. It is relevant to mention here that the General Manager in his letter dated 16.12.98 informed the petitioner that as per recruitment rule for appointment to the post of Washerman the age criteria should be between 18-25 years. His date of birth as per record is 6.2.1964. On the date of interview i.e. on 23.6.96 held at Canteen Stores Department, Misamari his age was 32 years 4 months 17 days. Age relaxation for SC/ST is upto five years therefore on the date of interview i.e. on 23.6.96 the applicant ought to have been within age limit of 30 years after granting relaxation of five years, but the applicant attained the age of thirty two years and therefore held over aged for Govt. service. It is also stated in para 3 if six years age limit is granted in terms of the Central Govt. rules with effect from 1.1.80 to 15.8.85 even then the applicant also remain overaged on 23.6.96 therefore his claim was rejected by the General Manager for appointment in terms of the interview held on 23.6.96. In this connection it is pertinent to mention here that in terms of the judgement and order of the Hon'ble Tribunal the applicant is entitled to age relaxation to the extent of service he has rendered in the Canteen Stores Department on casual basis and normal age relaxation, therefore the

Contd...

applicant is entitled to six years age relaxation instead of five years of normal age relaxation by virtue of his Scheduled Caste Community. The applicant should be deemed to be within the age limit if the services rendered in the Canteen Stores Department on casual basis is counted. But the alleged contemners wilfully did not grant the age relaxation to the extent he has rendered his service as casual worker in Canteen Stores Department after normal relaxation of 5 years on the ground of his belonging to SC community. The judgement and order dated 15.9.98 is very crystal clear wherein it is held that the applicant is entitled to age relaxation to the extent of his service rendered in the Canteen Stores Department on casual basis i.e. with effect from 29.10.85 to 1989. Therefore he is entitled to age relaxation for 4 years in addition to normal age relaxation. Therefore non compliance of the judgement and order dated 15.9.98 is deliberate and wilful. Therefore the Hon'ble Tribunal be pleased to initiate a contempt proceeding against the alleged contemners for wilful noncompliance of the order of the Hon'ble Tribunal dated 15.9.98 passed in O.A. No. 49 of 1996 and further be pleased to impose punishment against the alleged contemners in accordance with law.

Copy of the judgement and order dt. 15.9.98, letter dt. 17.11.98, 16.12.98 and representation dated are annexed hereto and marked as Annexure-1,2,3 and 4 respectively.

Under the facts and circumstances, stated above, the Hon'ble Tribunal be pleased to initiate a Contempt Proceeding

16

wilful
against the alleged contemners for/non-
compliance of the Judgement and Order
dated 15.9.98 passed in O.A. No. 49 of
1996 of the Hon'ble Tribunal and further
be pleased to impose punishment upon the
alleged contemners in accordance with law
and further be pleased to pass any other
order or orders as deemed fit and proper
by the Hon'ble Tribunal.

And for this ~~kindness~~ act of kindness
the petitioner as in duty bound shall
ever pray.

..... Affidavit

A F F I D A V I T

I, Jagat Das, Son of late Satram Das, aged about 34 years, resident of village Nabil, P.O. Thoubanga, District ~~Gachmar~~ Sonitpur do hereby solemnly affirm and declar as follows :

1. That I am the petitioner in the present Contempt Petition as such fully acquainted with the facts and circumstances of the case and competent to swear this affidavit.
2. That the statements made in this petition in paragraphs I are true to my knowledge and those made in paragraphs 2 derived from the records which I believe to be true and the rests are my humble submissions before the Hon'ble Tribunal.
3. This affidavit has been made for filing a Contempt Petition Before the Hon'ble Central Administrative Tribunal.

I, sign this affidavit on this the 30th day of Nov ~~September~~ 1999.

Sri Jagat Das.

DEPONENT

Identified by

Adv.

Advocate's ~~Clerk~~

Solemnly affirmed and declared by me before deponent - who is identified by Mrs. N. D. Goswami, Advocate on 30.11.99.

36th 11/99

Advocate
Central Administrative
Tribunal
Guwahati, Assam

D R A F T C H A R G E

Laid down before the Hon'ble Tribunal for initiating a Contempt proceeding against the alleged contemnners for wilful non-compliance of the Judgement and order dated 15.9.98 in O.A. No. 49 of 1996 by this Hon'ble Tribunal and further be pleased to impose punishment on the alleged contemnners in accordance with law.

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 49/96

Date of Order : This the 15th day of ~~September~~ 1998.

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

HON'BLE SHRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER

1. Sri Jagat Das
Son of late Satram Das
Village - Nabil,
P.O. Thubhanga,
Districe - Sonitpur

..... Applicant

By Advocate Mr. J.L.Sarkar, Mr. M. Chanda.

-versus-

1. Union of India,
Through the Secretary to the Govt. of India,
Ministry of Defence,
Delhi.
2. The Director General,
Canteen Store Department,
Ministry of Defence,
'ADELPHI, 119 Maharshi Karve Road,
Bombay-400020
3. The Regional Manager,
Canteen Store Department,
Govt. of India, Ministry of Defence
Satgaon, Narangi, Guwahati.
4. The Manager,
Canteen Store Department,
Misamari Depot (Cant.)
PIN 784506.

NB

..... Respondents.

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

O R D E R

SANGLYINE, ADMINISTRATIVE MEMBER :

This application has been submitted by the applicant seeking directions on the respondents to consider appointing him against existing vacancies of Chowkidar/Watch-man or any other Group 'D' post lying vacant under the Canteen Stores Department, Missamari by granting age relaxation. According to the applicant being surplus casual employee

15.9.99

*Submitted
Adm
Adm*

he has priority over others for absorption and appointment in regular Group 'D' post under the respondent No.4, the Manager, Canteen Stores Department, Missamari Depot (Cant). He is also entitled to the benefits of the 1988 scheme for regularisation of casual employees.

The facts in short are :-

[The applicant was a casual Mazdoor on daily rate basis in Canteen Stores Department, Missamari, from 29.10.85 to 1989. He was selected for appointment as Peon in 1985 but he was not appointed. In 1988 he was selected for appointment in Group 'D' post but again he was not appointed. In 1990 he was selected for appointment as Mali. But at that time also he was not appointed. In 1994 he was not considered for appointment as cook. The applicant submitted this O.A. on 19.3.96. During the pendency of the application the respondents made recruitment to some vacant Group 'D' posts. The interview was held on 23.9.96. Pursuant to the interim order dated 19.9.1996 issued by the Tribunal the applicant was allowed to participate in the Interview. It is however, alleged that although he qualified in the selection his case was not considered for appointment due to being over aged. The applicant had amended the application and submitted the amended application on 28.7.97 and copy served on the Sr. C.G.S.C. No additional written statement was submitted.

We have considered the contention of the applicant in this application. Apparently the respondents had allowed the applicant to participate in several selections as mentioned above. But for some reasons stated by them in the written statement he could not be appointed though he was successful. We however fail to understand why in 1990 he was empanelled for the post of Mali if there

accountable

23.6.96

Not Cam
Cant.

Annexure-1 (Contd.)

is no vacancy in that post. According to the applicant in the selection of 1996 he had qualified in the interview. This is not contradicted by the respondents. He also submitted that he was not given appointment because of his being over aged. This is also not contradicted by the respondents. The applicant contended that he is not over aged if relaxation of age is granted to him in accordance with the provision as laid down by the Government of India in their policy of granting age relaxation as published in Swamy's Complete Manual of Establishment and Administration, 1994 edition, Chapter 14 pages 114-124. According to his policy it has been stated by the applicant that he is entitled to his age relaxation to the extent of his service in the Canteen Stores Department as Casual Worker in addition to three years age relaxation and over and above the relaxation of age limit in favour of the residents of the State of Assam for appointment in Public Service as provided in the Residents of Assam (Relaxation of Upper Age-Limit) Rules, 1985. After considering the contentions of the applicant we direct the respondents to reconsider the case of the applicant with reference to the interview held on 23.6.1996 by taking into consideration the provision of age relaxation as indicated above. As it has not been disputed by the respondents that the applicant had qualified in the said interview, the respondents shall make appointment of the applicant according to merit if he is within the age limit after age relaxation is granted. A final order shall be communicated to the applicant by the competent authority of the respondents with 60 days from the date of receipt of this order.

The application is disposed of as indicated above.
No costs.

Sd/- Vice-Chairman
SD/- Member (Admn)

32 yrs
5

37 yrs

Age Relax
in case
Relaxer

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE

CANTEEN STORES DEPARTMENT

'ADELPHI'
119 MAHARSHI KAVE ROAD,
MUMBAI 400 020

Ref No. 3/Pers/A-1/1107 (Misamari/5501

Date 17 Nov '98

Shri Jagat Das
S/o Late Shri Satram Das
Village- Nabil
P.O. Towbhanga
Dist- Sonitpur
Assam

REGISTERED A.D.

PRAYER FOR IMPLEMENTATION OF THE JUDGEMENT
AND ORDER DATED 15.9.98.

Reference your representation dated 07.10.98.

2. Your request regarding implementation of the judgement and order dated 15.9.98 is under process and the outcome will intimate you in due course.
3. This is for your information. ✓

Sd/-

(RAKESH MEHTA)
Manager (P)

for General Manager

Annexure-3

Govt. of India
Ministry of Defence
Canteen Stores Department
'Adelphi, 119 Maharshi Karve Road
Mumbai 400 020

3/Pers/A-1/1107 (Misamari)/6094

16 Dec '98

Shri Jagat Das
S/o Late Shri Satram Das
Village-Nabil
P.O. Towbhanga
Dist-Sonitpur
Assam

JUSGEMENT ORDER DATED 15.9.98 PASSED IN O.A. No.
49/96.

Reference our letter No. 3/Pers/A-1/1107 (Misamari)/
3501 dated 17 Nov 98.

12. As per our Recruitment Rules for appointment to the post of watchman, the age criteria is that the candidate should be between 18 to 25 years. Your date of birth as per our record is 06.02.64. On the day of interview i.e. 23.6.96, held at CSD Depot Misamari your age was 32 years 4 months and 17 days. Age relaxation for SC/ST is upto 5 years. Therefore, on the day of interview i.e. 23.6.96, you should be within the age of 30 years after granting age relaxation, whereas you more than 32 years and thus overaged for Govt. service.

3. Further the upper age relaxation in favour of residents of Assam for appointment in Central Govt. offices located in the State of Assam, is 6 years to all persons who have ordinarily resided in the State of Assam during the period from the 1st day of Jan 80 to 15th day of August 1985. Therefore, even if 6 years age relaxation is considered, you were still overaged as on 23.6.96 i.e. date of interview held at Misamari depot.

4. Since you were overaged as per rules, we regret our inability to consider your case for an appointment in CSD.

Sd/-

(RAKESH MEHTA)
Manager (P)

for General Manager.

H.O.O.

.c. : The Manager
CSD Depot
Narangi

cc : RM(E)

cc : AGM (HRD&L) : Reference our Memo No. 3/Pers/A-1/1107 (Misamari) dated 15 Dec 98. You may inform the court and also Defence Secretary, as directed vide BOCCE Fax No. 95307/Q/BOCCE dated 15 Dec 98.

30/12/98

To

The General Manager,
Government of India,
Ministry of Defence,
Canteen Stores Department
"ADHELPHI"

119 Maharshi Karve Road,
MUMBAI-400 020

Sub : Prayer for immediate consideration of appointment in terms of Judgement and Order dated 15.9.98 passed in O.A. No. 49/96.

Ref : 1. My representation dated 7.10.98
2. Your letter No. 3/PERS/A-1/1107
(Misamari)/6094 dated 16.12.98.

Respected Sir,

I like to draw your kind attention on the subject cited above and further beg to state that the contention advanced by you rejecting grant of relaxation while considering my case of appointment in the light of the judgement and order dated 15.9.98 is contradictory to the order passed by the Hon'ble Tribunal in O.A. No. 49/96.

The order of the Hon'ble Tribunal has been misinterpreted regarding grant of age relaxation.

A mere reading of the Hon'ble Tribunal order dated 15.9.98, it is crystal clear that the undersigned is entitled to age relaxation for the entire period during which I have rendered my valuable service in the Canteen Stores Department in addition to the normal or age relaxation of Five years by virtue of my belonging to Scheduled Caste Community. It is further made clear that I have not made any prayer for age relaxation in the light of Assam accord.

Contd....

25

The undersigned is entitled to age relaxation in terms of the scheme of age relaxation issued by the Government of India for casual workers that is the period which is spent by a casual labour while working on casual basis in the Government Department in addition to the normal relaxation by virtue of my belonging to Scheduled Caste Community.

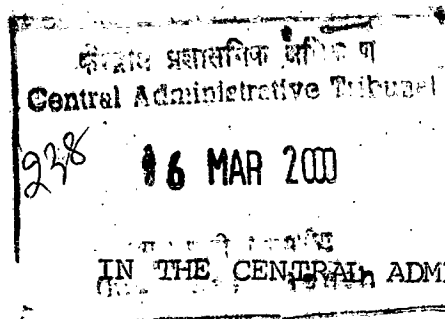
In your letter dated 16.12.98, it appears that the period of my casual service rendered in the Canteen Stores Department has not been counted for relaxation in addition to my entitlement for normal relaxation of Five Years. As a result you have rejected my claim without proper understanding of the true contents of the Hon'ble Tribunal Order dated 15.9.98. The order dated 16.12.98 has been passed without applicant of mind. The order of the Hon'ble Tribunal is very much clear. Therefore you are requested to implement the same in the manner indicated by the Hon'ble Tribunal in its judgement and order dated 15.9.98 failing which the undersigned shall be compelled to take further recourse for proper implementation of the judgement.

An early action is highly desired.

Yours faithfully,

Sd/-

(JAGAT DAS)
C/o Lat Satnam Das



GUWAHATI BENCH

C.P.NO.42 OF 1999

IN O.A.49 OF 1996

Shri Jagat Das

...Petitioner

-VS-

1. Shri S.R. PAUL

2. Shri M. Chandrashekhar

.... Contemners

I Shri S.R. PAUL, Regional
Manager, Canteen Stores Department, Ministry of Defence,
Satgaon, Narengi, Guwahati aged about 53, do
hereby solemnly affirm and declare as under:

1. That the deponent is fully conversant with the facts of the case.
2. That the deponent is authorised to file the present reply affidavit on behalf of Contemner No.2.
3. That the deponent has gone through the contents of the aforesaid contempt petition and has understood the same.
4. That the deponent as well as the Contemner No.2 has the

...2/-

15

Filed by
A. Sub. Reg. 28
S. C. P. S. C.
16.3.2000

highest regard for the authority of this Hon'ble Tribunal and they respectfully submit that there is no wilful violation and intentional disobedience to the direction and order passed on 15.9.1998 in O.A. No. 49/96.

5. That the Hon'ble Tribunal by its order dated 15.9.98 directed the respondents to make appointment of the applicant according to merit if he is within the age limit after relaxation is granted.

6. That the applicant has claimed for age relaxation for being a SC candidate and also as a resident of the State of Assam. It is clarified that both the age relaxation cannot be considered in a combined manner. He is ~~entitled for upper age relaxation by~~ 05 years being a SC candidate. However, after accounting of his relaxation, he was found over aged as on the date of interview held on 23.06.96, notwithstanding that he had qualified in the same. Even if the age relaxation of 6 years is taken into consideration in relation to the provision of being a resident of the State of Assam, the applicant yet does not come under the upper age limit as required for appointment to the post of watchman, notwithstanding that the said provision does not apply for the applicant, since they were in force for 5 years from the date of publication of OM No.14017/20/87-Estt.(RR) dated 15.10.87(Encl.3). The date of interview held on 23.6.96 falls subsequent to the

expiry of ibid period of the OM.

It is pertinent to mention here that the rules for age relaxation to various categories finds reference in Chapter 14 of Swamy's Manual on Establishment and Administration.

7. That the contention of the applicant that he is entitled for age relaxation for the casual service rendered in the Department is incorrect, as he had performed daily rated services on day to day required basis with breaks between 26.10.1985 to 28 Feb 89. The applicant was neither sponsored by any authorised agency nor was given any temporary appointment as a casual worker in the department. Even otherwise, the applicability of Govt.

OM No.51016/2/90/Esst(C) dated 10-9-93 reproduced as Appendix under serial No.7 of chapter 22 of the Swamy's Manual on Establishment and Administration (Encl-5), 1999 edition on grant of temporary status and regularisation of casual workers does not apply to the applicant as he was not in any kind of employment in Canteen Stores Department as on 10 September 93. Further, the aspect of eligibility for regularisation in the upper age limit for casual labourers has also been explained to the applicant in para 3 of our letter No.3/Pers/A-1/1107(Missamari)/3425 dated 13 July'99(Encl-2).

Hence none of the provisions contained in chapter 14 and chapter 22 Sr.No.7 and Sr.9 of the Establishment

18
201

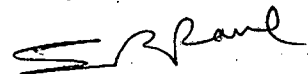
and Administration Manual is applicable to the applicant.

In view of the submission made herein above the deponent respectfully prayed that the present contempt proceeding is liable to be dismissed by discharging the notice issued to the respondents.

VERIFICATION

Verified on this 14th day of March, 2000, that the contents of this affidavit are true and correct to my knowledge based on the official records and belief. Nothing is false therein.

DEPONENT



S. R. PAUL.
Regional Manager (East)
Canteen Stores Department
P.O.-Satgaon, Narangi
Guwahati-27

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal 9 JAN 2001 गुवाहाटी न्यायालय Guwahati Bench Sri Jagat Das	GUWAHATI BENCH In the matter of : P. 42/99 A. 49/96 Sri Jagat Das
-------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------

...Applicant

-vs-

Sri S.R.Paul

... Alleged Contemner

-And-

In the matter of :

Rejoinder submitted by the applicant
against the show cause reply submitted
by the alleged contemner No.2

The applicant most humbly and respectfully begs
to state as under :

1. That your applicant categorically declare the statements made in paragraph 6 & 7 of the reply submitted by the alleged contemner no. 2 and further begs to state that contention as well as the statements made in paragraphs 6 & 7 of his reply is totally incorrect and the order of the Hon'ble Tribunal is misinterpreted and the same has not been complied with deliberately. It is further stated that the Judgement and order dated 15.9.98 in O.A. No. 49/96 the Hon'ble Tribunal very categorically directed the respondents/alleged contemnors to reconsider the case of the applicant with reference to the interview held on 23.6.96 by taking into consideration the provision of age relaxation as indicated in the order. It is also ordered that as it has not been disputed by the respondents

Contd...

19

30

Filed by the appli-
cant Mr. Jagat Das
Adv. (P. 42/99)
(5/1/2001)

20
31

-2-

that the applicant has qualified in the said interview the respondents shall make appointment of the applicant according to the merit if he is within the age limit after relaxation is granted. It is relevant to mention here that the applicant is entitled minimum 9 years of age relaxation as because five years for by virtue of Scheduled Caste and four years for rendering casual service under the respondents. It is also relevant to mention here that the applicant is entitled for appointment till he attains 34 years of age.

It has specifically mentioned in the judgement and order that applicant is entitled to age relaxation in terms of the provision laid down in Swamy's Complete Manual of Establishment and administration 1994 edition, Chapter-14, Page 114-124, according to this policy the applicant is entitled to his age relaxation to the extent of his service rendered, in the canteen stores department and over and above taking into consideration the relaxation of age limit in favour of the resident of the State of Assam for appointment of Public Service in terms of Assam Accord. Therefore in view of above clear order the applicant is entitled to age relaxation in terms of the above mentioned rules and instructions of the Government of India. It is further categorically stated that applicant belongs to Scheduled Caste Community and necessary Certificate in this connection is submitted before the respondents at the time of interview as such in addition to his entitlement for Age relaxation to the extend of the applicant service rendered in the department for a long period four (Four) years, the applicant is also entitled to normal age relaxation of 4 (Four) years by virtue of his belonging to Scheduled Caste Community

Contd...

21
32

-3-

It is categorically denied that ~~even~~ after grant of age relaxation the applicant does not fall within the prescribed age limit. It is also categorically denied that there was break in ~~between~~ 26.10.85 and 28.2.89. In support of the claim of the applicant enclosed the letter dated 13.7.99 and other relevant documents including the copy of the M.P. No. 135/97 for kind perusal of the Hon'ble Tribunal.

Copy of the letter dated 13.7.99 and copy of the M.P. No. 135/97 are annexed as Annexure-2 Series.

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

I, Sri Jagat Das, Son of Setram Das, resident of Village Nabil, P.C. Towbhanga, District- Sonitpur, Assam, applicant in the C.R. No. 42 of 99 (O.A. No. 49/96 do hereby verify that the statements made in the rejoinder are true to my knowledge and I have not suppressed any material fact.

And I sign this verification on this ~~xx~~ ~~xx~~ 9th day of January, 2000.

Sri Jagat Das.

Signature

भारत सरकार
GOVERNMENT OF INDIA

कैंटीन स्टोर्स विभाग

CANTEEN STORES DEPARTMENT

Telegrams : CANSIND

Telex : { 011-2761 CASD IN
011-5503 CASD IN

Telephones :
297120-40-42-80

रक्षा मंत्रालय
MINISTRY OF DEFENCE

"ADELPHI"
119, MAHARSHI KARVE ROAD,
BOMBAY-400 020.

Ref. No. 3/Pers/A-1/1107(Misamari)/3425

Date: 13 July '99

✓ Shri. Jagat Das
S/O Late Satram Das
Village - Nabil
P.O. - Tombhanga
Dist - Sonitpur, Assam

REGISTERED A.D.

REPRESENTATION FOR APPOINTMENT IN CSD

Reference your representation dated nil received on
05th May 99.

2. It has been clearly stated in our letter No.3/Pers/A-1/1107(Misamari)/6094 dated 16th Dec' 98 in response to judgement dated 11th May 99 passed on OA No.49/96 that in spite of age relaxation for residents of Assam, you were still over aged on the date of interview held at Misamari depot. In addition at page 3 of the judgement referring to "Swamy's Manual on Establishment & Administration, 1994" edition, chapter 14, page 114-124, relates to age relaxation of casual labourers for absorption as group 'D' staff for those who have continuous period of casual employment and in case of broken period of service which should be at one stretch for more than six months. This provision has already been incorporated while reproducing OM No. 51016/2/90-Estt(C) dated 10 Sep 93 in our circular No. 3/Pers/A-1/1146/1379 dated 08 March 96 where it has been very clearly stated that these orders are applicable w.e.f. 01.9.93. However, you are not eligibel for these provisions since you are engaged as daily rated between 26 Oct 85 to 28 Feb 89 and not on a casual labourer basis. Moreover, your service was also with intermittent breaks.

3. You are also to refer to Govt. OM incorporating clarification regarding absorption casual labourer reproduced in Swamy's Manual Establishment & Administration in chapter No.22 Srl. No. 9 under clarification on grant of Temporary status and Regularisation of casual workers in respect of age relaxation. It has been clearly stated at sub para 3 of Srl No. 9 that in case of casual labourer initially engaged after crossing the upper age limit prescribed for recruitment to Gp 'D' posts be eligibel for grant of temporary status, following appllies.

" No age limit has been prescribed for grant of Temporary status. However for the purpose of subsequent regularisation the conditions regarding age and educational qualification prescribed in the relevant Recruitment Rules will apply."

.....2/-

- 6 -

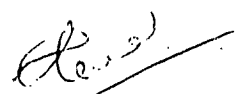
Ammyne - 1 - 24
35

GOVT. OF INDIA
MINISTRY OF DEFENCE,
CANTEEN STORES DEPARTMENT.
Adelphi 119, M. Kerve Road,
BOMBAY - 400 020.

: 2 :

4. Therefore, in view of the fact that you had worked on daily rated basis prior to 01.9.93, that too under the scheme of daily rated employment, age relaxation under the category of casual worker as provided in Swamy's Compilation at Chapter No.14 does not apply. Moreover, age relaxation aspect for casual labour have been clarified at chapter No.22 Srl. No.9. Therefore you are not eligible for the relaxation even under casual labour scheme, since recruitment rules for watchman specifies age limit of 18 to 25 years.

5. We are unable to consider your case for age relaxation and employment in CSD.


(N. CHANDRASEKAR)
Asst. General Manager (P)
For General Manager

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

In the matter of :

M.P. No. 135/97

in

O.A. No. 49 of 1996

Sri Jagat Das

- Versus -

Union of India & Ors.

- And -

In the matter of :

An application praying for amendment
of the Original Application.

- And -

In the matter of :

Sri Jagat Das

Son of late Satram Das

Village - Nabil

P.O. Towbhanga

Dist - Sonitpur

Assam

The applicant above named most humbly and respectfully
begs to submit as follows :

Para No 1 :

The applicant was appointed only on daily wages
basis and not as Casual Labour as claimed by the applicant.

26
37

Para No 2 :

It is true that he was interviewed on the instructions of the Central Administrative Tribunal but being over-aged was not selected.

" 6.6 (A) :

It is true that he was interviewed by the Interview Board as per the instructions of the Honourable Central Administrative Tribunal but he was not selected being over-aged.

6.6 (B) :

This is not true. As age relaxation is not permissible in respect of daily wages workers.

" AGE RELAXATION FOR APPOINTMENTS :

1. The relevant rule quoted in the application does not cover the applicant as he was neither Retrenched Central Govt Employees nor was Casual Labour. He was employed on daily wages basis as and when required.

2 (A). It is for the Honourable Tribunal to pass order as they deem fit.

Para No 10 & 11 :

The rule quoted in the application by the applicant is not applicable to him as he was engaged on daily wages.

Para No 12 :

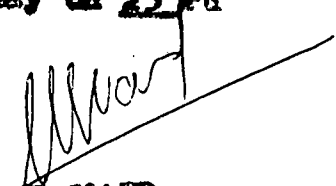
Since the Memorandum No is not mentioned only date is mentioned, it is difficult to ascertain as to which memorandum the applicant has referred to and what are its contents.

13. It is true that the process of filling up the vacancies at Mamukh Misamari has commenced i.e. filling up of formal application forms etc. But the appointments have not yet been made by HO.

VERIFICATION

I, N.K. Vaid, Regional Manager (East) Canteen Stores Department, C.S.D. Depot Complex, Saigaon, Guwahati, do hereby solemnly affirm and declare that the statements made in the above Written Statements are true to my knowledge, belief & information.

And I sign this verification today on 23rd day of June 1997 at Guwahati.


N.K. VAID
Regional Manager (E)
CSD, Depot (Complex)
P. O :- Saigaon,
Guwahati-27

भारत सरकार
GOVERNMENT OF INDIA

कैंटीन स्टोर्स विभाग
CANTEEN STORES DEPARTMENT

Telegrams : CANSIND
Telex : 11 2761 CASD IN
Telephones : 297120-40-80, 297142

रक्षा मंत्रालय
MINISTRY OF DEFENCE

"ADELPHI"
119, MAHARSHI KARVE ROAD,
BOMBAY-400 020.

संदर्भ क्र.

Ref. No. 3/Pers/A-1/1107(Misamari)/4932

दिनांक

Date : 28th Sept '95.

Shri. Manik Chanda,
Advocate,
Gauhati High Court,
Bye Lane-7,
Lachit Nagar,
Guwahati-781007.

REGD. A.D.

EMPLOYMENT TO SHRI. JAGAT DAS.

Reference your Notice dated 26.6.95 for giving employment to Shri. Jagat Das S/O Late Satram Das.

2. We have examined the case of your client Shri. Jagat Das, S/O Late Satram Das of village Nabtl, P.O. Towbhanga, Dist-Sonitpur.

Brief of the case is as under :-

i) Shri. Jagat Das was engaged at our Misamari Depot w.e.f. 26th Oct '85. Though his name was empanelled in the local panel for Watchman which was drawn on 22/23 Nov '88, his name was cancelled from the panel based on the Govt. Order bearing No. O.M. 40014/19184/Estt(C) dated 7th May '85.

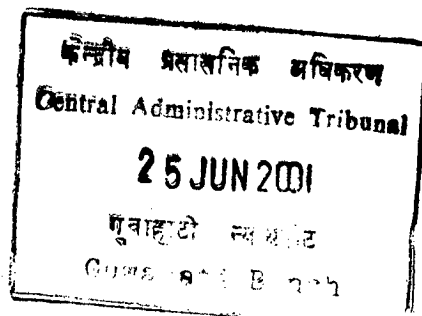
The order states that "Casual workers recruited prior to the issue of the instructions can be considered for regular appointment of Gp. 'D' posts, even if they were recruited otherwise than through the Employment Exchange, provided they are eligible for regular appointment in all other aspects.

ii) Your client's name was empanelled for the post of Mali when the local panels for Gp. 'D' categories were drawn at Misamari Depot on 10.9.90 as his name was sponsored by Employment Exchange. Since there was no vacancy for the post of Mali at our Misamari Depot till expiry of validity period of the panel i.e. 15.8.92, we could not give appointment to your client in our Department.

iii) Regarding recent recruitment in CSD Misamari, it is stated that on 23rd May '94, local panel for Cook was drawn by Misamari Depot and the person who has been empanelled at Srl. No. 1 was given appointment to fill up the vacancy of Cook at our Misamari Depot.

3. From the above, it is seen that we have not done any injustice to your client. Therefore, you are requested to appraise the position to your client Shri. Jagat Das.

(J. N. KAR)
JTC (P)



40
Filed by Singh
Shri Mohar Singh
Through: A. S. Singh
25/6/2001

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::: GUWAHATI

C.P. NO. 42/1999
IN O.A. No. 49/1996

In the matter of :

Shri Jagat Das

- Vs -

Union of India & Others.

- And -

In the matter of :

Shri Jagat Das

-Vs-

Shri Mohar Singh

REPLY SUBMITTED BY THE ALLEGED CONTEMNER NO.3

1. I, Mohar Singh, Regional Manager, (East) Canteen Stores Department, Guwahati, do hereby solemnly affirm and declare as under :
2. That I have gone through the contents of the aforesaid contempt petition and have understood the same.
3. That I joined as Regional Manager (East), Canteen Stores, Department, Guwahati only in the month of MAY, 2000 and the matter pertaining prior to MAY 2000 are matter of facts as available in records.
4. That I have highest regard for the authority of the Hon'ble Tribunal and I respectfully submit that, there is no violation much less than the wilful and intentional

disobedience and violation to the direction and order passed on 15.9.1998 in O.A. No. 42/99 by this Hon'ble Tribunal.

5. That on 23 Sept 96, on the basis of existing as well as anticipated vacancies, a panel for Watchman was drawn by the Board of Officers prescribed for the purpose.

In compliance with the orders of Hon'ble CAT dated 20 Sept 96 in MP No. 136/96 in O.A. No. 49/96, Shri Jagat Das was Y allowed to appear for the interview before the aforesaid Board. During the interview, the individual was found to be over aged even after giving him relaxation of five years on account of his being SC Candidate.

6. That although the age relaxation given by the Assam Govt. vide their notification dated 30.9.85 was no longer valid on the date of his interview, but even if the relaxation, as stipulated therein, had been given to the individual making the relaxation period to be six years on account of his being a resident of Assam, even then the ~~in~~ individual was beyond the prescribed age limit. As such, he could not find place in the panel of Watchmen drawn on 23 Sept 96.

7. That it is also clarified here that there was neither any post of Mazdoor vacant nor was any anticipated vacancy of Mazdoor at Missamari Deport on the date of his interview i.e. 23.09.96. Thereafter, till now no panel was drawn for the post of Mazdoor or any other Group 'D' Post at Misamari.

8. That in the order dated 15 Sept 98 of Hon'ble CAT, in the aforesaid O.A. No. 49/96, no specific directive/ order was passed for counting/considering, for the purpose of age relaxation, the period of engagement of the individual on daily rated basis from 26.10.85 to 28.2.89 (Approx. 3 years 4 months) understandably in view of our submission that the individual was not a casual employee and was engaged only on 'daily rated and as required basis' without confirming on him the status of casual employee. As such, during his interview on 23.9.96, this period of 3 years 4 months of the daily-rated services rendered by him with intermittent breaks could not be counted for age relaxation by the Board of Officers.

daily
rated

9. That on 30 Jan 2001, in compliance with the orders of Hon'ble CAT, the undersigned appeared before the Court and the foregoing submissions were made by me . The Hon'ble Member had then verbally directed that I should approach the competent authority at ~~SER HQ~~ CSD HQ to consider the possibility of one time relaxation, in this particular case, for appointing the individual to any Group 'D' post. Accordingly, vide office letter No. RME/CC-42/99/208 dated 31 Jan 2001, not only the same was conveyed to CSD HQ Mumbai but also a suggestion was made to explore this possibility of the individual's appointment as Mazdoor for which the upper age limit prescribed in the recruitment rules was upto 45 years.

Copy of letter dated 31.1.2001 is Annexure - C1,

10. That it is only in response to the said letter dated 31 Jan 2001 of this office that CSD HQ intimated that the prescribed age limit for the post of Mazdoor was 45 years and that, for the post of Mazdoor neither the individual was ~~empannelled~~ empannelled nor was there any vacancy at Mizamari Depot. On top of it, there is complete ban of filling up of posts and also the Govt had already imposed 10% out vide OM No.7(3)B (Co-ord) dated 05.08.99. It is submitted here that this reply of our HQ may kindly not be interpreted as if there was the post of Mazdoor available as on 23.09.96 or thereafter till now and that the department is taking the plea of 10% out only at this juncture. As a matter of fact, at Misamari Depot, no panel was drawn for the post of Mazdoor or any other Group 'D' posts from 23.09.96 onwards till date.

11. That in short, if Misamari Depot had drawn a panel for Mazdoor, certainly the department would have considered Shri Jagat Das for empanelment if he was found eligible in all other aspects.

12. That the contention that there is wilful and deliberate non compliance of the order passed by the Hon'ble Tribunal is denied. It is stated that the deponent has the highest regard for the authority of the Hon'ble Tribunal order. But since age relaxation the petitioners was found over age, so the department became/ unable to appoint the petitioners.

In view of the submission made herein above, ~~the~~ I respectfully pray that the present contempt proceeding is liable to be dismissed by discharging the notice issued to the respondents.

-5-

Statements made in paras 2, 3 and 4 are true to my knowledge and statements made in paras 5, 6, 7, 8, 9, 10 and 11 are true to my information and the rests are my humble submission.

And I sign this affidavit on this 09 th day of June 2001.

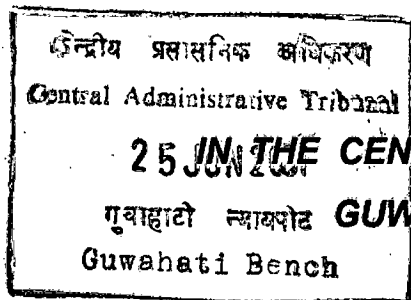
Identified by

A. Deb Roy
Advocate
29/6/2001

Deponent **MOHAR SINGH**
Regional Manager (East)
Canteen Stores Department
Govt. of India, Ministry of Defence
Guwahati-781027

Solemnly affirmed and declare before me by the deponent being identified by Shri A. Deb Roy, Advocate on this 09 th day of June 2001.

[Signature]
9/6/2000
Advocate.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH, GUWAHATI
Guwahati Bench

CONTEMPT PETITION NO. 42/1999 IN
ORIGINAL APPLICATION NO. 49/1996

Read by 35
Shri N.B. Singh
Through: A. B. Singh
Advocate
25/6/2001

In the matter of

Shri Jagat Das

V/s

Union of India & Ors.

- And -

In the matter of

Shri Jagat Das

V/s

Shri N.B. Singh

REPLY SUBMITTED BY THE ALLEGED CONTEMNER NO. 4

I, N.B. Singh, Dy. General Manager (P&A) of Canteen Stores Department, Head Office, Mumbai - 20 do hereby solemnly affirm and declare as under.

2. That I have gone through the contents of the aforesaid contempt petition and have understood the same.
3. That I took charge as Dy. General Manager (P&A), only in the month of April 2001 and the matter pertaining prior to, are matter of facts as available in records.
4. That the contention of the petitioner that there is a willful and deliberate non-compliance of the order passed by the Hon'ble Tribunal is totally incorrect and denied. The deponents have highest

regard for the authority of the Hon'ble Tribunal and I respectfully submit that, there is no violation much any willful or intentional disobedience and violation to the direction on order passed on 15.09.1998 in OA No. 49/96 by this Hon'ble Tribunal.

5. That on 23rd Sept 96, on the basis of existing as well as anticipated vacancies, a panel for Watchman was drawn by the Board of Officers prescribed for the purpose. In compliance with the orders of Hon'ble CAT dated 20th Sept 96 in MP No. 136/96 in OA No. 49/96, the petitioner was allowed to appear for the interview before the aforesaid Board. During the interview, the petitioner was found to be over aged even after giving him relaxation of five years on account of his being SC Candidate.

6. That although the age relaxation given by the Assam Government vide their notification dated 30.09.85 was no longer valid on the date of his interview, but even if the relaxation, as stipulated therein, had been given to the petitioner making the relaxation period to be six years on account of his being a resident of Assam, even then he was beyond the prescribed age limit. As such, he could not find place in the panel of Watchmen drawn on 23rd Sept 96.

7. That it is also clarified here that although the age limit prescribed for the post of Mazdoor is 45 years there was neither any post of Mazdoor vacant nor was any anticipated vacancy of Mazdoor at Misamari Depot on the date of his interview i.e. 23.09.96. Thereafter, till now no panel was drawn for the post of Mazdoor or any other Group 'D' Post at Misamari.

8. That in the order dated 15th Sept 98 of Hon'ble CAT, in the aforesaid OA No. 49/96, no specific directive/order was passed for counting/considering, for the purpose of age relaxation, the period of engagement of the petitioner on daily rated basis from 26.10.85 to 28.02.89 (Approx. 3 years 4 months) understandable in view of our submission that the petitioner was not a casual employee and was

engaged only on 'daily rated and on as required basis' without confirming on him the status of casual employee. As such, during his interview on 23.09.96, this period of 3 years 4 months of the daily rated services rendered by him with intermittent breaks could not be counted for age relaxation by the Board of Officers. ✓✓

9. That in addition to 10 % cut in posts the Government of India, Ministry of Finance have imposed complete ban on filling up of posts vide OM No. 7(3) B (Co-Ord) dated 05.08.99. ✓ It is submitted that our reply may kindly not be interpreted as if there was a post of Mazdoor available as on 23.09.96 or thereafter till now and that the department is taking the plea of 10% cut in posts or complete ban in filling up the vacant pots only at this juncture. As a matter of fact, at Misamari Depot, no panel was drawn for the post of Mazdoor or any other Group 'D' posts from 23.09.96 onwards till date, nor any vacancy of Mazdoor was existing.

10. That in short, if Misamari Depot had drawn a panel for the post of Mazdoor, certainly the department would have considered the petitioner for empanelment, if he was found eligible in all other aspects.

In view of the submission made herein above, the deponent respectfully pray that the present contempt proceeding is liable to be dismissed by discharging the notice issued to the respondents.



(N.B. Singh)
Dy. General Manager (P&A)
Canteen Stores Department
"Adelphi", 119, M.K. Road,
Churchgate, Mumbai - 20.

VERIFICATION

That the statements made in paras 2, 3 and 4 are true to my knowledge and statements made in paras 5 to 10 are true and correct based on the official records and my knowledge and rests are my humble submission.

Verified on 14th day of June 2001.



(N.B. Singh)
Dy. General Manager (P&A)
Canteen Stores Department
"Adelphi", 119, M.K. Road,
Churchgate, Mumbai - 20.

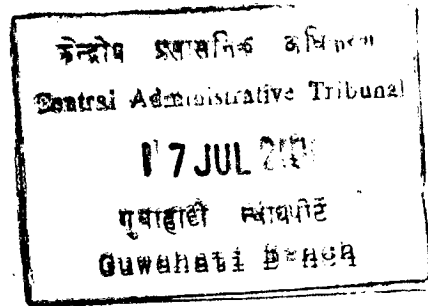
Identified by

A. Deb Roy -
 Advocate
 14/6/2001

Solemnly affirmed and declare
 before me by the deponent
 being identified by Shri A. Deb
 Roy Advocate on this 14th date of
 June 2001



14/6/01
Advocate



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Contempt Petition No. 42 of 1999

In
Original Application No. 49 of 1996

Sri Jagat Das

-vs-

Sri S. R. Paul & Ors.

-And-

In the matter of :

Rejoinder submitted by the applicant against
the show cause reply submitted by alleged
contemner no. 3.

The applicant above named most humbly and respectfully begs to state as
under :

1. That with regard to the statement made in paragraphs 4,5,6,7 and 8 of the show cause reply submitted by the alleged contemner No.3 the applicant categorically denies the same and further begs to state that the said statements have been made deliberately to mislead this Hon'ble Tribunal. More particularly the statement made in paragraphs 5,6,7 and 8 are contrary to the order passed by the Hon'ble Tribunal on 15.9.98 in O.A. No. 49/96. It is submitted that after detailed consideration, the applicant was found a retrenched casual worker qualified on different occasions for various Group ' D' post in the select list, therefore, the question that the applicant is

not casual worker and the judgment is not in order cannot be raised at this belated stage without preferring any appeal at the relevant time against the Judgment and order dated 15.9.98. As per rule laid down by the Government of India, the applicant is well within the age limit provided the period of his casual service counted for the purpose of age relaxation. It is categorically submitted that the applicant is entitled to get the age relaxation as per existing rule the periods spent by him as casual worker in the light of the Hon'ble Tribunals order passed in O.A no. 49 of 1996 dated 15.9.98.

2. That with regard to the statements made in paragraphs 7,8, and 9 of the show cause reply the applicant categorically denies the same and further begs to state that a series of appointments have been made in the cadre of Group 'D' cadre namely, for the post of Watchman, Mali, from the office of the area Manager, and they have been posted to Nagaland. The said selection have been made confidentially without making any requisition to the local Employment Exchange. But all the appointments were made during the year 1998 in total violation of rules. It is further submitted that the following persons were appointed to the aforesaid posts on extraneous consideration and the panel/select list confidentially was prepared in the office of the Regional Manager with the approval of the Head quarter office, Mumbai. The detail particulars of the aforesaid candidates who are appointed illegally are furnished below :

Sl.No.	Panel.No.	Name	Designation	Station of posting	Date on which confirmed
47	6196	Sri Krishna P Sharma	Watchman	Dimapur	14.6.2000
48	6197	Sri Tang Bh.	Watchman	Dimapur	14.6.2000
49	6198	Sri Shrinandan Shrama	Watchman	Dimapur	14.6.2000
50	6199	Sri Sanjaya Kr. Singh	Watchman	Dimapur	14.6.2000
51	6200	Sri Gopal Ch. Seal	Watchman	Dimapur	14.6.2000

53	6201	Mr. Monir Ali	Watchman	Dimapur	14.6.2000
54	6203	Sri Dababhis Gupta	Watchman	Dimapur	14.6.2000
64	6213	Sri Upen Deka	Watchman	Masimpur	20.7.2000

All the above appointments have been made after the selection of the present applicant in the Misamari Depot. It is pertinent to mention here that the aforesaid appointments were made on personal contract with the area Manager C & D Depot, Narengi which would be evident from the following letters of the Regional Manager.

1. RME/019/EST/015 dated 21.2.1998.
2. MGD/EST/19/2199 dated 4.10.1999
3. RME/019/EST/017 dated 21.2.1998
4. NGD/EST/3/848 dated 12.2.1998
5. NGD/EST/19/2084 dated 22.10.1999
6. NGD/EST/19/1918 dated 29.12.1998
7. NGD/EST/19/1926 dated 29.12.1998
8. NGD/ESTT/1611 dated 5.11.1998
9. RME/019/EST/016 dated 21.2.1998

Therefore Hon'ble Tribunal be pleased to direct the respondents to produce all the confidential letters to ascertain the truth before the Hon'ble Tribunal.

3. That with regard to the statements made in paragraphs 10,11,12 of the show cause reply filed by the contemner no. 3 are totally incorrect as because it would be evident from the letter bearing no. NGD/EST/19/2199 dated 4.10.1999 and NGD/EST/19/2084 dated 22.10.1999 respectively whereby one Sri Lakshman Chandra Nath has been asked to submit the required documents for consideration of

post of Mali. Therefore, the plea of ban and the statement of the contemner no.3 that no panel was drawn for Group D post is false and misleading rather panel of watchman has been prepared confidentially in the Regional Office at Narengi in total violation of Employment Rules. Therefore, it is quite clear that no attempt is made at any point time to appoint the applicant, rather all appointments in Group D level are made on extraneous consideration. Therefore it is quite clear in the circumstances stated above that the alleged contemner no.3 wilfully violated the judgment and order of the Hon'ble Tribunal passed in O.A. No. 49 of 1996 dated 15.9.98 and therefore the Hon'ble Tribunal would be pleased to initiate a contempt proceeding against the alleged contemnors and further be pleased to impose punishment upon the alleged contemnors in accordance with law.

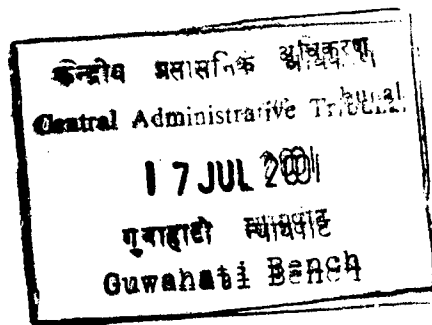
VERIFICATION

I, Sri Jagat Das, son of Setram Das, resident of Village Nabil, P.O. Towbhanga, District-Sonitpur, Assam, petitioner in C.P. No. 42 of 1999 (O.A. No. 49 of 1996) do hereby verify and declare that the statements made in this rejoinder in paragraphs 1 to 3 are true to my knowledge and the rests are my humble submission before the Hon'ble Tribunal. I have not suppressed any material fact.

And I sign this verification on this the 15th day of July, 2001.

Sri Jagat Das -

C



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Contempt Petition No. 42 of 1999

In
Original Application No. 49 of 1996

Sri Jagat Das

-VS-

Sri S. R. Paul & Ors.

-And-

In the matter of :


Rejoinder submitted by the applicant against
the show cause reply submitted by alleged
contemner no. 4.

The applicant above named most humbly and respectfully begs to state as
under :

1. That with regard to the statements made in paragraphs 4,5,6,7,8,9 and 10 is
contrary to the order passed on 15.9.1998 in O.A. No. 49 of 1996. It is further
submitted that the very submission of alleged contemner no.4 that the applicant
cannot be treated as casual worker and as such not entitled to age relaxation; in the
force force of the Court Order is amount to violation of Hon'ble Tribunal's order dated
15.9.1998, as such respondent no.4 is also liable to be punished for non-compliance
of the order dated 15.9.1998.

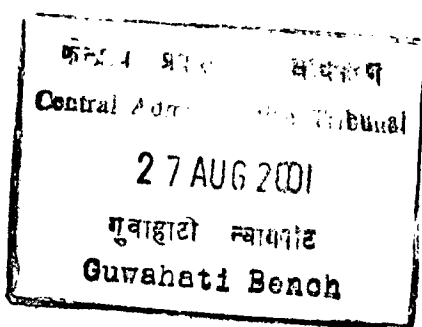
54
Filed by the applicant
through M. S. Das Adv

VERIFICATION

I, Sri Jagat Das, son of Setram Das, resident of Village Nabil, P.O. Towbhanga, District-Sonitpur, Assam, petitioner in C.P. No. 42 of 1999 (O.A. No. 49 of 1996) do hereby verify and declare that the statements made in this rejoinder  are true to my knowledge and the rests are my humble submission before the Hon'ble Tribunal. I have not suppressed any material fact.

And I sign this verification on this the 15 day of July 2001.

Sri Jagat Das -



Filed by
27/8/01
C. A. P. Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH ::: GUWAHATI

C.P. NO. 42 OF 1999
IN O.A. NO. 49 OF 1996

Shri Jagat Das

- Vs -

Union of India & Others

- And -

In the matter of :

Shri Jagat Das

- Vs -

Shri Mohan Singh

- And -

In the matter of :

Reply of the rejoinder submitted
by the alleged contemner No. 3.

Parawise Comments :

1. That with regard to para, the respondents beg to reiterate that the statements made in paragraphs 4, 5, 6, 7 and 8 being factual and that no attempt has been made to mislead the Hon'ble Tribunal deliberately or otherwise. The Hon'ble Tribunal, in the order dated 15.9.98 in O.A. No. 49/96, has not given any direction to appoint the applicant in violation of the laid down Government rules on the subject. Since the applicant was neither a daily rated worker covered under temporary status nor conferred with the status of casual labourer in accordance with the

guidelines issued by DOPT vide OM dated 10.9.93, he cannot claim for counting of the period of service he rendered purely on daily rated and as required basis, for age relaxation. Although the individual was empanelled for certain Gr. 'D' categories on various occasions but the said empanellment was not by virtue of the individual having been treated as retrenched casual worker as claimed by him. At no appoint of time, he has ever been treated as a casual worker. The very fact that he has been given opportunity to appear for interviews on various occasions and empanelled at appropriate level for various Gr. 'D' posts in the past based on merit and as per rules, clearly indicates the absence of any extraneous consideration. However, he could not be given employment within the validity of the panel for want of any vacancy/till his turn came in the panel. It is also reiterated that in the year 1990 and 1994, the name of the applicant was sponsored by Employment Exchange alongwith the other candidates and accordingly he was interviewed and empanelled for the post of Mali and Cook respectively but could not be absorbed for want of vacancy. From this, it can be seen that the applicant was considered for empanellment as per rules and on merit but not on the basis of his past daily rated service utilised on 'as required daily rated basis' as he was not a casual employee. Further, the respondents beg to add that 'as per the settled law, no candidate gets an indefeasible right to appointment merely because of inclusion of his name in a panel'. Ruling of Allahabad Bench of this Hon'ble Tribunal dated 01.12.99 in O.A. No. 199/93 in the matter of Shri Munna Lal & Ors Vs Union of India & Ors. is enclosed as Annexure - 1.

2. That with regard to para , the respondents also beg to submit that the Hon'ble Tribunal, in the order passed in O.A. No. 49/96 dated 15.9.98 have not given any direction that the applicant is to be treated as Casual worker for the period of his engagement, by the respondents, on 'daily rated and as required basis' and that the age relaxation is to be given for the said period. With regard to para 2 of the rejoinder, the respondents beg to submit that in view of acute shortage of Watchmen at Dimapur and considering the insurgency prevailing in Nagaland and to avoid induction of locals endangering the security of Government property and employees at Dimapur, it was decided by the Competent Authority to draw panel at Narangi. Accordingly, at the Office of RM(E), Narangi, panel was drawn on 21.11.97 for the post of Watchman for CSD Depot Dimapur. The panel was approved by the Competent Authority at Head Office, CSD Mumbai on 7.1.98 and 8 (eight) candidates were given regular appointment as Watchman at CSD Depot, Dimapur out of this panel. The candidates empanelled were sponsored by the local Employment Exchange/DSS&A Board based at Narangi/Guwahati for exclusive posting as Watchman at Dimapur and were not illegally appointed at CSD Depot Dimapur as alleged by the applicant. Their services were confirmed after 2 (two) years of regular service as per rules. The respondents also beg to submit that the / allegation of the applicant that the said selection has been made confidentially without making any requisition to the local employment exchange is totally baseless and incorrect. The candidates empanelled were sponsored by local Employment Exchange/DSS&A Board based at Guwahati. In this connection, the respondents letter No.

Letter No. NGD/EST/19/2059 dated 14 Oct 97 to Employment Exchange and NGD/EST/19/1953 dated 30 Sept 97 to DSS&A Board for requisitioning the candidates lists submitted by Employment Exchange and DSS&A Board are placed here as Annexure 2, 3, 4 and 5 respectively. The allegation of the applicant that the appointments were made in total violation of rules and extraneous consideration are totally false, baseless, misleading and mischievous. The respondents beg to reiterate that the appointments were made strictly as per the laid down procedure and rules. The respondents also beg to submit that no panel has been drawn for any Gr. 'D' posts at Misamari after 23/24 Sept 96. The respondents beg to reiterate that the appointments quoted by the applicant in para 2 of his rejoinder had been made strictly as per the procedure and rules and not on the basis of any personal contact or any extraneous consideration as alleged by the applicant. In this connection, placed as Annexure -6 is a copy of Board Proceedings dated 21.11.97 vide which the following were forwarded to CSD HO Mumbai for the approval of the panel by the Competent Authority :-

- a. List of panel of selected candidates.
- b. Details of Mark obtained by the candidates.
- c. List of candidates sponsored by Employment Exchange.
- d. List of candidates sponsored by Zila Sainik Welfare Board.

Based on the approval of the panel, 08 letters were issued.

3. That with regard to para, the respondents beg to reiterate the statements made in paragraph 10 & 11 being correct and factual. The letters quoted by the applicant were issued as per the panel drawn from amongst the candidates sponsored by the local Employment Exchange/ DSS&A Board, Guwahati for the post of Mali at CSD Depot Narangi which has nothing to do with the case of the applicant. By quoting these letters, the applicant has, in fact, tried to mislead the Hon'ble Tribunal as if the respondents had given appointment of Mali, at Narangi, to Shri Lakshman Chandra Nath in total dis-regard of the ban imposed by the Govt of India and that the respondents are now taking plea of ban on the recruitment in his case. The respondents reiterate that although, based on the panel for Mali drawn in 28 April, 99, the letters quoted by the applicant were issued regarding forwarding of certain documents with regard to Shri Lakshman Chandra - Nath, to CSD HO Mumbai, but the Competent Authority, at CSD HO Mumbai, did not give any appointment to Shri Lakshman Chandra Nath in the post of Mali keeping in view of ~~the~~ Govt ban on recruitment. The respondent beg to state that the contention of the applicant that certain selections have been made confidentially without making any requisition to local employment exchange is totally incorrect in as much as he (the applicant) has himself quoted, in para 2 of his rejoinder, letter No. NGD/EST/19/1918 and NGD/EST/19/1926 both dated 29.12.98 vide which Employment Exchange and DSS&A Board respectively

were requested by the Area Manager CSD Depot Narengi to sponsor the candidates for drawing of panel. The applicant's allegations of irregularity, violation of rules and extraneous consideration are absolutely baseless and false. The respondents beg to state that they have the highest regard for Hon'ble Tribunal and have on no occasion violated the judgement and order of the Hon'ble Tribunal.

Having regard to the foregoing, the respondents pray to the Hon'ble Tribunal to be pleased to dismiss the contempt petition filed by the applicant.

Verification.....

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

I, Shri

being authorised do hereby verify
and declare that the statements made in this written
statement are true to my knowledge, information and
believe and I have not suppressed any material fact.

And I sign this verification on this th
date of August, 2001.

Declarant.

ANNEXURE-I

Open Court.

Central Administrative Tribunal
Allahabad Bench, Allahabad.

Dated: This the First day of December 1999.

Corem:- Hon'ble Mr. S. Dayal, A.M.
Hon'ble Mr. Rafiq Uddin, J.M.

Original Application No. 199 of 1993.-

1. Munna Lal aged about 53 years son of Sri Basorey, resident of S. Mewatipura, Jhansi.
 2. Shiv Charan aged about 26 years son of Sri J.L. Raikwar resident of 597/1 Gwal Toll Kamal Kachhi Compound, Civil Lines, Jhansi.
- . . . Petitioner.

(Through Sri R.K. Nigam, Adv.)

Versus

1. Union of India through Ministry of Defence, Defence Head Quarters, New Delhi.
 2. General Manager (P & A) Canteen Stores, Department, Government of India, Ministry of Defence, 'ADELPHI' 119, Maharshi Karve Road, Bombay-400020
 3. Manager, Canteen Stores Department, Depot, Jhansi.
- . . . Respondents.

(Through Sri C.S. Singh, Adv.)

Order (Open Court)

(By Hon'ble Mr. S. Dayal, Member (A.)

This application has been filed for seeking the relief of direction to the respondents to issue appointment letters in favour of applicants on the basis of panel of 1986 and of 1988 in

(9)

14

case of applicant No.1 ~~panel of 1986~~ and panel 6⁴ of 1988 in case of applicant No.2. There is also a prayer for direction to the respondents to produce the entire proceedings before the Tribunal.

2. The applicants have stated that their names have been sponsored by Employment Exchange Jhansi for the post of Mazdoor in the scale of Rs.750-940 and they were selected by a Selection Committee. Applicant No. 1 was selected in Panels which were made in 1986 and thereafter in 1988 and applicant No.2 was included in panel formed in 1988. The name of the applicant No.1 was at serial No.14 in the panel of 1986 and serial No. 21 in the panel of 1988. The name of the applicant No.2 was at serial No.9 in the panel of 1988. Despite inclusion of their names in the Panels no appointment letters were issued to them.

3. The arguments of Sri Opendra Nath Brief holder of Sri R.K. Nigam and Sri C.S. Singh for the respondents have been heard.

4. The first contention of the learned counsel for the applicant is that no reason has been given for not issuing letters of appointment to the applicants and that the operation of panels was started but the panels were not exhausted and the applicant were not given orders of appointment.

5. The contention of the respondents is that the panel was current for one year and may be extended for another six months. Thus the

panel of 1986 was made on 4.2.87 and was valid till 3.2.88. It was further extended for six months upto 3.8.88. Nine candidates from general category and three candidates from S.C./S.T. category and one candidate from Ex-service man category were offered appointment. No further vacancies were available and therefore no other persons could be accommodated. The name of applicant No.1 stood at serial No. 14, in the list of general candidates- a position admitted by the applicant. In view of this, the claim of applicant No.1 for appointment on the basis of panel of 1986 is not tenable.

6. As regards panel of 1988, the respondents have mentioned in their counter reply that only two empanelled candidates who had experience of work as casual labour in the department were offered employment. Since the applicants were at serial No. 21 and 9 respectively, they could not be offered appointment for want of vacancies. The learned counsel for the applicant has not denied this contention specifically although he mentions that they had ample number of vacancies to complete the panel. It is not the contention of learned counsel for the applicants that any candidate standing lower in merit to the applicants was offered appointment. The learned counsel has mentioned that the respondents offered appointment to candidates stand at serial No.2 and Serial No.4 in the panel formed in 1988 and have adopted the policy of pick and choose but the applicants do not deny that only two vacancies were filled out of the panel formed in 1988.

7. No candidate gets an indefeasible right to

-4-

11

appointment merely because of inclusion of his name in a panel. In the circumstances of the case, we do not find that any relief can be granted to the applicant. Although the panels were formed in 1986 and 1988, the applicants have chosen to file the O.A. in the year 1993 which is four years after the panel of 1988 was operative. Hence even from the point of limitation this application can not be allowed.

8. The application is, therefore, dismissed. There shall be no order as to costs.

Self Member (J) **TRUE COPY** Self Member (A)

Serial No. 94
 Name of the applicant S. R. Verma, A.O.
 Date of filing 2/3/2000
 Date of presentation of application
 Number of pages Four
 Date of receipt of charges Rs. 10/-
 Date of payment of charges
 Date of delivery 2/3/2000
 Date of delivery 2/3/2000

Sybil 2/3/2000
 Section Officer
 Control Admin. Tribunal
 Chandigarh

2/3

Annexure - 2
63

WGD/EST/19/2059

14 Oct '97

Government of Assam
Department of Labour and Employment exchange
for unskilled applicants
PUBSARANIA, GUWAHATI-3

Sub : DRAWAL OF PANAL GP-D
POST NARANGI

It is purposed to draw a panel to fill up the existing/future vacancies for the post of watchman.

2. The minimum educational qualification age, experience etc required for the post as per the recruitment rules are attached Appx 'A'.

3. You are requested to forward a list of suitable candidates not more than 40 candidates having the requisite age/educational qualification experience etc.

4. The list indicating the full postal address, date of birth qualification, age etc may please be forwarded in duplicate, by 24.10.97.

5. Although the panel will be drawn at CSD Depot Narangi, The watchman selected for this post can be posted anywhere where in India in their service are transferable and all India Basis.

(M.I. HUSSAIN)
ASST. MANAGER

Encl - A/A

cc : The RM (E)

cc : The AGM (ADMM)

cc : The Asst. Director of Employment

District Employment Exchange, Hamunaidan, Ghy-21-

Ref our letter no. WGD/EST/19/1959
dated 30.Sept'97 please treated as
cancelled.

Govt. of India
Ministry of Defence
CANTEN STORES DEPARTMENT
Narangi Depot
P. O. Narangam,
Guwahati - 781037
ASSAM.

Annexure - 3

NCD/EST/19/1953

30 Sept '97

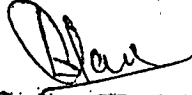
The Secretary,
District Soldiers & Airman Board
Kamrup District
Near Dy. Commissioner Office
Pan Bazar, Gauhati-781001

Sub : DRAWAL OF PANEL GP-D
POST-WATCHMAN

It is purposed to draw a panel to fill up the existing/future vacancies for the post of Watchman.

2. The minimum educational qualification age, experience etc required for the post as per the recruitment rules are attached Appx 'A'.
3. You are requested to forward a list of suitable candidates not more than 40xx candidates having the requisite age/educational qualificationsxx experience etc.
4. The list indicating the full postal address, date of birth qualification, age etc may please be forwarded in duplicate, by 13.10.97.
5. Although the panel will be drawn at CSD Depot Narangi, The Watchman selected for this post can be posted any where in India and their service are transferable on all India basis.

Encl : A/a.
cc : The RM (E)
cc : The AGM (Admin) - for info. pl.


(L.K. KLARE)
AREA MANAGER

14

By Hand
Annexure A

GOVERNMENT OF ASSAM
DEPARTMENT OF LABOUR & EMPLOYMENT
EMPLOYMENT EXCHANGE FOR UNSKILLED APPLICANTS
Sub-SARANIA, GUWAHATI-3.

No. -URD:-93/97/- 1179-80 Dated Guwahati the 5th Nov'97.

From : Shri H. C. Sahariah,
Employment officer,
Employment Exchange for Unskilled Applicants,
Sub-Saranias, Guwahati-3.

To : ✓ The Asstt. Manager,
Canteen Stores Department,
Narangi Depot, P.O.-Satgaon,
Guwahati-781027.

Sub : Recruitment of Watchman.

Ref : Your letter No.-NGD/EST/19/2059, dated 14-10-97.

Sir,

With reference to the above, I am to forward herewith detailed particulars of altogether 125 (one hundred twenty five) applicants for the post of Watchman. The applicants whom you wish to interview or test may please be called direct at their addresses under intimation to this Exchange.

The result of this submission may kindly be communicated to this Exchange at an early date to enable us to complete our relevant record.

Encls:-16 (in duplicate)

Yours faithfully,
H.C. Sahariah
(H. C. Sahariah)
Employment officer,
Employment Exchange for Unskilled
Applicants, Guwahati-3.
✓ *5/11/97*

Copy to :-

The Deputy Director of Employment,
Lower Assam Zone, Assam, Rehabari, Guwahati-8, for
favour of information.

sc/-
(H. C. Sahariah)
Employment officer,
Employment Exchange for Unskilled
Applicants, Guwahati-3.

15

70

Particulars of the candidates submitted to the Asstt. Manager,
Canteen Stores Department, Satgaon, Guwahati-27, for the post of
Watchman.

S.No.	Name & Address.	Regn.No.	Date of Birth.	Qualification	Remarks.
1.	2.	3.	4.	5.	6.
✓1.	Sri Dulal Ch. Bhandar, Vill.& P.O.-Satgaon, Guwahati-27.	6112/86	19.8.69	Appred the HSLC '80	S/C
✓2.	" Dillip Kr. Das, Vill.-Satgaon (Kochpara), P.O.-Satgaon, Guwahati-27.	4031/87	1.7.69	Appred the HSLC '87	S/C
✓3.	" Anil Baishya, Vill.-Satgaon Rly. Colony, P.O.-Moukhuli, Guwahati-27.	4599/87	12.8.69	Read up to class-IX '87	S/C
✓4.	" Ratneswar Das, Vill.& P.O.-Randu Sadilapur, Guwahati-12.	815/90	30.4.74	Class-X '90	S/C
✓5.	" Himat Ch. Das, C/o Mrs. Milan Das, 151 Base Hospital, Basistha, Guwahati-28.	121/91	7.5.69	Class-VIII (P) '83	S/C
✓6.	" Premadhar Das, Vill.-Narengi, Udaygiri, P.O.-Narengi, Guwahati-26.	140/92	5.8.73	Class-VIII-passed '91	S/C
✓7.	" Suchen Das, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	403/92	31.11.72	Class-VIII-passed '86	S/C
✓8.	" Chani Ram Das, C/o Sanjay Ch. Das, Station Workshop, 307 EME, Guwahati-21.	3430/92	7.2.73	Appred the HSLC '80	S/C
✓9.	" Jaganath Das, Vill.-Sonapur-Baruabari, P.O.-Sonapur, P.S.-Khetri.	105/95	15.3.75	Appred the HSLC '91	S/C
✓10.	" Rabindra Mandal, C/o Jagabandhu Mandal, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	1151/95	1.5.76	Read up to class-X '94	S/C
✓11.	" Adhir Das, Vill.-Alenga, P.O.-Sonapur, P.S.-Khetri.	1467/95	31.6.72	Read up to class-IX '89	S/C
✓12.	" Sukdev Namasudra, C/o Mr. Anil Das, CSBU, 2 Coy FCSR, C/o 99 AFU, Narengi, Guwahati-27.	1959/95	1.5.75	Class-IX '92	S/C
✓13.	" Birahu Das, Vill.-Kalyankuchi, Satgaon, P.O.-Moukhuli, Guwahati-27.	4096/95	21.3.77	Class-IX-passed '92	S/C
✓14.	" Utpal Hazarika, C/o Ramesh Hazarika, Machkhowa, Guwahati-9.	2700/97/89	17.8.70	Class-IX '89	S/C
✓15.	" Balu Ram Boro, Vill.-Batakuchi, P.O.-Digaru, P.S.-Khetri.	5334/87	31.10.69	Appred the HSLC '87	S/T
✓16.	" Ananda Basumatary, C/o Bholu Nath Boro, Assam Board of Secondary Education, Bamunimaidan, Guwahati-21.	4777/88	1.2.72	Appred the HSLC '80	S/T

8/11/81
Supervisor
for Unstaffed A/c. Contd.

16

1.	2.	3.	4.	5.	6.
17.	Sri Satish Basumatary, Christain Hospital, Satribari, Guwahati-8.	2743/91	1.10.70	Class-IX'84	S/T
18.	Anil Mashahary, O/U U/o the Sr. Section Engineer (Works), N.F.Rly., Pandu, Rest Camp, Guwahati-12.	3245/91	7.10.71	Class-X'86	S/T
19.	Nripen Daimary, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	5200/91	22.7.75	Appred the HSLC'	S/T
20.	Dhaneswar Choudhury, C/U D.D. Deka, ASEB Sub-Divn, Ambari, Guwahati-25.	11,765/91	1.4.68	Appred the HSLC'86	S/T
21.	Suren Ch. Boro, C/U Sangita Automobiles Works, Gita Mandir Bus Stop, Zoo-Narengi Road, Guwahati-24.	627/92	23.11.66	Class-IX'83	S/T
22.	Bijoy Timung, Vill.-Birkuchi, P.O.-Narengi, Guwahati-26.	1033/92	19.11.74	Class-IX'90	S/T
23.	Habin Teron, Vill.-Birkuchi, P.O.-Narengi, Guwahati-26.	1877/92	25.1.68	Class-X'86	S/T
24.	Mangal Basumatary, C/U A. Boro, Fire-Brigade, 222 ABUD, C/U 99 Atu, Satgaon, Guwahati-27.	5367/96/93	31.12.76	Appred the HSLC'93	S/T
25.	Ganesh Boro, C/U Baneswar Deka, S.B.I., Zonal office, Bhangagrah, Guwahati-5.	1209/94	1.7.76	Appred the HSLC'	S/T
26.	Anna Ram Das, C/U Kamalashwar Das, C.S.D., Narengi, Guwahati-27.	1483/94	1.3.74	Read up to class-X'91	S/T
27.	Achuyut Boro, C/U Ganesh Ch. Saikia, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	1543/95	1.1.77	Class-VIII-passed'92	S/T
28.	Bipin Rongpee, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	2402/95	13.12.75	Appred the HSLC'90	S/T
29.	Sukieswar Englang, Vill.-Amsing, P.O.-Moukhuli, Guwahati-26.	2556/95	31.6.70	Class-VIII-passed'85	S/T
30.	Dinesh Rabha, Vill.-Kenduguri, P.O.-Boko, Kamrup.	2729/96	29.4.70	Appred the HSLC'87	S/T
31.	Lakhyadhar Boro, Vill.-Belguri, P.O.-Digaru, P.S.-Khetri.	3393/96	1.1.79	Class-X'95	S/T
32.	Harekrishna Bayan, C/U Gajendra Bayan, Vill.-Satgaon, P.O.-Udayan Vihar- Home Pipe, Guwahati-71.	3810/90	2.8.73	Class-IX'09	
33.	Rafik Ali, C/U Mased Ali, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	5628/90	1.9.73	Appred the HSLC'90	
34.	Dipen Baruah, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	386/89	2.7.72	Appred the HSLC'88	UBC.

Employment Office
Employment Exchange,
for Unskilled Applicants
W.S. 11/11/2003

17

1.	2.	3.	4.	5.	6.
35.	Sri Dhiren Boro, Vill.-Chapaidang, P.O.-Nounmati, Guwahati-20.	3941/92	29.7.72	Class-X'	S/T
36.	" Md. Habibulla Sekh, Vill. & P.O.-Satgaon, (C/O Md. Mohibulla Sekh), Guwahati-27.	6808/89	31.12.74	Class-X'89	
37.	" Tapan Kalita, Vill.-Haligaon, Baripara, P.O.-Tendu, Guwahati-12.	3016/91	1.5.79	Class-IX'89	
38.	" Tulashidhar Deka, Vill.-Dezara, P.O.-Baihata-chariali, Kamrup.	3376/91	30.4.74	Class-IX'90	
39.	" Binay Das, Vill.-Aenga, P.O.-Sonapur, P.S.-Khetri.	4121/91	5.2.74	Class-X'89	UBC.
40.	" Bipul Ch. Medhi, Vill.-Barkuchi, P.O.-Mirza, Kamrup.	6330/90	1.3.73	Appred the HSLC'	S/C
41.	" Md. Rajat Ali, C/O Muslim Tailor, Vill. & P.O.-Satgaon, Guwahati-26.	5261/91	21.1.74	Appred the HSLC'91	
42.	" Md. Jahuruddin Ali, C/O Md. Jaynuddin Ali, Vill. & P.O.-Satgaon, Guwahati-27.	8634/91	30.9.74	Class-VIII'87	
43.	" Karuna Das, Vill. & P.O.-Saipara, P.S.-Palasbari.	11,861/91	1.5.74	Class-X'91	
44.	" Bubul Tamuly, Vill.-Satgaon, near High School, P.O.-Satgaon, Guwahati-27.	80/92	30.11.73	Class-X'89	UBC.
45.	" Krishna Pr. Sharma, Vill.-Amsing Jorabat, P.O.-Satgaon, Guwahati-27.	496/92	5.2.73	Class-X'89	
46.	" Siba Murary, Vill.-Amsing Jorabat, P.O.-Satgaon, Guwahati-27.	821/92	30.4.73	Read up to class-X'88	MJBC.
47.	" Sanjaya Kr. Singh, C/O Bijay Stores, Satgaon Bazar, P.O.-Moukhuli, Guwahati-27.	1147/92	22.7.76	Class-VIII-passed'92	
48.	" Mainuddin Ahmed, Vill.-Satgaon (Nowapara), P.O.-Khanapara, Guwahati-22.	1544 1504/92	1.1.75	Class-VIII-passed'91	
49.	" Safiulla Ali, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	2035/92	5.1.74	Appred the HSLC'90	
50.	" Binod Kr. Ray, Vill.-Latakata, P.O.-Baltula, Guwahati-28.	2040/92	1.3.73	Class-VIII-passed'89	UBC.
51.	" Arabin Haloi, Vill.-Krishna Nagar, P.O.-Japarigog, Guwahati-5.	4000/92	6.12.75	Appred the HSLC'92	
52.	" Jayanta Thakuria, Vill.-Bakhala, P.O.-Bijoynagar, P.S.-Palasbari.	4286/92	12.10.73	Class-IX-passed'90	
53.	" Kenakeswar Kalita, Vill.-Balisatra, P.O.-Balisatra, P.S.-Kayan.	722/93	1.7.77	Read up to class-X'92	

84: "n

Contd...4...p...g...

Signature of Officer,
Employment Exchange,
for Unemployed Persons,
Guwahati-3

18

1.	2.	3.	4.	5.	6.
54.	Sri Rankaj Deka, VIII.-R.O.-Bezara, P.S.-Baihata-chariali.	186/93	31.5.76	Class-X'92	
55.	Bakul Baishya, VIII.-Jatia-Bhangara, P.O.-Loch, P.S.-Baihata-chariali.	813/93	28.2.73	Class-VIII-Passed'88	
56.	Uttam Ch. Das, VIII.-Choudhuriahat, P.O.-Gabadhan, P.S.-Chhaygaon.	1611/93	1.12.76	Class-X'92	
57.	Shanta Kr. Chetri, VIII.-Amsing Jorabat, P.O.-Satgaon, Guwahati-27.	2023/93	14.12.74	Class-IX-passed'90	
58.	Md. Tubul Ali, VIII.-Satgaon, P.O.-Moukhuli, Guwahati-27.	2427/93	28.2.75	Appred the HSLC'93	
59.	Monoj Barman, VIII.-Satgaon, P.O.-Moukhuli, Guwahati-26.	2706/93	31.7.75	Class-IX-passed'92	
60.	Ananta Ram Das, C/O Surendra Das, Guwahati University Press, Jalukbari, Guwahati-14.	3695/93	31.11.73	Class-IX-passed'88	UBC.
61.	Markuish Mahanta, C/O Ms. Rageshree Sarma, The Oriental Insurance Co. Ltd., CDO-111, Bamunimaidan, Guwahati-21.	3887/93	20.4.74	Class-X'91	
62.	Trailokya Nath, VIII.-ranjabari, (Matahghuli), P.O.-Khanapara, Guwahati-22.	4027/93	1.6.75	Appred the HSLC'92	UBC.
63.	Tangbahadur Karki, C/O S. Jagshi, Directorate of Employment & Craftsmen Training, Assam, Kehabari, Guwahati-8.	4065/93	15.4.74	Class-IX'	
64.	Md. Khasfur Ali, C/O Md. Gafur Ali, VIII.-Jalah, P.O.-Changsari, Kamrup.	4164/93	11.5.76	Class-X'87	
65.	Jitendra Kr. Thakur, C/O Pooja Stores, VIII.-Satgaon, P.O.-Moukhuli, Guwahati-27.	279/94	12.3.75	Class-VIII-Passed'	
66.	Bhupen Das, C/O Naren Ch. Das, VIII.-Satgaon, P.O.-Moukhuli, Guwahati-27.	5170/89	29.1.69	Appred the HSLC'89	S/T
67.	Abdul Latif, C/O Subut Mazumdar, Moon Enterprise, Satgaon, Guwahati-27.	289/94	10.3.75	Class-X'91	
68.	X Ratan Das, C/O Labayana Das, 14 F.A.D., Satgaon, Guwahati-27.	372/94	20.2.74	Read up to class-X'91	UBC.
69.	Nohan Das, VIII.-Kuchpara, P.O.-Satgaon, Guwahati-27.	577/94	19.12.75	Appred the HSLC'93	UBC.
70.	Basudev Das, VIII.-Satgaon, P.O.-Moukhuli, Guwahati-27.	664/94	5.2.77	Read up to class-IX'93	UBC.
71.	Raghu Nath Das, VIII.-Baragaon, P.O.-Maligaon, Guwahati-11.	1127/94	1.12.78	Class-VIII-Passed'92	UBC.

Prepared by
Cand. No. 18
V. M. 311
10/11/2018

19

1.	2.	3.	4.	5.	6.
72.	Sri Dwijen Kalita, Vill.-Mirze-Santipur, P.O.-Mirze, P.S.-Alaasbari.	1568/94	31.3.75	Read up to class-IX'89	74
73.	" Sanker Mallick, Vill.-Kenduguri, P.O.-Narengi, Guwahati-26.	1676/94	1.1.77	Appred the HSLC'93	
74.	" Bhupen Ch. Rajbongsha, 1940/95 C/O Suren Tamuli, North Guwahati, Abhaypur, Guwahati-31.	31.12.72	Read up to class-X'88	UBC.	
75.	" Hemanta Das, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-26.	2091/94	30.9.76	Class-IX-passed'92	UBC.
76.	" Md. Ahad Ali, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	2233/94	31.10.76	Appred the HSLC'94	
77.	" Pradip Ch. Choudhury, 2503/94 Vill.-Saraighat, P.O.-Dumunichowki, P.S.-Baihata-chariali.	1.3.72	Class-IX'86	UBC.	
78.	" Uday Sankar Banerjee, 2653/94 C/O Uma Kt. Banerjee, Directorate of Employment and Craftsmen Training, Assam, Rehabari, Guwahati-5.	2.3.77	Appred the HSLC'94		
79.	" Jitu Das, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	3002/94	31.2.75	Class-VIII-passed'90	
80.	" Narayan Thakuria, 3438/94 C/O Mrs. Arpana Thakuria, Assam Co-operative Bank Ltd., Head-Office, Anbazar, Guwahati-1.	1.3.73	Read up to class-X'85	UBC.	
81.	" Tafik Ali, C/O Md. Tamij Ali, Vill.-Satgaon, P.O.-Satgaon, Guwahati-27.	173/95	3.5.76	Read up to class-IX'92	
82.	" Aref Ali, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	1569/95	31.12.76	Class-VIII-passed'90	
83.	" Md. Khailan Ali, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	1602/95	1.4.75	Class-X'90	
84.	" Md. Hasmat Ali, C/O Md. Fazil Ali, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	4451/91	31.10.74	Appred the HSLC'91	
85.	" Md. Rafik Ali, Vill.-Satgaon, (Ambari), P.O.-Moukhuli, Guwahati-27.	1649/95	5.1.74	Class-VIII-passed'90	
86.	" Md. Alauddin Ali, Vill.-Ambari, P.O.-Satgaon, Guwahati-27.	1870/95	6.5.76	Class-IX-passed'92	
87.	" Madhab Barman, C/O Madhab Kalita, 2 No. Mathgharia, P.O.-Noonmati, Guwahati-20.	1882/95	31.12.76	Appred the HSLC'95	
88.	" Abhimanyu Sah, Vill.-Amsing Jorabat, P.O.-Satgaon, Guwahati-27.	1910/95	4.12.76	Read up to class-X'94	
88.	" XXXXXXXXXXXX				

For
Signature of the
for Unskilled Apprentices
Guwahati

Contd.....6.....g....

1.	2.	3.	4.	5.	6.
89. Sxi Sanjoy Kr. Giri, C/U B.N. Giri, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	1963/95	26.11.74	Appred the HSLC '94		
90. " Md. Amanut Ali, Vill.-P.O.-Satgaon, Guwahati-27.	2005/95	20.10.77	Class-IX-passed '94		
91. " Sxi Sanjib Malakar, Vill.-Narengi, Kamala-Bagan, P.O.-Narengi, Guwahati-26.	2088/95	31.11.76	Appred the HSLC '92		
92. " Bhagaban Talukder, C/U Gadadhar Dutta, Assam Rastrabhasa Prasar Samittee, Guwahati-3.	2598/95	1.2.73	Appred the HSLC '90		
93. " Chabin Kr. Das, Vill.-P.O.-Narengi, Guwahati-26.	2696/95	20.11.76	Class-X '93		
94. " Md. Rafiq Ali, Vill.-Lower Mirzapur, P.O.-Azara, Guwahati-17.	2725/95	1.3.76	Read up to class-IX '93		
95. " Md. Wahab Ali, Vill.-Damunigandha, P.O.-Baralabari, P.S.-Raisbari.	2806/95	1.2.77	Read up to class-X '92		
96. " Md. Amjed Ali, Vill.-Satgaon (Ambari), P.O.-Moukhuli, Guwahati-27.	2911/95	5.6.76	Read up to class-IX '94		
97. " Gopal Chetry, Vill.-Amsing Jorabat, P.O.-Satgaon, Guwahati-27.	2941/95	3.1.73	Read up to class-X '91		
98. " Manabendra Kumar, C/U Bhupen Kumar, 2 No. Mathgharia, P.O.-Noonmati, Guwahati-20.	2975/95	7.2.76	Appred the HSLC '92	UBC.	
99. " Siddheswar Ray, C/U S.M. Ray, BRP, NES, GE Narengi, Guwahati-27.	3141/95	1.5.78	Class-IX '93		MUBC.
100. " Rabi Thakuria, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	3147/95	17.11.78	Appred the HSLC '95		
101. " Rajesh Das, C/U Banti Ram Das, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	3180/95	3.5.77	Class-IX-passed '94		
102. " Dhan Ch. Das, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	3389/95	31.7.76	Read up to class-X '92		
103. " Rajat Barhma, Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.	3586/95	27.7.78	Read up to class-X '93		
104. " Khargeswar Kalita, C/U Kashim Ali, Employment Exchange for Unskilled Applicants, rub-Sarania, Guwahati-3.	3823/95	1.6.73	Appred the HSLC '87		
105. " Makbul Ali, Vill.-Satgaon (Ambari), P.O.-Satgaon, Guwahati-27.	4020/95	5.1.77	Read up to class-IX '93		
106. " Mahendra Ch. Bhuyan, 2 No. Mathgharia, P.O.-Noonmati, Guwahati-20.	4179/95	1.10.74	Class-IX-passed '89		

Contd. 7... 9...
3

21

1. 2. 3. 4. 5. 6.

107. Sri Rupeswar Kalita, 4308/95 1.3.73 Read up to class-IX'89
C/o Mrs. Padma Kalita,
Type of Employment, LDC, 222 ABUD (X-Branch), Guwahati-27.
108. " Khanin Das, 4593/95 1.12.75 Class-VIII-Passed'90
C/o Adhar Ch. Das,
Employment Exchange for Unskilled Applicants,
Sub-Sarania, Guwahati-3.
109. " Srinandan Sarmah, 5363/96 3.6.76 Class-VIII-Passed'88
C/o Chandrika Brahma,
Vill. & P.O.-Bonda, Guwahati-26.
110. " Surendra Ch. Dey, 479/96 17.3.76 Appred the HSLC'92
Vill. & P.O.-Narengi, Guwahati-26.
111. " Govinda Baishya, 571/96 1.3.74 Class-IX-Passed'73
Vill. & P.O.-Barchapari,
P.O.-Hajo, Kamrup.
112. " Panidhar Das, 874/96 5.2.77 Class-IX-Passed'93
Vill.-Satgaon, P.O.-Moukhuli, Guwahati-26.
113. " Lohit Das, 970/96 1.3.78 Class-IX'94
Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.
114. " Manjur Ali, 1043/96 17.6.78 Class-IX'95
Vill.-Ambari, P.O.-Moukhuli, Guwahati-27.
115. " Bhaben Patowary, 1377/96 1.4.76 Appred the HSLC'94
C/o Basanta Kalita,
Qr.No.-107/B, Maligaon, Guwahati-11.
116. " Kunja Das, 2271/96 7.6.77 Class-IX-Passed'94
C/o N.C. Das,
Satgaon, P.O.-Moukhuli, Guwahati-27.
117. " Md. Montaj Ali, 3444/96 31.1.77 Read up to class-X'93
Vill.-Satgaon, P.O.-Moukhuli, Guwahati-27.
118. " Kushal Ch. Kalita, 3684/96 1.10.72 Class-X'88
C/o Kale Ram Kalita,
Ray.Qr.No.-221/B, New Gushala, Maligaon, Guwahati-11.
119. " Mokshed Ali, 4583/96 1.2.75 Class-IX-Passed'94
C/o Mubx Ali,
Kendriya Vidyalaya, Moonmati, Guwahati-20.
120. " Debashis Sen-Gupta, 4794/96 5.4.76 Appred the HSLC'95
Vill.-Narengi Tanieli, P.O.-Narengi, Guwahati-26.
121. " Madheb Sarma, 4660/96 31.3.77 Class-IX-Passed'93
Vill.-Amsing Jorabat,
P.O.-Satgaon, Guwahati-27.
122. " Balen Ch. Das, 5615/96 31.12.72 Read up to class-X'92
Vill.-Kakjha, P.O.-Mirza, P.S.-Malasbari.
123. " Makunda Kalita, 5746/96 3.3.77 Class-IX-Passed'92
Vill.-Mitharkuwari,
P.O.-Moukhuli, Guwahati-27.

Handwritten signature and stamp:
Employment Exchange
for Unskilled Applicants
Guwahati

1. 2. 3. 4. 5. 6.

124. Sri Jiten Rahang, 8114/89 .27.4.71 Class-VIII-passed '67 S/T
C/o Khajua Rahang,
Vill.-Ghagua, P.O.-Digaru,
P.S.-Sunapur.

125. " Ratan Talukder, 3239/96 28.3.72 Class-VIII-passed
C/o Jugmaya Talukder,
M.S.Deptt., Guwahati Refinery, Noonmati,
Guwahati-20.

Employment Exchange
for Unskilled Applicants
Guwahati-3.

23

Annex-5

GOVERNMENT OF ASSAM
OFFICE OF THE DEPUTY COMMISSIONER, KAMRUP : GUWAHATI-1.
(Zila Sainik Welfare Office)

No. ZSW.9/97/7

Dated Guwahati the 21st Oct. 97.

From : The Welfare Officer,
Zila Sainik Welfare Office
Kamrup, Guwahati-1.

To : The Area Manager,
CSD Depot Narangi
PO Satgaon, Guwahati-781027

Sub : FORWARDING OF LIST OF EX SERVICEMEN FOR THE POST
OF WATCHMAN GP 'D'

Ref : Your letter No. NGD/EST/19/1953 dated 30 Sept 97.

Sir,

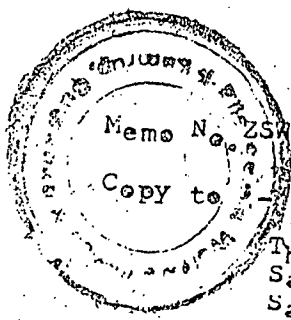
With reference to your letter cited above, I am to forward herewith a list of 40 (Forty) ex-servicemen for the post of Watchman (GP 'D') in duplicate for favour of your necessary action. Moreover you are requested to intimate the result of selection for favour of our further necessary action.

W. F.	W. F.
LEOGER	
SK	ESTT.
TRAFFIC	HEAD V. AN

Yours faithfully,

Welfare Officer
Zila Sainik Welfare Office
Kamrup, Guwahati-1.

Dated Guwahati the 21st Oct 97.



The Director,
Sainik Welfare, Assam
Sainik Bhawan, Lachitnagar
Guwahati-7

- for information.

The Employment Officer,
District Employment for unskilled
applicants, Rajgarh, Guwahati-3

- for information.



Sd/-
Welfare Officer
Zila Sainik Welfare Office
Kamrup, Guwahati-1.

(24)
LIST OF EX-SERVICEMEN FOR THE POST OF WATCHMAN FORWARDED VIDE ZILA SAINIK
WELFARE OFFICE, KAMRUP, GUWAHATI-1 VIDE LETTER NO DATED.

Sr. No.	Regd. No. and Name of the ex-serviceman	Home address	Qualification	Date of birth.
1.	1/95 Bharat Chandra Das.	Vill-Gouhanimath, PO-Chhaygaon Dist-Kamrup (Assam)	C1-VIII	31-10-59.
2.	3/95 Mekhan Chandra Das.	Vill-Gouhanimath, PO-Chhaygaon Dist-Kamrup (Assam)	C1-VII	28-2-59
3.	2/95 Samindra Chandra Rava.	Vill-Jamuguri, PO-Nutenheli Dist-Kamrup (Assam)	C1-IX	31-10-58
4.	10/95 Fulak Chandra Talukdar.	Vill-Samundi, PO-Samundi Dist-Kamrup (Assam)	C1-IX	31-1-61
5.	13/95 Mequiber Rahman.	Vill-Khandakarpura, PO-Phela Dist-Barpeta (Assam)	C1-IX	31-12-52
6.	29/95 Karuna Kanta Das.	Vill-Bahari, PO-Baharihat Dist-Barpeta (Assam)	C1-X	30-8-60
7.	32/95 Laba Ram Baro.	Vill-Sialmari, PO-Sonaphubi Dist-Barpeta (Assam)	C1-VI	28-2-60
8.	29/95 Mahendra Chandra Das.	Vill-Sanpara, PO-Jarebari Dist-Kamrup (Assam)	C1-VIII	31-8-57
9.	41/95 Bidyadhar Das.	Vill-Bhulara, PO-Sutargaan Dist-Kamrup (Assam)	C1-X	31-12-62
10.	43/95 Biswa Nath Baro.	Vill-Uttar Phahurakhowa PO-Bhulukedaha Dist-Barpeta (Assam)	C1-VIII	5-9-59
11.	44/95 Nashir Ali.	Vill-Kahara, PO-Sarupeta Dist-Barpeta (Assam)	C1-VIII	9-1-51

25

1	2	3	4	5
✓ 12.51/95	Arjun Chandra Das.	Vill-Raha, PO_Chakchaka Dist-Barpeta (Assam)	C1-IX	4-1-59
✓ 13.52/95	Jagadish Chandra Das.	Vill-South Ganakgari, PO_Chakchaka Bazar Dist-Barpeta (Assam)	C1-IX	25-5-78
✓ 14.53/95	Garga Ram Baro.	Vill-Dighaldanga, PO-Rampur Dekapara Dist-Barpeta (Assam)	C1-IX	26-1-60
✓ 15.55/95	Surjya Kanta Basumatary.	Vill-Silbari, PO-Anchali Dist-Barpeta (Assam)	C1-IX	6-6-60
✓ 16.64/95	Upendra Nath Swargiari.	Vill-Uparnai, PO-Helena Dist-Barpeta (Assam)	C1-VIII	31-3-59
✓ 17.68/95	Satish Chandra Das.	Vill-Futhimari, PO-Sorbhog Dist-Barpeta (Assam)	C1-IX	20-2-56
✓ 18.69/95	Khagen Chandra Barman.	Vill-Barkhopa, PO-Tamulpur Dist-Nalbari (Assam)	C1-VIII	1-9-59
✓ 19.76/95	Suchen Chandra Das.	Vill-Kalbari, PO-Bhulukadoba Dist-Barpeta (Assam)	C1-IX	31-1-60
✓ 20.80/95	Binesh Chandra Barman.	Vill-Bherbheri, PO-Bhalukadoba Dist-Barpeta (Assam)	C1-VIII	4-3-60
✓ 21.88/95	Chandra Kanta Hazarika.	Vill-Goreswar (Santipur), PO-Goreswar Dist-Kamrup (Assam)	C1-IX	9-10-53
✓ 22.104/95	Tarani Kumar Kalita.	Vill-Bharegaon, PO-Sarupeta Dist-Barpeta (Assam)	C1-VIII	5-8-53
✓ 23.118/95	Paresh Chandra Malakar.	Vill-Bardadhi, PO-Serua Dist-Kamrup (Assam)	C1-VII 30-8-51x	30-3-51

[Handwritten signature]
 6/11/0

261

-3-

1	2	3	4	5
24.	122/95 Gopal Chandra Seal.	Vill-Perakuchi, PO-Kamarkuchi Dist-Nalbari (Assam)	C1-VIII	1-1-59
25.	137/95 Bhiren Chandra Boro.	Vill-Makeli, PO-Chhaygaon Dist-Kamrup (Assam)	C1-VIII	6-11-58
26.	149/95 Kandarpa Kumar Sharma.	Vill-Kathalmura, PO-Jalkhana Dist-Nalbari (Assam)	C1-VIII	31-12-57
27.	159/95 Niren Teran.	Vill-Khepnijal, PO-Sawkuchi Dist-Kamrup (Assam)	C1-IV	20-11-59
28.	269/97 Kali Kanta Das.	C/O B.K. Das. Daf. and Damp School, Kahilipara Guwahati.	C1-IX	4-6-61
29.	196/97 Gobinda Chandra Paul.	Vill-Digar, PO-Digar Dist-Kamrup (Assam)	C1-VIII	31-1-60
30.	276/97 Madhab Sharma.	Vill-Singra, PO-Singra Dist-Kamrup (Assam)	C1-VIII	31-12-60
31.	56/95 Saifuddin Ali.	Vill-Bogulamari, PO-Balapet Dist-Barpeta (Assam)	C1-IX	10-12-58
32.	160/95 Bhagban Chandra Kalita.	Vill-Dharamtala, PO-Patacharkuchi Dist-Barpeta (Assam)	C1-VII	3-3-61
33.	161/95 Jangu Ram Kalita.	Vill-Kochdiga, PO-Helana Dist-Kamrup (Assam)	C1-IX	28-12-59
34.	166/95 Surendra Nath Sharma.	Vill-Bahkaunia, PO-Bahkaunia Dist-Nalbari (Assam)	C1-VII	6-7-59
35.	167/95 Chandra Kant Barman.	Vill-Alagjar, PO-Barama Dist-Nalbari (Assam)	C1-VI	30-6-59

[Handwritten signature]
24/10

82

27

-4-

1	2	3	4	5
✓ 36.169/95	Bhagben Chandra Das.	Vill-Nizkachula, PO-Moharipara Dist-Kamrup (Assam)	C1-IX	31-12-59
✓ 37.175/95	Bhaben Chandra Das.	Vill-Bhupguri, PO-Barpeta Road Dist-Barpeta (Assam)	C1-VI	1-8-55
✓ 38.176/95	Ranjit Kumar Das.	Vill-Moulupuri, PO-Howly Dist-Barpeta (Assam)	C1-IX	30-11-59
✓ 39.177/95	Nila Kanta Boro.	Vill-Anchali, PO-Anchali Dist-Barpeta (Assam)	C1-VIII	1-7-61
✓ 40.179/95	B.R. Swargiary.	Vill-Walpara, PO-Nimua Dist-Barpeta (Assam)	C1-VIII	18-6-49
				66566

Handwritten signature and date 14/10

1. Proceedings of : Board of Officers
 2. Assembled at : Office of Regional Manager (East)
CSD Depot Complex, Narangi
 3. On the date : 21-11-97
 4. By the order of : CSD HO Mumbai letter No. 3/Pers/
A-1/1107(Policy/4792 dated
25 Sept 97.
 5. For the purpose of : Drawing panel for Watchman to fill
up the present vacancy as well as
future vacancies in CSD Depot
Dimapur and other installation of
Canteen Stores Department.
- Chairman : Shri N.K. Vaid, Regional Manager (East)
CSD Depot Complex, Narangi.
- Members : 1. Shri L.K. Klare, Manager
CSD Depot, Narangi
2. Maj Jagdish : Rep. Stn.
952 TPT Coy, ASC : HQ
3. Md. M.I. Hussain : Rep.
Asst Manager : Minority
CSD Depot Narangi : community.
- Secretary : Shri M.I. Hussain, Asst Manager
CSD Depot, Narangi.

The Board having assembled pursuant to order proceeded to draw a panel of selected candidates for the post of Watchmen amongst candidates sponsored by Employment Exchange & Zila Sainik Welfare Board.

The following are enclosed :

- (a) List of panel of selected candidates.
- (b) Details of Mark obtained by the candidates.
- (c) List of candidates sponsored by Employment Exchange.
- (d) List of candidates sponsored by Zila Sainik Welfare Board.

CHAIRMAN

Shri N.K. Vaid, RM (East),
CSD Depot Complex, Narangi

MEMBER

Shri L.K. Klare, Manager
CSD Depot, Narangi

MEMBER

Maj Jagdish, 952 TPT COY,
ASC, Rep Stn HQ

Secretary

Md M.I. Hussain
Asst Manager, CSD Depot Narangi

24

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

I, Mohar Singh, Regional Manager(East),
Canteen Stores Department, Guwahati do hereby
solemnly declare that, the statement made in
reply to rejoinder in C.P.42/99 are true to
my knowledge and information.

And I sign this verification on this 20th day
of August 2001.


DECLARANT

MOHAR SINGH
Regional Manager (East)
Canteen Stores Department
Govt. of Assam Ministry of Defence
Guwahati - 781027