

50/600

8

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

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disposed date-08/01/98  
MP-99/97 ordersheet pg 1  
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SECTION OFFICER (Judl.)

CP No. (CA) )  
RA No. (CA) )  
CP No. (CA) )

In: P. J. Das APPLICANT(S)

VERSUS

Union of India & or. RESPONDENT(S)

Mr. G. Sarma Advocate for the applicant.  
S. Mukherjee

Mr. M. K. Sarma, R.C. Advocate for the Respondents.

Office Notes Dr. Court's Orders

This application is in form and within time C. P. or Rs. 50/- deposited vide IPO No. 34682 Dated 28.7.96

G. Sarma  
By Registrar, 6/8/96

7.8.96

Mr G.Sarma for the applicant.  
None for the respondents.

Issue notice on the respondents to show cause as to why this application should not be admitted and relief sought allowed. Returnable within 1 month.

List on 9.9.96 for show cause and consideration of admission.

Pendency of this application shall not be a bar for the respondents to appoint the applicant pursuant to the recommendation No. RRB/G/CON/155/102/Pt.I dated 9.11.95 of the Railway Recruitment Board Guwahati Annexure A-VI, if he has been found suitable for such appointment in all respects.

8-8-96

Notice duly served  
Respondt No 2, 3, 4.

Dr.  
Member



(14)

10.2.97

Let this case be listed on 6.3.97 for hearing.

Member

Vice-Chairman

nkm

26-2-97

6.3.97

Let this case be listed on 20.3.1997 for hearing.

Member

Vice-Chairman

In terms of order of 18.2.97 passed in MP 26/97, Consolidated petition filed by the counsel of applicant.

M/11/3

5-3-97

20.3.97

We have heard Mr B.K.Sharma, learned counsel appearing on behalf of the Railway administration at some length. Mr Sharma thereafter finds it difficult to proceed in view of lack of certain instructions. He prays for a short adjournment, to which Mr G.Sarma has no objection. Accordingly, for the ends of justice we allow one week time for further hearing.

List on 31.3.1997 for hearing.

- 1) NO rejoinder has been filed.
- 2) Memo of appearance not yet filed.

M/5/3

- 1) Notice duly served on S.P. No. 2, 3 & 4.
- 2) Service Reports on R. 1 & 5 still awaited.
- 3) W/statment has been filed.
- 4) No appearance has been filed.

pg

31.3.97

At the request of Mr. B.K.Sharma, learned Railway Counsel hearing is adjourned to 7.4.1997.

List on 7.4.97 for hearing.

Member

Vice-Chairman

25-3-97

Add. W/S filed on 21/4

trd

M/21/4

O.A.146/96

20-12-96

Mr. G. Sarma for the applicant.  
Written statement has not been submitted. Mr. S. Sarma for Mr. A.K. Sharma submits that the written statement is almost ready and seeks for short adjournment.

List for written statement and further orders on 6-1-97.

Written statement has not been submitted.

2/21  
3.1

*ba*  
Member

*29/12*

6.1.97

Learned counsel Mr G. Sarma with Mr S. Muktar for the applicant. None for the respondents. Notice has been duly served on respondent Nos.2, 3 and 4, but no written statement has been filed. None has appeared for them so far. Mr G. Sarma submits that this is a matter of appointment and requires early hearing and disposal.

List for hearing on 3.2.97. In the meantime the respondents may submit written statement if considered necessary.

Send copy of the order to the respondents.

Commply.  
*M/28/1/97*

*ba*  
Member

nkm  
*M/28/1*

3.2.97

Mr B.K.Sharma, learned counsel for the respondents has got personal difficulty. Mr G.Sarma, learned counsel appearing for applicant also needs some time to take further steps in the case. Accordingly we adjourn the case till 7.2.1997.

28-1-97

DS filed by the

Respts.

*ba*  
Member

*JB*  
Vice-Chairman

pg  
*M/28/1*

15-7-97

We have heard Mr. B.K. Sharma, learned Railway counsel at some length. Thereafter Mr. Sharma submits that he is unable to proceed with the hearing of the case as certain records will have to be produced, and he prays for time. Two weeks time allowed to which the learned counsel for the applicant do not have any objection.

List on 30-7-97 for hearing.

*ba*  
Member

*JB*  
Vice-Chairman

lp  
16/7

30.7.97

Mr. S.Sarma on behalf of Mr. B.K.Sharma, learned Railway Counsel prays for a short adjournment on the ground of personal difficulty of Mr. B.K.Sharma. Accordingly the case is adjourned till 21.8.97.

*ba*  
Member

*JB*  
Vice-Chairman

nkm  
ms  
30/7

21.8.97

Mr. G.Sarma, learned counsel for the applicant is present. The learned Railway counsel prays for some time to produce the records.

The case is adjourned till 8.9.97 for hearing. On that day all counsel shall remain present, or else the case will be heard ex parte.

*ba*  
Member

*JB*  
Vice-Chairman

nkm  
ms  
22/8

8.9.97. Adjourn to 16.9.97,  
By order.

7.4.97

Mr S. Sarma, on behalf of Mr B.K. Sharma, who is incharge of this case, prays for adjournment on the ground that Mr B.K. Sharma is unable to attend court for his personal reason. Mr G. Sarma, learned counsel for the applicant, vehemently opposed the prayer. It is informed that there are other counsel also. Mr B.K. Sharma is incharge of the case. Considering all these we allow adjournment to 16.4.97.

w/standing - Addl. w/s.  
hs b/w

with

  
Member

  
Vice-Chairman

nkm  
6/4

16.4.97

Let the case be listed on 28.4.1997 for hearing.

29-4-97

  
Member

  
Vice-Chairman

In terms of order  
- Dt- 28-4-97 passed <sup>trd</sup>  
in mp- 99/97. <sub>22/4</sub>

Rejoinder filed  
by The applicant against  
The w/s and Addl. 28-4-97  
w/s.

Let this case be listed for  
hearing on 6-6-97.

Any appointment made shall be  
subject to the result of the case.

  
Member

  
Vice-Chairman

1-7-97  
Reply filed on  
behalf of The  
Respondent at page  
61 to 67.

pg  
29/14

2.7.97.

Part heard. Adj. to  
15-7-97.

By order.

F x

13-11-97 Argument of both the counsel are heard and concluded. Order reserved.

  
Member

  
Vice-Chairman

lm

8.1.98 Common order delivered in open Court and kept in O.A. Note 142/96. Copy of the order shall be kept in this case. Application is allowed. No costs.

  
Member

  
Vice-Chairman

pg

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Date of Order ∴ This the 8th Day of January, 1998.

JUSTICE SHRI D.N.BARUAH, VICE-CHAIRMAN  
SHRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER

O.A.No. 142/96

1. Sri B.K.Daimary ... .. Applicant  
-vs-  
U.O.I & Ors. ... .. Respondents
2. O.A. 143/96  
Ms.Nirmali Das ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondent
3. O.A. 144/96 ... ..  
Shri S.Goswami ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondents.
4. O.A. 145/96  
Ms. Kamala Deka ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondents
5. O.A. 146/96 ... ..  
Shri P.J.Das ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondents
6. O.A. 147/96  
Shri P.K.Sarkar ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondents
7. O.A. 148/96  
Shri T.K.Das ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondent
8. O.A.No.149/96  
Shri S.Kumar ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondents
9. O.A. 150/96  
Shri M.Ghose ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondents

contd/-

10. O.A. 151/96  
Shri P.K.Kakati ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondents.
11. O.A.152/96  
Shri D.Choudhury ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondents.
12. O.A. 153/96  
Shri S.K.Rai ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondents.
13. O.A.155/96  
Shri B.C.Bore ... .. Applicant.  
-Vs-  
U.O.I & Ors. ... .. Respondents.
14. O.A. 193/96  
Shri Rupak Chakraborty ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondents.
15. O.A. 42/97  
Smt. A.Devi ... .. Applicant  
-Vs-  
U.O.I & Ors. ... .. Respondents

By Advocate Mr.G.Sarma for all the petitioners.  
By Advocate Mr.B.K.Sharma for all the respondents.

O R D E R.

G.L.SANGLYINE, ADMINISTRATIVE MEMBER,

The above 15(fifteen) Original Applications are disposed of by this Common order as they involve the same issue, facts and grounds.

contd/-

2. The Railway Recruitment Board, Guwahati issued the Employment Notice No.1/95 dated 26-4-1995 for the purpose of appointment in various posts under the North East Frontier Railway. In this Original applications we are concerned with CATEGORY No.7 : STENOGRAPHER :(English) in the scale of pay of Rs. 1200-2040/- mentioned in the Employment Notice. Pursuant to the said Notice we have the following results -

"Date of Written Test : 27-9-95  
Date of Speed Test : 04-11-95 (for 80 w.p.m.)  
Date of Speed Test : 05-11-95 (for 60 w.p.m.)  
Date of Viva Voce Test; 08-11-95  
Date of panel approved: 09-11-95

The selection Board held the viva voce test on 8-11-95 for the recruitment of Jr. Stenographer (Eng) under Employment Notice No.1/95 Cat No.7 in scale Rs. 1200-2040/- and has found 16(UR -10, SC-2, ST-2, OBC-2) candidates suitable for the said post and their names are recommended to GM/P/N.F. Railway/Maligaon in ORDER OF MERIT.

AGAINST U.R.VACANCY

<u>SN</u>	<u>Roll No.</u>	<u>Name of Candidate</u>
1.	810704	Anjali Devi
2.	810786	Asis Chakraborty
3.	810798	Mrityunjoy Ghosh
4.	810018	Debasish Choudhury
5.	810589	Rupak Chakraborty
6.	810777	Pradip Kr.Sarkar
7.	810761	Nirmali Das
8.	810767	Kamala Deka
9.	810794	Pabitra Kr.Kakati
10.	810759	Satyanarayan Goswami

AGAINST S.C.VACANCY

1.	820123	T.Krishna Das
2.	820246	Sanjoy Kr.Rai

AGAINST S.T.VACANCY

1.	830077	Bijay Ch.Baro
2.	830108	Binoy Kr.Daimary.

AGAINST O.B.C. VACANCY

1.	840025	Santosh Kumar
2.	840052	Pankaj Jyoti Das."

contd/-

3. Further, the applicants inform us in their rejoinder that in response to the Employment Notice 2120 candidates had applied for the posts advertised and out of them 1520 appeared in the Written Test; 172 appeared in the Speed Test; 47 were sent for Viva Voce. Ultimately 16 candidates were successful and were empanelled as above. These facts have not been refuted by the respondents. The panel was published on 9-11-1995 but no appointment of any successful candidate was made by the respondents. On the other hand employment Notice No.1/96 dated 20-5-96 was issued. On 10-6-1996 the applicants prayed to the General Manager, N.F.Railway, Maligaon to issue appointment letters at the earliest. There was no response. Consequently, the applicant submitted the Original Applications seeking direction on the respondents to appoint them (the applicants). Notice for admission was issued on 7-8-1996. Thereupon, Respondent No.3, the Chairman Railway Board, Guwahati published his No.RRB/G/41/90 dated 5-9-1996 cancelling the panel on the ground of various irregularities. As a result, the applicants amended the Original applications seeking among others quashing and setting aside of the aforesaid No.RRB/G/41/90 dated 5-9-1996. In the meantime in the absence of show cause from the respondents the Original Application was admitted on 9-9-96.

4. The respondents justify the cancellation of the Panel as follows :-

".....it has already been stated that the selection in question pursuant to which the applicant has staked his claim for appointment has already been cancelled in view of the various irregularities found in the selection of Junior Stenographer in scale Rs. 1200-2040/- against Employment Notice No.1/95 dated 26-4-95 conducted by the Railway Recruitment Board, Guwahati, which has necessitated cancellation of the entire selection are as follows:-

contd/-

- (a) In the advertisement of Jr. Stenographer, required qualification was mentioned only as Matriculate without indicating anything about the qualification of diploma in shorthand and type-writing. The advertisement also did not stipulate production of Diploma certificate. As a result, many of the candidates did not submit the same although they were qualified both in shorthand and type-writing and had diploma certificate. However, the Railway Recruitment Board, Guwahati, rejected the candidature of many eligible candidates on the ground of non-submission of diploma certificate, thereby deserving eligible candidates were deprived of consideration for selection.
- (b) Sample test checks revealed mistakes in totalling in the written paper and in computation of marks which has resulted in empanelment of candidates securing less marks and exclusion of candidates securing more marks.
- (c) In the recruitment process, it has been found that all the three stages of testing, the knowledge and quality of the candidates have been handled by a single individual (Member Secretary, Railway Recruitment Board) instead of getting the works done by different qualified persons as under :-
- (i) Setting of question paper for written test.
  - (ii) Selection of dictation passage.
  - (iii) Preparation final marksheet including marks for viva-voce test only done by MS/RRB himself without any signature from other two members. This has raised doubts of malpractice by MS/RRB.
- (d) As per Board's extant instruction 15% of marks for written test and viva-voce together is required to be fixed for viva-voce. But in the subject selection, RRB/Guwahati had adopted 15% of the sum total of marks for written test (200 marks) shorthand test (300 marks) as well as viva-voce marks (90 marks). The marks of shorthand test (300) was therefore irregularly included in computing the marks for viva-voce test. This has allowed the selection authority undue flexibility in the final allocation of marks of a candidate though he might have secured less marks in written test.
- (e) In a number of cases it has been noted that marks once allotted in the shorthand transcription sheets have been over-written/defaced and new marks allotted, ostensibly to favour the candidates of evaluator's choice.
- (d) It has been noted in some cases, that though the shorthand dictation scripts do not contain certain materials of dictated passage, the type transcription sheets contain the material of the dictated passage and in a better way. This indicates adoption of malpractice in conducting the shorthand test.

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- (g) On a visual checking, it has been noted that in certain answer scripts (Transcription sheet) containing poor performance, higher marks have been allotted in comparison to that containing better performance. The above irregularities in the selection are only illustrative and not exhaustive. In any case, with the above irregularities detected in the selection, the respondents were left with no other option than to cancel the entire selection. By doing so, no irregularity has been committed by the respondents - rather the same has been done in the larger public interest which has also brought confidence among the public. The irregularities were detected upon an enquiry conducted by the Vigilance Deptt. of the Railway and in consideration of such enquiry, the selection is question has been cancelled and the applicant should not make any grievance against the same."

5. In support of the action of the respondents, Mr. B.K. Sharma, their learned counsel, had submitted that the irregularities are two folds, namely, before the actual test took place, 600 applicants had been arbitrarily excluded from the competition by the office of the Railway Recruitment Board on untenable grounds, and during the entire course of the actual test irregularities which vitiated the selection as a whole had taken place. Under these circumstances, according to him, the action of the respondents in cancelling the panel in public interest cannot be faulted and it should be sustained.

6. The applicants have assailed the action of the respondents in cancelling the select Panel above terming it as illegal, arbitrary, despotic, void and not maintainable in the eye of law. Mr G. Sarma, learned counsel for the applicants, pointed out that the employment panel was cancelled because of alleged malpractices or irregularities but not even a single instance of malpractice or unfair means or irregularities committed by any of the applicants or

contd/-

attributed or attributable to any of them has been cited by the respondents in support of their action. Referring to the case of Progoty Supply and Co-operative Society Ltd. reported in (1995) 3 GLR 327 in which it has been held to the effect that every State action must be fair and informed of reasons and administrative action must not only be reasonable but free from bias and malafide, Mr Sarma submitted that the respondents had on the contrary acted otherwise in respect of the cancellation of the select panel. The expressed ground for investigation was because of some alleged malpractices but in the end the panel was cancelled on a contradictory ground of irregularities. According to him, in the face of all these, there is no escape from the conclusion that the respondents had with bias and malafide against the applicants, arbitrarily cancelled the panel. Further, the respondents without giving an opportunity of being heard to the applicants before such cancellation had arbitrarily cancelled the panel. According to him, such action is not sustainable in law and in this regard he placed reliance on the case of Pradip Kumar Das and others reported in (1985) 2xGLR 459 which was upheld in the order dated 8.5.1986 in SLP (Civil) No.66 of 1986 by the Hon'ble Supreme Court. Mr Sarma further referred to the order dated 14.6.1996 of this Tribunal in O.A.No.9 of 1993 in which after referring to the aforesaid P.K.Das & others case and also to D.V.Ramana and others, 1986(4) SLR 50, the action of the respondents to withhold appointment of successful candidates without giving them opportunity of being heard was set aside and quashed.

7. In the light of the above, we are now to consider whether the action of the respondents in cancelling the

contd/-

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select list of Junior Stenographer (English) mentioned above is sustainable in law. It has not been shown by the respondents that the alleged malpractices or irregularities referred to above were committed or attributed or attributable to any of the present applicants. On the other hand, it is seen from their submission that it is the respondents themselves who had committed the alleged malpractices or irregularities. The applicants have had to suffer because of the alleged acts of omission and/or commission of the respondents. According to the respondents they had in the facts and the circumstances of the case cancelled the select panel in larger public interest and in order to bring public confidence in the administration of the North East Frontier Railway. These are indeed lofty ideals. But we are in these O.As concerned with the question whether on their way towards these goals the respondents had not trampled under foot the rights of the applicants. There is no dispute of the fact that the select Panel was cancelled by the respondents without affording any opportunity of being heard to the applicants before the cancellation was made. In the case of Pradip Kumar Das and others (supra) 357 out of the 790 successful candidates who had been empanelled were screened out by the North East Frontier Railway on the ground that some malpractices were allegedly committed by some of them. No opportunity of being heard was given to them by the respondents before such action was taken. The Hon'ble Supreme Court had held :

"It was necessary according to the rules of fairplay and natural justice that these candidates who were included in the original select panel of 790 candidates published by the Commission had acquired a right to get employment and therefore they were entitled to be heard before any prejudicial action was

taken. The judgment of the High Court quashing the impugned order on the ground that it was vitiated for non-compliance with the rules of natural justice can hardly be assailed." .....

Thus, according to this Judgment, the selected candidates have acquired two rights, namely, the right to get employment and the right of being heard before any action prejudicial to them is taken. The learned Railway Counsel had not cited any other case law to contradict this position. The present applicants are successful candidates who had been empanelled for appointment to the posts. They had acquired both the aforesaid rights. The aforesaid judgment of the Hon'ble Supreme Court was rendered against the very same N.F. Railway yet the authorities of the Railway had chosen to ignore the law laid down therein. We have no hesitation to hold that when the respondents had cancelled the Select Panel without affording an opportunity of being heard to the applicants before the cancellation was made, they had violated both the rights of the applicants.

8. Mr. B. K. Sharma had submitted that the fact that the applicants were selected and empanelled does not bind the Railway authorities to appoint the applicants to the posts. In fact, according to him it was clearly stipulated in the Employment Notice itself that the selection of the candidates by the Railway Recruitment Board does not confer any right on the candidates. On the other hand, according to law the Railway authorities have the right to refuse appointment. Further he had referred to para 113 of the Indian Railway Establishment Manual Volume I (Revised Edition 1989) in support of his contention that selected candidates can be refused appointments. We are aware that there are law and rules in this regard. The para 113 aforesaid reads thus :

LB  
"Selection of a candidate by a Board or a Railway administration is, however, no guarantee of employment on the railway which is subject to his qualifying in the prescribed medical examination and to his being otherwise suitable for service under Government."

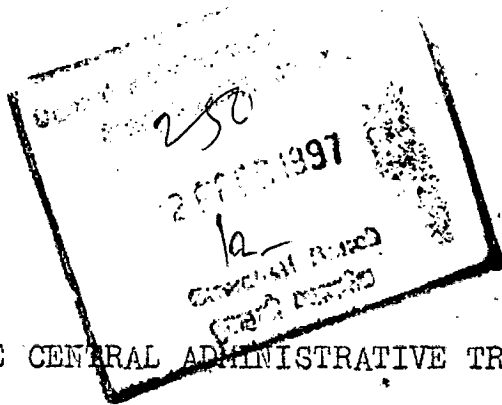
Perusal of this rule/para shows that there must exist a fault or deficiency on the part of a selected candidate in order to deny him an appointment to a post under the railway for which he was selected. In this particular case however the applicants were denied appointments for no fault of theirs. They had subjected themselves to the rigours of the examination and tests conducted by the respondents giving out the best they could with the sole expectation to come out successful within the standards set by the respondents. No blame has been apportioned to them. They had not also been allowed to reach the stage stipulated in the para/rule mentioned above in order to ascertain whether they are suitable for appointment to the posts. It may also be mentioned here that the learned Railway counsel had sought time to produce certain records to enable him to make submission. He was allowed time. But though he had produced some administrative records before us he was unable to produce any answer script for the written test as well as the speed test including the passages for the speed test. The contentions of the respondents against the applicants with regard to the answer scripts or marking thereon are therefore not substantiated before us.

9. We are in a society which upholds the supremacy of the rule of law. Therefore, an administrative action which is done without observing due process of law or the relevant law or rules prescribed is liable to be quashed. In the light of our discussion and findings above, we are of the view that the respondents had arbitrarily and illegally

cancelled the select panel. Therefore, the action of the respondents in cancelling the panel is not sustainable in law. Consequently, the order No.RRB/G/41/90 dated 5-9-96 (Annexure A.VIII) issued by the respondent No.3 and the Railway Board letters No.96/E(RRB)/25/12 dated 7.8.1996 and No.96/E(RRB)/25/13 dated 21.8.1996 mentioned therein insofar as they relate to category No.7 Stenographer(English) of the Employment Notice No.1/95 dated 26.4.1995 are liable to be set aside and quashed. Accordingly, they are hereby set aside and quashed. Further, we direct the respondents to complete the process of recruitment to the posts of Stenographer (English) aforesaid in accordance with law and rules within three months from the date of their receipt of this order.

10. All the above Original Applications are allowed in the lines indicated above. No order as to costs.

Sd/- VICE CHAIRMAN  
Sd/- MEMBER (ADMN)



20  
F. B. by  
Golap Jaima  
26.2.97

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Consolidated Application as per order dated 18.2.97 in

Misc. Petition No.26/97

O.A.No.146/96

Shri Pankaj Jyoti Das ... Applicant

-Versus-

Union of India & others .... Respondents.

An application under Section 19 of the Administrative Tribunal's Act, 1985

I N D E X

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Hand copy  
Laminated  
for B.K. Das

For use of Tribunal's Office :-

Date of filing
Registration No.
Signature
Registrar.

Pankaj Jyoti Das

1. PARTICULARS OF THE APPLICANT :

Shri Pankaj Jyoti Das,  
son of Shri Dayal Chandra Kumar,  
PO & Vill - Gotenagar,  
Guwahati - 33.

2. PARTICULARS OF THE RESPONDENTS :

1. Union of India represented by  
the Secretary to the Govt. of India,  
Ministry of Railways,  
New Delhi.
2. General Manager(P),  
N.F.Railway,  
Maligaon,  
Guwahati-11.
3. Chairman,  
Railway Recruitment Board,  
Guwahati-1.
4. Member Secretary,  
Railway Recruitment Board,  
Guwahati-1.

3. PARTICULARS OF THE ORDERS AGAINST WHICH  
THIS APPLICATION IS MADE :

- i. This application is made for implementa-  
tion of recommendation of the selected candidates for  
appointment as stenographer(English) in scale of pay  
Rs.1200-2040 vide Employment Notice No.1/96 Category 7  
(Annexure A.III).
- ii. Restraining the respondents from  
completing the process of employment notice No.1/96  
category No.1 (Annexure A.VIII).
- iii. Notification dated 05.9.96 under  
No.RRB/G/41/90 issued by Shri B.Kalita, Chairman,Railway  
Recruitment Board,Guwahati cancelling the recruitment  
panels.....

*Pankaj Jyoti Das*

panels of stenographer(English) in scale of Rs.1200-2040 under category No.7 of Employment Notice No.1/95 dated 26.4.95 and Craft Teacher (Bengali Medium) in scale Rs.1400-2600 under category No.6 of Employment Notice No.3/94 dated 19.12.94 (Annexure R.I of the written statement).

4. JURISDICTION :

The applicant declare that the subject matter against which he want redressal is within the jurisdiction of the Tribunal.

5. LIMITATION :

The applicant further declare that the application is within the limitation prescribed under Section 21 of the Administrative Tribunal's Act, 1985.

6. FACTS OF THE CASE :

6.1 That the applicant is a citizen of India and as such he is entitled to all the rights and privileges guaranteed under the Constitution of India.

6.2 That the applicant has passed the HSLC examination in the year 1989 and B.A. Examination in 1993 and has obtained diploma in typing and stenography. The testimonials are enclosed in the application and marked as Annexure A.I, A.I.1 and A.II.

6.3 That the respondent No.3 made an advertisement for testing candidates for stenographer in the  
scale.....

Pankaj Jyoti Das

scale of pay Rs.1200-2040 through Employment Notice No.1/95 (Annexure A.III) where it was clearly written under clause 12 of general instructions that the no. of post of stenographer may be increased or decreased.

6.4 That the applicant in response to the advertisement made by the Respondents on 26.4.95 as appeared in The Assam Tribune had applied for the post of stenographer. The said advertisement runs as Employment Notice No.1/95 Category No.7.

Copy annexed as Annexure A.III.

6.5 That the applicant made application for appointment as stenographer at the scale of pay Rs.1200-2040 giving all particulars such as academic qualification, caste certificate, age proof certificate, Diploma certificate in typing and stenography etc.

6.6 That the respondents being satisfied with the requirements of the candidature for the post of stenographer as noted above called for written test fixing as 27.8.95.

A copy of the call letter is annexed herewith and marked as Annexure A.IV.

6.7 That as per the call letter the applicant appeared in the written test, did excellent in the examination and became successful in the test and accordingly the applicant was called for speed test both in typing and stenography and this was held on 4/5.11.95.

Contd...

Pankaj Jyoti Das

A copy of the call letter is annexed herewith and marked as Annexure A.V.

6.8 That in the speed test the humble applicant did excellent and accordingly he was declared successful and thereafter the applicant was called for viva-voce test on 8.11.95 in which the applicant also became successful and was selected by the Respondent No.3 and recommended the name of the applicant to Respondent No.2 for appointment. In view of increase in no. of vacancy, the respondent rightly and validly recommended the name of the applicant alongwith 15 others for appointment.

A copy of the said recommendation containing the name of the applicant alongwith others is annexed herewith and marked as Annexure A.VI.

6.9 That the written test, speed test and viva-voce test were conducted by the Railway Recruitment Board headed by Chairman, which is an autonomous body like any other Railway Recruitment Board in the country. Moreover, one responsible officer was deputed to the selection board on behalf of the Respondent No.1 and 2.

6.10 That the applicant beg to state that as per advertisement dated 26.4.95, once the applicant/ candidate is selected after going through all the stages/ tests viz written test, speed test and viva-voce test and when the name of the candidate was recommended for appointment as stenographer, the respondent No.2 is duty.....

*Pankaj Jyoti Das*

duty bound to appoint the applicant in the existing vacancy of the stenographer.

6.11 That the applicant beg to state that though final list of 16 candidates including the name of the applicant i.e. Annexure A.VI was recommended on 9.11.95 to the Respondent No.2 for appointment, the Respondent No.2 did take no action on it and the applicant was at a loss of having not received the appointment letter. Even the resentment/inaction of the Respondent No.2 was echoed/re-echoed in the news paper. Copy enclosed.

6.12 That the applicant made representation to the Respondent No.2 dated 10.6.96 requesting him to make appointment of the applicant.

A copy of the representation is annexed herewith and marked as Annexure A.VII.

6.13 That while the applicant was anxiously waiting for the appointment letter he was surprised to see the advertisement Notice No.1/96 dated 20.5.96 where the respondents wanted to test 8 candidates. This advertisement appeared in local news papers including notice board and runs as category No.1. Having seen the advertisement, the anxiety of the applicant was multiplied and again he approached the respondents and no response at all was there from the respondents. The applicant believes that some foul play may take place in view of the advertisement No.1/96 dated 20.5.96.

Contd.....

Pankaj Jyoti Das

A copy of the advertisement Notice No.1/96 is annexed herewith and marked as Annexure A.VIII.

In this connection, the applicant beg to state that alongwith him there are 15 other candidates also duly recommended for appointment to the post of stenographer and while none of the recommended candidates is appointed, publication of another advertisement is creating suspicion.

The applicant further beg to state that there was another Employment Notice No.2/95 Category No.1 where 21 candidates were recommended for appointment of office clerk in the scale of pay Rs.950-1500 and all of them were appointed though they were appeared in the tests subsequent to the applicant.

6.14 That the applicant beg to state that the selection of the applicant is valid only upto one year as per existing rule of the respondents.

6.15 The applicant beg to state that the respondents by the notification dated 05.9.96 under reference No.RRB/G/41/90 issued by Shri B.Kalita, Chairman, Railway Recruitment Board, Guwahati has cancelled the recruitment panels of stenographer(English) in scale of Rs.1200-2040 under category No.7 of Employment Notice No.1/95 dated 26.4.95 and Craft Teacher(Bengali Medium) in scale Rs.1400-2600 under Category No.6 of Employment Notice No.3/94 dated 19.12.94 action of which has resulted mis-carriage of justice and multiplication of illegalities.

Contd.....

*Pankaj Jyoti Das,*

7. G R O U N D S :

7.1. For that in view of the selection as per Annexure A-VI, the applicant was sure that he would be appointed soon under respondents and as such he did not make any attempt for appointment in any other department.

7.2 For that injustice will be done to him if immediate appointment letter is not issued. Moreover, alongwith the applicant, the whole family will suffer very adversely.

7.3 For that the father of the applicant who has got a very good and recordable service has already retired from the service of railways and there is no earning member to look after the family.

7.4 For that the applicant hails from OBC community and has come from a very poor family and he is the only adult member to look after his family, who deserves sympathy from all concerned.

A copy of the caste certificate is enclosed and marked as Annexure A.IX.

7.5 For that the advertisement No.1/96 as referred in Annexure A.VIII is ill-conceived, confusing, conflicting, contradictory, inharmonious and acting upon it will be illegal and uncalled for and the applicant firmly believes that this Hon'ble Tribunal will direct the respondent No.2 to implement the recommendation of Respondent No.3 and 4(Annexure A.VI) and in the event of  
non-issuing.....

Pankaj Jyoti Das,

non-issuing such direction, the applicant will be deprived of the right of appointment conferred upon him after the selection.

7.6 . For that the cancellation of recruitment panels is illegal, arbitrary, despotic, void and not maintainable in the eye of law.

8. RELIEFS SOUGHT FOR :

In view of the facts and circumstances of the case the applicant prays for the following reliefs:-

i. That the applicant may be appointed with immediate effect with a direction to give the seniority from the date of recommendation for appointment i.e. dated 9.11.95.

ii. The respondents may be directed not to implement the advertisement No.1/96 (Annexure A.VIII) till the applicant is appointed.

ii.a To set aside and quash the cancellation of recruitment panels issued by the Chairman, Railway Recruitment Board, Guwahati under reference No.RRB/G/41/90 dated 05.9.96 (Annexure R.I of the Written Statement).

iii. Any other relief/reliefs as this Hon'ble Tribunal considers fit and proper.

Contd.....

*Pankaj Jyoti Das.*

9. INTERIM RELIEF PRAYED FOR :

- i. That during pendency of the disposal of the application, direction may be issued to the Respondents to appoint the applicant with immediate effect.
- ii. That the respondents may be directed not to appoint stenographer against advertisement No.1/96 will the applicant is appointed.

10. WHETHER ANY OTHER APPLICATION/PETITION FILED BEFORE ANY OTHER COURT/TRIBUNAL :

The applicant beg to state that he has not filed any other case application before any Court/Tribunal.

11. REMEDIES EXHAUSTED :

The applicant beg to state that he has exhausted all the remedies and there is no other alternative but to approach this Hon'ble Tribunal for justice.

12. PARTICULARS OF THE POSTAL ORDER :

Postal Order No.

Date :

Issued by :

Payable at :

13. An Index with particulars of enclosures is enclosed.

14. PARTICULARS OF DOCUMENTS :

As per Index.

Verification.....

PomKaj Jyoti Das -

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

I, Shri Pankaj Jyoti Das, son of Shri Dayal Chandra Kumar, aged about 25 years, by caste O.B.C.(Kumar), by religion Hindu, resident of Vill & PO Gotanagar, Guwahati-33 do hereby solemnly affirm and verify that the statements made in paragraph 1 to 6 and 8 to 14 of this O.A. are true to my knowledge and those made in paragraph 7 of the OA are true to my legal advice and I have not suppressed any material fact.

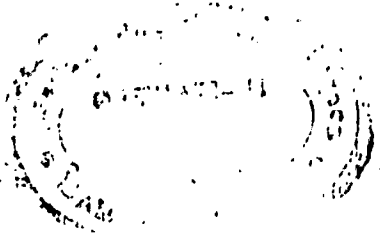
AND I sign this Verification on this 25<sup>th</sup> day of Feb, 1997 at Guwahati.

Pankaj Jyoti Das.

Book No.

Sl. No. 600 20

Office of the  
**Railway High School, Maligaon**



PROVISIONAL

**H. S. L. C. Examination Passed Certificate**

This is to certify that Sri/Dmt. Pankaj Jyoti Das,  
son/daughter of Sri/Late Rajal Ch. Kumar of Maligaon,  
was a student of this school. He/She has passed the H.S.L.C. Examination/  
1987 from this school under Roll No. 194 in II Div. The  
per Admit Card of the said examination his/her date of birth is 28-3-72

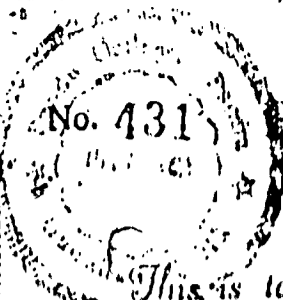
To the best of my Knowledge and information he/she bears a good  
moral character.

I wish him/her all succes in life.

Dated 1-8-87

*Akshel*  
*24/7/87*  
Medical Officer (Ayur)  
Govt. Ayurvedic College  
Hospital, Guwahati

*P. K.*  
*3/8/87*  
Headmaster,  
RAILWAY HIGH SCHOOL,  
MALIGAON GUWAHATI  
Cachari-181



OFFICE OF THE PRINCIPAL  
**PANDU COLLEGE : PANDU**  
Guwahati-781012

12

SACHI PRINTING & STATIONERS, GUWAHATI

This is to certify that Sri Jyoti Das  
Roll 1203 No. 36 has duly passed the B.A.P.D.  
Final Examination of the Gauhati University of 1994  
from this College as a regular candidate; and was  
placed in the X division with X Major/  
Distinction in the subject.

While he/she was a student of this college his/her character  
and conduct were satisfactory.

I wish him/her every success in life.

Dated, Pandu,  
The 24th 10/95

*Arindam*  
*Chakrabarti*  
*24/10/95*  
Medical Officer (Ayur)  
Govt. Ayurvedic College  
Hospital, Guwahati

*Principal*  
Principal  
GUWAHATI  
29/6/95

Annex - A - 11 - 13

32

**Bina Type-Writing Institution**

Sl. No. -332.

Regd No-640

ASSAM GOVT. REGISTERED 1989

GOSALA, GUWAHATI-II

**Diploma For Shorthand  
ENGLISH**

Certified that Son / Sp / M/s..... Pankaj Jyoti Das.  
Son / daughter / wife of..... Dayal Chandra Kumar..... Of  
Bina Type-Writing Institution at Sati Joy Moti Nagar, Ghy-11, Assam.  
duly passed the final examination Shorthand English at..... 80.0 (Eighty)  
words per -minute.

I CONSIDER HIM / HER QUALIFIED TO UNDER-TAKE THE DUTIES OF A STENOGRAPHER.

Dated :- S. J. M. H., Ghy-11, Assam.  
the 2-4-1993.

Principal P. K. Dutta BINA TYPE WRITING COMM. INST. BINA TYPE-WRITING INSTITUTION,  
B.T.W.I. Gosala Sati Joy Moti Nagar, Gosanagar, GOSALA  
Ghy-11, ESTD-1989 Guwahati-II

P. K. Dutta  
In-charge 2/4/93

Atyad  
Chandra  
2/4/93  
Medical Officer  
Govt. Ayurvedic College  
Hospital, Guwahati

15-11-1991

33

No. 137

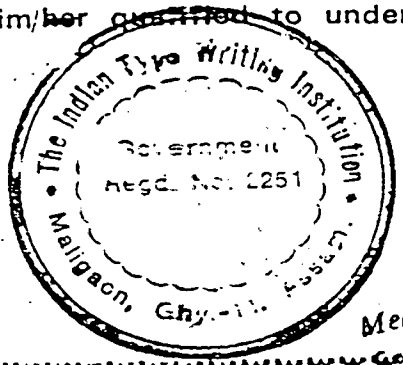
# THE INDIAN TYPE WRITING INSTITUTION

Registration No. 2251

## DIPLOMA FOR ~~SHORTHAND~~/TYPEWRITING

This is to Certify that Shri/Shrimati Pankaj Tyoti Das  
 Son/Daughter/Wife of Shri Rajul Chandra Kumar.....has been trained in  
~~Shorthand~~ Typewriting (blind) in this Institution. He/She has been declared successful in  
 the examination held on 24th Feb/1991 (Sunday) in ~~Shorthand~~ Typewriting (blind) and  
 has attained a speed of 40 (Twenty) words per minute.

I consider him/her qualified to undertake duties of a ~~Stenographer~~/Typist.



*C. Das*  
Principal

THE INDIAN TYPE WRITING INSTITUTION  
Maligaon, Guwahati-781011

Dated 15-03 th 1991.

*Atyad*  
*24 Feb*  
 Medical Officer (Ayur)  
 Govt. Ayurvedic College  
 Guwahati

*Annex A-11*

## RAILWAY NOTICE



RAILWAY RECRUITMENT BOARD :

GUWAHATI

Station, Road, Guwahati - 781001

Date : 26.4.95

EMPLOYMENT NOTICE NO. 1,95

DATE OF PUBLICATION : 03.5.95

CLOSING DATE : 9.6.95

Applications are invited in prescribed application form obtainable from the important Railway Stations, or in a proforma enclosed herewith (to be neatly typed) in a standard size thick paper, only one side) for the following temporary posts likely to be permanent on the Northeast Frontier Railway. Applications complete in all respects along with required enclosures should be sent to the Assistant Secretary, Railway Recruitment Board, Station Road, Guwahati-781001, Assam under certificate of posting so as to reach the Board's office on or before 17.30 hrs. of 9.6/95. The applications can also be dropped in the "Application Box" kept in the RRB Office before 17.30 hrs of 9.6.95. EMPLOYMENT NOTICE NO. AND CATEGORY NO. AGAINST WHICH THE CANDIDATE APPLIES MUST CLEARLY BE WRITTEN ON THE TOP OF THE COVER ENVELOPES POSITIVELY.

DEPARTMENT : MANAGING P' BRANCH :

**CATEGORY NO. 1 : ASSTT. TEACHER GRADE-I (BOTANY)** in scale Rs 1640-2900/- for English/ Bengali Medium Railway School. Temporary but likely to be made permanent. NO. OF POST : 1 (UR). QUALIFICATION : IInd class Master's Degree in Botany. (ii) University Degree/ Diploma in Education/ Teaching or Integrated two years post graduate course of Regional Colleges of Education of NCERT. (iii) Competence to teach through English and Bengali Medium. AGE : 20 to 40 years.

**CATEGORY NO. 2 : ASSTT. TEACHER, GRADE-I (PHYSICS)** in scale Rs. 1640-2900/- for English/ Bengali Medium Railway Higher Secondary School. Temporary but likely to be made permanent. NO OF POST : 1 (UR). QUALIFICATION : (i) IInd Class Master's Degree in Physics. (ii) University Degree, Diploma in Education/ Teaching, or Integrated two years post Graduate course of Regional Colleges of Education of NCERT, (iii) Competence to teach through English and Bengali Medium. AGE : 20 to 40 Years.

**CATEGORY NO. 3 : ASSTT. TEACHER GRADE-II (SCIENCE)** in scale Rs 1400-2600/- for Assamese Medium Railway School. Temporary but likely to be made permanent. NO OF POST : 1 (UR). QUALIFICATION : (i) IInd class Bachelors Degree with one of the following group of subject. 45% marks can be considered equivalent to IInd Class where there is no demarcation of class in Bachelor's Degree. (i) Physics, Chemistry and one subject out of Maths, Botany/ Zoology. Or (ii) Botany, Zoology and one subject out of Physics, Chemistry. (2) University Degree/ Diploma in Education/ Teaching or 4 years integrated Degree course in Regional Colleges of Education of NCERT (3) Competence to teach through Assamese Medium. AGE : 20 to 40 years.

**CATEGORY NO. 4 : ASSTT. TEACHER, GRADE-I (COMMERCE WITH SPECIAL PAPER BOOK-KEEPING & ACCOUNTANCY)** in scale Rs 1640-2900/- for Assamese Medium Railway Higher Secondary School. Temporary but likely to be made permanent. NO. OF POST : 1 (ST). QUALIFICATION : IInd Class Master's Degree in commerce with special paper Book-Keeping and Accountancy. (ii) University Degree, Diploma in Education, Teaching or

(iii) Competence to teach through Assamese Medium. AGE : 20 to 40 years.

**CATEGORY NO. 5 : ASSTT. TEACHER GRADE I (COMMERCE WITH SPECIAL PAPER BANKING)** in scale Rs. 1640-2900/- for Assamese Medium Railway Higher Secondary School. Temporary but likely to be made permanent. NO OF POST : 1 (UR). QUALIFICATION : (i) IInd Class Master's Degree in Commerce with special paper Banking, or University Degree/ Diploma in Education/ Teaching or Integrated two years Post Graduate course of Regional Colleges of Education of NCERT. (ii) Competence to teach through Assamese Medium. AGE : 20 to 40 years.

**CATEGORY NO. 6 : DEMONSTRATOR (PURE SCIENCE)** in scale Rs. 1400-2600/- for English/Bengali Medium Railway School. Temporary but likely to be made permanent. NO OF POST : 2 (1 UR, 1 SC). QUALIFICATION : (i) IInd Class Bachelor's Degree with Physics, Chemistry and one subject out of Botany/ Zoology. 45% marks can be considered equivalent to IInd Class where there is no demarcation of class in Bachelor's Degree. (ii) University Degree/ Diploma in Education/ Teaching or 4 years integrated Degree course in regional colleges of Education of NCERT. (iii) Competence to teach through English and Bengali Medium. AGE : 20 to 40 years.

**CATEGORY NO. 7 : STENOGRAPHER (ENGLISH)** in scale Rs. 1200-2040/-. NO OF POST : 10 (UR-5, SC 2, ST-2, OBC-1). QUALIFICATION : Matriculate. SPEED : 80 W.P.M. & 40 W.P.M. in Shorthand and type-writing respectively. Knowledge of Hindi Stenography is an additional Qualification and will be given preference. AGE : 18 to 30 years.

DEPARTMENT : MEDICAL :

**CATEGORY NO. 8 : STAFF NURSE** in scale Rs. 1400-2600/-. NO. OF POST : 14 (UR-8, ST-2, OBC-4). QUALIFICATION : The candidates must have passed Matriculation or its equivalent examination and possess a certificate as Registered Nurse and Midwife having passed the three years course in General Nursing and six months course in Midwifery from a School of Nursing or other Institution recognised by the Indian Nursing Council or B.Sc. Nursing. Candidates passing B.Sc (Nursing) will be given two advance increments on the merit of each candidate under the sanction of competent authority. On selection, their names must be borne in the Indian State Medical Register. They must be able to speak in English, Hindi, Assamese or Bengali. AGE : Between 20 to 35 years with 5 years relaxation for SC/ST candidates. Both Male/ Female candidates can apply.

N.B :

(i) A General Relaxation in upper age limits for all communities/ categories of candidates have been given by 2 years besides the age relaxation given in para-2. This relaxation is applicable for 2 years with effect from 15.7.94.

(ii) The Candidates must have acquired the essential qualifications as laid down at the time of submission of application. Candidates who have yet to appear at the examination and whose results are withheld or not declared are not eligible to apply.

1. GENERAL INSTRUCTION

1.1 ABBREVIATION USED : SC - Schedule Caste, ST - Scheduled Tribe, UR - Un-Reserved, OBC - Other Backward Class, I.P.O. - Indian Postal Order, EXSM - Ex-Serviceman, PH - Physically handicapped.

1.2 The number of vacancies shown may be increased or decreased.

1.3 SC/ST/OBC candidates can apply against UR posts but they will have to compete with UR candidates. SC/ST/OBC candidates need apply strictly against their respective vacancies only.

2. AGE LIMIT :

2.1 The age will be reckoned as on 1.5.95. The upper age limit is relaxable as under :-

*Noted  
Gola / Jaine  
Advocate*

*34*

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**RAILWAY RECRUITMENT BOARD :: GUWAHATI**  
( Under Certificate of posting )

Station Road  
Guwahati-781001

No. RRB/G/41/10

CALL LETTER/ADMIT CARD FOR THE WRITTEN  
EXAMINATION, CATEGORY No. 7 EMPLOYMENT  
NOTICE NO. 1195.



To  
Shri/Sgt. Pankaj Jyoti Das

YOUR ROLL NO. is 840052

This is Your Call letter/Admit Card for the  
written examination for the post of Steno-grapher  
in scale Rs. 1200-2040/- under Employment Notice No. 1175  
Category No. 7 of the N.F. Railway.

**PROGRAMME OF WRITTEN EXAMINATION IS AS GIVEN BELOW :**

DATE	DAY	TIME	VENUE
27.8.95	Sunday	10.00 hrs	Komarpur Academy H.S. Cheni, Kuthi GHY-3

The following terms and conditions must be noted for strict  
compliance.

1. You will not be admitted to this written examination without this Call letter/Admit Card and does not itself give any entitlement for selection.
2. Your candidature has been accepted provisionally and is subject to check and fulfilment of all conditions laid down in the said Employment Notice.
3. IF YOU DO NOT FULFILL THE CONDITIONS AS LAID DOWN IN THE SAID EMPLOYMENT NOTICE, PLEASE IGNORE THIS CALL LETTER/ADMIT CARD AND DO NOT APPEAR.
4. Only the successful candidates in the written examination will be called for the viva-voce test.
5. You are to defray your own travelling expence (for UR/OBC candidates).
6. Approaching the Chairman/RRB/GHY and other officials of RRB/Guwahati directly or indirectly by a candidate or anybody on his behalf requesting under consideration for the recruitment will render a candidate liable for disqualification.
7. Only the candidates and the persons engaged in conducting the examination will be allowed into the examination process. Strict discipline and silence must be maintained in the examination/hall/Rooms. Appropriate action will be taken in case of those adopting unfair means in the examination hall, etc.
8. FOR SC/ST CANDIDATES ONLY : ON PRODUCTION OF THIS CARD YOU ARE ENTITLED TO TRAVEL FREE BY R.R. IN SECOND CLASS FROM (GHY) TO GUWAHATI (GHY) & V.V. THIS PASS IS VALID UP TO ( )

REGD. NO. (NG) 111-CA/RSC/122 dtd. 23.11.84.

Medical Officer  
Govt. Ayurvedic Hospital, Guwahati

FOR CLERK  
RRB/GHY

Answer A ✓ 1st 16

**RAILWAY RECRUITMENT BOARD: GUWAHATI**  
(Under Certificate of Posting)

Station Road  
Guwahati-1  
Date: 13/10/95

NO. RRB/G/41/9

This is your Admit Card/Call Letter for **SPEED TEST** and **VIVA-VOCE TEST**.

To  
Shri/Smt. Jankay Tyote Das

Your Roll Number is 380052



You will not be admitted for the Speed Test & Viva-Voce Test without this Call Letter/Admit Card. This Call letter/Admit Card however does not itself give any entitlement for selection.

RECRUITMENT SELECTION FOR THE POST OF JR. STENOGRAPHER (ENGLISH) IN SCALE No. 1200-2040/-, CATEGORY NO. 7, UNDER EMPLOYMENT NOTICE NO. 1/95 ON THE NORTHEAST FRONTIER RAILWAY.

1. With reference to your application for the post mentioned above, in response to the Employment Notice cited above, you are hereby advised to attend the office of Chief Personnel Officer/ N.F. Railway/Maligaon, Guwahati-11 on 4.11.95 at 9.30 hrs. for Speed Test.
2. The Viva-Voce Test of the successful candidates of Speed Test will be held on 8.11.95 at Railway Recruitment Board, Guwahati, Station Road, Guwahati-1. **NO SEPARATE CALL LETTER FOR VIVA-VOCE TEST WILL BE ISSUED.** The Candidates shall have their result on the Notice Board of this office on 23.6.11.95 and those candidates who will qualify in the speed test of 80 words per minute should appear for the Viva-Voce Test on 8.11.95. Therefore, your presence may be required for more than four days and you should come so prepared.
3. You should bring your all original certificates and Mark-sheets along with respective diploma certificates (i.e. Shorthand & Type) on the day of Viva-Voce Test. The SC/ST candidates also must produce their Caste/Tribe certificate at the time of Viva-Voce test.
4. Request for postponement of the Date of Speed test and Viva Voce test will not be considered and no absentee test will be held.
5. You are also directed to bring the Original Call letter for the written test held on 27.8.95.
6. Approaching Chairman/RRB and or his Secretariat directly or indirectly by a candidate or any body on his behalf requesting undue consideration for the recruitment will render a candidate liable for disqualification.
7. The candidates can give interview either in English or Hindi.

**FOR SC/ST CANDIDATES ONLY**  
ON PRODUCTION OF THIS CALL YOU ARE ENTITLED TO TRAVEL FREE BY RAILWAY IN SECOND CLASS FROM (STN.) AND BACK. This Pass is available upto 15.11.95.  
Authority:- Rly. Bd's Lt.No. E(NG) II-84/RSC/122 Ctc. 25.11.95.

N.B.-(1) You are advised to increase the speed of shorthand and typing to come out successful in the ensuing speed test to be held on 4.11.95. (2) You are directed to bring attested photostat copies of all certificates, mark-sheets and other certificates along with the original at the time of viva-voce test. You should appear in the speed test of 80 words per minute.

*Handwritten signature and date:*  
13/10/95

*Official stamp and signature:*  
Chief Personnel Officer  
N.F. Railway  
Maligaon, Guwahati

NO. RMB/G/CON/155/102/Tt.1

Date: 9-11-95

NOTICE

Sub:- Recruitment selection for the post of Jr. stenographer (English) in scale Rs. 1200-2040/- under Employment Notice No. 1/95 category No. 7 and GM/P/MLG's Indent No. E/227/216/ RMB/2/Rectt Pt. II dated 7.4.95.

Date of Written Test: 27-8-95  
Date of Speed Test: 04-11-95 ( for 80 w.p.m.)  
Date of Speed Test: 05-11-95 ( for 60 w.p.m.)  
Date of Viva Voce Test: 08-11-95  
Date of panel approved: 09-11-95

The selection Board held the viva voce test on 8.11.95 for the recruitment of Jr. Stenographer (Eng) under Employment Notice No. 1/95 Cat. No. 7 in scale R. 1200-2040/- and has found 16 (UR-10, SC-2, ST-2, OBC-2) candidates suitable for the said post and their names are recommended to GM/P/N.F. Railway/Maligaon in ORDER OF MERIT.

AGAINST U. R. VACANCY

<u>SN</u>	<u>Roll No.</u>	<u>Name of candidate</u>
1.	810704	Anjali Devi
2.	810786	Asis Chakravorty
3.	810798	Mrityunjoy Ghosh
4.	810018	Debasish Chowdhury
5.	810589	Hupak Chakravorty
6.	810777	Pradip Kr. Sarkar
<del>7.</del>	<del>810763</del>	<del>Not available</del>
8.	810767	Kamala Deka
9.	810794	Pabitra Kr. Kakati
10.	810759	Satyanarayan Goswami

AGAINST S. C. VACANCY

1.	820123	T. Krishna Das
2.	820246	Sanjoy Kr. Rai

AGAINST S. T. VACANCY

1.	830077	Bijay Ch. Baro
2.	830108	Bincy Kr. Daimary

AGAINST O. B. C. VACANCY

1.	840025	Santosh Kumar
2.	840052	Pankaj Jyoti Das

( J. B. S. )  
Member Secretary  
for Chairman/RMB/GHY.

Copy to: AS/RMB/GHY  
2. Notice Boards,  
3. Panel files

COPY

35

To  
The General Manager,  
N.F. Railway, Maligaon.

Sub: - Appointment to the post of 'Junior Stenographer  
in pay scale of Rs.1200-2040/- per month.

Sir,  
We humbly beg to bring to your kind notice  
that our names were recommended by the Railway  
Recruitment Board/Guwahati for appointment to the post  
of 'Junior Stenographer'(English) in scale of pay  
Rs.1200-2040/- p.m. as published in 'The Assam Tribune'  
dated 12.12.95 and 'Employment News' dated 23.12.95 etc.

Sir, we are eagerly waiting for a formal  
appointment letter since December'95. We shall deem it  
favourable of your kindly look into the matter and  
arrange to issue the appointment letter at the earliest.

Thanking you,

Yours faithfully,

Dated : 10.6.96.

Sd/-

(Pankaj Jyoti Das)  
(Selected candidates of the  
Junior Stenographer)

*attested  
Golap Jamma  
D.D. or call*

**RAILWAY NOTICE**



**RAILWAY RECRUITMENT BOARD : GUWAHATI**  
**EMPLOYMENT NOTICE NO. 1/96**  
**STATION ROAD, GUWAHATI-781001**  
**DATED : 20/05/96**  
**CLOSING DATE : 30/06/96**

Applications are invited in prescribed forms obtainable from any important Railway Station or in proforma application given below (to be neatly typed in using one side only in a standard size thick paper) for the following temporary posts, likely to be permanent, in the Northeast Frontier Railway. Applications complete in all respects along with required enclosures should be sent to the ASSISTANT SECRETARY, RAILWAY RECRUITMENT BOARD : STATION ROAD, GUWAHATI-781001, ASSAM under certificate of posting so as to reach the Board's office on or before 17-30 hrs. of 30/06/96. The applications can also be dropped in the "Application Box" kept in the RRB Office before 17-30 hrs. of 30/06/96.

EMPLOYMENT NOTICE NO. AND CATEGORY NO. AGAINST WHICH THE CANDIDATE APPLIES MUST CLEARLY BE WRITTEN ON THE TOP OF THE COVER ENVELOPES POSITIVELY.

CATEGORY No.	NAME OF THE POST	SCALE OF PAY	STIPEND DURING TRAINING	VACANCIES					SEX	PERIOD OF TRAINING	AGE AS ON 01-06-96
				UR	SC	ST	OBC	TOTAL			
1.	Stenographer (English)	1200-2040/-	Rs. 2000/-	04	01	02	01	08	Both	12 months	18 to 30 Yrs.
2.	Appr. Junior Engineer (Sig/Gr-II)	2000-3200/-	Rs. 2000/-	02	01	01	—	04	Both	12 months	20 to 30 Yrs.
3.	Appr. Signal Inspector/Gr-II	1400-2300/-	Rs. 1320/- 1350/-	07	02	04	01	14	Both	24 months	18 to 25 Yrs.
4.	Appr. Tele Communication Inspector/Gr-II	1400-2300/-	Rs. 1320/- 1350/-	07	02	02	02	13	Both	24 months	18 to 25 Yrs.
5.	Appr. Tele Communication Maintainer/Gr-III	950-1600/-	Rs. 950/-	08	03	06	06	23	Both	12 months	18 to 25 Yrs.
6.	Tr. Asstt. Draftsman (S & T)	1200-2040/-	Rs. 1200/-	04	01	01	01	07	Both	12 months	18 to 25 Yrs.
7.	Tr. Electric Foreman/STA/Deputy Shop Supdt.	2000-3200/-	Rs. 2000/-	01	01	—	—	02	Both	12 months	20 to 30 Yrs.
8.	Appr. Mechanics (Elect)	1400-2300/-	Rs. 1400/-	09	05	01	03	18	Both	24 months	18 to 28 Yrs.
9.	Tr. Asstt. Draftsman (Elect)	1200-2040/-	Rs. 1200/-	03	01	01	01	06	Both	12 months	18 to 25 Yrs.
10.	Tr. Draftsman (Elect)	1400-2300/-	Rs. 1400/-	—	01	—	—	01	Both	24 months	20 to 30 Yrs.
11.	Tr. Head Draftsman (Elect)	1600-2660/-	Rs. 1600/-	01	—	—	—	01	Both	12 months	20 to 30 Yrs.
12.	Traffic Apprentice	1400-1440/-	Rs. 1400/-	06	02	01	02	11	Both	24 months	20 to 28 Yrs.
13.	Commercial Apprentice	1400-1440/-	Rs. 1400/-	06	02	02	01	11	Both	24 months	20 to 28 Yrs.
14.	Physiotherapist	1400-2300/-	—	01	—	—	—	01	Both	—	18 to 28 Yrs.
15.	Staff Nurse	1400-2600/-	—	13	04	02	07	26	Both	—	20 to 35 Yrs.
16.	Pharmacist	1350-2200/-	—	04	01	01	01	07	Both	—	20 to 30 Yrs.
17.	Lab Asstt.	975-1640/-	—	07	—	01	—	02	Both	—	19 to 28 Yrs.
18.	App. Mechanics Elect/DSL	1400-2300/-	Rs. 1320/-	04	02	01	01	08	Both	24 months	18 to 28 Yrs.
19.	Tr. Deputy Shed Supdt (Elect/DSL)	2000-3200/-	Rs. 2000/-	—	01	—	—	01	Both	12 months	20 to 30 Yrs.
20.	Appr. Mechanics (DSL/Mech)	1400-2300/-	Rs. 1320/-	04	01	02	01	08	Both	24 months	18 to 28 Yrs.
21.	Appr. Train Examiner	1320-1350/-	Rs. 1320/-	06	03	01	02	12	Both	24 months	18 to 28 Yrs.
22.	Tr. Asstt. Draftsman (mech.)	1200-2040/-	Rs. 1200/-	01	—	01	—	02	Both	12 months	18 to 28 Yrs.
23.	Draftsman (Mech)	1400-2300/-	Rs. 1200/-	02	—	01	—	03	Both	24 months	18 to 28 Yrs.
24.	Appr. Junior Chemical & Metallurgical Asstt.	1320-2040/-	Rs. 1320/-	02	—	—	01	03	Both	12 months	18 to 25 Yrs.
25.	Tr. Chemical & Metallurgical Asstt.	1400-2300/-	Rs. 1400/-	02	01	—	—	03	Both	12 months	22 to 30 Yrs.
26.	Tr. Deputy Shop Suptd. (Workshop)	2000-3200/-	Rs. 2000/-	01	01	01	—	03	Both	12 months	20 to 30 Yrs.
27.	Appr. Mechanics (Workshop)	1400-2300/-	Rs. 1320/-	05	02	01	02	10	Both	24 months	18 to 28 Yrs.
28.	Appr. Chief Train Examiner	2000-3200/-	Rs. 2000/-	02	01	—	—	03	Both	12 months	20 to 30 Yrs.
29.	Hindi Asstt. Gr-II	1400-2300/-	—	01	—	—	01	02	Both	—	18 to 28 Yrs.
30.	Appr. Junior Engineer (Elect)	2000-3200/-	Rs. 2000/-	02	01	01	—	04	Both	12 months	20 to 30 Yrs.

- Category No. 26 : BE (Mechanical).
  - Category No. 27 : Diploma in Mech. Engineering.
  - Category No. 28 : Degree in Mechanical/Electrical College.
  - Category No. 29 : B.A. with Hindi as elective subject graduate with English as a subject plus a degree or standard of B.A. (Hons) in English and a degree or
  - Category No. 30 : Diploma in Civil or Mechanical qualification of Diploma in Civil Engineering become them.
  - Category No. 31 : Degree in Civil Engineering.
  - Category No. 32 : (10+2) with science and Maths. D Engineering also be eligible.
  - Category No. 33 : Minimum ITI certificate in Dr. (India, NCVT) in Civil Engg. from recognised Institute duration. Civil Engg. Diploma holders and holders Institution will also be eligible.
  - Category No. 34 : Matric plus 3 yrs. diploma in C recognised colleges.
  - Category No. 35 : Degree in Civil Engg. Department
  - Category No. 36 : Degree in Civil Engineering Department
  - Category No. 37 : University degree preference b Honours & Master Degree. The candidate should minute in English or 25 words per minute in H prescribed educational qualification.
  - Category No. 38 : (i) IInd class Master's Degree in University Degree/Diploma in Education/Teaching course of Regional Colleges of education of N.C.E.R.T. medium.
  - Category No. 39 : (i) IInd class Bachelors Degree w Botany/Zoology. 45% marks can be considered demarcation of class in Bachelor's Degree. (ii) Unive OR 4 years integrated Degree course in region Competence to teach through English and Bengali
- N.B. : (i) A GENERAL RELAXATION IN UPPER CATEGORIES OF CANDIDATES HAVE RELAXATION GIVEN IN PARA-2. THIS WITH EFFECT FROM 4/8/95.
- N.B. : (ii) THE CANDIDATES MUST HAVE ACQUIRED LAID DOWN AT THE TIME OF SUBMISSION HAVE YET TO APPEAR AT THE EXAMINATION WITHHELD OR NOT DECLARED ARE NOT ELIGIBLE.

**1. GENERAL INSTRUCTION**

- 1.1 ABBREVIATION USED :**
- SC=Scheduled Caste, ST=Scheduled Tribe, U.P.O. =Indian Postal Order.
  - 1.2 The number of vacancies shown may be increased.
  - 1.3 SC/ST/OBC candidates can apply against UP candidates. SC/ST/OBC candidates need apply only.
- 2. AGE LIMIT**
- 2.1 The age will be reckoned as on 01-06-96. The
- (a) By 5 years for SC/ST candidates and by 3 years for OBC candidates.
  - (b) By 5 years for Bonafide displaced Goldsmen.
  - (c) By 10 years in case of physically handicapped candidates.
  - (d) Upto the age 40 years for "RESERVISTS".
  - (e) Upto the extent of service rendered by Government/Corporation/substitutes provided that the candidate is (continuous or broken) subject to the condition of Administrative offices of the Railway or other Government societies and Institutes upto 5 year upper age limit of 35 years whichever is less.
  - (f) Upper age limit in case of widows, divorcees or their husband but not remarried shall be 35 years.
  - (g) Upto maximum age of 45 years for repatriation to India on or after 1st June 1963 and 1st June 1963 in Pakistan (Now Bangladesh) on or after 1st June 1963.

**3. HOW TO APPLY**

3.1 Candidates should apply in their own handwriting (not in pencil) on good quality plain white paper.

A - H - 20

40

# ALL ASSAM OTHER BACKWARD CLASSES' ASSOCIATION

(Registered under the Society Registration)  
Act. XXI 1860 and recognised by the state Govt.  
of Assam vide

MEMO No. TAD/MISC/275/85/296, 5th January 1994

Regd. No.: 890

S. K. Barua Road, GUWAHATI-781006

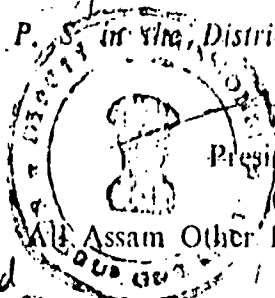
Sl. No. 94/ 8338

Date... 7-11-94

Certified that Shri / Shrimati Pankajyoti Das  
son / daughter / wife of Shri / Late Dayal Ch. Kumar  
of Gota - Nagari Village / Town T.E. Under Jalukbari  
P. / S: Guwahati Sub-Division in the District of Kamrup  
Assam belongs to Kumar Caste/  
Community / Tribe which is recognised as Other Backward Class / More-Other  
Backward-Class by the State Government of Assam.

He / She is residing at Gota - Nagari Village / Town /  
T. E. under Jalukbari P. S. in the District of Kamrup Assam

Counter Signature of  
DC / SDO: [Signature]  
Sub-Division Officer (S)  
GUWAHATI.



[Signature]  
President / Gen. Secy / Joint-Secy. 7/11  
(Authorised Person)

All Assam Other Backward Classes' Association

General Secretary,  
All Assam Other Backward Classes' Association,

[Signature]  
24/11/94  
Medical Officer (Ayur)  
Govt. Ayurvedic College  
Hospital, Guwahati

# Special health check-up for LP students

From Our Correspondent  
**BONGAJAON, June 18**—A meeting of the Bongaigaon District Development Committee was held on June 10. The meeting discussed the implementation of special health check-up programme for primary school students in the district and asked the Joint Director of Health Services to prepare a plan to cover all the students of 963 LP schools in the district.

Addressing the meeting the Deputy Commissioner, Aftab Ahmed requested the heads of various development departments to submit future plan of action to develop the district with locally available resources.

The meeting also decided to utilise the water resources available in the district and the community polytechnic scheme of Bongaigaon Polytechnic for the benefit of the youth.

The State Government has decided to enhance land revenues of

Bongaigaon town as per Land Revenue Re-assessment Act, 1936. People who want to submit objections to the enhancement of land revenue may do so within six weeks from the date of publication of fixation notification in the Assam Gazette, says an official press release.

**Lawyers' resentment**: The Bongaigaon Lawyers' Association opposed the move to transfer the cases under Railway Properties (Unlawful Possession) Act, Motor Accident Claims, Workmen Compensation Act, Consumer Forum etc to Guwahati. A resolution was adopted to this effect. In a meeting of the Association held on June 7 under the presidency of Sri Gopal Chandra Das the meeting expressed resentment at the move made by the Government without considering the difficulties and financial implications for the litigant public.

**Convicted for murder**: The Session Judge, Bongaigaon, M M

Sarkar convicted Abdul Rahman of Monakocha village under Manikpur Police Station to undergo rigorous imprisonment for seven years and to pay a fine of Rs 50,000 or in default to undergo further rigorous imprisonment for two years under Section 447 of IPC for murdering Kanteswar Das of the same village.

The accused Abdul Rahman attacked Kanteswar while ploughing in the field on February 27, 1989 with a lathi. The injured Kanteswar died on his way to the hospital.

Sri R N Das, Public Prosecutor appeared for the State while Sri M Mahmud, advocate defended the accused.

# Workshop on bamboo crops, preservation

From Our Correspondent  
**AZAJIA, June 18**—A workshop on the "necessity of bamboo crops and its preservation" was held recently at the Horticultural Research Station, Kahluchi.

Participating in the workshop as chief guest, Dr. Alok Buragohain, of Gauhati University, explained the significance of bamboo use.

He stated that bamboo is also described as "green gold" and "timber of the poor people."

Dr Bipin Khangia, Associate Professor of Biswanath Agricultural College and Sri Benimadhab Baruah, District Agricultural Officer also attended the workshop.

Dr Khangia explained the techniques and utilisation of bamboo crops in the field industry. Dr Basanta Kr. Chakrabarty of Assam Agriculture University was the guest.

Narayan Kalita, Minister of State for Revenue and Sericulture (Ind).

**Dharna staged**: The Kamrup district committee of the Assam Press Correspondents Union staged a two-hour dharna on June 7 in front of the Circle Office of Palasbari in protest against the killings of Parag Kr. Das, Executive Editor of Asomiya Pratidin, Pabitra Narayan Chutia, Dipak Sargiyari and Manik Deori.

South Kamrup Press Club, South Kamrup New Writers and Artists Association, Dakshin Luitparjya Dal, Azara Amargyoti Sangha and Dakshin Kamrup Sasetan Parishad also sat on dharna.

The Kamrup district committee of APCU later submitted a memorandum to the competent authority demanding adequate security to the journalists.

# Missing of a boys creates

From Our Correspondent  
**DULIAJAN, June 18**—The lagged in between thirteen and fifteen of Duliajan and at different times created quite a sensation in the oil.

Altogether nine boys, all students of the locality, were reported missing three were traced and rescued by the police.

A large number of parents, and educational institutions of Duliajan convened by the officer-in-charge on June 17 to discuss the situation and prevention of further occurrence of the police have ruled out the possibility of any extremist outfit in the area, suspected that some drug traffickers lured these adolescent boys to carry out the police administration has urged and guardians to be alert to keep their adolescent children and to prevent them from going out for private tuition after school hours.

The O.C. of Duliajan police station adequate steps have been taken to trace the missing boys.

The names of the missing boys are: Class IX, Monoranjan Chetia (15), Class IX, Ganesh Ch. Gogoi (14), Class VII and Ratal Gogoi (14) Class VII.

# Appointment intensification

By A Staff Reporter  
**GUWAHATI, June 18**—The failure of the N F Railway authorities to appoint any of the 16 successful candidates in the post of Stenographer even after six months from the date of announcement of interview results, for the purpose, has been viewed by the conscious circles here as one more bid to deprive the indigenous people of job opportunities in the Railways by some vested interest circles.

According to knowledgeable sources, the Railway Recruitment Board, Guwahati, had declared ten general, two each of the Scheduled Caste, Scheduled Tribe and OBC category candidates, eligible for the post of Stenographer through a newspaper notification on December 12, 1995. Most of these job-seekers were local youths.

But, despite there being some vacancies against the posts, the N F Railway authorities have been allegedly showing no interest to absorb any of the selected candidates, allege the sources.

# Satyendra Sarma memorial award

**GUWAHATI, June 18**—The Assam State Centre of the Institution of Engineers (India

# Withdrawal

**GUWAHATI, June 18**—The Central Committee meeting of the Assam People's Front held recently here at Karbi Bhawan under the chairmanship of Sri Holiram Terang, General Secretary of ASDF and MLA demanded immediate withdrawal of Army Operation in the State, says a press release.

The meeting attended by all the newly elected MLAs of ASDF and representatives of other constituents namely Autonomy Demand Struggling Forum (ADSF) Mising Mimag'Kebang (MMK) and CPI(M-L), Liberation discussed the political situation of the State and the organisational position of APF and also adopted APF's stand on the burning issues at present.

The meeting described renewed Army Operations in the State in the name of solving the ULFA problem as "most unfortunate and a clear betrayal from the

**RAILWAY NOTICE**



**RAILWAY RECRUITMENT  
BOARD : GUWAHATI.**  
NO. RRB/G/41/90

Date : 05.9.96.

**NOTICE**

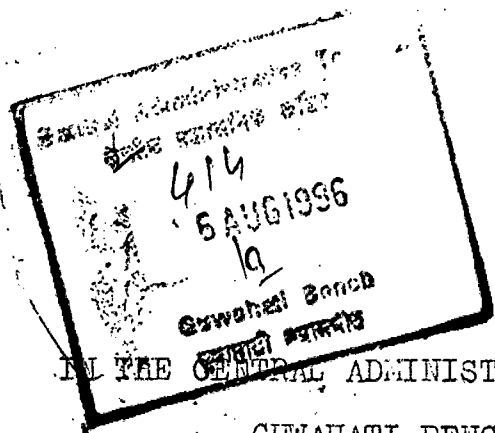
Sub : Cancellation of Recruitment panels of Stenographer (English) in scale Rs. 1200-2040/- under Category No. 7 of Employment Notice No. 1/95 dt. 26.4.95 and Craft Teacher (Bengali Medium) in scale Rs. 1400-2600/- under Cat No. 6 of Employment Notice No. 3/94 dt. 19.12.94.

Railway Board vide their letters No. 96/E/(RRB)/25/12 dtd. 7.8.96 and 96/E (RRB)/25/13 dt. 21.8.96 have cancelled the Recruitment panels of Stenographer (English) and Craft Teacher (BM) mentioned on the above subject due to various irregularities. Hence the Recruitment panels of Stenographer (English) and Craft Teacher (BM) stand cancelled.

(B. Kalita),  
Chairman  
Railway Recruitment Board,  
Guwahati.

RN/1328/1

*attested  
by J. J. J. J.  
Advocate*



23

43  
Filed by the applicant  
through - Sheikh Mustafa  
Advocate  
2-8-96

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Title of the case : O.A.No. 146 of 1996.

Shri Pankaj Jyoti Das ... Applicant.

-Versus-

Union of India & Ors. ... Respondents.

An application under Section 19 of the Administrative Tribunal's Act, 1985.

Received by  
Shri B. K. S. Das  
RA

I N D E X

Sl.No.	Particulars of enclosures	Page No.
1.	Application	1 to 8
2.	Verification	9
3.	Annexure A.I	11
4.	Annexure A.I.1	12
5.	Annexure A.II	13
6.	Annexure A.III	14
7.	Annexure A.IV	15
8.	Annexure A.V	16
9.	Annexure A.VI	17
10.	Annexure A.VII	18
11.	Annexure A.VIII	19
12.	do A. IX	20
13.	do	21

For the use in Tribunal's office:-

Date of filing	6-8-96
Registration No.	146/96
Signature	
	Registrar.

Pankaj Jyoti Das

1. PARTICULARS OF THE APPLICANT :

Shri Pankaj Jyoti Das,  
Son of Shri Dayal Chandra Kumar,  
PO & Vill - Gobanagar,  
Guwahati - 33.

2. PARTICULARS OF THE RESPONDENTS :

1. Union of India represented by  
The Secretary to the Govt. of India,  
Ministry of Railways,  
New Delhi.
2. General Manager(P),  
N.F.Railway, Maligaon,  
Guwahati-11.
3. Chairman,  
Railway Recruitment Board,  
Guwahati-1.
4. Member Secretary,  
Railway Recruitment Board,  
Guwahati-1.

3. PARTICULARS OF THE ORDERS AGAINST WHICH THIS APPLICATION IS MADE :

i. This application is made for implementation of recommendation of the selected candidates for appointment as stenographer (English) in the scale of pay Rs.1200 - 2040 vide Employment Notice No.1/95 Category No.7 (Annexure A.III).

ii. Restraining the respondents from completing the process of employment notice No.1/96 Category No.1 (Annexure A.VIII).

4. JURISDICTION :

The applicant declare that the subject matter against which he want redressal is within the jurisdiction of the Tribunal.

Contd.....

*Pankaj Jyoti Das*

5. LIMITATION :

The applicant further declare that the application is within the limitation prescribed under section 21 of the Administrative Tribunal's Act, 1985.

6. FACTS OF THE CASE :

6.1. That the applicant is a citizen of India and as such he is entitled to all the rights and privileges guaranteed under the Constitution of India.

6.2 That the applicant has passed the H.S.D.C. Examination in the year 1989 and B.A. Examination in 1993 and has obtained diploma in typing and stenography. The testimonials are enclosed in this application and marked as Annexure A.I, A.I.1 and A.II.

6.3 That the respondent No.3 made an advertisement for testing candidates for stenographer in the scale of pay Rs.1200 - 2040 through Employment Notice No.1/95 (Annexure A.III) where it was clearly written under clause 12 of general instructions that the no. of post of stenographer may be increased or decreased.

6.4 That the applicant in response to the advertisement made by the Respondents on 26.4.95 as appeared in The Assam Tribune had applied for the post of stenographer. The said advertisement runs as Employment Notice No.1/95, Category No.7.

A copy.....

*Pinkaj Jyoti Das*

A copy of the said advertisement is annexed and marked as Annexure A.III.

6.5      That the applicant made application for appointment as stenographer at the scale of pay Rs.1200-2040 giving all particulars such as academic qualification, caste certificate, ge proof certificate, Diploma certificate in typing and stenography etc.

6.6      That the respondents being satisfied with the requirements of the candidature for the post of stenographer as noted above called for written test fixing as 27.8.95.

A copy of the call letter is annexed herewith and marked as Annexure A.IV.

6.7      That as per the call letter the applicant appeared in the written test, did excellent in the examination and became successful in the test and accordingly the applicant was called for speed test both in typing and stenography and this was held on 4/5.11.95.

A copy of the call letter is annexed herewith and marked as Annexure A.V.

6.8.      That in the speed test the humble applicant did excellent and accordingly he was declared successful and thereafter the applicant was called for a viva-voce test on 8.11.95 in which the applicant also became successful and was selected by the Respondent No.3 and recommended the name of the applicant to Respondent No.2

for .....

*Pankaj Joti Sar.*

for ~~for~~ appointment. In view of increase in no. of vacancy, the respondent rightly and validly recommended the name of the applicant alongwith 15 others for appointment.

A copy of the said recommendation contained the name of the applicant alongwith others is annexed herewith and marked as Annexure A.VI.

6.9 That the written test, speed test and viva-voce test were conducted by the Railway Recruitment Board headed by Chairman, which is an autonomous body like any other Railway Recruitment Board in the country. Moreover, one responsible officer was deputed to the Selection Board on behalf of the Respondent No.1 and 2.

6.10 That the applicant beg to state that as per advertisement dated 26.4.95, once the applicant/candidate is selected after going through all the stages/ tests viz Written Test, speed test and viva-voce test and when the name of the candidate was recommended for appointment as stenographer, the respondent No.2 is duty bound to appoint the applicant in the existing vacancy of the stenographer.

6.11 That the applicant beg to state that though final list of 16 candidates including the name of the applicant i.e. Annexure A-VI was recommended on 9.11.95 to the Respondent No.2 for appointment, the Respondent No.2 did take no action on it and the applicant was at a loss of .....

*Bankaj Jyoti Das*

of having not received the appointment letter. Even the resentment/inaction of the Respondent No.2 was echoed/re-echoed in the news paper. Copy enclosed.

6.12 That the applicant made representation to the Respondent No.2 dated 10.6.96 requesting him to make appointment of the applicant.

A copy of the representation is annexed herewith and marked as Annexure VII.

6.13 That while the applicant was anxiously waiting for the appointment letter he was surprised to see the advertisement Notice No.1/96 dated 20.5.96 where the respondents wanted to test 8 candidates. This advertisement appeared in local news papers including notice board and runs as category No.1. Having seen the advertisement, the anxiety of the applicant was multiplied and again he approached the respondents and no response at all was there from the respondents. The applicant believes that some foul play may take place in view of the advertisement No.1/96 dated 20.5.96.

A copy of the advertisement Notice No.1/96 is annexed herewith and marked as Annexure A.VIII.

In this connection, the applicant beg to state that alongwith him there are 15 other candidates also duly recommended for appointment to the post of stenographer and.....

*Pankaj Joti Das.*

and while none of the recommended candidates is appointed, publication of another advertisement is creating suspicion.

In this connection, the applicant further beg to state that there was another Employment Notice No.2/95 . Category No.1 where 21 candidates were recommended for appointment of office clerk in the scale of pay 950-1500 and all of them were appointed though they were appeared in the tests subsequent to the applicant.

6.14 That the applicant beg to state that the selection of the applicant is valid only upto one year as per existing rule of the respondents.

7. GR O U N D S

7.1 For that in view of the selection as per Annexure A-VI, the applicant was sure that he would be appointed soon under the respondents and as such he did not make any attempt for appointment in any other department.

7.2. For that injustice will be done to him if immediate appointment letter is not issued. Moreover, alongwith the applicant, the whole family will suffer very adversely.

7.3 For that the father of the applicant who has got a very good and recordable service has already retired from the service of railways and there is no earning member to look after the family.

7.4 For that the applicant hails from OBC  
community.....

*Pankaj Joti Das*

community and has come from a very poor family and he is the only adult member to look after his family, who deserves sympathy from all concerned. A copy of

*40/1/96  
M/100/96  
7-8-96*

caste certificate is enclosed and marked as Annexure

7.5 For that the advertisement No.1/96 as referred in Annexure A.VIII is ill-conceived, confusing, conflicting, contradictory, inharmonious and acting upon it will be illegal and uncalled for and the applicant firmly believes that this Hon'ble Tribunal will direct the respondent No.2 to implement the recommendation of Respondent No.3 and 4 (Annexure A-VI) and in the event of non-issuing such direction, the applicant will be deprived of the right of appointment conferred upon him after the selection.

8. RELIEFS SOUGHT FOR :

In view of the facts and circumstances of the case the applicant prays for the following reliefs :-

- i. That the applicant may be appointed with immediate effect with a direction to give the seniority from the date of recommendation for appointment i.e. dated 9.11.95.
- ii. The respondents may be directed not to implement the advertisement No.1/96 (Annexure A-VIII) till the applicant is appointed.
- iii. Any other relief/reliefs as this Hon'ble Tribunal considers fit and proper.

Contd .....

*Pankaj Jyoti Das*

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9. INTERIM RELIEF PRAYED FOR :

i. That during pendency of the disposal of the application, direction may be issued to the Respondents to appoint the applicant with immediate effect.

ii. The respondents may be directed not to appoint stenographer against advertisement No.1/96 till the applicant is appointed.

10. WHETHER ANY OTHER APPLICATION/PETITION FILED BEFORE ANY OTHER COURT/TRIBUNAL :

The applicant beg to state that he has not filed any other case application before any Court/Tribunal.

11. REMEDIES EXHAUSTED :

The applicant beg to state that he has exhausted all the remedies and there is no other alternative but to approach this Hon'ble Tribunal for justice.

12. PARTICULARS OF THE POSTAL ORDER :

Postal Order No. 346587

Date : 25-7-96

Issued by : GPO, *Cumdat*

Payable at : *do*

13. An Index with particulars of enclosures is enclosed.

14. PARTICULARS OF DOCUMENTS :

As per Index.

VERIFICATION .....

*Pankaj Joti Das*

32  
52

a

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

I, Shri Pankaj Jyoti Das, son of Shri Dayal Chandra Kumar, aged about 24 years, caste O.B.C.(Kumar) religion Hindu, resident of Vill & P.O. Gotanagar, Guwahati - 33 do hereby solemnly affirm and verify that the statements made in paragraph 1 to 6 and 8 to 14 of this O.A. are true to my knowledge and those made in paragraph 7 of the O.A. are true to my legal advice and I have not suppressed any material fact.

AND I sign this Verification on this 5<sup>th</sup> day of Aug, 1996 at Guwahati.

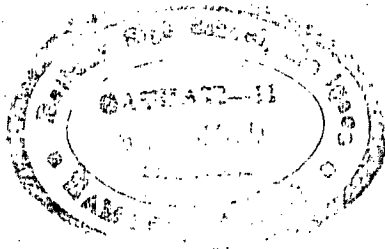
Pankaj Jyoti Das  
(P. J. DAS)

P

Book No. 7

Sl. No. 609

Office of the  
**Railway High School, Maligaon**



PROVISIONAL

**H. S. L. C. Examination Passed Certificate**

This is to certify that Sri/Smt. Pankaj Jyoti Das,  
son/daughter of Sri/Late Dayal Ch. Kumar of Maligaon,  
was a student of this school. He/She has passed the H.S.L.C. Examination/  
1989 from this school under Roll No. 194 in II Div. As  
per Admit Card of the said examination his/her date of birth is 28-3-72

To the best of my Knowledge and information he/she bears a good  
moral character.

I wish him/her all succes in life.

Dated 1-8-89

*Akshay*  
24/7/89  
Medical Officer (Ayur)  
Govt. Ayurvedic College  
Hospital, Guwahati.

*D. V. A.*  
18/8/89  
Headmaster,  
RAILWAY HIGH SCHOOL,  
MALIGAON, SIBHWA, MALIGAON  
Cantt-121



Annex A - 11 5 - 13

No. 137

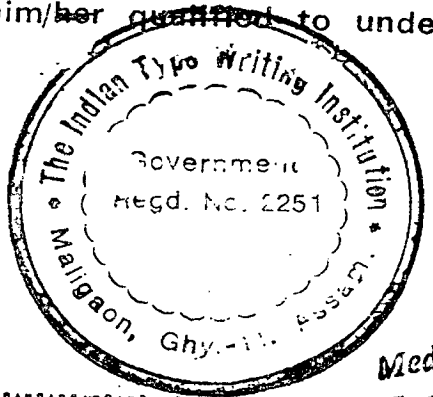
# THE INDIAN TYPE WRITING INSTITUTION

Registration No. 2251

## DIPLOMA FOR SHORTHAND/TYPEWRITING

This is to Certify that Shri/Shrimati Pankaj Tyoti Das.  
Son/Daughter/Wife of Shri Sayal Chandra Kumar. has been trained in  
~~Shorthand~~/Typewriting (blind) in this Institution. He/She has been declared successful in  
the examination held on 24th Feb/1991 (Sunday) in ~~Shorthand~~/Typewriting (blind) and  
has attained a speed of 40 (fourty) words per minute.

I consider him/her qualified to undertake duties of a ~~Stenographer~~/Typist.



Dated 15-03 th 1991.

*C. Das*  
Principal

THE INDIAN TYPE WRITING INSTITUTION  
Maligaon, Guwahati-781011  
*Atty. Genl. Das*  
*24/2 Feb.*  
Medical Officer (Ayur)  
Ayurvedic College  
Guwahati

Annex - A - 11 - 513

**Bina Type - Writing Institution**

Sl. No. -332.

Regd No-640

ASSAM GOVT. REGISTERED 1989

GOSALA, GUWAHATI-11

**Diploma For Shorthand  
ENGLISH**

Certified that Shri / Smt / M/s..... Pankaj Jyoti Das.  
Sop / daughter / wife of..... Dayal Chandra Kumar..... of  
**Bina Type-Writing Institution** at..... Sati Joy Moti Nagar, Ghy-11, Assam.....  
duly passed the final examination Shorthand **English** at..... 80.0 (Eighty).....  
words per minute.

I CONSIDER HIM / HER QUALIFIED TO UNDER-TAKE THE DUTIES OF A STENOGRAPHER.

Dated: S. J. M. N., Ghy-11, Assam.

the 2-4-1993.

Principal

B.T.W.I.

*P. K. Dutta*  
*2/4/93*

BINA TYPE WRITING COMM. INST.  
Sati Joymoti Nagar, Gotanagar,  
GHT. 11. ESTD-1989

*P. K. Dutta*

In-charge

BINA TYPE-WRITING INSTITUTION,

GOSALA

Guwahati-11

*2/4/93*

Medical Officer  
Govt. Ayurvedic College  
Hospital, Guwahati

Assam - III A - 14

# RAILWAY NOTICE



RAILWAY RECRUITMENT BOARD :

GUWAHATI

Station, Road, Guwahati - 781001

Date : 26.4.95

EMPLOYMENT NOTICE NO. 1/95

DATE OF PUBLICATION : 03.5.95

CLOSING DATE : 9.6.95

Applications are invited in prescribed application form obtainable from the important Railway Stations or in a proforma enclosed herewith (to be neatly typed) in a standard size thick paper, only one side) for the following temporary posts likely to be permanent on the Northeast Frontier Railway. Applications complete in all respects along with required enclosures should be sent to the Assistant Secretary, Railway Recruitment Board, Station Road, Guwahati-781001, Assam under certificate of posting so as to reach the Board's office on or before 17.30 hrs. of 9/6/95. The applications can also be dropped in the "Application Box" kept in the RRB Office before 17.30 hrs of 9.6.95. EMPLOYMENT NOTICE NO. AND CATEGORY NO. AGAINST WHICH THE CANDIDATE APPLIES MUST CLEARLY BE WRITTEN ON THE TOP OF THE COVER ENVELOPES POSITIVELY.

DEPARTMENT : MANAGING 'P' BRANCH :

CATEGORY NO. 1 : ASSTT. TEACHER GRADE - I (BOTANY) in scale Rs 1640-2900/- for English/ Bengali Medium Railway School. Temporary but likely to be made permanent. No. OF POST : 1 (UR). QUALIFICATION : IInd class Master's Degree in Botany. (ii) University Degree/ Diploma in Education/ Teaching or Integrated two years post graduate course of Regional Colleges of Education of NCERT. (iii) Competence to teach through English and Bengali Medium. AGE : 20 to 40 years.

CATEGORY NO. 2 : ASSTT. TEACHER, GRADE I (PHYSICS) in scale Rs. 1640-2900/- for English/ Bengali Medium Railway Higher Secondary School. Temporary but likely to be made permanent. NO OF POST : 1 (UR). QUALIFICATION : (i) II Class Master's Degree in Physics. (ii) University Degree/ Diploma in Education/ Teaching, or Integrated two years post Graduate course of Regional Colleges of Education of NCERT. (iii) Competence to teach through English and Bengali Medium. AGE : 20 to 40 Years.

CATEGORY NO. 3 : ASSTT. TEACHER GRADE-II (SCIENCE) in scale Rs 1400-2600/- for Assamese Medium Railway School. Temporary but likely to be made permanent. NO OF POST : 1 (UR). QUALIFICATION : (i) IInd class Bachelors Degree with one of the following group of subject. 45% marks can be considered equivalent to IInd Class where there is no demarcation of class in Bachelor's Degree. (i) Physics, Chemistry and one subject out of Maths./ Botany/ Zoology. Or (ii) Botany, Zoology and one subject out of Physics/ Chemistry. (2) University Degree/ Diploma in Education/ Teaching or 4 years integrated Degree course in Regional Colleges of Education of NCERT (3) Competence to teach through Assamese Medium. AGE : 20 to 40 years.

CATEGORY NO. 4 : ASSTT. TEACHER, GRADE-I (COMMERCE WITH SPECIAL PAPER BOOK-KEEPING & ACCOUNTANCY) in scale Rs 1640-2900/- for Assamese Medium Railway Higher Secondary School. Temporary but likely to be made permanent. NO. OF POST : 1 (ST). QUALIFICATION : IInd Class Master's Degree in commerce with special paper Book-Keeping and Accountancy. (ii) University Degree/ Diploma in Education/ Teaching, or

Colleges of Education of NCERT. (iii) Competence to teach through Assamese Medium. AGE : 20 to 40 years.

CATEGORY NO. 5 : ASSTT. TEACHER GRADE-I (COMMERCE WITH SPECIAL PAPER BANKING) in scale Rs. 1640-2900, for Assamese Medium Railway Higher Secondary School. Temporary but likely to be made permanent. NO OF POST : 1 (SC). QUALIFICATION : (i) IInd Class Master's Degree in Commerce with special paper Banking. (ii) University Degree/ Diploma in Education/ Teaching, or Integrated two years Post Graduate course of Regional Colleges of Education of NCERT. (iii) Competence to teach through Assamese Medium. AGE : 20 to 40 years.

CATEGORY NO. 6 : DEMONSTRATOR (PURE SCIENCE) in scale Rs. 1400-2600/- for English/Bengali Medium Railway School. Temporary but likely to be made permanent. NO OF POST : 2 (1-UR, 1-SC), QUALIFICATION : (i) IInd Class Bachelors Degree with Physics, Chemistry and one subject out of Botany/ Zoology. 45% marks can be considered equivalent to IInd Class where there is no demarcation of class in Bachelor's Degree. (ii) University Degree/ Diploma in Education/ Teaching or 4 years integrated Degree course in regional colleges of Education of NCERT. (iii) Competence to teach through English and Bengali Medium. AGE : 20 to 40 years.

CATEGORY NO. 7 : STENOGRAPHER (ENGLISH) in scale Rs. 1200-2040/-. NO OF POST : 10 (UR-5, SC-2, ST-2, OBC-1). QUALIFICATION : Matriculate. SPEED : 80 W.P.M. & 40 W.P.M. in Shorthand and type-writing respectively. Knowledge of Hindi Stenography is an additional Qualification and will be given preference. AGE : 18 to 30 years.

DEPARTMENT : MEDICAL :

CATEGORY NO. 8 : STAFF NURSE in scale Rs. 1400-2600/- . NO. OF POST : 14 (UR-8, ST-2, OBC-4). QUALIFICATION : The candidates must have passed Matriculation or its equivalent examination and possess a certificate as Registered Nurse and Midwife having passed the three years course in General Nursing and six months course in Midwifery from a School of Nursing or other Institution recognised by the Indian Nursing Council or B.Sc. Nursing. Candidates passing B.Sc (Nursing) will be given two advance increments on the merit of each candidate under the sanction of competent authority. On selection, their names must be borne in the Indian State Medical Register. They must be able to speak in English, Hindi, Assamese or Bengali. AGE : Between 20 to 35 years with 5 years relaxation for SC/ST candidates. Both Male/ Female candidates can apply.

N.B :

(i) A General Relaxation in upper age limits for all communities/ categories of candidates have been given by 2 years besides the age relaxation given in para-2. This relaxation is applicable for 2 years with effect from 15.7.94.

(ii) The Candidates must have acquired the essential qualifications as laid down at the time of submission of application. Candidates who have yet to appear at the examination and whose results are withheld or not declared are not eligible to apply.

1. GENERAL INSTRUCTION.

1.1. ABBREVIATION USED : SC - Schedule Caste, ST - Scheduled Tribe, UR - Un-Reserved, OBC - Other Backward Class, I.P.O. - Indian Postal Order, EXSM - Ex-Serviceman, PH-Physically handicapped.

1.2. The number of vacancies shown may be increased or decreased.

1.3. SC/ST/OBC candidates can apply against UR posts but they will have to compete with UR candidates. SC/ST/OBC candidates need apply strictly against their respective vacancies only.

2. AGE LIMIT :

2.1 The age will be reckoned as on 1.5.95. The upper age limit is relaxable as under :-

Attested  
10/6/95  
D. J. S. D. J. S.  
5/10/95

Handwritten signatures and initials.

58  
288

RAILWAY RECRUITMENT BOARD :: GUWAHATI  
( Under Certificate of posting )

Station Road  
Guwahati-781001

No. RRB/G/41/10

CALL LETTER/ADMIT CARD FOR THE WRITTEN  
EXAMINATION, CATEGORY No. 7 EMPLOYMENT  
NOTICE NO. 1195.



To  
Shri/Smt. Pankaj Jyoti Das

YOUR ROLL NO. is 840052

This is Your call letter/Admit Card for the  
written examination for the post of Steno Grapher  
in scale Rs. 1200-2040/- under Employment Notice No. 1195  
Category No. 7 on the N.F. Railway.

PROGRAMME OF WRITTEN EXAMINATION IS AS GIVEN BELOW :

<u>DATE</u>	<u>DAY</u>	<u>TIME</u>	<u>VENUE</u>
27.8.95	Sunday	10:00 hrs	Kamrup Academy H.S. Cheni Kuthi GHY-3

The following terms and conditions must be noted for strict compliance.

1. You will not be admitted to this written examination without this Call letter/Admit Card and does not itself give any entitlement for selection.
2. Your candidature has been accepted provisionally and is subject to check and fulfilment of all conditions laid down in the said Employment Notice.
3. IF YOU DONOT FULFIL THE CONDITIONS AS LAID DOWN IN THE SAID EMPLOYMENT NOTICE, PLEASE IGNORE THIS CALL LETTER/ADMIT CARD AND DO NOT APPEAR.
4. Only the successful candidates in the written examination will be called for the viva-voce test.
5. You are to defray your own travelling expence (for UR/OBC candidates).
6. Approaching the Chairman/RRB/GHY and other officials of RRB/Guwahati directly or indirectly by a candidate or anybody on his behalf requesting under consideration for the recruitment will render a candidate liable for disqualification.
7. Only the candidates and the persons engaged in conducting the examination will be allowed into the examination practices. Strict discipline and silence must be maintained in the examination/hall/Rooms. Appropriate action will be taken in case of those adopting unfair means in the examination hall, etc.
8. ~~FOR SC/ST CANDIDATES ONLY : ON PRODUCTION OF THIS CARD YOU ARE ENTITLED TO TRAVEL FREE BY RLY. IN SECOND CLASS FROM (STN.) TO GUWANATI (STN.) & BACK. THIS PASS IS VALID UPTO~~

( Authorised by RRB/GHY (NG) II 64/RSC/122 dtd. 23.11.84. )

*Handwritten signature*  
24/8

for  
RRB/GUWAHATI

*Handwritten mark*

Anwar A V — 1st 16

RAILWAY RECRUITMENT BOARD: GUWAHATI  
(Under Certificate of Posting)

Station Road  
Guwahati-1  
Date: 13/10/95

NO. RRB/G/41/9

This is your Admit Card/Call Letter for SPEED TEST and VIVA-VOCE TEST.

To Shri/smt. Pankaj Tanti Das.

Your Roll Number is

840052

You will not be

admitted for the Speed Test & Viva-Voce Test without this Call Letter/Admit Card. This Call letter/Admit Card however does not itself give any entitlement for selection.



RECRUITMENT SELECTION FOR THE POST OF JR. STENOGRAPHER (ENGLISH) IN SCALE Rs. 1200-2040/-, CATEGORY NO. 7, UNDER EMPLOYMENT NOTICE NO. 1/95 ON THE NORTHEAST FRONTIER RAILWAY.

1. With reference to your application for the post mentioned above, in response to the Employment Notice cited above, you are hereby advised to attend the office of Chief Personnel Officer, N. F. Railway/Maligaon, Guwahati-11 on 4.11.95 at 9.30 hrs. for Speed Test.

2. The Viva-Voce Test of the successful candidates of Speed Test will be held on 8.11.95 at Railway Recruitment Board, Guwahati, Station Road, Guwahati-1. NO SEPARATE CALL LETTER FOR VIVA-VOCE TEST WILL BE ISSUED. The Candidates shall have their result on the Notice Board of this office on 25.6.11.95 and those candidates who will qualify in the speed test of 80 words per minute should appear for the Viva-Voce Test on 8.11.95. Therefore, your presence may be required for more than four days and you should come so prepared.

3. You should bring your all original certificates and Mark-sheets along with respective diploma certificates (i.e. Shorthand & Type) on the day of Viva-Voce Test. The SC/ST candidates also must produce their Caste/Tribe certificate at the time of Viva-Voce test.

4. Request for postponement of the Date of Speed test and Viva Voce test will not be considered and no absentee test will be held.

5. You are also directed to bring the Original Call letter for the Written test held on 27.8.95.

6. Approaching Chairman/RRB and or his Secretariat directly or indirectly by a candidate or any body on his behalf requesting undue consideration for the recruitment will render a candidate liable for disqualification.

The candidates can give interview either in English or Hindi.

FOR SC/ST CANDIDATES ONLY.

ON PRODUCTION OF THIS CARD YOU ARE ENTITLED TO TRAVEL FREE BY RAILWAY IN SECOND CLASS FROM

(STN.) AND BACK. This Pass is available upto 15.11.95. Authority: Rly. Bd's Lt.No. E(NG) II-84/RSC/122 Ctc. 23.11.84)

N.B. (1) You are advised to increase the speed of shorthand and typing to come out successful in the ensuing speed test to be held on 4.11.95. (2) You are also directed to bring attested photostat copies of all certificates, mark-sheets and Mark-sheets and other certificates along with the original at the time of viva-voce test and to appear in the speed test of 80 words per minute.

Completed by [Signature] 13/10/95

Attested  
[Signature]  
24/7/95  
Medical Officer  
Govt. Ayurvedic College  
Hospital, Guwahati

Amra A - VI - 17

(60) 60

Railway Recruitment Board: Guwahati

NO. RMB/G/CON/155/102/Tt.I

Date: 9-11-95

NOTICE

Sub:- Recruitment selection for the post of Jr. stenographer (English) in scale Rs. 1200-2040/- under Employment Notice No.1/95 category No.7 and GM/P/MLG's Indent No.E/227/216/ RMB/2/Rectt Pt.II dated 7.4.95.

Date of Written Test: 27-9-95  
Date of Speed Test: 04-11-95 ( for 80 w.p.m.)  
Date of Speed Test: 05-11-95 ( for 60 w.p.m.)  
Date of Viva Voce Test: 08-11-95  
Date of panel approved: 09-11-95

The selection Board held the viva voce test on 8.11.95 for the recruitment of Jr. Stenographer (Eng) under Employment Notice No.1/95 Cat.No.7 in scale R. 1200-2040/- and has found 16 (UR-10, SC-2, ST-2, OBC-2) candidates suitable for the said post and their names are recommended to GM/P/N.F.Railway/Maligaon in ORDER OF MERIT.

AGAINST U.R. VACANCY

SN	Roll No.	Name of candidate
1.	810704	Anjali Devi
2.	810786	Asis Chakravorty
3.	810798	Mrityunjoy Ghosh
4.	810018	Debasish Chowdhury
5.	810589	Rupak Chakravorty
6.	810777	Pradip Kr. Sarker
<del>7.</del>	<del>810761</del>	<del>Pradip Kr. Sarker</del>
8.	810767	Kamala Deka
9.	810794	Pabitra Kr. Kakati
10.	810759	Satyanarayan Goswami

AGAINST S.C. VACANCY

1.	820123	T. Krishna Das
2.	820246	Sanjoy Kr. Rai

AGAINST S.T. VACANCY

1.	830077	Bijay Ch. Baro
2.	830108	Bincy Kr. Daimary

AGAINST O.B.C. VACANCY

1.	840025	Santosh Kumar
2.	840052	Pankaj Jyoti Das

Attested  
Jolly  
Advocate  
5/8/96

( I. Bhattacharya )  
Member Secretary  
for Chairman/RMB/GHY.

Copy to: AS/RMB/GHY  
2. Notice Boards,  
3. Panel files

COPY

To

The General Manager,  
N.F. Railway, Maligaon.

Subj - Appointment to the post of 'Junior Stenographer'  
in pay scale of Rs.1200-2040/- per month.

Sir,

We humbly beg to bring to your kind notice that our names were recommended by the Railway Recruitment Board/Guwahati for appointment to the post of 'Junior Stenographer' (English) in scale of pay Rs.1200-2040/- p.m. as published in 'The Assam Tribune' dated 12.12.95 and 'Employment News' dated 23.12.95 etc.

Sir, we are eagerly waiting for a formal appointment letter since December '95. We shall deem it favourable of your kindly look into the matter and arrange to issue the appointment letter at the earliest.

Thanking you,

Yours faithfully,

Dated : 10.6.96.

Sd/-

(Pankaj Jyoti Das)  
(Selected candidate of the  
Junior Stenographer)

Attended  
10/6/96  
N. Jyoti Das  
T/8/96

RAILWAY NOTICE



RAILWAY RECRUITMENT BOARD : GUWAHATI  
 EMPLOYMENT NOTICE NO. 1/96  
 STATION ROAD, GUWAHATI-781001  
 DATED : 20/05/96  
 CLOSING DATE : 30/06/96

Applications are invited in prescribed forms obtainable from any important Railway Station in proforma application given below (to be neatly typed in using one side only in a standard size A4 paper) for the following temporary posts, likely to be permanent, in the Northeast Frontier Railway. Applications complete in all respects along with required enclosures should be sent to the ASSISTANT SECRETARY, RAILWAY RECRUITMENT BOARD : STATION ROAD, GUWAHATI-781001, ASSAM under certificate of posting so as to reach the Board's office on or before 17-30 hrs. of 30/06/96. The applications can also be dropped in the "Application Box" kept in the RRB Office before 17-30 hrs. of 30/06/96.

EMPLOYMENT NOTICE NO. AND CATEGORY NO. AGAINST WHICH THE CANDIDATE APPLIES MUST CLEARLY BE WRITTEN ON THE TOP OF THE COVER ENVELOPES POSITIVELY.

CATEGORY	NAME OF THE POST	SCALE OF PAY	STIPEND DURING TRAINING	VACANCIES					SEX	PERIOD OF TRAINING	AGE AS ON 01-06-96
				UR	SC	ST	OBC	TOTAL			
	Stenographer (English)	1200-2040/-	Rs. 2000/-	04	01	02	01	08	Both	12 months	18 to 30 Yrs.
	Appr. Junior Engineer/ Sig/Gr.-II	2000-3200/-	Rs. 2000/-	07	02	04	01	14	Both	24 months	18 to 25 Yrs.
	Appr. Signal Inspector/ Gr.-II	1400-2300/-	Rs. 1320/-	07	02	02	02	13	Both	24 months	18 to 25 Yrs.
	Appr. Tele Communication Inspector/Gr.-II	1400-2300/-	Rs. 1350/-	08	03	06	06	23	Both	12 months	18 to 25 Yrs.
	Appr. Tele Communication Maintainer/Gr.-III	950-1500/-	Rs. 950/-	04	01	01	01	07	Both	12 months	18 to 25 Yrs.
	Tr. Asstt. Draftsman (S & T)	1200-2040/-	Rs. 1200/-	01	01	—	—	02	Both	12 months	20 to 30 Yrs.
	Tr. Electric Foreman/ STA/Deputy Shop Supdt.	2000-3200/-	Rs. 2000/-	09	05	01	03	18	Both	24 months	18 to 28 Yrs.
	Appr. Mechanics (Elect)	1400-2300/-	Rs. 1400/-	03	01	01	01	06	Both	12 months	18 to 25 Yrs.
	Tr. Asstt. Draftsman (Elect.)	1200-2040/-	Rs. 1200/-	—	01	—	—	01	Both	24 months	25 to 30 Yrs.
	Tr. Head Draftsman (Elect.)	1600-2660/-	Rs. 1600/-	01	—	—	—	01	Both	12 months	20 to 30 Yrs.
	Traffic Apprentice	1400-1440/-	Rs. 1400/-	06	02	01	02	11	Both	24 months	20 to 28 Yrs.
	Commercial Apprentice	1400-1440/-	Rs. 1400/-	06	02	02	01	11	Both	24 months	20 to 28 Yrs.
	Physiotherapist	1400-2300/-	—	01	—	—	—	01	Both	—	18 to 28 Yrs.
	Staff Nurse	1400-2600/-	—	13	04	02	07	26	Both	—	20 to 35 Yrs.
	Pharmacist	1350-2200/-	—	04	01	01	01	07	Both	—	20 to 30 Yrs.
	Lab Asstt.	975-1540/-	—	07	—	—	—	02	Both	—	19 to 28 Yrs.
	App. Mechanics Elect/DSL	1400-2300/-	Rs. 1320/-	04	02	01	01	08	Both	24 months	18 to 28 Yrs.
	Tr. Deputy Shed Supdt (Elect/DSL)	2000-3200/-	Rs. 2000/-	—	01	—	—	01	Both	12 months	20 to 30 Yrs.
	Appr. Mechanics (DSL/Mech)	1400-2300/-	Rs. 1320/-	04	01	02	01	08	Both	24 months	18 to 28 Yrs.
	Appr. Train Examiner	1320-1360/-	Rs. 1320/-	06	03	01	02	12	Both	24 months	18 to 28 Yrs.
	Tr. Asstt. Draftsman (mech.)	1200-2040/-	Rs. 1200/-	01	—	01	—	02	Both	12 months	18 to 28 Yrs.
	Draftsman (Mech)	1400-2300/-	Rs. 1200/-	02	—	01	—	03	Both	24 months	18 to 28 Yrs.
	Appr. Junior Chemical & Metallurgical Asstt.	1320-2040/-	Rs. 1320/-	02	—	—	01	03	Both	12 months	18 to 25 Yrs.
	Tr. Chemical & Metallurgical Asstt.	1400-2300/-	Rs. 1400/-	02	01	—	—	03	Both	12 months	22 to 30 Yrs.
	Tr. Deputy Shop Supdt. (Workshop)	2000-3200/-	Rs. 2000/-	01	01	01	—	03	Both	12 months	20 to 30 Yrs.
	Appr. Mechanics (Workshop)	1400-2300/-	Rs. 1320/-	05	02	01	02	10	Both	24 months	18 to 28 Yrs.
	Appr. Chief Train Examiner	2000-3200/-	Rs. 2000/-	02	01	—	—	03	Both	12 months	20 to 30 Yrs.
	Hindi Asstt. Gr.-II	1400-2300/-	—	01	—	—	01	02	Both	—	18 to 28 Yrs.
	Tr. Asstt. Draftsman (Elect.)	1400-2300/-	Rs. 1400/-	01	05	02	02	08	Both	12 months	18 to 28 Yrs.

- Category No. 26 : BE (Mechanical).
  - Category No. 27 : Diploma in Mech. Engineering.
  - Category No. 28 : Degree in Mechanical/Electrical College.
  - Category No. 29 : B.A. with Hindi as elective subject graduate with English as a subject plus a degree of standard of B.A. (Hons) in English and a degree.
  - Category No. 30 : Diploma in Civil or Mechanical qualification of Diploma in Civil Engineering become them.
  - Category No. 31 : Degree in Civil Engineering.
  - Category No. 32 : (10+2) with science and Maths. Engineering also be eligible.
  - Category No. 33 : Minimum ITI certificate in Dr. J.C. India, NCVT) in Civil Engg. from recognised Institution. Civil Engg. Diploma holders and holders of Institution will also be eligible.
  - Category No. 34 : Matric plus 3 yrs. diploma in Civil recognised colleges.
  - Category No. 35 : Degree in Civil Engg. Department.
  - Category No. 36 : Degree in Civil Engineering Department.
  - Category No. 37 : University degree preference in Honours & Master Degree. The candidate should be able to write in English for 25 words per minute in Hindi prescribed educational qualification.
  - Category No. 38 : (i) Hind class Master's Degree in University Degree/Diploma in Education/Teaching course of Regional Colleges of education of N.C.E.R.T. medium.
  - Category No. 39 : (i) Hind class Bachelors Degree in Botany/Zoology. 45% marks can be considered demarcation of class in Bachelor's Degree. (ii) University OR 4 years integrated Degree course in regional Competence to teach through English and Bengali.
- N.B. : (i) A GENERAL RELAXATION IN UPPER CATEGORIES OF CANDIDATES HAVE RELAXATION GIVEN IN PARA-2. THIS WITH EFFECT FROM 4/8/95.
- N.B. : (ii) THE CANDIDATES MUST HAVE ACQUIRED LAID DOWN AT THE TIME OF SUBMISSION HAVE YET TO APPEAR AT THE EXAMINATION WITHHELD OR NOT DECLARED ARE NOT ELIGIBLE.

1. GENERAL INSTRUCTION
- 1.1 ABBREVIATION USED :
  - SC-Scheduled Caste, ST-Scheduled Tribe, U.P.O. -Indian Postal Order.
- 1.2 The number of vacancies shown may be increased.
- 1.3 SC/ST/OBC candidates can apply against UR candidates. SC/ST/OBC candidates need apply only.
2. AGE LIMIT
- 2.1 The age will be reckoned as on 01-06-96. The
  - (a) By 5 years for SC/ST candidates and by 5 years for Bonafide displaced Golden Oldies
  - (b) By 5 years for Bonafide displaced Golden Oldies
  - (c) By 10 years in case of physically handicapped candidates
  - (d) Upto the age 40 years for "RESERVISTS"
  - (e) Upto the extent of service rendered by Government Labours/substitutes provided that the candidate is (continuous or broken) subject to the condition of Administrative offices of the Railway organization, cooperative societies and Institutes upto 5 years upper age limit of 35 years whichever is less.
  - (f) Upper age limit in case of widows, divorced or their husband but not remarried shall be 5 years less than the upper age limit.
  - (g) Upto maximum age of 45 years for repair work done in India on or after 1st June 1953 and 1st June 1953 in Pakistan (Now Bangladesh) on or after 1st June 1953.
3. HOW TO APPLY
- 3.1 Candidates should apply in their own handwriting (not in pencil) on good quality plain white paper.

attestd to the above

42



# ALL ASSAM OTHER BACKWARD CLASSES' ASSOCIATION

(Registered under the Society Registration)  
Act. XXI 1860 and recognised by the state Govt:  
of Assam vide

MEMO No. TAD/MISC/275/85/296, 5th January 1994

Regd. No.: 890

S. K. Barua Road, GUWAHATI-781006

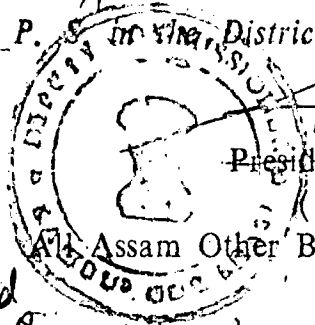
Sl. No. 94/ 8338

Date... 7-11-94

Certified that Shri / Shrimati Pankajyoti Das  
son / daughter / wife of Shri / Late Dayal Ch. Kumar  
of Gota - Nagar Village / Town / T.E. Under Talukbari  
P. / S: Guwahati Sub-Division in the District of Kamrup  
Assam belongs to KUMAR Caste/  
Community / Tribe which is recognised as Other Backward Class / ~~More~~ Other  
Backward-Class by the State Government of Assam.

He / She is residing at Gota - Nagar Village / Town /  
T. E. under Talukbari P. S. in the District of Kamrup, Assam

Counter Signature of  
DC / SBO. [Signature]  
Sub-Division Officer (S)  
GUWAHATI



[Signature]  
President / Gen. Secy / Joint-Secy. 7/11  
(Authorised Person)  
Assam Other Backward Classes' Association

[Signature]  
24/1/96  
GOOD

Don Print rs, Jayanagar, Khanapara G

21 (17) 64

# Special health check-up for LP students

From Our Correspondent  
BONGAIGAON, June 18—A meeting of the Bongaigaon District Development Committee was held on June 10. The meeting discussed the implementation of special health check-up programme for primary school students in the district and asked the Joint Director of Health Services to prepare a plan to cover all the students of 963 LP schools in the district.

Addressing the meeting the Deputy Commissioner, Aftab Ahmed requested the heads of various development departments to submit future plan of action to develop the district with locally available resources.

The meeting also decided to utilise the water resources available in the district and the community polytechnic scheme of Bongaigaon Polytechnic for the benefit of the youth.

**Land revenue** : The State Government has decided to enhance land revenues of

Bongaigaon town as per Land Revenue Re-assessment Act, 1936. People who want to submit objections to the enhancement of land revenue may do so within six weeks from the date of publication of fixation notification in the Assam Gazette, says an official press release.

**Lawyers' resentment** : The Bongaigaon Lawyers' Association opposed the move to transfer the cases under Railway Properties (Unlawful Possession) Act, Motor Accident Claims, Workmen Compensation Act, Consumer Forum etc to Guwahati. A resolution was adopted to this effect in a meeting of the Association held on June 7 under the presidency of Sri Gopal Chandra Das. The meeting expressed resentment at the move made by the Government without considering the difficulties and financial implications for the litigant public.

**Convicted for murder** : The Session Judge, Bongaigaon, M M

Sarkar convicted Abdul Rahman of Monakocho village under Manikpur Police Station to undergo rigorous imprisonment for seven years and to pay a fine of Rs 50,000 or in default to undergo further rigorous imprisonment for two years under Section 447 of IPC for murdering Kanteswar Das of the same village.

The accused Abdul Rahman attacked Kanteswar while plunging in the sea on February 27, 1990 with a bath. The injured Kanteswar died on his way to the hospital.

Sri R N Das, Public Prosecutor appeared for the State while Sri M Mahmud, advocate defended the accused.

## Non-appointment after selection

By A Staff Reporter  
GUWAHATI, June 18—The failure of the N F Railway authorities to appoint any of the 16 successful candidates in the post of Stenographer even after six months from the date of announcement of interview results, for the purpose, has been viewed by the conscious circles here as one more bid to deprive the indigenous people of job opportunities in the Railways by some vested interest circles.

According to knowledgeable sources, the Railway Recruitment Board, Guwahati, had declared ten general, two each of the Scheduled Caste, Scheduled Tribe and OBC category candidates, eligible for the post of Stenographer through a newspaper notification on December 12, 1995. Most of these job seekers were local youths.

But, despite there being some vacancies against the posts, the N F Railway authorities have been allegedly showing no interest to absorb any of the selected candidates, allege the sources.

## Satyendra Sarma memorial award

GUWAHATI, June 18—The Assam State Centre of the Institution of Engineers (India)

# Missing of a boys creates

From Our Correspondent  
DULIAJAN, June 18—The iraged in between thirteen and fifteen of Duliajan and at different times created quite a sensation in the il

Altogether nine boys, all students of the locality, were reported missing three were traced and rescued by

A large number of parents, gues, educational institutions of Duliajan convened by the officer-in-charge on June 17 to discuss the situation a prevention of further occurrence of

The police have ruled out the possibility of any extremist outfit in the area suspected that some drug traffickers lured these adolescent boys to carry

The police administration has urged and guardians to be alert to keep their adolescent children and to prevent them from going for private tuition after

The O.C. of Duliajan police station adequate steps have been taken to find missing boys.

The names of the missing boys; Class IX, Monoranjan Chetia (15) Class IX, Ganesh Ch. Gogoi (14) Class VII and Ratul Gogoi (14) Class

# Workshop on bamboo crops, preservation

From Our Correspondent  
AZARA, June 18—A workshop on the "necessity of bamboo crops and its preservation" was held recently at the Horticultural Research Station, Kahi-kuchi.

Participating in the workshop as chief guest, Dr Alok Buragohain, of Gauhati University, explained the significance of bamboo use.

He stated that bamboo is also described as 'green gold' and 'timber of the poor people'.

Dr Bipin Khangia, Associate Professor of Biswanath Agricultural College and Sri Benimadhab Baruah, District Agricultural Officer also attended the workshop.

Dr Khangia explained the techniques and utilisation of bamboo crops in the field of industry. Dr Basanta Kr. Chakrabarty of Assam Agriculture University was the guest of

Narayan Kalita, Minister of State for Revenue and Sericulture (Ind).

**Dharna staged** : The Kamrup district committee of the Assam Press Correspondents Union staged a two-hour dharna on June 7 in front of the Circle Office of Palasbari in protest against the killings of Parag Kr. Das, Executive Editor of Asomiya Pratidin, Pabitra Narayan Chutia, Dipak Sargiyari and Manik Deori.

South Kamrup Press Club, South Kamrup New Writers and Artists Association, Dakhalta Luitpariya Dal, Azara Anarjyoti Sangha and Dakhin Kamrup Sasetan Parishad also sat on dharna.

The Kamrup district committee of APCU later submitted a memorandum to the competent authority demanding adequate security to the journalists.

# Withdrawal

GUWAHATI, June 18—The Central Committee meeting of the Assam People's Front held recently here at Karbi Bhawan under the chairmanship of Sri Holram Terang, General Secretary of ASDC, and MLA demanded immediate withdrawal of Army Operation in the State, says a press release.

The meeting attended by all the newly elected MLAs of ASDC and representatives of other constituents namely Autonomy Demand Struggling Forum (ADSF) Mising Mimang Kebang (MMK) and CPI(M-I), Liberation discussed the political situation of the State and the organisational position of APF and also adopted APF's stand on the burning issues at present.

The meeting described renewed Army Operations in the State in the name of solving the ULFA problem as 'most unfortunate and a clear deviation from the





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Chief Personnel Officer (G)  
N. F. Railway, Maligaon  
Guwahati-781011

documents etc. as required, received from the Railway Recruitment Board along with the list of 16 candidates, received complaints of malpractices and gross irregularities in the selection process. Confidential letter from the Chief Vigilance Officer, N.F. Railway, Maligaon, was received advising the respondent no. 2 to pend offering letter of appointment. The letter of the Chief Vigilance Officer, in fact, reads as under :-

"... As a number of complaints have been received alleging adoption of malpractices in the above recruitment and the same are under investigation, it is requested that no appointment letter for the post of Jr. Stenographer (English) should be issued till a clearance is given by Vigilance."

Thus, in view of above, respondent No. 2 refrained from taking further action for issuing appointment letters to the applicant. Subsequently the respondent no. 2 received a letter from Railway Board, for cancelling the recruitment proceedings of Jr. Stenographer (English) due to numerous irregularities detected by the Vigilance Deptt. Copy of the letter is annexed as ANNEXURE R/I.

6. That with regard to the statements made in paragraph 6.12 of the application, the answering respondent do not admit anything contrary to relevant records of the case.

7. That with regard to the statements made in paragraph 6.13 of the application, it is stated that this is

not relevant with the cases of 13 applicants against O.A. No.s 142/96 to 155/96, who were recommended by the Railway Recruitment Board, Guwahati. The advertisement Notice No. 1/96 dated 20.5.96 was for additional 8 posts of Stenographer (English) ~~xxxx~~ in scale Rs.1200-2040/-. This has got no bearing with the panel in question.

Another Employment Notice No. 2/95, Category No. 1 is for the post of Office Clerk in scale Rs. 950-1500/-. This category is quite different from the category of Junior Stenographer (English) in scale Rs.1200-2040/- and as such, this has no relevance with the case of Junior Stenographer (English).

8. That with regard to the statements made in paragraph 6.14 of the application, the answering respondents do not admit anything contrary to relevant records of the case.

9. That the answering respondents submit that the aforesaid selection has to be cancelled in view of various irregularity and malpractices in the selection. As already pointed out above, mere empanelment of a candidate does not give any indefeasible right of appointment. The candidates were well aware of the decision to cancel the selection. The said decision has been taken in the greater public interest.

25  
Chief Personnel Officer (G)  
Railway Recruitment Board (R.R.B.)  
Office of the Chief Personnel Officer (G)  
Railway Recruitment Board, Guwahati-781011.  
N. F. Riv., Guwahati-781011.

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10. That the answering respondents crave leave of the Hon'ble Tribunal to submit additional written statement in case the same is found to be necessary in due course.

11. That in view of the facts and circumstances stated above, the instant application is not maintainable and liable to be dismissed.

VERIFICATION.

I, M. BRAHMO, aged about 36 years, by occupation Railway Service, working as Deputy Chief Personnel Officer of the Northeast Frontier Railway, do hereby solemnly affirm and state that the statements made in paragraph 1 and 2 are true to my knowledge, those made in paragraphs 3 to 8 are true to my information being matters of records and the rests are my humble submission before this Hon'ble Tribunal.

✓ *M. Brahma*  
DEPUTY CHIEF PERSONNEL OFFICER  
NORTHEAST FRONTIER RAILWAY  
MALLIGAON :: GUWAHATI  
FOR & ON BEHALF OF  
UNION OF INDIA.

১৭ জুন ১৯৬৭ খ্রিঃ (১৯৬৭)  
Dy. Chief Personnel Officer (G)  
গো শে. রেল. গুৱাহাটী-৭৪১০১১.  
N. F. Ry., Guwahati-781011

Railway Recruitment Board :: Guwahati.

NO. RRB/G/41/90.

Dated 05.9.96.

N O T I C E.

Sub: Cancellation of Recruitment panels of Stenographers (English) in scale Rs.1200-2040/- under Category No. 7 of Employment Notice No. 1/95 dtd 26.4.96 and Craft Teacher (Bengali Medium) in scale Rs. 1400-2600/- under Cat. No. 6 of Employment Notice No. 3/94 dtd 19.12.94.

Railway Board vide their letters No. 95/E(RRB)/25/13 dtd 7.8.96 and 96/E(RRB)/25/13 dtd 21.8.95 have cancelled the Recruitment panels of Stenographer (English) and Craft Teacher (BM) mentioned on the above subject due to various irregularities. Hence, the Recruitment panels of Stenographer (English) and Craft Teacher (BM) stand cancelled.

Sd/-  
( B. Kalita )  
Chairman

Rly. Rectt. Board :: Guwahati.

Copy forwarded for information and n/action to :-

1. GM(P)/MLG.
2. GM/Vigilance, MLG.
3. Rectt. Section in Office.
4. Notice Board.

Sd/-  
( B. Kalita )  
Rly. Rectt. Board :: Guwahati.

*Handwritten signature/initials*



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*[Handwritten signature]*  
Personnel  
Guwahati-781011

since the amendment has been allowed which has now been incorporated in the consolidated petition, the respondents beg to file this additional written statements dealing with the amended portion.

2. That the respondents have gone through the amended portion of the O.A. and have understood the contents thereof. Save and except the statements which are specifically admitted hereinbelow, other statements made by the applicant are categorically denied. Further, the statements which are not borne on records are also denied.

3. That in the earlier written statements, it has already been stated that the selection in question pursuant to which the applicant has staked his claim for appointment has already been cancelled in view of the various irregularities and malpractices in the selection. The irregularities found in the selection of Junior Stenographer in scale Rs. 1200-2040/- against Employment Notice No. 1/95 dt 26.4.95 conducted by the Railway Recruitment Board, Guwahati, which has necessitated cancellation of the entire selection are as follows :-

(a) In the advertisement of Jr. Stenographer, required qualification was mentioned only as Matriculate without indicating anything about the qualification of diploma in

shorthand and type-writing. The advertisement also did not stipulate production of diploma certificate. As a result, many of the candidates did not submit the same although they were qualified both in shorthand and type-writing and had diploma certificate. However, the Railway Recruitment Board, Guwahati, rejected the candidature of many eligible candidates on the ground of non-submission of diploma certificate, thereby ~~an~~ deserving eligible candidates were deprived of consideration for selection.

(b) Sample test checks revealed mistakes in totalling in the written paper and in computation of marks which has resulted in empancment of candidates securing less marks and ~~sex~~exclusion of candidates securing more marks.

(c) In the recruitment process, it has been found that all the three stages of testing, the knowledge and quality of the candidates have been handled by a single individual (Member Secretary, Railway Recruitment Board) instead of getting the works done by different qualified persons as under :-

- (i) Setting of question paper for written test.
  - (ii) Selection of dictation passage.
  - (iii) Preparation of final marksheet including marks for viva-voce test only done by MS/RRB himself without any signature from other two members.
- This has raised doubts of malpractice by MS/RRB.

(d) As per Board's extant instruction 15% of marks for written test and viva-voce together is required to be fixed for viva-voce. But in the subject selection, RRB/Guwahati, has adopted 15% of the sum total of marks for written test (200 marks) shorthand test (300 marks) as well as viva-voce marks (90 marks). The marks of shorthand test (300) was therefore irregularly included in ~~the~~ computing the marks for viva-voce test. This has allowed the selection authority undue flexibility in the final allocation of marks of a candidate though he might have secured less marks in written test.

(e) In a number of cases it has been noted that marks once allotted in the shorthand transcription sheets have been over-written/defaced and new marks allotted, ostensibly to favour the candidates of evaluator's choice.

(f) It has been noted in some cases, that though the shorthand dictation scripts do not contain certain materials of dictated passage, the type transcription sheets contain the material of the dictated passage and in a better way. This indicates adoption of malpractice in conducting the shorthand test.

(g) On a visual checking, it has been noted that in certain answer s-cripts (transcription sheet) containing poor performance, higher marks have been allotted in comparison to that containing better performance.

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Chief Personnel Officer  
RRB, Guwahati-781013

The above irregularities in the selection are only illustrative and not exhaustive. In any case, with the above irregularities detected in the selection, the respondents were left with no other option than to cancel the entire selection. By doing so, no irregularity has been committed by the respondents - rather the same has been done in the larger public interest which has also brought confidence among the public. The irregularities were detected upon an enquiry conducted by the Vigilance Deptt. of the Railways and in consideration of such enquiry, the selection in question has been cancelled and the applicant should not make any grievance against the same.

4. That with regard to the statements made in paragraph 6.15 of the O.A., the respondents reiterate and reaffirm the statements made here-in-above.

5. That under the facts and circumstances stated above, none of the grounds urged by the applicant towards granting the reliefs prayed for are sustainable and accordingly, the applicant is not entitled to any relief as has been claimed.

6. That in view of the facts and circumstances stated above, the O.A. is liable to be dismissed with cost.

Verification....6

SS  
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Personnel  
Gowahati, Assam

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VERIFICATION.

I, Shri C. Saikia, aged about 32 years, by occupation Railway Service, working as Deputy Chief Personnel Officer of the N.F. Railway administration, do hereby solemnly affirm and state that the statements made in paragraphs 1 and 2 are true to my knowledge, those made in paragraphs 3 to 5 are true to my information being matters of records of the case which I believe to be true and the rests are my humble submission before this Hon'ble Tribunal.

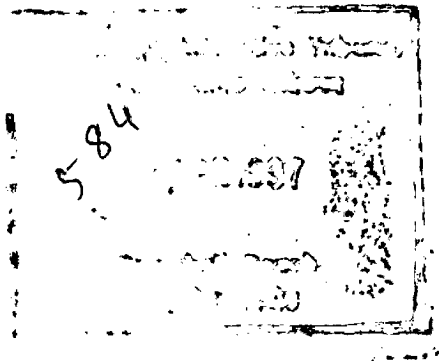
*C Saikia*  
18/3

DEPUTY CHIEF PERSONNEL OFFICER  
NORTHEAST FRONTIER RAILWAY  
MALIGAON :: GUWAHATI  
FOR & ON BEHALF OF  
UNION OF INDIA.

শ্রী চন্দ্র সাক্ষী (স্বাক্ষর)  
By: C. Saikia Personnel Officer  
১৮/৩/৭৫  
Maligaon, Guwahati-781001

6/4/97  
16/4/97  
Salmu  
Aswaki  
Golap  
J. Das

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH



In the matter of :

O.A.No.146/96  
Shri Pankaj Jyoti Das...Applicant.  
-Vs-  
Union of India & Ors. ...Respondents.

-AND-

In the matter of :

Rejoinder of the applicant against  
the written statement and Addl.  
written statement filed by the  
respondents.

1. That the copies of written statement as well as Addl.written statement filed by the respondents have been served upon me through my counsel and going through the contents of both, I have understood them thoroughly. I consider it necessary to file a rejoinder and as such same is filed as follows :-

2. That in para 5 of the written statement it is stated that - "...As a number of complaints have been received alleging adoption of malpractice in the above recruitment and some are under investigation, it is requested that no appointment letter for the post of Junior Stenographer(English) should be issued till clearance given by vigilance." The respondents held up the appointment because number of complaints have been received....

Copy of the rejoinder  
will be served  
upon the respondent  
as and when he  
will be available  
Golap Salmu  
Aswaki  
16/4/97

Pankaj Jyoti Das

received regarding adoption of malpractice and entire matter was investigated by vigilance, whereas acting upon the vigilance report thr railway board cancelled the recruitment panel on various irregularities and not a single word of malpractice was spoken in the cancellation order.

3. That the ground shown in the addl. written statement in para 3(a) that qualification of diploma of shorthand and type writing was not shown in the advertisement is not correct.

4. That in para 3(e), the statement goes thus - "In a number of cases it has been noted that marks once allotted in the shorthand transcription sheet have been over-written/defaced and new marks allotted, ostensibly to favour the candidate of evaluator's choice." In this statement the respondents did not state that the marks given in the applicant's book was changed or over-written. In this connection, it is to be stated that in response to the advertisement notice i.e. Annexure III as many as 2120 candidates applied and 1520 appeared in the written test, out of which 172 were tested in speed test and finally empanelled candidates were sent for appointment.

5. That it is very natural as stated in para 3(e) that in a number of cases it has been noted that marks once allotted in the shorthand transcription sheet have been over-written/defaced and new marks allotted, ostensibly to favour the candidate of evaluator's choice." In other- words in the answer scripts of 125 candidates who were declared.....

Pankaj Jyoti Das

declared unsuccessful this over-writing act might have done and it never happened in the case of the applicant.

6. That in reply to the statement made in para 3(f), the applicant beg to state that dictation taken by one stenographer does not tally with that of another. It is humanly impossible to read and to type out a shorthand script of one stenographer by another. The applicant appeared in the speed test not to obtain a diploma on stenography, but to type out correctly the dictation passage and as such the allegation of malpractice does not exist at all.

7. That in view of the facts stated above, the written statement as well as the addl. written statement filed by the respondents have totally failed to make out the case of malpractice and as such both the documents are not tenable under the law and there is a very little help to this Hon'ble Tribunal for arriving at a correct decision and as such both the documents are without any merit.

8. That the written statement and the Additional written statement speak of crudest form of arbitrariness affected by bias and/or actuated by malafides.

9. That the present rejoinder is filed bonafide and in the interest of justice.

Verification.....

Pankaj Jyoti Das

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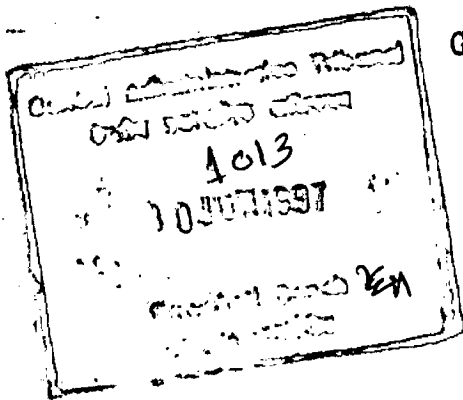
V E R I F I C A T I O N

I, Shri Pankaj Jyoti Das, son of Shri Dayal Ch. Kumar, aged 25 years, by caste OBC(Kumar) by religion Hindu, resident of Vill & PO Gotanagar, Guwahati-33 do hereby solemnly affirm and verify that the contents made in paragraph 1 of this rejoinder are true to my knowledge and those made in paragraph 4 are derived from information from the office of the Rly. Recruitment Board, Guwahati and rest are humble submissions before this Hon'ble Tribunal.

AND I sign this Verification on this 16<sup>th</sup> day of April, 1997 at Guwahati.

Pankaj Jyoti Das

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH.



Filed by:  
Siddhanta Sarma  
Advocate  
For: B. K. Sharma  
S.C. Bar,  
30.6.96  
[Signature]  
81

IN THE MATTER OF :-

O.A. No.146/96

P. J. Das ..... Applicant.

Vs.

Union of India & Ors. .. Respondents.

AND

IN THE MATTER OF :-

Reply to the rejoinder filed by  
the applicant.

The answering respondents beg to state as follows :-

1. That the answering respondents have gone through the copy of the rejoinder filed by the applicant and have understood the contents thereof. Save and except the statements which are specifically admitted here-in-below, other statements made in the rejoinder are categorically denied. Further, the statements which are not borne on records are also denied.

2. That with regard to the statements made in paragraph 1 of the rejoinder, the answering respondents do not admit anything contrary to the relevant records.

Contd.....2

[Signature]  
30/6

Retd. J. K. Sarma  
Advocate  
30-6-96

3. That with regard to the statements made in paragraph 2 of the rejoinder, the answering respondents beg to state that the recruitment panel has been cancelled in view of various irregularities as pointed out in the vigilance report. The irregularities pertaining to the selection and publication of the panel have already been highlighted in the additional written statement. Investigation was carried out on the basis of the complaints. Irregularities in the entire process of selection includes malpractices also.

4. That with regard to the statements made in paragraph 3 of the rejoinder, while denying the contentions made therein, the answering respondents beg to state that in the advertisement, submission of diploma certificate along with application form was not mentioned as a consequence of which many eligible candidates did not submit their certificates along with the application form. As already stated in the written statement, their such applications were rejected on the ground of non-submission of diploma certificate which needless to say, deprived many eligible candidates otherwise eligible for consideration. In the advertisement, the qualifications stipulated was as under :-

" Category : 7 - Stenographer (English).  
Qualification : Matriculate.

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10.8.2011  
S. D. G. S. D. G. S. D. G.

Handwritten notes and signatures in the top right corner, including a signature and some illegible text.

Speed : 80 words per minute and 40 words per minute in Shorthand and Type-writing respectively.

Knowledge of Hindi Stenography is an additional qualification and will be given preference.

Age : 18 to 30 years."

From the above, it is clear that although the ~~qualification~~ qualification 'matriculate' was specifically mentioned with required speed in Shorthand and Type-writing, the advertisement did not mention anything about the submission of diploma certificates in respect of Shorthand and Type-writing. Thus, going by the advertisement, although it was not specified to produce the diploma certificates but on scrutiny of application forms same was made obligatory as a consequence of which the Railway Recruitment Board rejected many applications on the ground of non-submission of diploma certificates in support of qualifications in Shorthand and Type-writing. Needless to say, this has resulted serious mis-carriage of justice and has caused prejudice to many eligible candidates who were otherwise eligible under the terms of the advertisement. This has vitiated the entire selection process.

5. That with regard to the statements made in paragraphs 4 and 5 of the rejoinder, the answering respondents beg to state that in a number of cases marks once allotted were changed, over written/defaced and new marks were



in O.A. 145/96), Sri Mrityunjay Ghosh (applicant in O.A. 150/96), Shri Rupak Chakraborty (applicant in O.A. /96) Shri Pabitra Kr. Kakoti (applicant in O.A. 151/96). Shri Pabitra Kr. Kakoti has been shown to have obtained 124 marks in the written examination as against actual mark 116. This was because of mistake in totalling. If the marks of written examination is correctly calculated (116 marks), in that case, he get total marks of 353 instead of 361 and would not have been empanelled, as in that case one Shri Sujit Chakraborty (Roll No.310556) who has obtained total of 360 marks would have been empanelled. When such mistakes have been detected in a number of cases including over-writing in the total marks, coupled with many other irregularities as indicated in the additional written statements, there was no option left for the competent authority than to cancel the entire selection. The applicants cannot individualise their case at the cost of the larger interest.

6. That the answering respondents categorically deny the contentions made in paragraph 6 of the rejoinder. The applicant has totally misunderstood and misinterpreted the averments made in paragraph 3(f) of the additional written statements. It is not correct that dictated passages taken in Shorthand cannot be read out together by a Shorthand expert.

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[Handwritten notes and signatures]

7. That with regard to the statements made in paragraphs 7, 8 and 9 of the rejoinder, the answering respondents categorically deny the contentions raised therein and the applicant is put to the strictest proof thereof. It is categorically denied that the written statements filed by the respondents speaks of crudest form of arbitrariness effected by biased and/or actuated by malafide. The selection in question has been cancelled with a view to bring fairness and transparency in the method of selection. The applicant cannot claim as a matter of course for being appointed to the railway service. Amidst the irregularities detected in the entire process of selection, there was no option left for the competent authority to cancel the entire selection which has brought confidence among the general public, more particularly, amongst the eligible candidates.

8. That in view of the facts and circumstances stated above, the cancellation of the selection was just and proper and the Hon'ble Tribunal would be reluctant to interfere with the same and the O.A. filed by the applicant is liable to be dismissed with cost.

Verification .....7

VERIFICATION

I, Shri C. Saikia, aged about 32 years, by occupation Railway Service, working as Deputy Chief Personnel Officer of the Northeast Frontier Railway, do hereby solemnly affirm and state that the statements made in paragraphs 1 and 2 are true to my knowledge, those made in paragraphs 3 to 7 are true to my information being matters of records of the case, and the rests are my humble submission before this Hon'ble Tribunal.

*C Saikia*  
 30.6.98.

DEPUTY CHIEF PERSONNEL OFFICER  
 NORTHEAST FRONTIER RAILWAY  
 MALIGAON :: GUWAHATI  
 FOR & ON BEHALF OF  
 UNION OF INDIA.

DEPUTY CHIEF PERSONNEL OFFICER  
 NORTHEAST FRONTIER RAILWAY  
 MALIGAON :: GUWAHATI