

50/100

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

A

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

DA No. 150/96

MP No. (DA)

RA No. (DA)

CP No. (DA)

Shri M. Ghosh

APPLICANT(S)

VERSUS

Union A. Andia & Co.

RESPONDENT(S)

Mr. G. Sarma Advocate for the applicant.

S. Murali

Mr. M. Sarma Advocate for the Respondents.

Office Notes

Court's Orders

This application is in form and within time C. F. of Rs. 50/- deposited vide

Order No. 3463/96 dated 25.8.96

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~~^{is} found suitable for such appointment in all respects.

16.8.96

Notice duly served on Respdnt No 2, 3, 4.

bn

bn
Member

9.9.96

Learned counsel Mr. G.Sarma for the applicant. Leave note of Mr. B.K.Sharma.

Notices have been served on respondents No. 2, 3 and 4. No show cause has been submitted.

Heard Mr. G.Sarma for admission. Perused the contents of the application and the reliefs sought. Application is admitted. Written statement within six weeks. However, vacation from 21.10.96 to 8.11.96.

List for written statement and further orders on 11.11.1996.

Heard Mr. G.Sarma for interim order. Interim order dated 7.8.96 shall continue.

be
Member

pg

m
90/9

11-11-96

Mr.G.Sarma for the applicant. None for the respondents. Written statement has not been submitted.

List for written statement and further order on 22-11-96.

be
Member

applicant has not been submitted

lm

m
12/11

w/ statement has not been submitted.

22-11-96

Learned counsel Mr.G.Sarma for the applicant. Leave note of Railway counsel Mr.B.K.Sharma upto 30-11-96. Written statement has not been submitted.

List for written statement and further order on 20-12-96.

be
Member

13.12

lm

m
22/11

20-12-96

Mr. G. Sarma for the applicant.

Written statement has not been submitted. Mr. G. Sarma for Mr. B.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 filed.

3.1

Member

23/12

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 respondents.

re. complete

28/1/97

9.1.97

Copy of order issued 6.1.97 issued to the Respondents. Office copy kept in OA 154/96.

nkm 2/11

Member

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 7.2.97.

28-1-97

W/S filed by the Respondents.

Member

Vice-Chairman

29 2/12

10.2.97

Let this case be listed on 6.3.97 for hearing.


Member


Vice-Chairman

nkm

26.2-97

For reasons of order dt. 18/2/97
passed in MP 30/97, Consolidated
Petition filed by the counsel
of applicant.

6.3.97

Let this case be listed on 20.3.1997 for
hearing.




Member


Vice-Chairman

trd
on
11/3

- 1) Notice duly served
on R. No. 2, 3 & 4.
- 2) WJ statement has been filed.

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, 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.


Member


Vice-Chairman

25-3-97

Add- WJ's filed on
bk of Receipts.

31.3.97

pg

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

trd .

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.


Member


Vice-Chairman

lm
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.


Member


Vice-Chairman

nkm
22/8
31/7

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.


Member


Vice-Chairman

nkm
22/8

8-9-97. Adjourned to 16-9-97.
By order.

5

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, has 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/statement - ~~by the applicant~~
w/ Addl. w/statement - by
11/4 sum KID


Member


Vice-Chairman

nkm
h
8/11

16.4.97

Let the case be listed on 28.4.1997 for hearing.

29-4-97

In terms of order
dt- 28-4-97 passed
in mp- 103/97.


Member


Vice-Chairman

Rejoinder filed
by the applicant
against the w/s
and Addl. w/s.

trd
h
22/A
28-4-97

Let this case be listed for hearing on 9-6-97.

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


Member


Vice-Chairman

2/11

1-7-97

Reply filed on
behalf of the
Respondant at page
59 to 65.

pg
h
29/14

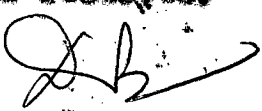
2/7/97. Part heard. Adj. to
15-2-97

By order

13-11-97

Argument of both the counsel are heard and concluded. Order recorded.


Member


Vice-Chairman

In

8.1.98

Common order delivered in open Court. Kept in separate sheets. Copy of the order shall be kept in each 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/-

12

4

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:-

k

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.

(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 violated 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/-

7

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/-

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 :

contd..

"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."

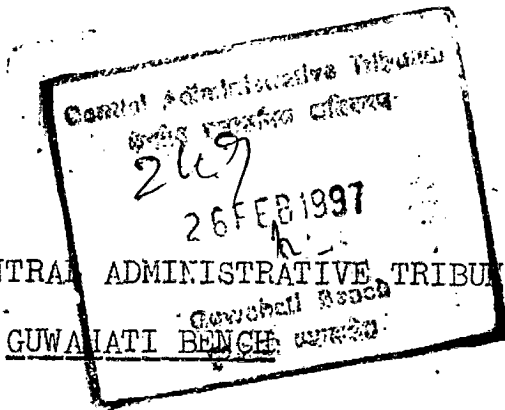
Perusal of this rule/para shows that there must exist a fault or deficiency on the part of a selected candidate in order to deny him an appointment to a post under the railway for which he was selected. In this particular case however the applicants were denied appointments for no fault of theirs. They 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)



20/2/97
B
26-2-97
Adwoca
26-2-97

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Consolidated Application as per order dated 18.2.97 in

Misc. Petition No. 30/97

O.A.No.150/96

Shri Mritunjay Ghosh ... Applicant.

-Versus-

Union of India & Ors. ... Respondents.

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

I N D E X

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For use in Tribunal's office :-

Date of filing	
Registration No.	
Signature	
Registrar.	

Mritunjay Ghosh.

1. PARTICULARS OF THE APPLICANTS :

Shri Mritunjay Ghosh,
son of late Promode Rn. Ghosh,
Rly. Qr. No. 226/B. Goshala, Maligaon,
Guwahati-11.

2. PARTICULARS OF THE RESPONDENTS :

1. Union of India represented by the Secretary to the Govt. of India, Ministry of Railways, New Delhi.
2. The General Manager(P), N.F. Railway, Maligaon, Guwahati-11.
3. The 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) at the scale of pay 1200-2040 vide Employment Notice No.1/95 Category 7 (Annexure A.III).

ii. Restraining the respondents from completing the process of employment notice No.1/96 category 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 of
stenographer....

Mritunjay Ghosh.

Stenographer(English) in scale 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 Matriculation examination in the year 1983 and Pre-University Examination in the year 1987 and has also 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.

Contd.....

Mr. Joyjoy Ghosh.

6.3 That the respondent No.3 made an advertisement for testing candidates for stenographer in the scale of pay Rs.1200-2040 through The Assam Tribune. and it was clearly written in the advertisement under clause 12 of general instructions that the 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, has applied for the post of stenographer. The said advertisement runs as Employment Notice No.1/95 Category 7.

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

6.5 That the applicant made application for appointment as stenographer at the scale of pay 1200-2040 giving all particulars such as academic qualification, 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 the date as 27.8.95.

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

Contd.....

Mrityunjoy Ghosh.

6.7 That as per the call letter the applicant appeared in the written test, did excellent in the examination and he became successful in the test and accordingly thereafter 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 same 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 and in this test held on 8.11.95 he also became successful and was selected by the respondent No.2 and thereafter recommended the name of the applicant to Respondent No.2 for appointment. In view of increase of the vacancy, the respondent rightly and validly recommended the name of the applicant alongwith 15 others for appointment.

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

6.9 That the written test, speed test and viva-voce test are conducted by the Railway Recruitment Board headed by the 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.

Contd.....

M. Rajujoy Ghosh

6.10 That the applicant begs to state that as per advertisement dated 26.4.95, once the 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 applicant was recommended for appointment as stenographer, the Respondents i.e. Respondent No.1&2 are duty bound to appoint the applicant in the existing vacancy of the stenographer.

6.11 That the applicant begs 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.

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

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 for the post of stenographer. 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.....

Mrityunjoy Ghosh

applicant 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 begs to state that alongwith him there are 15 other candidates also duly recommended for appointment to the post of stenographers and while none of the recommended candidates is appointed, publication of another advertisement is creating suspicion. In this connection, the applicant further begs 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 begs to state that the selection of the applicant is void only upto one year as per existing rule of the respondents.

6.15 That the applicant beg to state that the respondents by the notification dated 05.9.96 under reference No.RRB/G/41/90 date issued by Shri B.Kalita, Chairman, Railway Recruitment Board, Guwahati has cancelled the recruitment panels of stenographer(English) in scale of 1200-2040 under category No.7 of Employment Notice No.1/95 dated.....

Mrityunjay Ghosh.

dated 26.4.95 and Craft Teacher(Bengali Medium) in scale 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.

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

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

Contd.....

Mrityunjoy Ghosh

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. That 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.

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 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.....

Mritunjay Ghosh

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.....

Prityerjoy Ghosh.

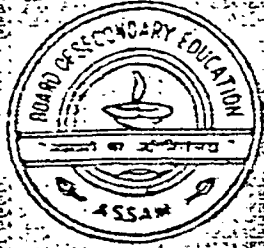
V E R I F I C A T I O N

I, Shri Mritunjay Ghosh, son of late Promode Rn. Ghosh, aged about 31 years, by caste Kayastha, by religion Hindu, resident of Rly. Qr No.226/B, Goshala, Maligaon, Guwahati-11 do hereby solemnly affirm and verify that the statements made in paragraph 1 to 6 and 8 to 14 of the 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 24th day of February, 1997 at Guwahati.

Mritunjay Ghosh.

BOARD OF Secondary Education, Assam



1983

High School Leaving Certificate Examination

I Certify that Mrityanjoy Ghosh
 Roll No. 3H-50 No 71 aged 18 years 11 months

X days on the First of March, 1983, passed the
 High School Leaving Certificate Examination, 1983, of this
 Board being successful on the Compartmental Chance.

(Signature)
 Headmaster

N. P. Bly. Maligaon

GAUHATI, ASSAM

The 14th October 1983

REGISTRAR II



SECRETARY

Annexure A-11-12

The Assam Type Writing Institution

GOVT AFFILIATED

Registration No. 1891

DIPLOMA FOR ENGLISH SHORTHAND

Certified that Sri Mrityun Joy Gosh
son/~~daughter~~/~~wife~~ of S/O, Late Pramoda Ranjan Gosh of
THE ASSAM TYPE WRITING INSTITUTION at Maligaon
Goshala Bazar, Guwahati-11 (Assam).

Duly passed the final examination shorthand (English) at 80 (eighty)
words per minute.

I CONSIDER HIM/~~HER~~ QUALIFIED TO UNDERTAKE THE DUTIES OF A STENOGRAPHER.

The 5th January 19 93.

Dated March 10 th 19 93

Principal
THE ASSAM TYPE WRITING INSTITUTION
Maligaon Goshala Bazar, Guwahati-11

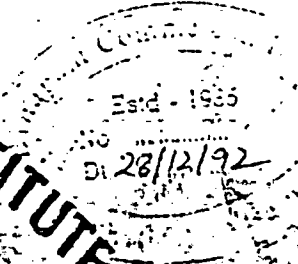
Handwritten notes:
Approved
19/2/93
Principal
Maligaon

No: B. C. I/743/92

GOVT: REGD:

Regd: No: 997

BINAPANI COMMERCIAL INSTITUTE



Estd. - 1935

Maligaon, Guwahati-781 011

Dist. - Kamrup (Assam)

DIPLOMA

This is to certify that Sri/Srimati Mrityunjoy Ghosh
son/daughter wife of late Promode Ranjan Ghosh was a student
of the institute.

She has duly passed the final examination in this subject here under noted

Typewriting		Shorthand	
(i) English speed per minute..... <u>40</u> (in words) <u>200</u> words per minute.	(i) English speed Per minute..... <u>Nil</u>		
(ii) Assamese speed Per minute <u>Nil</u> (in words)..... <u>Nil</u>	(ii) Assamese speed per minute..... <u>Nil</u>		
(iii) Hindi speed Per minute..... <u>Nil</u> (in words)..... <u>Nil</u>	(iii) Hindi speed per minute..... <u>Nil</u>		

I consider him/her qualified to under take the duties of stenographer/typist.

Dated Guwahati-11

The 26th Dec. 1992.

A. H. ...
Principal
Binapani Commercial Institute
Maligaon, Guwahati-781 011

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 :** (i) 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 A. 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
40/6/95
M. S. Choudhary

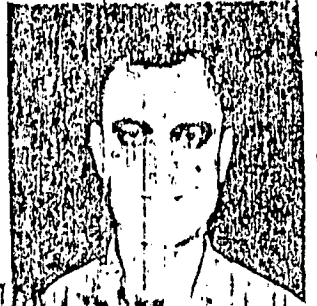
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RAILWAY RECRUITMENT BOARD : GUWAHATI
(Under Certificate of Posting)

Station Road

No. RRB/G/41/10

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



To
Shri/Smt. Atul Gogoi (Ahor)

YOUR ROLL NO. is 810798

This is Your Call letter/Admit Card for the
written examination for the post of Station Master
in scale Rs. 1200-2050 under Employment Notice No. 1195
Category No. 7 on the N.F. Railway.

PROGRAMME OF WRITTEN EXAMINATION IS AS GIVEN BELOW :

DATE	DAY	TIME	VENUE
27-8-95	to Sunday	10.00 hrs	Hassam Rly H.S. School Pambazon, GH

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 FULLFIL 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/GAY 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 premises. 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 GUWAHATI (STN.) & BACK. THIS PASS IS VALID UP TO

(Authority Rly. Ad'e. 1/No. (MHT-64/PSC/122) dt. 23.11.84)

A. Walter

19/7/95

Executive Asstt. to CEO

N. F. Rly. Maligaon.

অবসানক সহায়ক সী. পূ

.. সী. পূ. সহায়ক

FOR CHIEF CLERK
RRB/GUWAHATI.

RAILWAY RECRUITMENT BOARD GUWAHATI
(Under Certificate of Posting)

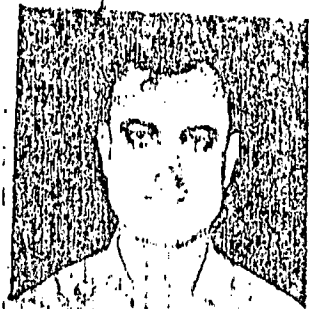
30

NO. RRB/0/41/9

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

Call to your Admit Card/Call Letter for SPEED TEST of 80 words per minute and VIVA-VOCE TEST.

To
Shri/Smt. Abhijay Ghosh



Your Roll Number is 810798

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
SCALE Rs. 1200-2040/-, CATEGORY NO. 7, UNDER EMPLOYMENT
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 & Typo) 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 absented 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/HRB 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 CALL YOU ARE ENTITLED TO TRAVEL FIRST BY RAILWAY IN SECOND CLASS FROM Guwahati (Guwahati) AND BACK. This Pass is available up to 15.11.95. (Author's typ. Rly. Bd's Lt. No. E(NG)LF-84/NSC/122 etc. 11.04)

N.B. (1) You are advised to increase the speed of your typing and to come out successful in the ensuring 80 words per minute speed test to be held on 4.11.95. (2) You are directed to bring attested photostat copies of all certificates, diplomas and Mark-sheets and other certificates with the original at the time of viva-voce test. (3) You are directed to appear for the speed test of 80 words per minute.

Handwritten signatures and stamps:
By [Signature]
[Stamp: 13/10/95]
[Stamp: RRB/0/41/9]
[Stamp: N.F. Rly. Maligaon]

Railway Recruitment Board - Guwahati

NO. RRB/G/CON/155/102/Pt. I

Date: 9-11-95

N-O-T-I-C-E

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/RRB/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	Angali Devi
2.	810786	Asis Chakravorty
3.	810798	Mrityunjoy Ghosh
4.	810018	Debasish Chowdhury
5.	810589	Rupak Chakravorty
6.	810777	Pradip Kr. Sarkar
7.	810781	[Name]
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

(I. H. [Signature])
Member Secretary
for Chairman/RRB/GHY.

attached
by [Signature]
[Signature]

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

Anneau

A - VII - 18
38

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/-

M. Ghose

Selected candidate for Stenographer

*allotted
Golep Naimo
M. Ghose*

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 (forma application given below (to be neatly typed in using one side only in a standard size per) 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 Joint Secretary, Railway Recruitment Board : Station Road, Guwahati, Assam under certificate of posting so as to reach the Board's office on or before 17-30 hrs. on 30/06/96. The applications can also be dropped in the "Application Box" kept in the RRB Office from 17-30 hrs. of 30/06/96.

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

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			
Interpreter (English)	2000-2040/-	Rs. 2000/-	01	02	01	08	Both	12 months	18 to 30 Yrs.	
Junior Engineer/II	2000-3200/-	Rs. 2000/-	02	01	01	04	Both	12 months	20 to 30 Yrs.	
Signal Inspector/II	1400-2300/-	Rs. 1320/-	07	02	04	14	Both	24 months	18 to 25 Yrs.	
Tele Communi. Inspector/Gr-II	1400-2300/-	Rs. 1320/-	07	02	02	13	Both	24 months	18 to 25 Yrs.	
Tele Communi. Maintainer/Gr-III	950-1600/-	Rs. 950/-	08	03	06	23	Both	12 months	18 to 25 Yrs.	
Elect. Draftsman	1200-2040/-	Rs. 1200/-	04	01	01	07	Both	12 months	18 to 25 Yrs.	
Electric Foreman/Deputy Shop Supdt.	2000-3200/-	Rs. 2000/-	01	01	—	02	Both	12 months	20 to 30 Yrs.	
Mechanics (Elect.)	1400-2300/-	Rs. 1400/-	09	06	01	18	Both	24 months	18 to 28 Yrs.	
Elect. Draftsman	1200-2040/-	Rs. 1200/-	03	01	01	06	Both	12 months	18 to 25 Yrs.	
Electrician (Elect.)	1400-2300/-	Rs. 1400/-	—	01	—	01	Both	24 months	20 to 30 Yrs.	
Elect. Draftsman	1600-2660/-	Rs. 1600/-	01	—	—	01	Both	12 months	20 to 30 Yrs.	
Apprentice	1400-1440/-	Rs. 1400/-	06	02	01	11	Both	24 months	20 to 28 Yrs.	
Commercial Apprentice	1400-1440/-	Rs. 1400/-	06	02	02	11	Both	24 months	20 to 28 Yrs.	
Therapist	1400-2300/-	—	01	—	—	01	Both	—	18 to 28 Yrs.	
Nurse	1400-2600/-	—	13	04	02	26	Both	—	20 to 35 Yrs.	
Assistant	1350-2200/-	—	04	01	01	07	Both	—	20 to 30 Yrs.	
Steno	975-1540/-	—	07	—	01	02	Both	—	19 to 28 Yrs.	
Mechanics	1400-2300/-	Rs. 1320/-	04	02	01	08	Both	24 months	18 to 28 Yrs.	
SL	—	—	—	—	—	—	—	—	—	
Workshop Duty Shed	2000-3200/-	Rs. 2000/-	—	01	—	01	Both	12 months	20 to 30 Yrs.	
Mechanics (Elect./DSL)	1400-2300/-	Rs. 1320/-	04	01	02	08	Both	24 months	18 to 28 Yrs.	
Mechanics (Tech)	—	—	—	—	—	—	—	—	—	
Train Examiner	1320-1360/-	Rs. 1320/-	06	03	01	12	Both	24 months	18 to 28 Yrs.	
Elect. Maintainer	1200-2040/-	Rs. 1200/-	01	—	—	02	Both	12 months	18 to 28 Yrs.	
Electrician (mech.)	—	—	—	—	—	—	—	—	—	
Electrician (Mech)	1400-2300/-	Rs. 1200/-	02	—	01	03	Both	24 months	18 to 28 Yrs.	
Junior Chemical	1320-2040/-	Rs. 1320/-	02	—	—	03	Both	12 months	18 to 25 Yrs.	
Surgical Asstt. Medical	1400-2300/-	Rs. 1400/-	02	01	—	03	Both	12 months	22 to 30 Yrs.	
Surgical Asstt. Workshop	2000-3200/-	Rs. 2000/-	01	01	01	03	Both	12 months	20 to 30 Yrs.	
Mechanics (Workshop)	1400-2300/-	Rs. 1320/-	05	02	01	10	Both	24 months	18 to 28 Yrs.	
Chief Train	2000-3200/-	Rs. 2000/-	02	01	—	03	Both	12 months	20 to 30 Yrs.	
Asstt. Gr-II	1400-2300/-	—	01	—	—	02	Both	—	18 to 28 Yrs.	
Asstt. Gr-II	1400-2300/-	Rs. 1400/-	18	05	02	25	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 of B.A. (Hons) in English.
- Category No. 30 : Diploma in Civil or Mechanical Engineering. Qualification of Diploma in Civil Engineering becomes eligible.
- Category No. 31 : Degree in Civil Engineering.
- Category No. 32 : (10+2) with science and Mathematics. Engineering also be eligible.
- Category No. 33 : Minimum ITI certificate in Drafting (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 Engineering from recognised colleges.
- Category No. 35 : Degree in Civil Engg. Department.
- Category No. 36 : Degree in Civil Engineering Department.
- Category No. 37 : University degree preference 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) II nd class Master's Degree in Education/Teaching from University Degree/Diploma in Education/Teaching from course of Regional Colleges of education of N.C.E.R. medium.
- Category No. 39 : (i) II nd class Bachelors Degree in Botany/Zoology. 45% marks can be considered for demarcation of class in Bachelor's Degree. (ii) University Degree/Diploma in Education/Teaching OR 4 years integrated Degree course in regional colleges. Competence to teach through English and Bengali.

N.B. : (i) A GENERAL RELAXATION IN UPPER AGE LIMIT OF CANDIDATES HAVE BEEN GIVEN IN PARA-2. THIS RELAXATION WILL BE WITH EFFECT FROM 4/8/96.

N.B. : (ii) THE CANDIDATES MUST HAVE ACCURATELY LAID DOWN AT THE TIME OF SUBMISSION OF APPLICATIONS HAVE YET TO APPEAR AT THE INTERVIEW WITHHELD OR NOT DECLARED ARE TO BE INDICATED.

1. GENERAL INSTRUCTION
- 1.1 ABBREVIATION USED : SC = Scheduled Caste, ST = Scheduled Tribe, I.P.O. = Indian Postal Order.
- 1.2 The number of vacancies shown may be in any category.
- 1.3 SC/ST/OBC candidates can apply against all vacancies. SC/ST/OBC candidates need not apply.
2. AGE LIMIT
- 2.1 The age will be reckoned as on 01-06-96. The age limit will be :
 - (a) By 5 years for SC/ST candidates and by 10 years for OBC candidates.
 - (b) By 5 years for Bonafide displaced Gold-Medals holders.
 - (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 the candidates (continuous or broken) subject to the conditions of the Administrative offices of the Railway or other societies and Institutes upto 5 years above the upper age limit of 35 years whichever is less.
 - (f) Upper age limit in case of widows, divorced women or their husband but not remarried shall be 5 years above the upper age limit of 35 years.
 - (g) Upto maximum age of 45 years for repatriation to 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 hand written (not in pencil) on good quality plain white paper.

attestd Golali b
A. J. J. J.

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 rifixation 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 ploughing in the field on February 27, 1969 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.

No 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
DULLAJAN, June 18—The incident in between thirteen and fifteen of Dullajan 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

A large number of parents, gurd educational institutions of Dullajan 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 region suspected that some drug traffickers lured these adolescent boys to cart

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

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

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

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, Kahikuchi.

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 Biswanathi Agricultural College and Sri Beninadhab 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 Sargiyar and Manik Deori.

South Kamrup Press Club, South Kamrup New Writers and Artists Association, Dakhalaluitpariya Dal, Azara Amarjyoti Sangha and Daxhin 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, immediate

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 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 Murgab 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 deviation from the

RAILWAY NOTICE



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

Date : 05.9.96.

NOTICE

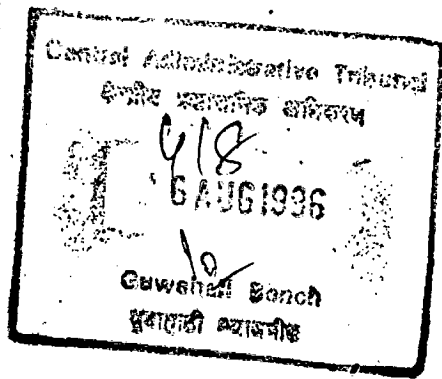
Sub : Cancellation of Recruitment panels of Stenographer (English) in scale Rs. 1200-2040/- under Category No. 7 of Employment Notice No. 1/96 dt. 26.4.95 and Craft Teacher (Bengali Medium) in scale Rs. 1400-2600/- under Cat No. 6 of Employment Notice No. 3/94 dt. 19.12.94.

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

*allotted
40 G/S
10000*



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Title of the case : O.A. No. 150 of 1996.

Shri Mritunjay Ghosh ... Applicant.

- Versus -

Union of India and Ors. ... Respondents.

An application under Sec. 19 of the A.T. Act, 1985

I N D E X

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*Received a copy
of the application
for: B. U. Khan
R. N.*

For use in Tribunal's office :-

Date of filing	<u>6/8/96</u>
Registration No.	<u>OA 150/96</u>
Signature	<u>[Signature]</u> Registrar <u>6/8/96</u>

Mritunjay Ghosh

1. PARTICULARS OF THE APPLICANT :

Shri Mrintunjay Ghosh,
son of late Promode Rn. Ghosh,
Rly Qr. No.226/B, Gosala, Maligaon,
Guwahati-11.

2. PARTICULARS OF THE RESPONDENTS :

1. Union of India represented by
the Secretary to the Govt, of India,
Ministry of Railways,
New Delhi.
2. The General Manager(P)?
N.F.Railway, Maligaon,
Guwahati-11.
3. The 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 implemen-
tation of recommendation of the selected candidates
for appointment as stenographer (English) at the scale
of pay 1200-2040 vide Employment Notice No.1/95 -
Category 7 (Annexure A-III).
- ii. Restraining the respondents from
completing the process of employment Notice No.1/96
Category 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.....

Mrintunjay Ghosh.

5. LIMITATION :

The applicant further declare that the application is within the limitation prescribed under Section 21 of the Administrative Tribunal 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 matriculation examination in the year 1983 and pre-University Examination in the year 1987 and has also 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 The Assam Tribune and it was clearly written in the advertisement under clause 12 of general instructions that the post of stenographers 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.....

Mrityunjoy Ghosh

appeared in The Assam Tribune, had applied for the post of stenographer. The said advertisement runs as Employment Notice No.1/95, Category 7.

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

6.5 That the application made application for appointment as stenographer at the scale of pay 1200-2040 giving all particulars such as academic qualification, 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 the date as 27.8.95.

A copy of the call letter is annexed herewith and the same is 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 he became successful in the test and accordingly thereafter 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 same call letter is annexed herewith and marked as Annexure A-V.

Contd.....

Mrityanjoy Ghosh

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 and in this test held on 8.11.95 he also became successful and was selected by the respondent No.2 and thereafter recommended the name of the applicant to Respondent No.2 for appointment. In view of increase of the 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 same is marked as Annexure A-VI.

6.9 That the written test, speed test and viva-voce test are conducted by the Railway Recruitment Board headed by the 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&2.

6.10 That the applicant beg to state that as per advertisement dated 26.4.95, once the 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 applicant was recommended for appointment as stenographer, the respondents i.e. Respondent No.1 & 2 are duty bound to appoint the applicant in the existing vacancy of the stenographer.

Contd.....

Mrityunjay Ghosh,

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 this 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 for the post of stenographer. 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 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.....

Mritunjay G. Kosh

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alongwith him there are 15 other candidates also duly recommended for appointment to the post of stenographers 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 Rs.950-1500 and all of them were appointed though they were appeared in the tests subsequent to the applicant.

help
about
7.5.96

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. GROUND 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 advertisement No.1/96 as referred in Annexure A-VIII is ill-conceived, confusing, conflicting, contradictory, inharmonious and acting upon it will be illegal.....

Mritunjay G. K. S.

illegal and uncalled for and the applicant firmly believes that this Hon'ble Tribunal will direct the respondent No.3 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. That t That 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.

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 till the applicant is appointed.

Contd.....

Mrityanjoy Ghosh,

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. 09346580
Date : 25-7-96
Issued by : G.P.O., Gm
Payable at : G.P.O., Gm

13. An Index with particulars of enclosures is enclosed.

14. PARTICULARS OF DOCUMENTS :

As per Index.

VERIFICATION.....

Prityunjoy Ghosh

31 9

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

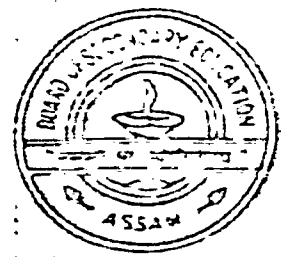
I, Shri Mritunjay Ghosh, son of Late Promode Rn. Ghosh, aged about 31 years, by caste Kayastha, by religion Hindu, resident of Rly. Qr. No.226/B, Gosala, Maligaon, Guwahati-11 do hereby solemnly affirm and verify that the statements made in para 1 to 6 and 8 to 14 of the O.A. are true to my knowledge and those made in para 7 of the O.A. are true to my legal advice and I have not suppressed any material facts.

AND I sign this Verification on this 5th day of *Aug*, 1996 at Guwahati.

Mritunjay Ghosh
(M. GHOSH)

Mritunjay Ghosh.

Board of Secondary Education, Assam
 1983
 High School Leaving Certificate Examination



Man A-1 11-

I Certify that Arityunjoy Ghosh
 Roll No. 50 No. 71 aged 18 years 11 months
X days on the First of March, 1983, passed the
High School Leaving Certificate Examination, 1983 of this
Board being successful in the Compartmental Chance.

[Signature]
 REGISTRAR II
 Assam
 1983

[Stamp]
 BOARD OF SECONDARY EDUCATION
 ASSAM
 1983

REGISTRAR II

[Signature]
 SECRETARY

No: B. C. I/743/92

GOVT: REGD:

Regd: No: 997

BINAPANI COMMERCIAL INSTITUTE

Estd.—1985

Maligaon, Guwahati-78 011

Dist.—Kamrup (Assam)

DIPLOMA

23/12/92

This is to certify that Sr/Srimati.....Mrityunjoy Ghosh.....
son/daughter wife of Sr.....Late R. Prasad Ranjan Ghosh..... was a student
of the institute.

He/She has duly passed the final examination in this subject here under noted

Typewriting		Shorthand	
(i) English speed per minute..... <u>40 W.P.M.</u>	(i) English speed Per	(i) English speed Per	minute..... <u>Nil</u>
(in words) <u>Forty</u> words per minute.	(in words) <u>Nil</u>	(in words) <u>Nil</u>	
(ii) Assamese speed Per minute <u>Nil</u>	(ii) Assamese speed per	(ii) Assamese speed per	minute..... <u>Nil</u>
(in words)..... <u>Nil</u>	(in words)..... <u>Nil</u>	(in words)..... <u>Nil</u>	
(iii) Hindi speed Per minute..... <u>Nil</u>			
(in words)..... <u>Nil</u>			

I consider him/her qualified to under take the duties of stenographer/typist.

Dated Guwahati-11

Dec. 26th. 1992.

Principal

A. H. Choudhury
Principal
Binapani Commercial Institute
Maligaon, Guwahati-78 011
Dist. Kamrup (Assam)

Amrit

Assam

A - 11

13

59

The Assam Type Writing Institution

GOVT AFFILIATED

Registration No. 1891

DIPLOMA FOR ENGLISH SHORTHAND

Certified that Shri Writyun Joy Ghosh
son/~~daughter~~/~~wife~~ of S/O, Late Premoda Ranjan Ghosh of
THE ASSAM TYPE WRITING INSTITUTION at Maligaon
Goshala Bazar, Guwahati-11 (Assam).

Duly passed the final examination shorthand (English) at 80 (eighty)
words per minute.

I CONSIDER HIM/~~HER~~ QUALIFIED TO UNDERTAKE THE DUTIES OF A STENOGRAPHER.

The 5th January 19 93.

Dated March 10 th 19 93

Principal
THE ASSAM TYPE WRITING INSTITUTION
Maligaon Goshala Bazar, Guwahati-11

Handwritten notes:
Approved
19/1/93
Asst. to C.B.D.
P. N. Malgosh
Principal
Dated

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.1 (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 by [Signature]

2/10/95

RAILWAY RECRUITMENT BOARD : GUWAHATI
(Under Certificate of posting)

Station Road

No. RRB/G/41/10

CALL LETTER/ADMIT CARD FOR THE WRITTEN
EXAMINATION, CATEGORY No. 7 EMPLOYMENT
NOTICE NO. 1/95



To
Shri/Smt. Mr. Nitinjoy Choudhary

YOUR ROLL NO. is 810798

This is Your call letter/Admit Card for the
written examination for the post of Senior Graduate
in scale Rs. 1200-2040 under Employment Notice No. 1/95
Category No. 7 on the N.F. Railway.

PROGRAMME OF WRITTEN EXAMINATION IS AS GIVEN BELOW :

DATE	DAY	TIME	VENUE
27-8-95	Sunday	10.00 hrs	HSSona Rly. H.S. School Pambazon Bazar

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/G&Y 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 premises. 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 GUWAHATI (STN.) & BACK. THIS PASS IS VALID UP TO

(Authority Rly. Bd's L/No. (NG) 11-64/RSC/122 dtd. 23.11.84).

Handwritten signature

Handwritten signature: A. H. ...

for Chairman
RRB/GUWAHATI.

Executive Asstt. to CMB
N. F. Rly. Maligaon
... ..

Railway Recruitment Board: Guwahati

NO. RRB/G/CON/155/102/Pt.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/RRB/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	Angali Devi
2.	810786	Asis Chakravorty
3.	810798	Mrityunjoy Ghosh
4.	810018	Debasish Chowdhury
5.	810589	Rupak Chakravorty
6.	810777	Pradip Kr. Saricar
7.	810764	Amrita Devi
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. P. 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

(I. Harshak)
Member Secretary
for Chairman/RRB/GHY.

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

Attached

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	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 Communi- cation Inspector/Gr.-II	1400-2300/-	Rs. 1320/- 1350/-	07	02	02	02	13	Both	24 months 18 to 25 Yrs.	
5	Appr. Tele Communica- tion Maintainer/Gr.-III	950-1500/-	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	Pharmasist	1350-2200/-	—	04	01	01	01	07	Both	20 to 30 Yrs.	
17	Lab Asstt.	975-1540/-	—	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	1400-2300/-	Rs. 1400/-	01	05	02	01	09	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 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 Drafts. India, NCVT) in Civil Engg. from recognised Institution duration. Civil Engg. Diploma holders and holders 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 B Honours & Master Degree. The candidate should minute in English or 25 words per minute in Hindi 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 in Botany/Zoology. 45% marks can be considered demarcation of class in Bachelor's Degree. (ii) Unive 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 EXAM WITHHELD OR NOT DECLARED ARE NOT

1. GENERAL INSTRUCTION

1.1 ABBREVIATION USED

SC=Scheduled Caste, ST=Scheduled Tribe, U I.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 5
- (b) By 5 years for Bonafide displaced Goldsm
- (c) By 10 years in case of physically handicapped
- (d) Upto the age 40 years for "RESERVIST"
- (e) Upto the extent of service rendered by Government Labours/substitutes provided that they (continuous or broken) subject to the control Administrative offices of the Railway organization societies and Institutes upto 5 years upper age limit of 35 years whichever is less
- (f) Upper age limit in case of widows, divorcee their husband but not remarried shall be
- (g) Upto maximum age of 45 years for repatriated to India on or after 1st June 1963 and 1. Pakistan (Now Bangladesh) on or after 1

3. HOW TO APPLY

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

4 (1)

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 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 latni. 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.

No 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
DULLAJAN, June 18 — The aged in between thirteen and fifteen of Dullajan 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

A large number of parents, guardian educational institutions of Dullaj 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 primary 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 out for private tuition after

The O.C. of Dullajan police station adequate steps have been taken to trace 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, Kahilkuchi.

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

Dr Khargia 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 Palesbari 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, Dakhal Luitpariya Dal, Azara Amarjyoti Sangha and Dakhin Kamrup Ssetan 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, immediate release of the

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 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-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 deviation from the

22
69
W
By Chief Officer
Railway Recruitment Board
Guwahati
Date: 22/11/95

4. That with regard to the statements made in paragraph 6.10 of the application, It is stated that the respondent no. 2, i.e. General Manager (P), N.F. Railway, Guwahati, is not duty bound to appoint the applicant as recommended by the Railway Recruitment Board. Mere empanelment does not give indefeasible right to be appointed. In this connection, provision of Indian Railway Establishment Manual Vol. I (Revised Edition 1989) para 113 may be referred to which reads inter-alia - "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." It was also made clear to the applicant that the selection of the candidate by the Railway Recruitment Board does not confer any right on the candidates for the post through General Instruction No. 17 of the Employment Notice No. 1/95, against which the applicant made his application for the post of Junior Stenographer (English) in scale Rs.1200-2040/-.

5. That with regard to the statements made in paragraph 6.11 of the application, it is stated that the list of 16 candidates including the name of the applicant was recommended on 9.11.95 to the respondent no. 2 for appointment. The respondent no. 2 in his turn while processing the case for scrutiny of the bio-data and other

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 pending 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. 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) 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.

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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.

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

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 paragraphs 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
MALIGAON :: GUWAHATI
FOR & ON BEHALF OF
UNION OF INDIA.

१ मुख्य कार्मिक अधिकारी (राज.)
v. Chief Personnel Officer (G)
१ सी० रेलवे, गुवाहाटी-781011.
Rly., Guwahati-781011.

...

Railway Recruitment Board :: Guwahati.

No. RRB/G/41/90

Dated 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 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. Recdt. Board, Guwahati.

Copy forwarded for information and n/action to:-

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

Sd/- (B. Kalita)
Chairman,
Rly. Recdt. Board, Guwahati.

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Filed by the respondents
through

B. Mehta
Advocate

19.3.97

D. S. B. K. - Sharma,
Advocate

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C. S. D.

OFFICE OF THE
SECRETARY
GOVT. OF ASSAM
Dis. Office Personnel Officer (1-2)
1st Flr. Bldg. Guwahati-781011,
A. P. Bldg. Guwahati-781011

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH.

IN THE MATTER OF :-

O.A. No. 150 of 1996

Mritunjay Chosh ... Applicant.

Vs.

Union of India & Ors. ... Respondents.

AND

IN THE MATTER OF :-

Additional written statements on
behalf of the respondents.

The respondents beg to state as follows :-

1. That the answering respondents have already filed their written statements in the aforesaid O.A. However, after filing of the written statements, the applicant prayed for certain amendment to the Original Application which has since been allowed. There-after, the applicant has filed consolidated O.A. Instead of repeating the contentions raised in the earlier written statement, the respondents crave leave of this Hon'ble Tribunal to refer and rely upon the same at the time of hearing of the instant O.A. However, since the amendment has been

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allowed which has now been incorporated in the consolidated petition, the respondents beg to file this additional written statement 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 statement, 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

Contd.....3

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 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.

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श्री. ए. ए. सिन्हा (वरिष्ठ)
By. Chief Personnel Officer (MG)
10, श्री. रोड, गुवाहाटी-781011.
M. P. B.V., Guwahati, 781011.

(d) As per Board 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.

(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 scripts (transcription sheet) containing poor performance, higher marks have been allotted in comparison to that containing better performance.

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Jew
Office of the
Chief Personnel Officer
To the Secy, RRB, Guwahati, Assam
781015

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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
12/3

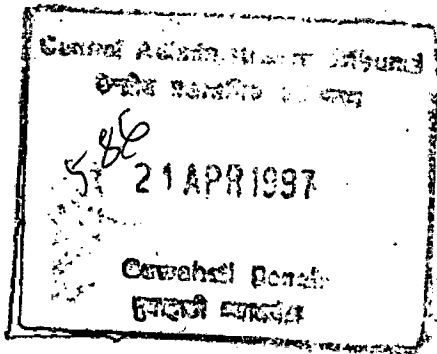
✓
DEPUTY CHIEF PERSONNEL OFFICER
NORTHEAST FRONTIER RAILWAY
MALLIGAON :: GUWAHATI
FOR & ON BEHALF *কর্তব্য কর্মিঃ* *অফিসঃ*
UNION OF INDIA *By. Chief Personnel Officer*
পূঃ শ্রীঃ রেল্বে, গুৱাহাটী-781011
N. F. Rly., Guwahati/01

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24
for by Sarma
Gopal Sarma
Advocate
16/4/97

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH



In the matter of :

O.A.No.150/96

Mrtunjay Ghose 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 if 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

Mrtunjay Ghose regarding.....

will be served
to the advocate as
available
Gopal Sarma
Advocate
16/4/97

-547

regarding adoption of malpractice and entire matter was investigated by vigilance, whereas acting upon the vigilance report the 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 and out of which 172 were tested in speed test and subsequently 47 were sent for viva-voce 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

Arjunjoy Ghose

In other words in the answer scripts of 125 candidates who were 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 the 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.....

Motunjay Ghose

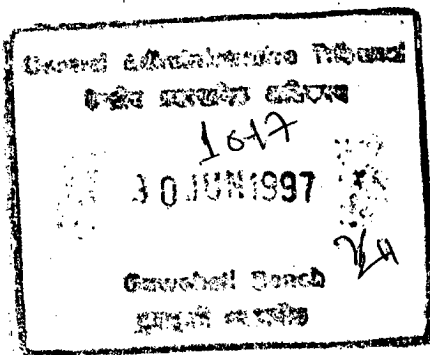
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V E R I F I C A T I O N

I, Shri Mritunjay Ghose, son of late Promode Rn Ghose, aged 31 years, by caste Kayastha, by religion Hindu, resident of Rly. Qr.No.226-B, Gosala, Maligaon, Guwahati-11 do hereby solemnly affirm and verify that the contents made in paragraph 1 of the 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 16th day of April, 1997 at Guwahati.

Mritunjay Ghose



Filed by: *S. S. Saha*
Advocate
For: B. K. Choudhury
S.C. 24
30.6.97
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STATE ATTORNEY GENERAL
GUWAHATI
OFFICE OF THE
STATE ATTORNEY GENERAL
GUWAHATI

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH.

IN THE MATTER OF :-

O.A. No. 150 of 1996

Shri M. Ghosh ... 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.

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S. S. Saha
Advocate
30-6-97

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

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

Age : 18 to 30 years."

From the above, it is clear that although the 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 allotted by the evaluator. This is one of the grounds for which entire selection was held to be vitiated and accordingly, the entire selection was cancelled. As regards statements regarding number of candidates applied for the post appeared in the written test, speed test and viva voce test, the answering respondents beg to state when irregularities were detected through-out the process of selection amongst the said candidates, as a policy decision, the entire selection was cancelled. Amidst the irregularities were detected, such cancellation of selection was the best course opened which needless to say, has brought confidence to the public in general, more particularly, the eligible candidates who either appeared in the selection or could not appear in the selection because of non-submission of diploma certificates. In such a selection wherein such irregularities as pointed out in the additional written statement come to light, it is immaterial as to whether there was any over-writing and/or addition of new marks in any particular answer script. The selection process cannot be individualised and will have to be taken as a whole. Among the applicants who have approached this Hon'ble Tribunal by filing various O.As, it has been found that there is over-writing to the marks already allotted by the evaluator. In some cases totalling mistakes were also detected. Mention may be made of Shri P. J. Das (Applicant in O.A. 146/96), Smt. Kamala Deka (applicant

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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 got total marks of 353 instead of 361 and would not have been empanelled, as in that case one Shri Sujit Chakraborty (Roll No.810556) 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 altogether by a Shorthand expert.

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A file of the applicant's name is
by the person in charge of
the file and the applicant's name
is not in the file.

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 speak 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.S.
30.6.97.

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

অসম চীফ পर्सনেল অফিসার (অসম)
Dy. Chief Personnel Officer (Assam)
প.ও. বেল, গুৱাহাটী-৭৮১০০১
N. F. Ry., Guwahati-781001