

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH LUCKNOW

ANNEXURE

INDEX SHEET

CAUSE TITLE TA-82/92 in CA 625/82 OF

NAME OF THE PARTIES L.S. Sharma

Applicant

Versus

O.O.I. 82-8-

Respondent

Part A, B & C

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CERTIFICATE

Certified that no further action is required to taken and that the case is fit for consignment to the record room (decided)

File B/c created and destroyed

Dated.....

Counter Signed.....

Page 17/12/17

17/1/13  
Signature of the  
Dealing Assistant

Section Officer / In charge

# CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Registration No. 625 of 1987

APPLICANT (s) L. S. Sharma

RESPONDENT(s) U.O.I. through Secretary, Ministry of Home

Office, New Delhi + another

Particulars to be examined

Endorsement as to result of Examination

1. Is the appeal competent ?

ys

2. (a) Is the application in the prescribed form ?

ys

(b) Is the application in paper book form ?

ys

(c) Have six complete sets of the application been filed ?

ys

3. (a) Is the appeal in time ?

ys

(b) If not, by how many days it is beyond time ?

-

(c) Has sufficient case for not making the application in time, been filed ?

-

4. Has the document of authorisation, Vakalat-

ys

nama been filed ?

5. Is the application accompanied by B. D./Postal-

ys

Order for Rs. 50/-

6. Has the certified copy/copies of the order (s)

against which the application is made been

filed ?

7. (a) Have the copies of the documents/relied

ys

upon by the applicant and mentioned in

the application, been filed ?

(b) Have the documents referred to in (a)

above duly attested by a Gazetted Officer

and numbered accordingly ?

ys

Non Payment of Fees Due.

24/7

Particulars to be ExaminedEndorsement as to result of Examination

A/a ✓

- (c) Are the documents referred to in (a) above neatly typed in double space ? Yes
8. Has the index of documents been filed and paging done properly ? Yes
9. Have the chronological details of representation made and the outcome of such representations been indicated in the application ? Yes
10. Is the matter raised in the application pending before any Court of law or any other Bench of Tribunal ? No
11. Are the application/duplicate copy/spare copies signed ? Yes
12. Are extra copies of the application with Annexures filed ? Yes
- (a) Identical with the original ? Yes
- (b) Defective ? —
- (c) Wanting in Annexures —
- Nos...../Pages Nos..... ?
13. Have file size envelopes bearing full addresses, of the respondents been filed ? No
14. Are the given addresses, the registered addresses ? Yes
15. Do the names of the parties stated in the copies tally with those indicated in the application ? Yes
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ? N.A.
17. Are the facts of the case mentioned in item No. 6 of the application ?
- (a) Concise ? Yes
- (b) Under distinct heads ? Yes
- (c) Numbered consecutively ? Yes
- (d) Typed in double space on one side of the paper ? Yes
18. Have the particulars for interim order prayed for indicated with reasons ? No

19. Whether all the remedies have been exhausted.

*If approved the case may be listed on 24/7/07 as prayed*

*D. R. (J)*

*17/7/07*

*Submitted to  
V. Chandr  
17/7/07*

आदेश पत्रक  
ORDER SHEET

अपील  
निर्देश आबेदन रजिस्टर में सं०

OA 625-07

No. in Reference Application Register  
Appeal

अपील अधिकरण  
Appellate Tribunal

अपीलार्थी  
आबेदक

Appellant  
Applicant

अपीलार्थी  
आबेदक द्वारा

बनाम

प्रत्यर्थी

Appellant  
Applicant

L. S. Sharma

Vs.

no 9

Respondent

प्रत्यर्थी द्वारा  
Respondent

आदेश की क्रम संख्या  
और तारीख  
Serial number of  
order and date

संक्षिप्त आदेश, निर्देश दते हुए, यदि आवश्यक हो  
Brief order, mentioning reference, if necessary

पालन कैसे हुआ और पालन  
करने की तारीख  
How complied with and  
date of compliance

24/7/07

Hon D.S. Mishra - AM  
Hon G.S. Sharma - Jcy

On the application of  
applicant's counsel, the case is  
adjourned to 10.8.07

AM  
Jcy

10/8/07

Hon. D.S. Mishra - AM  
Hon. G.S. Sharma - Jm

on the request of  
applicant's counsel he is  
allowed two weeks time to  
file amendment application

Jcy

AM

Hon. S. Zabeer Hassan, VC  
Hon. Ajay Jethi, AM

28-8-07

Amendment as per court  
order. put up  
on 28-8-07.

AM

VC

AM

25/8/07

Amendment incorporated  
as per court  
order. Amended  
for Petitioner

9/12  
87Hon. D. S. Mishra - Am.  
Hon. G. S. Sharma - JM

on the request—  
of learned counsel for  
the applicant, the case  
is adjourned to 11/2/88  
for admission.

BOK

See1-2-88 DR

Shri M. B. Singh learned  
Counsel for applicant is present.  
Cases of Shri M. B. Singh are  
adjudged up to 5-2-88.

list this case for admission  
before Court on 8-3-88 as prayed  
by learned Counsel for applicant

DR (S)6/3/88 OK

No counter affidavit has been  
put in list before Court for admission  
on 24.3.88 bringing the fact to the knowledge of  
Court - that a letter of 19.11.87 was  
received from yr Asst Secy that this  
case relates to the ~~Handwritten~~ C.R.P.F.  
Act 1949.

ORDER SHEET

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD

.....No..... *64 625* of 1987

.....Vs.....

| Sl.No. of order | Date of order  | ORDERS WITH SIGNATURE                                                                                                                                                                    | Office Notes as to action (if any) taken on order |
|-----------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
|                 | <i>29.4.00</i> | <i>for</i><br>on the request of<br>applicants counsel, verbal names<br>may be filed by 6.5.00<br><br><i>[Signature]</i>                                                                  |                                                   |
|                 | <i>6.5.00</i>  | <i>for</i><br>for A.R. divided represents<br>the applicants<br>counsel may be filed<br>by 7.6.00<br><br><i>[Signature]</i>                                                               |                                                   |
|                 | <i>1-6.00</i>  | <i>for</i><br>As per letter of Joint<br>Director Assistant Director 17-<br>19.11.07. This case relates<br>to R.P. Vial before court<br>for disposal on 13.7.00<br><br><i>[Signature]</i> |                                                   |

Order sheet  
625/87

A/6

27-09-88

O.R.

C.A. not filed,  
Submitted.

27/9.

29.9.00

Regr

Comes may be put  
by 24.11.00.

2/8r

O.R.

21-11-88

C.A. not filed so far  
Submitted.

Shankar  
21-11-88

24.11.88.

Regr

On the request for the  
applicant counsel list the  
case before court on 15.1.89  
for hearing

16.1.89. No sitting adj to 27.3.89

27.3.89 No sitting adj. to 24.5.89. <sup>mlr</sup> R

Hen'w K. Boyer a.m.  
Hen'w T.P. Brown, T.M.

At the ground of illness of the deceased  
for the applicant the case is adjourned to

83-4-90 for hearing on admission

*[Signature]*  
a.m.

*[Signature]*  
T.M.

(S.M.)

23/4/90

Hon. Justice K. Math, re  
Hon. K. J. Brown, J.M.

The deceased cannot be  
the applicant cannot prove  
his + the admission

9/7/90  
*[Signature]*  
J.M.

*[Signature]*  
V.C.

9.7.90 Hon'ble K. Math, J.L.  
Hon'ble J. J. Brown, A.M.

Case is called off. No one is present  
for the applicant. On the last day of the case  
the case was ordered to be adjourned on  
the request for the covered for the applicant  
The case is adjourned for adjournment  
the applicant

10/7  
(A.M.)

*[Signature]*  
V.C.

T.A. no 82 / 92 (T)

A/4

28/8/92

Hon-Mr. Justice A.E. Srivastava, v  
Hon-Mr. K. Obasogie, D.M.

No one in present. The case  
is adjourned to 4-11-92.

A. C. M.

✓  
V.E.

4.11.92

No. 2. May of D.M.  
adjn 21.11.92

✓

T.A. 82/92 T.L

ORDER SHEET  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD.

O A No. 625 OF 1987  
Vs.

| Sl. No. | Date | Office Report | Order |
|---------|------|---------------|-------|
| 1       | 2    | 3             | 4     |

Date  
9/12/91

Hon'ble Mr. D. K. Agrawal, J.M  
Hon'ble Mr. K. Chatterjee, A.M

None for either parties. List this  
case for ex parte hearing on 3.3.1992.

b  
A.M.

See  
J.M

O.R

The case relates  
to territorial jurisdiction  
of Lucknow Bench, Hon'ble,  
is being transferred to  
Lucknow Bench vide  
Hon'ble V.C.D order dt  
18-12-92.

10/1/92  
S. O. G.

31.3.92

D.R.

Register the case as T. A.  
This file has been received  
after transfer to this Bench  
from C.A.T. Alld.

Issue notice to the

counsel for both the parties  
for appearance. List this case  
for hearing on 26.3.92

O.R  
Notices issued

6/4/92

P.T.O.

Per

LUCKNOW BENCH

T.A. No.82/92

(OA No.625/87)

28/8/92

Hon.Mr.Justice U.C.Srivastava, V.C.  
Hon. Mr. K. Obayya, A.M.

The applicant appeared in person. None is present for the respondents. No Counter-affidavit has been filed. It is stated by the applicant that the Tribunal has jurisdiction over this case and has drawn our attention to the order dt. 13-7-88 to the effect that he is a civilian employee of CRPF and as such this Tribunal has jurisdiction to hear this case. The parties were given time find out whether the applicant is a civilian employee. Notwithstanding the fact that time was given on various occasions to the Central Government, no affidavit or application or even appearance has been put in. Now there is no option but to decide this case after hearing the applicant. Judgment has been dictated in the open Court.

(tgk)

  
A.M.

V.C.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL (ALLAHABAD BENCH)  
LUCKNOW BENCH, LUCKNOW.

O.A.NO. 625/87  
T.A.NO. 82/92

OF 199

Date of decision: 28/8/92

..... L.S. Sharma ..... Petitioner

..... A.K. Dwivedi ..... Advocate for the Petitioner.

Versus

..... Union of India & Others ..... Respondent

..... N.B. Singh ..... Advocate for the Respondent

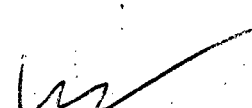
XXX:XXXXXXXXXX:XXX

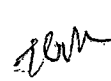
CORAM:-

The Hon'ble Mr. Justice U.C. Srivastava, V.C.

The Hon'ble Mr. K. Obayya, A.M.

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

  
Signature

  
Nagvi/

A/T

CENTRAL ADMINISTRATIVE TRIBUNAL,

LUCKNOW BENCH

LUCKNOW

T.A. No. 82/92

(O.A. No. 625/87)

L.S. Sharma ... Applicant

vs.

Union of India & others ... Respondents

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. K. Obayya, A.M.

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

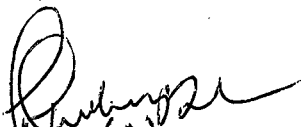
According to the applicant, he was appointed as L.D.C. in the year 1968 and became quasi-permanent u.e.f. 7-6-72 and was confirmed as L.D.C. on 1-5-1973. He was promoted to the post of U.D.C. although ~~the~~ <sup>he</sup> ~~applicant~~ has been described as sub-Inspector, he never became Sub-Inspector, except designation, but ~~he~~ continued to be a civilian staff. His grievance is that he was permanently incapacitated from further service u.e.f. 16-9-83 and invalidated u.e.f. 15-3-84 on medical grounds <sup>and</sup> received his pension <sup>and</sup> funds after a long time i.e. after correspondence, representation etc. According to the applicant, although the other benefits were received by him, benefit of commuted leave for the rest period i.e. 25-7-83 to 15-9-83, 6 months leave due, benefit of increments of adhoc period for average emoluments, benefit of increments due on 1-1-84 during the leave period and recurring amount for 10 years at the rate of Rs.25/- per month, extra-clothing deduction amount, extra-interest-charge on welfare, amenities fund loan, G.P. Fund amount, risk fund amount, extra-ordinary pension, etc. were not paid to him.

2. The applicant made various representations on this behalf to the Director General, regarding the non-payment of his dues and was replied by Asstt. Director vide 18-3-1987. He has sent another letter to the Minister of State for Home and to the Deputy Director before filing this application to this Tribunal.

3. The applicant has prayed that all these benefits may be given to him to which he is entitled to, but the respondents are sitting tight over the matter and have refused to grant the said relief to which he is legally entitled to, in view of the Rules 33 & 34 of the pension rules and other rules. <sup>There</sup> ~~It~~ appears, ~~there~~

*is no reason to discard the case of the applicant who has succeeded to make out a case for consideration of his plea and grant of relief to which he is entitled to.*

Accordingly the respondents are directed to consider the case of the applicant within 30 days from the date of receipt of this order and award all the benefits claimed by the applicant within this period provided the same is not otherwise barred for which they have to pass a speaking order.

  
Member (A)

  
Vice-Chairman

Dated: 28th August, 1992, Lucknow.

(tgk)

Reg. No - 625 of 1987

Central Administrative Tribunal

Allahabad Bench

ALLAHABAD BENCH, ALLAHABAD

Date of Filing 16/7/87 OR

Date of Receipt by Post

Deputy Registrar.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : ADDL. BENCH

ALLAHABAD.

APPLICATION NO.

OF 1987.

L. S. Sharma. . . . . Applicant

V/s.

Union Govt. of India and Others-----Respondents.

Application U/s 19 of the Administrative Tribunal,

Act, 1985.

FOR USE IN THE TRIBUNAL'S OFFICE

Date of filling

:

Registration No.

:

Central Administrative Tribunal

Allahabad Bench, Allahabad

Date of Filing 16/7/87

Date of Receipt  
by Post Y

By Regist.  
By Registrar

Moted for 24/7/87  
A.K. Dong.  
Per 16/7/87

REGISTRAR

(15)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDL. BENCH,  
ALLAHABAD.

APPLICATION NO.                      OF 1987.

L. S. Sharma. . . . . Applicant.

Versus.

Union Govt. of India and others..... Respondents.

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Anil Kumar Dwivedi  
Advocate  
16/1/87

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(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDL. BENCH  
ALLAHABAD

APPLICATION NO. OF 1987

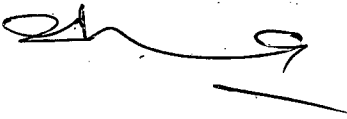
Between

L.S.Sharma Son of late Shri Prabhu Dayal Sharma,  
Ex-SI/UDC, c/o Sri Ravi Shanker Trivedi, Advocate,  
Near Kali Mandir, Satya Nagar, Rae Bareilly....Applicant.

AND

1. Union Govt. of India through the Secretary,  
Ministry of Home Affairs, Govt. of India, New Delhi.
2. The Director General,  
Dte. General, C.R.P.F.,  
C.G.O. Complex, Lodi Road,  
NEW DELHI-110003.

.....Respondents.



.....P/2

(7)

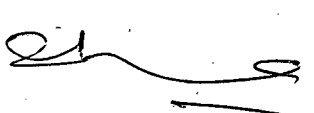
Details of application:

1. Particulars of the applicant:

- (i) Name ----- L. S. Sharma
- (ii) Father's Name ----- Late Sri Prabhu Dayal Sharma
- (iii) Designation and Office ----- Ex-SI/UDC,  
The Commandant 37 Bn CRPF,  
Khanapara, Gauhati (Assam).
- (iv) Office Address ----- Ex-SI/UDC  
in which 37 Bn CRPF, Khanapara,  
employed. Gauhati (Assam).
- (v) Address for service-As above.  
of all notices.

2. Particulars of the respondent:

- (i) Name --- Same as arrayed as respondent.
- (ii) Office address -- Same as mentioned against  
of the respondent- the names of respondents.
- (iii) Address for -----AS above.....  
service of all  
notices.

 Contd....P/8

(8)

3) Particulars of the order against which the application is made.

The application is against the following orders:-

- (i) L.II-1/83-37-ST dated 30.7.84 and P.III-3/83-37-ECI dated 13.6.1984 of Commandant 37 Bn CRPF.
- (ii) P.III-2/83-ECI dated 7.11.1983 of DIGP N/DLI.
- (iii) P.III-2/84-ECI dated 1.5.1984 of DIGP N/DLI.
- (iv) P.I-3/83-37-ECI dated 26.7.84 of Comdt. 37 Bn.
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- (vi) P.III-3/84-ECI dated 15.10.1984 of Comdt. 37 Bn and P.III-2/83-84-GC GNR-CWF dated 27.12.1984 of Addl. DIGP, CRPF, GC Gandhinagar.
- (vii) Office order No.P.III-2/84-ECI dated 27.11.84 and office order even No. dated 14.5.1985 of DIGP, CRPF, New Delhi.
- (viii) Office order No.P.III-90/86-GC GNR dated 28.5.86 and office order even No. dated 31.7.1986 from Addl. DIGP, CRPF, GC Gandhinagar.

The application is against non payment of dues, excess recovery of clothings amount, ~~excess amount~~ illegal deduction of Risk fund, GIS, GPF Adv.& subs. non granting leave due after medical incapacitation,

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(9)

non sanction of commuted leave, Non inclusion of benefit of adv. increment and increment due as on 1.1.84 in calculating average emoluments for the purpose of pension/DCRG, Non payment of full entitled CWF amount, Non payment of Railfare and DA for Rampur & back, Non payment of CEA, Non payment of Extra-Ordinary pension/DCRG, Non payment of recurring amount of Rs. 25/- out of CWF., Non counting of six months period for calculating average emoluments of the applicant after his Retirement due to invalidation on medical grounds.

Subject in brief :

The applicant was permanently incapacitated for further service wef 16.9.1983 and as such he was Invalidated wef 15.3.1984 on medical grounds. He has received his pension (ordinary)/Punds (Less) after a long time protected correspondence but has not received the benefit of commuted leave for rest period from 25.7.83 to 15.9.1983, six months leave due, benefit of increment of ad-hoc period for average emoluments, benefit of inc. due on 1.1.84 during leave due period, Financial assistance according to disease and recurring amount for 10 years @ Rs. 25/- p.m., extra clothings deduction amount, Extra interest charged on Welfare & Amenities fund loan, GPF amount, Risk Fund amount, GIS amount, Railfare + DA for halt and journey, CEA

Contd..P/10

for his son and award of Extra-ordinary pension/  
DORG etc.

4) Jurisdiction of the Tribunal:

The applicant declares that the subject matter  
of the order against which he wants redressal  
is within the jurisdiction of the Tribunal.

5) Limitation:

The applicant further declares that the  
application is within the limitation prescribed  
in Section 21 of the Administrative Tribunal  
Act, 1985.

  
Cm to... P/11

( 11 )

6) Facts of the case :

\* ) The facts of the case are given below:-

That the applicant who was appointed as Lower Division Clerk on 5/6/68 in the C.R.P.F. Department was appointed in quasi permanent capacity w.e.f. 7/6/72 and was confirmed w.e.f. 1/5/1973 on the post of L.D.C. In due course of time he was promoted to the post of Upper Division Clerk.

1. That the applicant was considered completely and permanently Incapacitated for further service of any kind in the Civilian Department of C.R.P.F. or outside of w.e.f. 16/9/1983, consequence of PROLAPSE INTERVETEBRAL DISC. by the Chief Medical Officer, Distt. Hosp. Rae Bareilly vide his order No.E.I/83 dated 16/9/1983 under the provision of Rule 38 of CCS(Pension) Rules, 1972 and Art. 442(c), 455 and 827(A) of CSR-I and was also allowed to be Invalidated from further service w.e.f. 15/3/1984 vide DIGP.CRPF New Delhi Office order No.P.III-2/84-ECI dated 27/11/1984.

2. That the Higher Authority of CRPF i.e. Deputy Director (Adm) vide his order no.P.III-7/84-Adm-3 dated 21/8/1984 was pleased to regularise the period of applicant's Hospital Rest period as commuted Leave/EL/ LHP/E.O.L. but it is write that the authority competent to regularise i.e. DIGP, CRPF, New Delhi, Commandant 37 Bn CRPF has violated the orders passed by the Higher Authority (DD Adm), CRPF without giving reasonable opportunity of being heard.

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(12)

3. That the period of rest on medical grounds of the applicant from 25.7.83 to 16.9.1983 has been regularised as EARNED LEAVE by the Commandant 37 Bn. CRPF vide his office order No.L.II-1/83-37-ST dated 30.7.1984 and P.III-3/83-37-ECI dated 13.6.1984 as per DIGP, CRPF, New Delhi office order No. P.III-2/84-ECI dated 27.11.1984, ignoring the request of the applicant for regularisation of rest period as COMMUTED LEAVE vide his Registered AD application dated 25.8.1983 and subsequent reminders from time to time under the authority of DD(Adm), CRPF letter No.P.III-7/84-Adm-3 dated 21.8.1984 and Rule 30 of CCS(Leave) Rules, 1972.
4. That the applicant was sanctioned one month Commuted Leave wef 25.7.83 to 24.8.1983 when he was in service as per Commandant 37 Bn CRPF letter No.L.II-2/83-37-ST dated 29.8.1983 but subsequently when the applicant ceased to be in Government service it was regularised as EARNED LEAVE vide Commandant 37 Bn CRPF office order No.L.II-1/83-37-ST dated 30.7.1984 and P.III-3/83-37-ECI dated 13.6.1984 received information through DIGP, CRPF, New Delhi office order No.P.III-2/84-ECI dated 27.11.1984 only by violating the provisions of the STATUTORY RULES as laid down in G.O.I. decision below Rule 10 of CCS(Leave) Rules, 1972 and DD(Adm), CRPF letter No.P.III-7/84-Adm-3 dated 21.8.1984.



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5. That violation of provisions of STATUTORY RULES under Rule 10 of CCS(Leave), Rules, 1972 and BD(Adm), CRPF letter No.P.III-7/84-Adm-3 dated 21.8.1984 by the Commandant 37 Bn CRPF and DIGP, CRPF, New Delhi is against the natural justice and infringement of Fundamental Right. The above violation has put the applicant in financial loss as well as in harassment.
6. That the applicant was considered completely and permanently incapacitated for further service w.e.f 15.9.1983 and accordingly he was declared Invalidated from further service w.e.f. 15.3.1984 by the DIGP, CRPF, New Delhi vide his office order No.P.III-2/84-ECI dated 27.11.1984 i.e. after lapse of 14 months time after the receipt of medical certificate of permanently incapacitation for further service of the applicant.
7. That till date the applicant has not been granted LEAVE DUE under the authority of Rule 20(ii) of CCS(Leave) Rules, 1972 and Art. 827(A) of CSR-I for which the applicant already requested vide his Regd. application dated 5.10.1983 and subsequent reminders from time to time, after submission of medical certificate of his permanently incapacitation for further service.

8. It is <sup>to</sup> write that DIGP, CRPF, New Delhi Range has rescined his own orders passed vide his office order No.P.III-2/84-ECI dated 27.11.1984 and 14.5.1985 violating the provision of Rule 20(11) of CCS(Leave) 1972 read with Art. 827(A) of CSR-I and Rule 32 of CCS(Leave) Rules, 1972 which is irregular and infringement of provisions of STATUTORY RULES.
9. That the Addl. DIGP, CRPF, GC Gandhinagar (Gujrat) has granted now 7 days encashment of EARNED LEAVE and 113 days encashment of LEAVE HALP PAY vide their office order Number P.III-90/86-GCGNR dated 28.5.86 and P.III-90/84-86-GC GNR dated 31.7.1986 respectively with the direction for making deduction of pension of Rs.225/- from the leave salary for the period of LHP.
10. It is write that the ~~the~~ Department of CRPF has allowed to draw pension to the applicant wef 15.3.1984 vide pension payment order No.CRPF/7669/IP/Pen-3 dated 20.12.1984 hence criteria adopted for ordering making deduction of pension by the Addl. DIGP, CRPF GC GNR before the period of 15.3.1984 i.e. encashment period of LHP is irregular and violation of Provisions of Rules.
11. That according to DIGP, CRPF, New Delhi office order No.P.III-2/84-ECI dated 27.11.1984, the applicant was granted 89 days EL and 91 days LHP from 17.9.1983 to ~~14.3.1984~~ 14.3.1984 hence criteria observed in granting

encashment of 7 days EL and 113 days LHP by the Addl. DIGP, CRPF, CC Gandhinagar (Gujrat) is irregular and violation of Rules and is also against the natural justice, equity and Fundamental Right.

12. That the applicant has officiated as UDC on ad-hoc basis for two months in the leave vacancy while he was posted in 3 Signal Battalion, CRPF, Rampur (UP) under the formal orders of the Deputy Director (Communication), CRPF, New Delhi (Entry to this effect is also available in service book of the applicant) but in his regular promotion as SI/UDC ref 15.12.1981, the period of above two months have not been counted to give the benefit of advancement of date of increment under the authority of P.R. 26. The case of the applicant was moved to Commandant B (Now Addl. DIGP,) CC CRPF, Gandhinagar (Gujrat) by the Commandant 37 in CRPF vide his office letter No.C.III-1/82-ECI dated 10.10.82 and accordingly Commandant CC CRPF Gandhinagar agreed to settle the issue on receipt of the applicant's service book from the Dte. General, CRPF, New Delhi.

13. It is <sup>to</sup> write that the <sup>ml</sup> Addl. CC CRPF Gandhinagar (Gujrat) has rescinded his own orders by violating the Rule 26 which is against the natural justice, equity. The violation of P.R. 26 and his own orders has put the applicant in loss in calculating the average emoluments for the purpose of pension/DCAG.

10. That during the course of leave due for 6 months  
wef 16.9.1983 to 14.3.1984, the applicant earned  
an increment due on 1.1.1984 which was not withheld  
but while allowing the benefits of 10 months average  
enclumants for pension and DCRG under Rule 34 of  
CCS(Pension) Rules, 1972, the benefit of increment  
so earned has not been given as such the Adml. DCRG,  
CRPF, CC Garhinsagar (Gujrat) has violated the Rule 34  
of CCS(Pension) Rules, 1972 which is against the natural  
justice and equity and also against the Fundamental  
Right.
11. That the applicant was considered permanently  
incapacitated for further service of any kind of the  
Force and out side the force wef 16.9.1983, consequence  
of PROLAPSE INTERVERTERAL DISC. by the Chief Medical  
Officer, Distt. Hosp. Rae Bareilly and the same has been  
accepted by your Department with order No.P.III-2/84-ECI  
dated 1.5.1984.
12. The certificate given by the C.M.O. Distt. Hosp. Rae Bareilly  
was also accepted by the Medical Board held on 11.1.1985  
at Group Centre, CRPF, Ramgarh (UP) when he was ~~present~~  
personally examined there. The medical Board has also  
considered him unfit for any service of CRPF or outside  
of Force. The Board has also recommended for grant of  
financial assistance out of Central Welfare Fund and  
Benevolent Fund & in accordance with Rule 10 of Adminis-  
tration of CRPF welfare Fund with extended rates of  
Financial Assistance vide OD(Adm), CRPF Gt No.BF-3/81-  
adm-II dated 22.7.1981 and Cus/L-Accts dated 29.9.1981.

13. That in this connection it is to write that the competent authority has violated the recommendation of the Medical Board held at Group Centre, CRPF Rampur (UP) and closed the case after granting him only Rs.2,000/- from Central Welfare Fund under category (C) of DD(Adm), CRPF letter No.BF-3/81-Adm-II dated 22.7.1981 which he ought not to be done in accordance to AFA, CRPF Q1 No.CWS/L-Accts dated 29.9.81 read with Rule 10 of Rules for Administration of CRPF Welfare Fund and DD(Adm), CRPF Q1 No. BF-3/81-Adm-II dated 22.7.1981.
14. That according to DD(Adm), CRPF Q1 No.BF-2/81-Adm dated 22.7.1981 and AFA Q1 No.CWS/L-Accts dated 29.9.1981, the applicant should be granted Rs.2 3,000/- out of Central Welfare Fund and Benevolent Fund with recurring payment @ Rs.25/- p.m. for 10 years which your Deptt. has failed to adjust inspite of repeated requests.
15. That the IGP S/III, CRPF has rescinded the orders of the Deptt. passed vide DD(Adm), CRPF Q1 No.BF-3/81-Adm dated 22.7.1981 and AFA Q1 No.CWS/L-Accts dated 29.9.1981, read with Rule 10 of Administration of CRPF Welfare Fund which is against natural justice and equity and Fundamental Right framed by your Deptt. The violation of Rules by the IGP S/III, CRPF has caused miscarries of justice to the applicant as well as monetary loss.

16. That the applicant was supplied clothings as per MHA letter No. O.IV-57/71-Adm-3/FP/IV dated 28.2.81. The orders of Hon'ble DIGP, CRPF, New Delhi vide his signal endt. No.P.III-2/84-ECI dated 8.6.84 and letter No.P.III-2/84-ECI dated 21.9.1984 was to recover the COST OF ONLY RESUMED CLOTHINGS but it is to write that while effecting the recovery of kit items it was made at new rates after showing full clothing as LOST from the date of there issue by the Commandant 37 Bn CRPF, Gauhati (Assam) vide his letter No.P.III-3/83-37-ECI dated 28.8.1984 which ought not to be done from the applicant when DIGP, CRPF, New Delhi specifically agreed to recover the cost of Resumed Kit Items. Further the old clothing items which were consumed and torn out and replaced by new one on free of cost were also included in making payment at new rates after showing them as lost. This is nothing but the violation of the orders of the Hon'ble DIGP, CRPF, New Delhi vide his signal endt. No.P.III-2/84-ECI dated 8.6.84 and letter No.P.III-2/84-ECI dated 21.9.1984 which were the reply of the applicant's request made vide his Regd. application dated 26.5.1984. Further inspite of several requests to the higher authorities of Range New Delhi they have not considered the request and forcibly and arbitrary and illegally and deducted the cost @ new clothing items after showing all clothings as lost from the applicant's DCRG from the date of there issue as intimated vide Addl.DIGP, GC CRPF Gandhinagar office order No.P.III-90/84-GC-GNR dated 29.12.1984.



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17. That the violation of DIGP, CRPF, New Delhi signal No.P.III-2/84-ECI dated 8.6.1984 and letter No. P.III-2/84-ECI dated 21.9.1984 and Govt. of India's order on the subject by the Commandant 37 Bn CRPF Khanapara, Assam is against the natural justice and infringement of Fundamental Right.
18. That the applicant was granted a sum of Rs.1,000/- as a loan out of Battalion Welfare and Amenities Fund. Out of Rs.420/- was recovered from the salary of the applicant upto August, 1983. For adjustment of remaining amount+ interest the applicant severly requested to competent authorities of CRPF i.e. DIGP, CRPF, New Delhi, Addl. DIGP, CRPF, OC CRPF, Gandhinagar (Gujrat) and Commandant 37 Bn CRPF, Khanapara Gauhati (Assam) to adjust it from his dues of Rs.906.40 which was lying in Group Centre, CRPF, Gandhinagar Office. In this connection copy of signal No.P.III-3/83-S-37 dt. 12.7.1984 received through DIGP, CRPF, New Delhi andt. No.P.III-2/84-ECI dated 20.7.1984 is attached.
19. That the authority competent i.e. Commandant 37 Bn. and Commandant OC CRPF, Gandhinagar (Now Addl. DIGP) has rescinded the request of the applicant for adjustment of balance outstanding amount of loan from his dues and forcibly, arbitrary and illegally deducted Rs a sum of Rs.655.35 from the applicant DCRG. This is nothing but the violation of the Govt. orders on the subject and natural justice and infringement of Fundamental Right.

20. That the applicant as per Addl. DIGP, CRPF, Gandhinagar (Gujrat) letter No.P.III-2/B3-84-GC-GNR. CWS dated 5.12.1984 was directed to report Group Centre, CRPF, Rampur (UP) in connection with to appear before the Welfare Medical Board by Addl. DIGP, CRPF, Rampur in accordance with Circular order No.29/79. In this connection it is to write you that the authority competent is to sanction Railway fare and DA for Journey from Rae Bareilly to Rampur & back and Halt at Group Centre, CRPF, Rampur i.e. Addl. DIGP, CRPF, GC Gandhinagar and Commandant 37 Bn CRPF, has rejected the request of the applicant by not allowing him the Fare and DA for halt. The violation of C/O 29/1979 as well as S.R. by the Addl. DIGP, CRPF GC Gandhinagar and Commandant 37 Bn CRPF is against the natural justice and infringement of Fundamental Right, which causes monetary loss to the applicant.

21. That according to documents of medical treatment and reports therein by the Civil Surgeons and also by the Welfare Medical Board of CRPF, the disease of the applicant has been diagnosed as PROLAPSE INTERVERTEBRAL DISC, which is "SEVERE DISEASE" and reported likely to be permanent. The applicant was also declared UNFIT for further service alongwith above reports. In this connection it is to write that inspite of declaration of UNFIT by the Local Civil Authorities, the Executive authorities of 37 Bn.

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CRPF has not taken any recourse of action and referred the applicant's case for review to the C.M.O. Base Hosp. CRPF, Gauhati. granted rest and also retained x him in the strength of force violating the provisions of Art. 455 and Deputy Director (P), CRPF OM No.M.III-1/77-Prev. dated 17.1.1977 wherein it is clearly mentioned that personnel declared UNFIT should not be retained in service and should be relieved of duties without delay on receipt of medical certificate. To avoid further consequences the Deptt. has issued the orders of invalidation of x applicant from back date.

22. That the details of report of applicant declared as UNFIT by the Civil authorities are given below and also action taken by the Deptt. is also shown against each details:-

Reports of Medical authorities.

Action by the Deptt. of CRPF.

1. Declared unfit for further service consequence of INTERVERTEBRAL DISC PROLAPSE (Lumbago) with Myalgia back alongwith report that it will further aggravate his disability. The CMO Distt. Hosp. Rampur(UP) has also asked Comdt. 37 Bn CRPF to send service book and medical documents for invalidation of applicant vide his OM No.M.5/83 dt. 20.4.1983.

The executive authority of 37 Bn CRPF had referred the case of the applicant to the CMO Base Hosp., CRPF, Gauha for advice and further report vide his letter No.M.III-1/83-37-ECII dated 30.5.1983 i.e. after 40 days. In otherwards the applicant was retained in service after declaration of UNFIT.

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2. Declared Unfit for further services by the Surgeon of Gauhati Medical College, Gauhati and further reported for aggravation of the disease vide his letter No. KH/PLK-227/81-98 dated 11.7.1983.

The Executive Authy. of 37 Bn CRPF has not taken recourse of action and permitted the applicant to avail one month rest on the advice of C.M.O. Base Hosp. CRPF, Gauhati.

3. Declared completely and permanently incapacitated for further service of any kind in the Deptt. or outside of force/deptt. in consequence of PROLAPSE INTERVERTEBRAL DISC wef 16.9.1983 by the C.M.O. District Hosp. Raebareilly vide his OM No.E.1/83 dated 16.9.1983.

The executive authorities of CRPF i.e. DIGP, CRPF, New Delhi and Commandant 37 Bn. CRPF have again not taken recourse of action and retained the applicant in the strength and considered his INVALIDATION from further service wef 15.3.84 after lapse of 14 months time vide DIGP CRPF New Delhi O/O No.P.III-2/84-ECI dated 27.11.1984.

23. That inspite of applicant's severe injury caused in official duty, the deptt. even not bothered to provide/paid any relief, assistance as well as legitimate dues during the period from August, 1983 to Jan'85 except sending of un-warranted letters like "Issue of warrant of arrest", "Taking of disciplinary action", "Withholding of pay" AND "direction to report for duty at Delhi, Gauhati etc", violating the provisions of Art. 455 of CSR-I and DD(Prov), Gt No.M.III-1/77-Prov. dated 17.1.1977, which is against the natural justice and infringement of Fundamental Right. The violation of Govt. orders by the Deptt. caused aggravation of injury to the applicant as well as financial hardship to the applicant and his dependents.

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24. That as per the documents of medical treatment and reports therein by the Civil Surgeons and also reports of the Welfare Medical Board held at Group Centre, CRPF, Rampur, the injury of the applicant has been diagnosed as PROLAPSE INTERVERTEBRAL DISC. after physical medical examination and reported to be severe and likely to be permanent, as such keeping in view of above and ~~and~~ the length of treatment for same disease and its aggravation from time to time, the applicant is entitled for award of EXTRA-ORDINARY PENSION AND DCRG under the provision of CCS (Extra-Ordinary Pension) Rules (Appendix-12 of CSR-II) read with Art. 73B(a) of CSR-I.
25. That in the case of applicant, the competent authority of CRPF i.e. Mdl, DGP, CRPF, CC Gandhinagar has not taken recourse of action in judging the degree of disability in accordance with the provision of CCS (Extraordinary Pension) Rules Read with Art. 73B(a) of CSR-I, thus violated the provisions and Govt. orders on the subject which is against the natural justice and infringement of Fundamental Rights. The violation of above orders by the said authority has therefore effect monetary loss to the applicant.
26. That the applicant was Invalidated out from further service wef 15.3.1984 and accordingly the Department of CRPF has deducted G.I.S. subs. upto Sept., 1983 (i.e. even from arrears of pay for August and Sept. 83 paid during the year 1985) in otherwards after the applicant's invalidation from further service. Therefore the applicant should have been allowed the benefit of reduced sum of total amount subscribed as per existing instructions on the subject.

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27. That it is to bring to your notice that the Deptt. has deducted CGE, GIS 1977 and 1980 respectively from his salary as per details shown below:-

|              |                          |                |
|--------------|--------------------------|----------------|
| (a) CGE-1977 | (1) July 77 to Mar'80    | Total comes to |
|              | @ Rs.5/- per month       |                |
| (b) GIS-1980 | (11) April 80 to Sept'83 | Rs.1,005/-     |
|              | @ Rs.20/- p.m.           |                |

28. That while making payment, only a sum of Rs.298/- has been made by the Addl. DGP, CRPF, CC Gandhinagar during the year Nov 1985 i.e. after lapse of two years from the date of Permanently incapacitation. The criteria observed in making payment is also incorrect, irregular keeping in view of entitlement of final payment of following personnel after their retirement/discharge/Invalidation from service and rules of Govt. of India on the subject, vide Addl. DGP, CRPF CC Gandhinagar letter No.L.VIII-3/84-85-27-CC GNR dated 2.2.1985:-

| Sl.No. | No. Rank & Name                      | Nature of Casualty     | Entitled amount |
|--------|--------------------------------------|------------------------|-----------------|
| 1.     | 700370447 Ex-CT<br>Balwant Singh     | Resigned-31.12.84      | Rs.582.00       |
| 2.     | 800687988 Ex-CT<br>Neta Bhal         | Resigned-30.11.84      | Rs.562.00       |
| 3.     | 800683973 Ex-CT<br>Pranab Kumar Dass | " -31.12.84            | Rs.582.00       |
| 4.     | 670222570 Ex-CT<br>Sangara Singh     | Retd-<br>Vol. 30.11.84 | Rs.562.00       |
| 5.     | 690231963 Ex-CT<br>Hari Singh        | Inval. 03.02.84        | Rs.384.00       |
| 6.     | 761290628 Ex-CT<br>Mohd. Hanif       | Inval. 13.01.85        | Rs.682.00       |

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29. That the applicant was granted Children's Education Allowance upto 31.12.1983 @ Rs.15/- in respect of his son Master Ashwani Kumar Sharma vide Commandant 37 Bn CRPF office order No.A.IX-4/83-37-ECI dated 11.6.1983 and for war onward grant of Children's Education Allowance the applicant submitted forms to Commandant 37 Bn CRPF through Regd. application.
30. That in this regard it is to write that Commandant 37 Bn/Addl. DIGP, CRPF, EC Gandhinagar (Gujrat) has not paid the CEA after July, 1983. The applicant was considered permanently incapacitated for further service w.e.f. 16.9.1983 and declared Invalidated for further service w.e.f. 15.3.1984 i.e. middle of the Academic year, therefore entitled for Children's Education Allowance of his child Master Ashwani Kumar Sharma till the completion of Academic year i.e. up to Mar. 1984 under the provision of para 2(c) (iii) of Appendix 7 of CSR-II.
31. The applicant was Invalidated from further service w.e.f. 15.3.1984 and accordingly the Dep'tt. has made the final payment of G.P.F. after lapse of 14 years time from the date of his permanently incapacitation for further service. It is to further write that even after the invalidation of the applicant and final payment of G.P.F. the Dep'tt. has made the

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recovery of G.P.F. subs. and recovery of Advance from his pay arrears for the month of August and September, 1983 during the year 1985 violating the orders on the GPF which is irregular and violation of existing Rules and natural justice equity and fundamental rights and the amounts so deducted still not been refunded.

32. That as per the GPF account slip for the year 1979-80 and onwards subscriptions, refunds, deposit of Bonus and deposit of ADA arrears etc. the final payment amount should have been approx. Rs. 16,000/- to 17,000/- whereas only Rs. 15,000/- has been paid by the Deptt.

33. That the applicant was Invalidated from further service wef 15.3.1984 and accordingly the refunds of Risk Fund paid during the year 1985. It is to write that the Deptt. has made the deduction of Risk fund from the applicant's pay for Aug and Sept. 1983 even after the final payment of Risk Fund and Invalidation of the applicant during the year 1985 violating the Risk Fund Rules.

34. That the applicant was considered completely and permanently incapacitated for further service wef 16.9.1983 and accordingly he was declared Invalidated out from further service wef 15.3.1984 vide DIGP, CRPF, New Delhi office order No.P.III-2/84-ECI dated 27.11.1984. The Deptt. has allowed the applicant to

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draw pension wef 15.3.1984 vide P.P.O. No. CRPF/7669/XP/Par-3 dated 20.12.1984.

35. That in this regards, it is to write that pension sanctioning authority of CRPF while calculating the average emoluments for the purpose of pension/DCRG, the length of six month service wef 16.9.1983 to 14.3.1984 has not allowed, violating the Rule 33 and 34 of CCS(Pension) Rules, 1972 which is against the natural justice and infringement of Fundamental Rights. The violation of above orders by the Deptt. of CRPF has effected the pensionary benefits as well as financial loss.

*Reviewed by  
cont. order  
dated 25.8.87  
H. Singh  
para 36*

RELIEF SOUGHT

- 36.7) In the view of the facts mentioned in para 1 to 35 above, the applicant prays for the following relief:-

(a) That the Hon'ble Tribunal may be pleased to hold the applicant entitled for:-

- 1) Rest period on medical grounds from 25.7.83 to 24.8.1983 and 25.8.1983 to 15.9.1983 as Commuted Leave;
- 2) Six months "leave due" wef 16.9.1983 to 14.3.1984 i.e. after the receipt of medical certificate by the Deptt. of incapacitation for further service alongwith Pay & Allowance for the aforesaid period.

- iii) Grant of benefit of increment for the ad-hoc period of two months in calculating the average emoluments for the purpose of Pension/DCRG, and also arrear if any;
- iv) Benefit of increment due on 1.1.1984 during leave due period in calculating average emoluments for the purpose of Pension/DCRG;
- v) Grant of financial assistance of Rs. 3,000/- + Rs. 25/- being recurring amount for 10 years out of Central Welfare Fund and Benevolent Fund;
- vi) Refund of extra clothings deduction from DCRG and extra interest charged on welfare and amenities Fund loan;
- vii) Refund of GPF subs and Adv. with amount of GPF not paid loan;
- viii) Refund of Risk Fund amount of Rs. <sup>30/-</sup> 30/- deducted from Aug. and Sept 1980 salary.
- ix) Payment of balance against CGS-GIS amount and refund of amount made after final payment and invalidation amounting to Rs. 49/-.
- x) Railfare from Rae Bareilly to Rampur & back, DA for journey and halt for Rampur Station to attend Welfare Medical Board of CRPF.
- xi) Payment of CBA of Rs. 150/-.

- xii) Award of Extra-ordinary pension/DCRG as per injury caused to him with its arrears;
- xiii) Counting of six months period ~~of six months~~ for the purpose of average emoluments of Pension/DCRG and payment of arrears if any;
- (b) Cost of the application may be awarded in favour of the applicant and against the respondents;
- (c) Any other relief which the Hon'ble Tribunal may deem fit and proper in the circumstances of the case may be awarded in favour of the applicant and against the respondents;

8) Interim Order, if prayed for

Pending final decision on the application, the applicant seeks issue of the following interim order:-

Pending further decision on the application of the applicant he prays that his application may be decided at an early date. He does not pray for the interim relief in the case.

9) Details of remedies exhausted:

The applicant declares that he has exhausted all the remedies available to him in the department and he could not get any relief prayed for from the department, hence this application.

10) Matter not pending with any other Court etc.:

The applicant further declares that the matter regarding which this application has been made is not pending before any court of law or any other authority or any other Bench of the Tribunal.

11. Particulars of the Postal Order in respect of the application fee.

1. Number of Indian Postal Order DD 568787

~~2001 120000 120000~~ ..... 5/-

2. Name of issuing Post office:

Head Post office, Allahabad.

3. Date of issue of P.O.

~~2001 120000 120000~~ 16-7-87

4. Post office at which payable.

Head P.O. Allah.

12. Details of index :

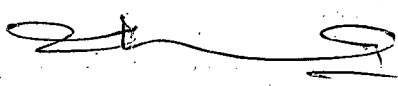
An index in duplicate containing the details of the documents to be relied upon is enclosed.

(31)

13. List of enclosures

1. P.O. No. DD 219390 dated 22.8.86  
for Rs. 50.00.
2. Application.
3. Affidavit.
4. Letter dated 7.9.82.
5. Letter dated 11.9.82
6. Show cause Notice dated 18.10.82.
7. Show cause Notice reminder dt.  
8.11.82 and 11.11.82.
8. Letter dated 29.11.82 to Deptt.  
from applicant.
9. Letter dated 26.7.83 from Deptt.
10. Letter dated 25.6.83 from applicant.
11. Letter dated 20.8.83 from Deptt. to  
applicant.
12. Letter dated 8.9.1983 from Deptt.
13. Letter dated 15.9.83 from applicant.
14. Letter dated 19.9.83 from applicant
15. Letter dated 26.9.83 from Deptt.
16. Letter dated 5.10.83 from applicant.
17. Letter dated 19.10.83 from Deptt.
18. ~~XXXXXXXXXX~~ signal endt. dated  
4 7.11.83 from Deptt.
19. Letter dated 1.5.84 from Deptt.
20. Letter dated 23.5.84 from Deptt.
21. Letter dated 26.5.84 from applicant.

Contd...P/32



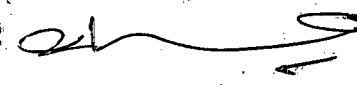
(32)

22. Signal sent. dated 8.6.84 from Deptt. to applicant.
23. Letter dated 14.6.84 from Deptt. to applicant.
24. Letter dated 22.6.84 to Deptt. from applicant.
25. Letter dated 16.6.84 from ED(Adm) to DIGP N/DLI.
26. Letter dated 3.7.84 from Deptt. to applicant.
27. Signal sent. dated 20.7.84 reg. obtaining written undertaking from applicant.
28. Letter to applicant directing him to deposit lost amount.
29. Letter dated 21.8.1984 from Deptt. to applicant.
30. Letter dated 22.8.84 from Deptt. reg. Invalidation order and regularisation of six months leave due period as EL.
31. Letter dated 29.8.84 to Deptt. from applicant.
32. Letter dated 28.8.84 from Comdt. 37 In to applicant.
33. Letter dated 5.9.1984 to Deptt. from applicant.
34. Letter dated 21.9.1984 regarding intimation to deposit cost of resumed clothings.
35. Letter dated 15.10.1984 to applicant.
36. Office order dated 27.11.1984 declaration of Invalidation from further service and regularisation of leave due period as EL/LMP.
37. Letter dated 5.10.1984 from Deptt. to applicant to appear Medical Board at Rampur.
38. Letter dated 10.12.1984 from applicant to department *And 27.12.84 to applicant respectively.*
- 38A *Office order dt. 29.12.84 and 14/5/85 from Deptt.*
39. Office order dated 28.5.86 reg. grant of 7 days encashment of Earned Leave.
40. Office order dated 31.7.1986 reg. grant of 113 days encashment of LMP and deduction of pension.

Contd...P/33

41. Last notice sent to Secy. and deptt. of CRPF through an Advocate.
42. Treatment of applicant at various Hosp. of CRPF from 1980 to 1981.
43. Treatment at Group Centre, CRPF, Rampur from Jan 82 to Feb 1982.
44. Treatment at Distt. Hosp. Rae Bareilly during 1982.
45. Treatment at Group Centre, CRPF, Rampur from May 82 to Oct. 1982.
46. Treatment and rest adv. period 1982 Distt. Hosp. Rampur (UP).
47. Treatment at Distt. Hosp. Rae Bareilly-1982.
48. Treatment at 37 Bn CRPF Rampur MI Room for the year 1983.
49. Referring letter 37 Bn MI Room alongwith medical report of Orthopedic Surgeon Distt. Hosp. Rampur and CMO Distt. Hosp. Rampur letter to Comdt. 37 Bn CRPF to send S/Book and medical history sheet for invalidation of the applicant.
50. Letter to CMO Base Hosp. Gauhati from 37 Bn and further report of CMO.
51. Report of CMO Base Hosp. Gauhati.
52. Treatment at Base Hosp. CRPF Gauhati.
53. Report of Medical alongwith direction to report Gauhati Medical College for further check-up and report of SMO Base Hosp. CRPF, Gauhati declaring unfit.
- 53A. *Report of Gty. medical College*
54. Report of CMO Base Hosp. Gty. and advice rest for one month and further review after one month.
55. Treatment at Distt. Hosp. Rae Bareilly.
56. Office order reg. considering applicant permanently incapacitated for further service wsf 16.9.1983.

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57. Medical report assessing percentage of disease of applicant as on 15.12.1983.
58. Welfare Medical Board report held at Bampur on 11.1.1985.
59. Copy of DD(Adm) OM No.F.B-3/81-Adm-II Dated 22.7.81 and its further amendment.
60. Copy of circular order No.29/1979.
61. Copy of letter distinguishing the definition of Accidents and injury etc.
62. Copy of Rule 20, 30, 32, 20, 29 of CCS(Leave) Rules, 1972.
63. Copy of Art. 442(b), 455 and 827(A) of CBR Vol.1.
64. Letter of DD(Prov.) M.III-1/87-2 Prov. Dated 17.11.1977 reg. instruction review of medical. 

VAKALATHA

  
APPLICANT

Contd...P/35

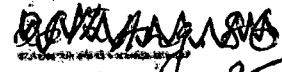
(35)

VERIFICATION

I, L.S.Sharma S/o Late Shri Prabhu Dayal Sharma aged about 36 years was serving as SI/UDC in 37 Battalion, Central Reserve Police Force, Khanapara, Gauhati (Assam), do hereby verify that the contents of para 1 to 13 above are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place: Allahabad

  
Applicant

Dated:   
16/12/87

To,

The Registrar,  
Central Administrative Tribunal Addl. Bench,  
ALLAHABAD.

36  
99

Recd. with A/D

OFFICE OF THE COMMANDANT 37 EN CRPF R/MPUR (UP) 244901

No.L.II-2/82-ST

Dated the, 7 Sept., 1982.

To

SI(M) L.S.Sharma, House No.609/2,  
Satya Nagar, Rea Bareilly (UP)-229001.

Sub: ABSENCE WITHOUT LEAVE

You submitted an application for 28 days leave w.e.f. 4.9.82 on the basis of the Medical Certificate issued by the Supdt. of Civil Hospital Rampur. Your illness as per the medical certificate is "Prolapse Intra Vertebral Disc."

2. Even when the application was under consideration you have left the SO's lines without leave/permission. The nature of illness stated in the medical certificate is such that it is very risky to undertake any journey during the rest period.

You are thus absent without leave/permission and you have deserted the lines. You are therefore, directed to return immediately for further check-up/treatment/rest failing which arrest warrant will be issued against you.

SA/-  
(M.V.Singh) A/C  
for Commandant

-----

*SA*

*Attested*  
*M.V.S.*  
*16/9/87*  
*Admeat*

To,  
The Commandant 37 BN CRPF, Rampur(UP)  
Sub: ABSENT WITHOUT LEAVE

R/Sir,

Kindly refer to your office letter No.L.II-2/82-ST dt. 7.9.82.

2. In this connection kindly permit me to state the following for your kind perusal please:-

(i) that I was under treatment at GC CRPF Hosp, Rampur from 12 Jan 82 to 23 August, 1982 i.e. the date of referring me to Civil Hosp, Rampur (UP) due to baccheche disease. More than two times MO GC CRPF Rampur (UP) had referred me to Distt. Hosp, Moradabad for check-up but due to work load I could not go for checking even could not observe directions fully advised by the MOs from time to time due to said reasons. On 23.8.1982 MO GC CRPF Rampur (UP) again referred me to Civil Hosp, Rampur (UP) for proper checkup with Orthopedic Surgeon as he was not in full picture of my disease. After proper checkup Orthopedic Surgeon Distt. Hosp, Rampur prescribed me medicines for one week and directed me to observe restrictions and asked me to report back after one week alongwith X-ray for further checkup. On 3.9.82 I appeared before Orthopedic Surgeon Distt. Hosp, Rampur (UP) alongwith X-ray for again check-up. On going through all the medical documents thoroughly he advised me four weeks rest and directed me for continuance of medicines for three weeks which I am taking daily.

(ii) that an application accompanied by the medical certificate given by the Medical Supdt. Civil Hosp, Rampur (UP) as required under Rule 19 of CCS(Leave) Rules, I submitted on 3.9.82 at 1200 Hrs on 4.9.82 at 1120 Hrs. I had been asked to prepare charge report of my table whereas my rest was already started from 4.9.82 and accordingly the same was prepared and handedover to Insp./Head Clerk at 1630 Hrs. on 4.9.82 and also I collected the copy of charge report at 1800 hrs. on 4.9.82. Moreover no directions as mentioned in your office letter under reference were conveyed to me till leaving the SCs line i.e. Zero hrs. on 5.9.82 or at the time of receiving copy of charge report i.e. 1800 hrs on 4.9.82. It is further mentioned for your kind perusal that detaining a patient who is suffering from risky disease is not proper in the name of rest. As per rule no patient should be detained for work after getting medical certificate for rest from the competent authority except for the purpose as shown in Note 3 below Rule 19 of CCS(Leave) Rules.

(iii) As regards living the SCs line without permission is concerned it is brought to your kind perusal that I had submitted my leave application alongwith medical certificate on 3.9.82 at 1200 hrs instead of conveying any direction as shown in your office letter under reference I had been asked to handover charge of my table which I have complied with. In otherwards I left the SCs line at Zero hrs. on 5.9.82 after getting the attested copy of charge report which shows the permission of Head of Office as no charge report can be prepared/handed/taken over unless Head of office approves/permits/directs. As regards my case is concerned it can be seen that I had been detained in office works upto 4.9.82 even rest was started from the same date. Now the intimation like declaring myself as AWL/permission/deserter and also issue of warrant of arrest are being conveyed to me just to do only harassment. If a patient who is suffering from such risky disease is harassed by conveying such intimation what will be the reaction is his health?

(iv) that as regards further checkup/treatment is concerned, it is mentioned that as per Note 3 below Rule 19 of CCS(Leave) Rules, authority competent to grant leave may, at its discretion secure second medical opinion by requesting a Govt. Medical Officer not below the rank of Civil Surgeon or Staff Surgeon, to have the applicant medically examined on the earliest possible date. In case myself was required to be re-examined by the Civil Surgeon/Staff Surgeon this facts should have been conveyed to me on 4.9.82 upto 1800 hrs i.e. at time of handing over of copy of charge report but no such intimation was given to me which I have also taken as granted 'permission' to

leave SOn line for availing leave on medical grounds. As re; treatment at Rampur (UP) is concerned there are many Govt. Hos are available nearer to my residence and from where proper tr can be had during rest period and also full care is being obse as advised by the Orthopedic Surgeon which can not be hoped at Rampur (UP).

(v) that as regards availing of rest is concerned at Rampur(UP) it is intimated that no where laid down that rest granted to a patient on medical groun should be compelled to avail at the place of treatment as being done in my case, unless such restrictions specifically imposed by the Medical authority who advised rest. As regards in my case no such restrictions imposed by the MO it is not understood why such restriction is only being imposed upon me. Moreover when a patient who is suffering from risky disease has not been told to avail rest inspite of advise from Surgeon which resulted continuence in duty upto 4.9.82 i.e. on rest day what type of facility can be hoped if availles rest at Rampur.

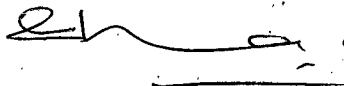
In view of the foregoing paras, it is requested that "Commuted-Leave" for my four weeks rest may kindly be granted as already requested vide my application dated 2.9.1982. I will report for duty only when declared fit by the competent authority.

Thanking you sir,

Dated: 11.9.1982.

Yours faithfully,  
Sd/-

(L.S.Sharma)SI/M  
(on Medical leave)



Attestd.

16/9/82  
D.W.  
21/9/82

39

To,  
The Commandant 37 Bn.,  
Central Reserve Police Force,  
Rampur (UP).

Subj: REPLY OF SHOW CAUSE NOTICE

Sir,

Kindly refer to your office letter No.P.VIII-1/82-37(LSS) dated 18.10.1982 and my application dated 13.11.1982.

2. The reply of show cause notice served on me vide your office letter under reference is submitted herewith as under for your kind personal and sympathetic consideration please:-

1) On 23 Aug., 1982, MO GC Hosp. Rampur (UP) had referred me to Distt. Hosp. Rampur (UP) for proper check-up with Orthopedic Surgeon as he was not able to find out my disease. After gone through the check-up and treatment the said Surgeon forwarded my case to Supdt. Distt. Hosp. Rampur (UP) with recommendation of one month rest with some medicines due to "PROLAPSE INTER VERTEBRAL DISEASE WITH LOW BACKACHE" and accordingly the Supdt. Distt. Hosp. Rampur (UP) advised me one month rest with effect from 4.9.1982. In view of the rest advised the undersigned submitted application alongwith medical certificate if on 3.9.1982 at 1200 Hrs. As regards the presence of the Hon'ble Comdt. at Rampur (UP) is concerned, it is mentioned that he was present at Rampur (UP) on 3rd Sept. as well as upto 1800 Hrs on 4th Sept., 1982 and decision if any i.e. arrangement for my rest/further treatment etc. could have easily been given upto that extend. I had already intimated vide my application dated 11.9.1982 that I collected the copy of my charge report of my table at 1800 hrs on 4.9.1982 and left the SOs line at zero Hrs., on 5.9.1982 to avail the rest which was absolutely necessary for the restoration of my health. In case any letter directing me to report SMO or elsewhere was sent to me on 4.9.1982 there was no doubt that the same could have been delivered on same date as I was physically available in office till the time I collected the copy of charge report. Moreover I had also appeared before the MO GC Hosp. Rampur (UP) on 4.9.1982 AM to show the advise of Supdt. Distt. Hosp. Rampur (UP) as well as collection of medicines and their advise but the MO GC Hosp. Rampur (UP) in turn repeated the same medicines and rest.

11) The undersigned was advised one month rest by the Supdt. Distt. Hosp. Rampur (UP) wef 4.9.1982 and the period of absence from duty from the said date was absolutely necessary for the restoration of my health. Keeping in view the above advise I left the SOs line of 37 Bn on 4.9.1982 after obtaining the copy of charge report, it does not mean that I deserted the unit line without permission or leave and acted as misconduct. According to existing proviso contained in CCS(Leave) Rules, 1972, absence due to rest considered by the competent Medical authy. to a Govt. servant requires to be regularised by granting commuted leave if applied by him or leave due either before or after his return from availing the same. In otherwords after rejoining the duties after fitness. However, no recommendation contained in the medical certificate ~~shall be evidence of a claim to any leave not admissib~~ to the Govt. servant. Since I had submitted my application regarding rest on 3.9.1982 at 1200 Hrs. and waited upto 4.9.1982 at 1800 hrs. in the office and zero Hrs. on 5.9.1982 at residence i.e. SOs line to know the further direction if any required to be taken by the authority competent under Rule 19(3) of CCS(Leave) Rules, 1972 but no such intimation was conveyed to the undersigned till I left the line to avail the rest except direction for preparing the charge report of my table on 4.9.1982 at 1130 hrs. through my branch incharge (Insp./Head Clerk. Had the authority competent to grant leave decide for further check-up/treatment with the proper authority the direction for preparation of charge report and handingover of the same

.....P/2.....



3. It has already been mentioned in the foregoing paras as well as in my application dated 11.9.1982 that action taken by the undersigned was in accordance with the correct proviso and in accordance with the responsible manner and not violated the proviso of rules but it is mentioned that the office has not implemented correct provision of rules and also not taken recourse to rules in my case. It is again mentioned that in my case no sanction of rest is essential but only period of absence from duty on medical rest is required to be regularised either before or after return from rest after getting the fitness.

4. In view of the above, it is requested that my case may please be perused sympathetically in accordance with the correct proviso of leave rules and rest period be regularised as commuted leave.

Thanking you sir,

Yours faithfully,

sd/-

(L.S.Sharma) SI/UDC (On leave)

Dated: 29th Nov. 1982.

My address

L.S.Sharma C/o Shri Ram Deo Gupta, Adv.  
House No.557, Satya Nagar, Rbl.

To,

The Comdt. 37 Bn CRPF, Rampur (UP).

Sub: Permission to Resume duties from medical rest.

R/Sir,

With due respect and humble submission I beg to say that I had reported for duty on 4 Oct, 1982 IN alongwith fitness certificate but no intimation regarding permission to rejoin duty has been conveyed till date.

2. It is, therefore, requested that I may kindly be given intimation regarding permission or otherwise for duty from medical rest.

Thanking you sir,

Yours faithfully,

sd/-

(L.S.Sharma) SI/UDC  
37 Bn CRPF

Dated: 7.10.1982 1630 Hrs.

Remarks of Asstt. Comdt. (Adm)  
dated 7.10.1982.

Head Clerk

Once he has submitted his joining report why should he be worried about orders when he did not wait for orders while leaving the lines. No intimation is required to be given.

sd/-

(M.V.Singh)

*Sharma*

*Attestee*  
*Received*  
*16/11/87*  
*Adm.*  
*Deputy*

42  
5

OFFICE OF THE COMMANDANT 37 BATTALION CRPF RAMPUR (UP)  
No.P.VIII-1/82-37 (LSS) Dated the 18 October'82

To

SI(M)L.S.Sharma, 37 Bn CRPF, Rampur (UP).

SHOW CAUSE NOTICE

You submitted an application for 26 days leave w.e.f. 4.9.82 on medical grounds on the basis of a Medical certificate issued by the Supdt. of Distt. Hosp. Rampur. The application is dated 3.9.1982. The undersigned was out of station on that day and came to office on 4.9.82. From the medical certificate submitted by you, it was seen that you were suffering from "Prolapsed Intra-Vertebral Disc," which is a serious ailment. Your application for medical leave was being considered against the back ground of your illness and the undersigned came to the decision that arrangement for your rest/further treatment should be made through the GC, Hosp., Rampur and the second-in-Commandant of this unit was directed accordingly.

The Second-in-Commandant, addressed a letter to the S.M.O. of GC Hosp, Rampur on 4.9.82 with a copy endorsed to you with direction to report to the S.M.O. Before the endorsement could be delivered to you it was reported that you had left the SO's lines where you were staying. A letter was, therefore, addressed to you at your home address on 7.9.82 by Regd. post directing you to return to Bn.Hqr. as no leave or permission was granted to you and also for further check-up/treatment.

In reply to the above letter, you submitted a letter dated 11.9.82, a perusal of which clearly shows that you have made vain attempts to cover up your misconduct in absenting yourself without leave and deserting the Unit lines without permission. However, points raised by you are baseless as explained below:-

i) The fact of your illness has not been disputed, however, nothing prevented you from acting upon the advice given to you by the Doctors. If you have not heeded to the advice after being referred to the orthopedic surgeon in the Distt. Hosp. and continued to attend office, you have done so entirely at your own risk. This negligence on your part amounts to intentionally delaying your cure and aggravating the disease.

ii) Your application was received in the office on 3.9.82 and put-up to the Adjt. for obtaining orders of the competent authy. As the undersigned was away from B. Hqr. your application was put up on 4.9.82. As has been mentioned by you that you were suffering from a risky disease it was not proper to detain a patient in the name of rest, it was keeping this aspect in mind that you were ordered by the head clerk to hand over charge, so that you could avail of the rest given to you. No one ordered you to attend office on 4.9.82, which you have done at your own and your attending office itself refutes the plea that you were suffering from a risky ailment.

iii) You were asked to hand over charge & merely to give you an opportunity to avail the rest pending decision on your application. Receiving an attested copy of charge report does not imply that you had been granted leave and that you were at liberty to leave the SO's lines at your own. Your contention that you had been detained in the office work upto 4.9.82 is baseless. Nobody compelled you to attend office. As regards harassment as mentioned by you, the office has taken recourse to rules on the subject and since you had deserted/absented without leave or permission of the competent authority a warrant of arrest could have been issued against you, being a combatised member of the force. Before such a step was thought to be adopted you were given an opportunity to rectify the lapse committed by you.

iv) The need to refer you for further check-up and better treatment was being considered by the undersigned. As regards your taking it for granted that receiving a copy of the charge report implied

.....P/2...

that you had been given permission to leave the station it is your wrong thinking.

v) You had submitted a medical certificate in which you were advised 30 days rest/leave. So long as you were on the strength of this M., the responsibility of ensuring proper medical treatment and looking after the welfare is that of the undersigned. The responsibility of the medical authority ends with the issuing of the certificate. The practical applicability of the advice rests with the competent authority to whom a Govt. is answerable for his actions. It was for the undersigned to have decided as to what was the best for you and passed orders accordingly. Getting a medical certificate does not give the right to a Govt. servant to leave the place of duty. Moreover the undersigned fails to reconcile to the fact as to how you were able to move about and leave for your home without an attendant when you were suffering from "Protrusion Inter Vertebral Disc."

On the basis of your letter dated 11.9.1982 no doubt is left that you have acted in a most irresponsible manner which is quite unbecoming of an SO. It is evident that you have left the lines without leave and your contention that getting a copy of charge report amounted to explicit permission is incorrect. Your attention is invited to Rule-15(5) of the CCS(Leave) Rules, under which submitting a medical certificate does not confer the right of leave. The orders of the competent authority should be awaited. In this case you did not obtain the orders before leaving thus you have clearly violated the rules.

You are, therefore, directed to show cause as to why disciplinary action should not be taken against you. Your reply should reach the undersigned within seven days of the receipt of this letter.

Sd/-  
(P.C. Joshi) 18.10.82  
Commandant

To,  
The Commandant 37 Bn., CRPF, Rampur (UP)

SUBREPLY OF SHOW CAUSE NOTICE  
2/512,

Please refer to your office letter No. P.VIII-1/82-37(125) dated 18.10.1982.

2. At present I am mentally upset due to illness of my father and not in position to give reply of show cause notice asked vide your OM even No. dated 18.10.82 satisfactorily.

3. It is therefore, requested that last date of submission of reply may please be extended till my return from short leave or upto 30 Nov, 1982.

Thanking you sir.

Dated: 8th Nov. 1982

Yours faithfully,  
Sd/-  
(L.S. Sharma) 51/UC  
37 Bn CRPF

Attested.  
16/11/82  
Sd/-  
16/11/82

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59

OFFICE OF THE CMDT. 37 BN CRPF RAMPUR (UP)  
No.P.VIII-1/82-37 (LSS) Dated 8 Nov, 1982

To,  
SI(M) L.S.Sharma, 37th Bn CRPF, Rampur(UP).

Ref. your application dt. 8.11.1982.

2. You were given only 7 days to submit your reply of the show-cause notice served on to you on 19.10.1982 whereas you have taken more than 20 days and have not submitted your reply.

3. You are, hereby directed to submit your reply by 11.11.82 failing which ex-parte decision will be taken against you.

Sd/- 8.11.1982  
(P.C. Joshi)  
Commandant

-----  
To,  
The Comdt. 37 Bn CRPF, Rampur (UP)  
Subj: Reply of show cause notice.

Kindly refer to your OM No.P.VIII-1/82-37 (LSS) dt.  
8.11.1982.

2. In this connection my application dated 8.11.1982 may please be referred. Moreover at present I am totally up-set due to serious illness of my father and not in position to submit satisfactorily reply. Two letters received from my home are also placed below for perusal.

3. It is, further requested that in case Hon'ble Comdt. still feels not to extend period of submission of reply, it is upto him to take action as he wishes.

Thanking you sir,

Dated 9.11.1982.

Yours faithfully,  
Sd/-  
(L.S.Sharma)SI/UDC  
37 BN CRPF

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OFFICE OF THE COMMANDANT 37 BN CRPF RAMPUR (UP)  
No.P.VIII-1/82-37(LSS) Dated the 11 Nov., 1982  
To,

SI(M) L.S.Sharma, 37 th Bn CRPF, Rampur (UP).  
Subj: Reg. show cause Notice.

Refer your letter dated 9.11.1982.

2. Your applic ation requesting extension of time limit has been considered by the undersigned. As you have already been given ample time for submitting your reply, no further extension is possible. If you fail to submit your reply by 13.11.82, exparte- orders will be passed on your case without further notice.

Sd/- 11.11.1982  
(P.C. Joshi)  
COMMANDANT

*Attested*  
*Kur*  
*Adv. 6/7/87*  
*10/10/87*

*[Signature]*

(45)

(88)

OFFICE OF THE COMMANDANT 37 BATTALION CRPF BHATAPARA GAUMATI.

No.L.II-2/83-37-57

Dated 26th

July, 1983

Sub: Medical rest for SI(M) L.S.Sharma.

Ref. Application dated 25.7.83, submitted by SI(M)  
L.S.Sharma.

Since SI(M) L.S.Sharma has been recommended one Month's rest wef 25.7.83, he may handover charge of ECI table to Head Clerk. Shri L.S.Sharma may avail the rest. Regarding his request to go home for rest, Commandant will be apprised and his decision will be obtained on his arrival.

sg/-

for Commandant 37 Bn CRPF

To,

Shri L.S.Sharma,  
SI(M) 37 Bn CRPF.

Sharma

*Attested*  
*Kur*  
*16/5/87*  
*Sharma*

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(9)

Registered/AD

To,

The Commandant 37th Bn.,  
Central Reserve Police Force,  
Rhansuara, Gauhati, (Assam),

Sub: Leave on medical grounds.

R/Sir,

Kindly refer to your office memo.No.B.II-2/83-37-ST dated 26 July, 1983 and verbal orders regarding to avail rest at home.

2. On 25.8.83, I appeared before CMO Distt. Hosp. Raebareli (UP) for review of my case. Keeping in view of my condition the CMO Distt. Hosp. Raebareli (UP) has further recommended six weeks rest wef 26.8.83 vide his office medical certificate No.9.1/83 dated 25.8.83 for restoration of my health. The certificate of medical rest is submitted in original please.

3. In view of above, it is, requested that above rest may kindly be regularised as commuted leave.

4. It is, further requested that my dues of pay & Allow. etc. may kindly be remitted to me in the following address through B.D. or M.O. so that I may able to have proper treatment.

Thanking you sir,

Encl:-Medical certificate in original.

Yours faithfully,  
sd/-  
(L.S.Sharma)  
SI(M) 25.8.83  
(On medical rest)

Address

L.S.Sharma,  
C/o Shri Rao Dev Gupta, Advocate,  
B.No.557, Satya Nagar, Raebareli.

*Attested*

*11/8/87*  
*16/1/87*  
*16/1/87*

47  
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RECD. with ACK Due.

OFFICE OF THE COMMANDANT 37 BN CRPF KHANASAPARA GAIHATI.

No.L.II-2/83-37-ST

Dated, the

29 August, 1983

To,

SI(M) L.S.Sharma,  
(On leave),  
House No.557, Satya Nagar,  
Rae Bareilly (UP).  
Pis-229001.

Sub:

OVERSTAYAL FROM LEAVE

You are sanctioned one month's commuted leave waf 25.7.83 to 24.8.83 on medical certificate produced by you and you were permitted to avail the leave at home. You were due back for duty on 25.8.83 PM, but you have not reported back till date nor have you sent any communication to this office.

2. You are, therefore, directed to report at this office forthwith with medical fitness certificate failing which severe disciplinary action will be taken against you. In case you are still sick, you will report to the nearest CRPF Group Centre, hospital for further medical advice under intimation to this office.

SD/-  
COMMANDANT

*Attest.*  
*[Signature]*  
*[Signature]*  
16/8/87  
[Signature]

(48)

(6)

Registered

OFFICE OF THE COMMANDANT 37 BATTALION CSEF KANAKPURA GURHATI

No.L.11-2/83-37-27

Dated the,

8

Sept., 1983

To,

Shri L.S. Sharma, SI(M),  
C/o Shri Ram Leo Gupta, (Advocate),  
H/No. 557, Satya Nagar,  
Rae-Bareilly (U.P.)-Pin-229001.

Sub: LEAVE ON MEDICAL GROUNDS

Reference your application dated 25.8.1983.

2. You have applied for six weeks commuted leave with effect from 25.8.83. The condition for its sanction of commuted leave is that the sanctioning authority must be satisfied that the incumbent will return to duty on the expiry of x leave. Your leave will therefore be regularized only on your return to duty.

3. To avoid any overpayment, your pay has been withheld. This is for your information.

cc/-  
for Commandant 37 Bn CSEF,  
Gurhati-22.



*Atstefal.*

*Atstefal*  
*Adm 10/9/83*  
*10/9/83*

To,

The Commandant 37 En.,  
CRPF, Khenepara,  
Gauhati-781022.

Sub: LEAVE ON MEDICAL GROUNDS

Sir,

Kindly refer to your office memo, No. L. 1132/81-ST dated 28 August and 8.9.1983.

2. The following are submitted for your kind perusal:-

(i) that I was permitted to avail one month commuted leave wef 25.7.83 to 24.8.83 on the recommendation of CMO Base Hosp. CRPF, Gauhati (Assam). As per the remark on the medical documents my case was to be reviewed after one month. In view of above I appeared before the competent medical authority of Distt. Hosp. Raebareli being nearest Govt. Hosp. to my residence as required under the rules before commencement for duty. Accordingly the CMO Distt. Hosp. Raebareli (UP) has advised me to take further six weeks rest for the restoration of my ill health. The medical certificate to this effect has already been submitted to your office vide my Regd. AP application dated 25.8.1983.

(ii) that as per my application dated 25.8.1983, I had requested for grant of commuted leave for six weeks rest recommended by the CMO Distt. Hos. Raebareli (NUP). For the satisfaction of the authority competent to grant leave, an undertaking as required under Rule 30(e) of CCS (Leave Rules), 1972 is submitted.

(iii) that as per my application dated 25.8.1983, I had also requested for early remittance of my pay and allowances as well as other dues to my home address to meet my treatment expor. as well as other essential requirements. As per your office memo, L. 11-2/83-37-ST dated 8.9.1983, my pay has been withheld to avoid any overpayment.

4447 According to Sub-Rule (4) of Rule 40 of CCS (Leave) Rules 1972, a Govt. servant on commuted leave is entitled to leave salary equal to the pay drawn immediately before proceeding on leave. Hence withholding my pay on the plea "to avoid over payment" is irregular and not accordance with the existing rules.

In view of above, it is requested that my six weeks rest period may please be granted as Commuted leave and my pay & allowances, with all dues be remitted to my following address either by MO or B.O. (payable to Punjab National Bank- RBL) so that I may be able to have proper and active treatment and also able to meet the day to day expenditure.

Thanking you sir,

Encl:- (one)

Address

C/o Shri Ram Deo Gupta, Advocate,  
H/No. 557, Satya Nagar, RBL-220011

Yours faithfully,

SD/-  
(L.S. Sharma) 15/9/83

Attested,  
K. M. S.  
Advt. 16/7/83  
22/9/83

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UNDERTAKING

It is certified that during commuted leave I will not submit resignation or voluntary retirement from service. In the event of my resignation or retiring voluntarily from service I shall refund the difference between the leave salary drawn during commuted leave and that admissible during half pay leave.

Dated:- 15th Sept., 1983

Sd/-  
(L. S. Sharma)  
SI/UDC (On commuted leave)  
37 En CRPF



Attested

Atw  
16/9/83  
Adw  
Sd/-

51  
69

Registered Ack. Due.

To,

The Commandant 37 Bn.,  
Central Reserve Police,  
Khaganpore, Gauhati-781022.

Sub: INVALIDATION FROM SERVICE.

Sir,

Kindly refer to my application dated 25.8.83 (Regd. AD)  
and 15.9.1983 (UPC) and your office reply thereto.

2. A medical certificate of my completely and permanently  
incapacitated for further service consequence of "PROLAPSE  
INTERVERTEBRAL DISC." by me issued by the Chief Medical Officer  
Rae Barali of Diatt. Hosp. vide his office CM No.E.1/83 dated  
16.9.1983 is submitted in original for further needful action  
at your end.

2. A succinct statement of the medical case and of the  
treatment adopted at various Hosps. will be submitted lateron.

Encl:-Medical certificate  
in form No.23 in  
original.

Yours faithfully,  
26/9-1983

(L.S.Sharma) (on  
commuted leave)

Address

C/o Shri Ram Deo Gupta, Advocate,  
House No.557, Satya Nagar,  
Rae-Barali-223001.

*Attested*  
*16/9/83*  
*ADWS*  
*26/9/83*

FORM NO. 23OFFICE OF THE CHIEF MEDICAL OFFICER RAE BARELI (UP)

No.E.1/83

Dated the, 16 Sept., 1983

Certified that I/we have carefully examined No. 681511271 SI(M) Sri L.S.Sharma S/o Late Shri Prabhu Daya Sharma of 37 En CRPF in the Distt. Hosp. Rae Bareli. His age by his own statement is 34 years, and by appearance about 34 years. I/we consider No.681511271 SI(M) L.S.Sharma of 37 En. CRPF to be completely and permanently incapacitated for further service of any kind in the Department to which he belongs or outside of Force/Deptt. in consequence of PROLAPSE INTERVERTEBRAL DISC. I/we of opinion that No. 681511271 SI(M) L.S.Sharma is that his incapacity does not appear to me/us to have been caused by irregular habits.

Authy:- GOIMP Notification No.F.9(3)-EV(A)/74 dt. 29.1.76)

Sd/-

Sig. of Sri L.S.Sharma

Sd/-

Chief Medical Officer,  
Distt. Hosp. Raebareli.

Sd/-

Chief Medical Officer,  
Rae Bareli.

Attested

*K. S. S.*  
Deltd 16/7/87  
Deltd 16/7/87

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56

By Recd. A/DOFFICE OF THE COMMANDANT 37 BN CRPF KHANAPARA GAUHATI.

No.P.III-1/83-ECI

Dated the, 26 Sept., 1983

To,

No.681511271 SI(M) L.S.Sharma,  
C/o Shri Ram Dev Gupta Advocate,  
H/No.557, Satya Nagar,  
Rae-Bareilly (UP)-229001.

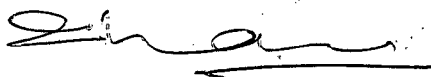
Sub: INVALIDATION

Please refer to your letter No. R&amp;I dated 19.9.1983.

2. Under the authority of CCS Pension Rules Note (1) under Rule 38(2) no medical certificate of incapacity for service may be granted unless the applicant produces a letter to show that the Head of Office/Department is aware of the intention of the applicant to appear before the medical authority. This office has not issued any letter either to you or to the medical authority directing you to appear before the concerned medical authority for medical examination.

3. Therefore, the condition mentioned above under the rule is not fulfilled. You are, therefore directed to rejoin duty on expiry of the medical leave recommended by Chief Medical Officer, Rae Bareilly and if you are still sick, you may take treatment at Base Hosp., CRPF Gauhati. If you fail to report for duty you will be considered to be absent from the date of expiry of last medical leave and you will be dealt with accordingly.

Sd/-  
( M.V. Singh) A/C  
for Commandant



Attested

16/9/83

Relive  
22/9/83

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67

To,  
The Commandant 37 Bn.,  
Central Reserve Police Force,  
Kharapara, Gauhati (Assam)-781022.

Registered.

Sub: INVALIDATION FROM SERVICE

R/Sir,

Kindly refer to your office memo.No.P.III-1/83-ECI dt.26.9.83.

2. In this connection the following are submitted for your kind perusal and further action at your end.

- (i) that on 11.4.1983, the Medical Officer 37 Bn. CRPF had referred me to Chief Medical Officer Distt. Hosp. Rampur (UP) for advice and needful. In turn the CMO Civil Hosp. Rampur (UP) was called for from your office of my service records and medical history sheet vide his office letter No.M-5/83- dated 20.4.1983 for my invalidation from service keeping in view of my unfitness for further service due to prolong illness due to Intervetrabral Disc. Prolapse (Lumbago) with Myalgia back.
- (ii) that instead of providing the required documents as required under Art. 442(C) of CSR Vol.I to Chief Medical Officer Distt. Hosp. Rampur (UP), I had been directed to report to CMO Hosp. Base Gauhati (Assam) by the Head of office 37 Bn CRPF vide his office memo.No.M.III-1/83-37-EC-II dated 30.5.1983 for further advise and report in compliance to CMO Distt. Hosp. Rampur (UP)'s report mentioned in para 2(i) above. Accordingly the undersigned had reported to CMO Base Hosp. Gauhati (Assam) on 1.6.83 who was also diagnosed my case as Intervetebral Disc. Prolapse. In view of no relief and continuous treatment in that Hosp. on 5.7.83 I had been referred to Gauhati Medical College for consultation of Orthopaedic Surgeon. To comply the orders the applicant reported there on 6.7.83 and was under treatment upto 11.7.83. On 11.7.83 the said Surgeon of GMC in his report had also diagnosed my case as a Intervetebral Disc. Prolapse and it had also mentioned in his certificate bearing No.FCH/PLIC/27/81-98 dated 11.7.83 that my condition does not improve despite active treatment. Further the Surgeon has declared me unfit for clerical and other general duties to avoid further aggravation the disease. On this the Head of Deptt. of Orthopaedic Surgeon Gauhati Medical College ~~xxx~~ countersigned. The copies of said certificate handedover to your office alongwith my application dated 25.7.1983.
- (iii) that on 13.7.83, the undersigned reported to Base Hosp. alongwith the reports of Head of Deptt. of Deptt. of Orthopaedic Surgery Gauhati Medical College who in turn advised me to continue drugs as per advise of Surgeon of GMC and recommended me one month rest and directed me to report after expiry of rest for review of the case.

.....P/2.....

- 55
- (iv) that on arrival at home the applicant continued the drugs prescribed by the Surgeon and consulted Orthopaedic Surgeon Raa Bareli (UP) Distt. Hosp. time to time as there was no relief on this treatment. To report for duty the undersigned appeared before the CMO Distt. Hosp. Raa Bareli for review of my case.

The CMO distt. hospital Raa Bareli (UP) vide his certificate dated 25.8.83 further recommended me six weeks rest for the restoration of my health.

Keeping in view of no relief after long time active treatment and my condition and reports of Orthopaedic Surgery Gauhati Medical College and your office memo. No.M.III-1/83-37-EC-II dated 30.5.83 addressed to CMO Base Hosp. CRPF Gauhati and letter No.L.II-2/83-37-ST dated 29.9.1983 addressed to me to report to the nearest CRPF CC Hosp. for further medical advise, the Chief Medical Officer Distt. Hosp. Raa Bareli (UP) has declared me to be completely and permanently incapacitated for further service consequence of Prolapse Intervetebral Disc. vide his office certificate No.E.1/83-dated 16.9.1983.

- (v) that as per your office letter No.L.II-2/83-ST dated 29.8.83, the undersigned had been directed to report to the nearest CRPF CC Hosp. for further medical advise. In view of my bad health the undersigned continued the treatment in Distt. Hosp. Raa Bareli being the nearest Govt. Hosp. to my home and as required under the Medical Rules instead of going to nearest CRPF CC Hosp.
- (vi) That the CMO Civil Hosp. Raa Bareli (UP) has issued the medical certificate of my incapacity for further service on a reference of Head of office/CMO Base Hosp. CRPF Gauhati (Assgn)/Head of Deptt. to Deptt. to Orthopaedic Surgery Gauhati Medical College and no on without any reference. However in my case Head of office/Deptt. both are aware of my intention to appear before the competent medical officer. In this connection my application dated 15.9.1983 refers.
- (vii) that the Head of office may kindly pursue his office. On mentioned above and can very well decide about the awareness of the intension of the undersigned about appearance before the competent Medical Officer. Moreover rule quoted in your office letter under reference does not apply in my case. In this connection Art. 442(c) of CSR Vol.I refers.
- (viii) that as per the clarification issued by DD(Prov), CRPF vide his office memo.No.M.III-1/77-Prov. dated 17.1.1977 where the CRPF personnel have been invalidated out of service by the Local Civil authorities need not to send to Base Hosp. of CRPF for review to the CMO as he is not of higher status than the Distt. Medical officer.
- (ix) that in view of my completely and permanently incapacitation from further service as declared by the Chief Medical Officer Distt. Hosp. Raa Bareli vide his office No.E.1-1/83 dated 16.9.1983, I request that leave due to me as per Rule 20(1) of CCS(Leave) Rules, 1972 may kindly be granted

In view of aforesaid facts, it is requested that action as required under Art. 455 of CSR I and para 2(b) (i) & (ii) of DD(Acts) Gt No.P.3/1 (Misc) PAC-Wen. dated 14.9.82 may kindly be taken to avoid further complications on the subject.

Thanking you sir,

Yours faithfully,

SB/-

( L.S.Sharma)

Dated: 5.10.1983

*Approved*  
*16/11/83*  
*Adm*  
*84/11/83*

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By Road, post.

OFFICE OF THE COMMANDANT 37 BN CRPF GAUHATI.

No.P.III-2/83-ECI Dated the, 19 Oct'83

To,

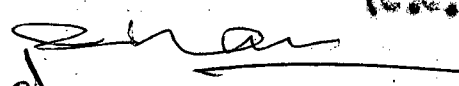
No.681511271 SI(M) L.S.Sharma,  
C/o Shri Ram Dev Gupta, Advocate,  
No.557, Satya Nagar,  
Rae-Bareilly (UP)-229001.

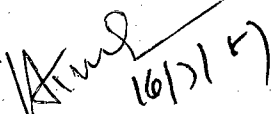
Sub: Invalidation from service.

Reference your letter No. Nil dated 5th Oct., 1983.

2. Even though you have been declared completely and permanently incapacitated, yet the most important requirement of referring you to the medical authority by the Head of office has not been done. The instructions of MD(Accs) vide No. P.2/1 (Misc)-PAQ-Ien. dated 14th Sept., 1981 quoted by you clearly envisages that no medical certificate for invalidation will be issued by the medical authority without a reference from the Head of Office. As no such reference was made from this office, you are hereby directed to report at this office to resume duty and continue treatment at 3rd Base Hosp. Gauhati. It is also declared by the CMO CRPF Gauhati, that the present disease is not hindrance to the present nature of clerical duties. You are directed to rejoin duties forthwith.

S/-  
( M.V.Singh) Lt. 19.10.1983  
Commandant  
(C.C.D.)

Attested. 

  
16/10/83  
Below  


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SIGNAL

To: 37

FM: DIGCENT (N/DLI)

.....  
No.P.III-2/83-EC-I

Dt/ /11  
.....

U/C (.) REF APPLICATION DTE. 27.10.1983 FM SI(M) L.S.SHARMA  
37 ADDRESSED TO THIS HQRS. AND COPY ENDORSED TO JAD (PENSION)  
AND YOUR EN REG. HIS INVALIDATION(.) HIS CASE COVERS UNDER  
ARTICLE 442(C), 455 AND 827(A) OF CBR VOL.I(.) HIS CASE BE  
PROJECTED TO THIS HQRS IMDTLY ALONGWITH REQUIRED DOCUMENTS  
FOR APPROVAL///

.....  
Digcent N/DLI TOQ:-----

No.P.III-2/83-ECI

Dated, the

7 Nov' 1983

Copy forwarded to the:-

1. JAD (Pension), Dte. General CRPF, N/Delhi-3 for information with reference to application cited above.
2. SI(M) L.S.Sharma, C/o Shri Ram Deo Gupta, Advocate, House No.557, Satya Nagar, Rae Bareilly (UP) Pin-229001 for information with ref. to his application cited above.

Sd/-

DIGP CRPF NEW DELHI-66.

Attested

Kw-2  
16/11/83  
Sd/-  
16/11/83

58  
71

IMMEDIATE

OFFICE OF THE DY. INSPECTOR GENERAL OF POLICE SECCS CRPF/DLI  
No.P.III-2/84-ECI Dated the,

To,

The Commandant 37Bn.,  
C.R.P.F.,  
Guhathi-Assam.

Subj: INVALIDATION FROM SERVICE-SI/UDC L.S.SHARMA OF H 37 BN CRPF

Please refer to your memoranda No.P.III-2/83-37-ECI, dated 16.4.1984 and 19.4.1984 and DD(ADM) CRPF letter No. P.III-7/84-ADM-3, dated 26.4.1984.

2. In view of decision taken by DD(ADM) vide his letter under reference, the medical invalidation certificate dated 16.9.1983 issued by the CMO, District Hosp., Rae Bareilly (UP) should be accepted and SI/UDC L.S.Sharma invalidated out immediately without issuing show cause notice, because he has been insisting upon his invalidation. The period of hospitalisation/rest should be regularised by granting him SI/LNP.

sd/-  
DIGP, CRPF, New Delhi-66

No.P.III-2/84-ECI Dated the, 1.5.1984

Copy for:-

1. The DD(ADM), CRPF New Delhi for information with ref. to his letter cited above.
2. The IGP S/III, CRPF, New Delhi for information with reference to DD(ADM)'s letter cited above.
3. SI/UDC L.S.Sharma, C/o Shri Ravi Shanker Trivedi, Advocate, Near Kali Mandir, Satya Nagar, Rae Bareilly (UP). He is informed that his medical invalidation certificate dated 16.9.1983 issued by the CMO, Distt. Hosp. Rae Bareilly (UP) has been accepted. He will also be granted SI/LNP at his credit or ECL if there is no other leave due to his credit subject to the condition of clause b(ii) of sub-rule 1 of rule-20 of CCS (leave) Rules, 1972. He should await further orders from Commandant-37 BN CRPF.

sd/-  
DIGP, CRPF, NEW DELHI-66.

*Attested*  
*Kunal*  
*16/5/87*  
*Sd/-*  
*[Signature]*

59

62

REGISTERED/AD

OFFICE OF THE D.I.G.P. CRPF NEW DELHI-110066.

No.P.III-2/84-ECI Dated the, 23 May, 84

To,

Shri L.S.Sharma (SI/UDC CRPF),  
C/o Shri Ravi Shanker Trivedi, Advocate,  
Near Kali Mandir, Satya Nagar, Raebareilly.

Sub: INVALIDATION FROM SERVICE.

In continuation of this office endorsement of even No. dated 1.5.1984, you are hereby directed to deposit the kit items with GC CRPF New Delhi at an early date to enable the Commandant 37 Bn CRPF to issue Invalidation order.

sd/-  
(D.D.Gupta)  
DIGP, CRPF, New Delhi.

No.P.III-2/84-ECI Dated the, 23 May, 1984

Copy forwarded to the Commandant 37 Bn CRPF w.r.t. his office letter No.P.III-3/83-ECI dated 10.5.84. KCUL in respect of above named official may please be sent to GC, New Delhi at an early date under intimation to this office.

sd/-  
(D.D.Gupta)  
D.I.G.P. CRPF, New Delhi.

Attested  
Amel  
16/7/87  
DOW  
[Signature]

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23

Registered/ND

From: L.S.Sharma, SI/UDC,  
C/o Sri Ravi Shanker Trivedi, Advocate,  
Near Kalimandir, Satya Nagar,  
Rae-Bareilly.

To, The Deputy Inspector General of Police,  
Central Reserve Police Force,  
NEW DELHI-110066.

Subj: INVALIDATION FROM SERVICE.

R/Sir,

Kindly refer to your office letter No. P.III-2/84-BCI  
dated 23 May, 1984.

2. In this connection I beg to state that due to aggravated condition my health is not so sound to undertake journey to Delhi to deposit resumed kit items of clothings. In view of above facts please consider one of the following submission at the earliest for finalisation of my belated case:-

- (a) Resumed kit items of clothings in my possession may kindly be got collected from my home place after sending a representative through Supdt. of Police Raebareilly.
- (b) In case submission at para 2(a) above not considered necessary deduction memo. of resumed kit items of clothing be prepared for making payment from my dues lying with the Comdt. 37 Bn CRPF.

3. Since my case has already been decided by your goodself very sympathetically but it is informed that my legitimate dues lying with the Comdt. 37 Bn/GC CWR has not been paid to me since August, 1983. Necessary orders for release of same may also be issued keeping in view the dependents expdr. in these hard days.

4. As regards issue of formal orders of my INVALIDATION is concerned, it is bring to your kind notice that the same will be issued by the Commandant GC CRPF Gandhinagar (Gujrat) and not by the Comdt. 37 Bn CRPF. Moreover it is not understood as to how the requirements as shown in your office letter under reference will be fulfilled in the absence of formal order of my INVALIDATION.

Yours faithfully,

Dated: 26th May, 1984.

Sd/-

(L.S.Sharma)

Copy forwarded to the:-

1. DD(Adm), CRPF, New Delhi-110066 for favour of information and issue of necessary orders for early finalisation of my case.
2. Commandant 37 Bn., CRPF, Khanapara Gauhati-781022 for information with reference to DIGP, CRPF, New Delhi letter No. quoted ibid for similar immdt. action please.

Dated: 26th May, 1984.

Sd/- L.S.Sharma.

*Attested*  
*K. W. 16/7/87*  
*Adm 26/8/84*

(41)

TV

SIGNAL

To: 37  
From: Diggant New Delhi  
No: P.III-2/84-ECI 8/6 Unclass

-----  
CONTINUANCE OUR SIGNAL EVEN NUMBER DTD. 02/5(.) PREPARE  
DEDUCTION MEMO. OF KIT ARTICLES AS PER LETTER OF FROM SI(UDC)  
L.S.SHARMA AND MAKE RECOVERIES FROM HIS DUES LYING WITH YOUR  
OFFICE(.) INVALIDATION ORDER MAY ALSO BE ISSUED ACCORDINGLY///  
-----

Diggant T.D.O.

Not to be signalled.

No. P.III-2/84-ECI

Dated the,

8 June, 1984

Copy forwarded to Shri L.S.Sharma, SI/UDC C/o Shri  
Ravi Shanker Trivedi, near Kali Mandir, Ghatya Nagar, Raebareilly  
(UP) for information w.r.t. his letter dated 26.5.1984. It is not  
feasible to send any representative to collect the kit articles  
from your home and there is no alternative except to prepare  
deduction memo.

sd/-  
for DIGP CRPF New Delhi.

*Attested*  
*Atw*  
*16/7/84*  
*Adms*  
*24/7/84*

62

85

REGISTERED

OFFICE OF THE COMMANDANT 37 BN CRPF KHANAPARA GAUHATI-22

No. Fds. - 1/84-37-

Dated the,

June, 1984

To,

Shri L.S. Sharma,  
C/o Shri Ravi Shanker & Trivedi, Advocate,  
Near Kali Mandir, Satya Nagar,  
Rae Bareilly (UP).

Sub: LOAN

You have taken loan Rs. 1,000/- (Rupees one thousand) only from M NGO Loan Funds. Out of these amount a sum of Rs. 420/- has been recovered from your pay from March, 1983 to August, 83. Remaining amount of Rs. 580/- plus interest Rs. 51.65 upto June, 84 is outstanding against you. Please remit Rs. 631.65 through B/Cheque or Money order as no amounts are due to you for adjustment of the same.

Sd/-

Commandant 37 BN CRPF  
Gauhati-22

Copy to Cashier 37 BN CRPF for information.

Attested

16/7/87  
Adv.  
20/10/86

63  
96

To,  
The Commandant 37 Bn.,  
Central Reserve Police Force,  
Khanamara, Gauhati (Assam)-22.

Subj: NGO's Loan Fund

R/Sir,

please refer to your office letter No.Fds.-1/84-37 dated 14.6.1984.

2. In this connection I beg to submit that in view of non receipt of my pay dues including legitimate dues from your office since August, 1983, I am not in position to remit the outstanding dues of above fund at present.

3. In view of decision taken by the DD(Pdm), CRPF vide his office letter No.P.III.7/84-Adm-3 dated 26.4.1984 and DIGP, CRPF, New Delhi OM No.P.III-2/84-SCI dated 1.5.1984 and signal of even No.dated 8.6.1984 necessary order of my invalidation, subject to the condition of clause b(ii) of sub rule 1 of rule 20 of CCS(Leave) Rules, 1972 may kindly be issued at an early date to avoid further delay.

4. It is, further requested that a copy of deduction memo. of clothing items may also be provided to me for my record.

Thanking you sir,

Dated:-22.6.1984.

Yours faithfully,  
Sd/-  
(L.S.Sharma)

Copy forwarded to the Dy. Inspector General of Police, CRPF, New Delhi for information. He is humbly requested that necessary orders to Commandant 37 Bn CRPF may kindly be issued for issue of my orders of invalidation as well as release of dues since August, 1983.

Thankx please.

Dated:22.6.1984.

Yours faithfully,  
Sd/-  
(L.S.Sharma)

Attested

16/7/87  
Sd/-  
Sd/-

64  
787

DIRECTORATE GENERAL CRPF CGO COMPLEX LODI ROAD, NEW DELHI-3.

(Ministry of Home Affairs/Grih Mantralaya)

No.P.III-7/84-Adm-3

Dated, the

June, 1984

To,

The Dy. Inspector General,  
Central Reserve Police Force,  
R.K.Puram,  
NEW DELHI-110066.

Sub: Invalidation from service-L.S.Sharma.

Ref: This Dte. letter of even No. dated 26.4.1984.

It may please ensured that early action is taken for final payment of GPF, Gratuity and other pensionary benefits to Ex-SI/UDC L.S.Sharma.

Deputy Director (Adm)

No.P.III-7/84-Adm-3

Dated, the

June, 1984

Copy forwarded to ex-SI/UDC L.S.Sharma, C/o Shri Ravi Shanker Trivedi, Advocate, Near Kalimandir, Satya Nagar, Rae-Bareilly (UP)-229001 w.r. to his application dated 26.5.84 and 4.6.84. He is requested to make all further correspondence with DIGP, CRPF, New Delhi, Comdt. GC CRPF, Gandhinagar and Comdt. 37 Bn CRPF for early release of dues and other pensionary benefits.

Sd/-

Deputy Director (Adm)

*[Handwritten signature]*  
D. Mehta  
16/7/84  
Sd/-  
18/8/84

65  
F8

OFFICE OF THE DY. I.G.P. CRPF NEW DELHI-110066.

No.P.III-2/84-ECI Dated the, 3.7.1984

To,

Shri L.S.Sharma, SI/JDC,  
C/o Shri Ravi Shanker Trivedi, Advocate,  
Near Kali Mandir, Satya Nagar,  
RASBARELI (UP)

Sub: Non receipt of dues-Invalidation.

Please refer to your letter dated 22.6.1984 and this office signal endt. of even No. of 8.6.1984.

2. Your dues are kept pending by Commandant 37 Bn., CRPF for want of recovery of clothing items which you have not deposited. Action to prepare deduction memo, and to make recoveries out of your dues, as sanctioned by you, is in hand by the Commandant-37 Bn. He is being asked to expedite the remittance of dues to you duly effecting the recoveries. You may accordingly await the same from the unit.

sd/-  
DIGP, CRPF, New Delhi

No.P.III-2/84-ECI Dated:

Copy to the Commandant-37 Bn CRPF at loc. the addressee's letter dated 22.6.84 and this office signals of even No. of 8.6.84 and 26.6.84. He is requested to remit all dues to the addressee after effecting all recoveries and also issue invalidation order without any further delay as the case is pending since long.

---  
DIGP, CRPF, NEW DELHI.

Attested

16/7/84  
sd/-  
DIGP, CRPF, NEW DELHI.

(H)  
(59)

SIGNAL

To: 37

Info: SI/M L.S. Sharma at his present address (By post)  
Em: Digcent N/DLI

No. P.III-2/84-ECI Dt. 20/7

U/C (.) REF YR SIGS P.III-3/83-37-ECI DT. 12/7 AND  
16/7 (.) INVALIDATION OF SI(M) L.S. SHARMA (.) OBTAIN A  
WRITTEN UNDERTAKING FROM SI/M L.S. SHARMA TO EFFECT ALL  
OUTSTANDING GOVT. DUES OUT OF HIS D.C.R.G. AND ISSUE  
INVALIDATION ORDERS WITHOUT ANY FURTHER DELAY////

Digcent N/Delhi

Imdt.

By Regd. post.

Forwarded to SI/M L.S. Sharma C/o Shri Ravi Shanker Trivedi  
Advocate, Near Kali Mandir, Satya Nagar, Rae Bareilly (UP)  
Pin-229001. As intimated by 37 Bn. vide signal No. P.III-3/83-  
S-37-ECI dated 12.7.1984 (copy enclosed), the amount of Govt.  
dues outstanding against you is more than the dues to be  
paid to you by the Govt. As such Comdt. 37 Bn has expressed  
his inability to issue invalidation order prior to clearance  
of dues by you. To over come the problem, you are informed  
to send a written undertaking to the Commandant-37 Bn. CRPF  
to effect all Govt. dues outstanding against you, out of your  
DCRG, to enable Commandant 37 Bn to issue Invalidation orders.

Encl:- One)

Sd/-

DIGP, CRPF, New Delhi-66.

*Atte stg*  
*16/5/87*  
*ADW*  
*24/10/86*

COPY

TO : DIRECTOR N/DLI

INFO : CC (GNR)

FM : 37

No. P.III-3/83-S-37-ECI Dt. 12/7 P.III-2/84-ECI 6/8

U/C(.) INVALIDATION OF BULL (M) L.S. SHARMA (.) CLOTHING RECOVERIES AMTG. TO Rs. 1029.15 AND WELFARE FUND Rs. 631.65 DUE FROM INDVL(.) CC GNR ASKED TO RECOVER CLOTH/RECOVERY FROM ENTITLED AMT. OF INDIVIDUAL(.) SUM AT Rs. 906.40 BEING UP AMOUNT RETURNED TO CC GNR AND CC GNR ASKED TO ADJUST GOVT. DUES(.) COMPLIANCE AWAITED(.) AMT. DUE FWD WELFARE FUND WILL INCREASE NEXT MONTH WHEN INTEREST IS ADDED INDVL BE ADVISED TO REMIT THE WELFARE FUND DUES TO THIS OFFICE AND ALSO BALANCE OF GOVT. DUES FOR ISSUE OF CLEARANCE CERTIFICATE(.) INVALIDATION ORDERS WILL BE ISSUED AFTER ABOVE ACTION(.) THIS DISPOSES YR OFFICE ENT. NO. P.III-2/84-EC: DT. 3.7.1984///

*Shan*  
*Noted*  
*Kurp*  
*Advo 16/7/84*  
*22/8/84*

(68)  
(81)

By Recd. Post Ack.due.

OFFICE OF THE COMMANDANT 37 BN CRPF GAUHATI-22

No.P.I-3/83-ECI

Dated

July, 1984

To,

Shri L.S.Sharma,  
C/o Shri Ravi Shanker Trivedi,  
Advocate, Near Kalimandir,  
Satya Nagar,  
Ras-Bareilly, UP  
Pin-229001.

Sub: INVALIDATION

Reference signal No.P.III-2/84-ECI dated 20th July 84  
of DIGP, CRPF New Delhi.

2. With reference to the signal cited, a written undertaking  
in triplicate for effecting all Govt. recoveries from your DCRG  
may please be sent to this office at an early date.

3. Since the private dues cannot be recovered from your  
DCRG, the amount of Rs.631.65 being the dues to welfare fund  
may please be remitted by means of bank draft at an early date.

Sd/-  
(Kapoor Singh )  
For Commandant 37 Bn CRPF  
Dated 26.7.1984.

*Attested*

*Recd*  
*16/7/84*

*Adm*

*26/7/84*

69

69

DIRECTORATE GENERAL CRPF CGO COMPLEX LOU ROAD NEW DELHI-3  
(Ministry of Home Affairs/Grih Mantralaya)

No.P.III-7/84-Adm-3

Dated, the

Aug'84

To,

Shri L.S.Sharma,  
C/o Shri Ravi Shanker Trivedi, Advocate,  
Near Kali Mandir,  
Satya Nagar, Raebareli.

Sub: Invalidation from service.

With reference to your application dated 5.6.84, addressed to the Hon'ble Prime Minister Mrs. Indra Gandhi, it is to inform you that this Directorate General has already issued instructions to all concerned for your invalidation from service on the strength of the medical certificate issued by the Chief Medical Officer, Distt. Hospital/ Raebareli and regularisation of your hospitalisation/rest period as commuted leave/SL/LHP/EOL which ever is admissible to you. In this connection please refer to our endt. No.P.III-7/84-Adm-3 dated 16.6.1984.

Sd/-

(I.B.Negi)

Deputy Director (Adm).

No.P.III-7/84-Adm-3

Dated, the

August, 1984

Copy forwarded to the Dy. Inspector General of Police, CRPF, New Delhi w/r to this Directorate General memo. of even No. dated 24th July'84 alongwith an application of Sh. L.S. Sharma, Ex-SI/UDC of 37th Bn in original for necessary action. Please get all the outstanding cases including the pension case of the individual settled at the earliest.

Encl:- One)

Sd/-

(I.B.Negi)

Deputy Director (Adm).

Attested  
11/10/84  
Adm  
16/7/84  
GAB/19/84

.....

*Sharma*

70

OFFICE OF THE DY. I.G.P. CRPF NEW DELHI-66.

No. P.III-2/84-ECI

Dated 22 August, 1984

OFFICE ORDER-INVALIDATION

Having been declared completely incapacitated for further service of any kind, in this Department/Force consequence of 'PROLAPSE INTERVERTEBRAL DISC' by the Chief Medical Officer, Rae Bareilly, Uttar Pradesh, No. 681511271 SI(M) L.S. Sharma of 37 Bn., CRPF is hereby Invalided out from service w.e.f. 17th Sep' 1983 (EN) under the provisions of Art. 455 of CSR Vol. I. He is struck off strength of 37 Bn CRPF w.e.f. 17th Sept' 83.

2. He was on earned leave on medical grounds for a period of 54 days from 25th July'83 to 16th Sep'83 as sanctioned by Commandant 37 Bn CRPF vide his office order No. L.II-1/83-37-ST dated 30th July, 1983 and P.III-3/83-37-EC-1 dated June 1983. He was declared unfit on medical ground w.e.f. 17th Sept'83, while he was on leave. Since the individual insisted to be relieved immediately on invalidation, issuing of notice was dispensed with. The period from 17th Sept'83 till the issue of this office order is treated as E.O.L. (L.W.P)

--  
DIGP, CRPF, New Delhi-66

No. P.III-2/84-ECI

Dated, the

22 August, 1984

Copy forwarded to the:-

1. Commandant-GC CRPF Gandhinagar (In duplicate) for information and necessary action with ref. to this office signal of even No. of 4.8.1984. As the Commandant 37 Bn is on one month's leave w.e.f. 2.8.84 and as such the order of invalidation has been issued by this Hqs.
2. Shri L.S. Sharma, SI/M C/o Shri Ravi Shanker Trivedi, Advocate near Kali Mandir, Satya Nagar, Rae Bareilly (UP).
3. Commandant 37 Bn CRPF with reference to his signal No. P.III-2/84-ECI dated 6.8.84 and memo. No. P.III-3/84-ECI dated 7.8.84 for information and necessary action to public in F.O.

SD/- 22.8.84.

DIGP, CRPF, New Delhi-66

Attested,

*[Handwritten signature]*  
14/9/84  
*[Handwritten signature]*

71

88

Registered

To,

The Deputy Inspector General of Police,  
Central Reserve Police Force,  
New Delhi-110066.

Sub: Office order-Invalidation from service.

R/Sir,

Kindly refer to your office order No.P.III-2/84-ECI dated 22.8.1984.

2. The office order under reference regarding my Invalidation from service has been issued after over looking the undermentioned facts which will later originate complications:-

- i) that at the time of submission of medical certificate I was on leave and subsequently requested to Commandant 37 Bn CRPF for grant of "LEAVE DUE" vide para 2(ix) of my application (Regd./AD) dated 5.10.1983 (Copy already sent to your office vide my Regd. application dated 27.10.1983), in accordance with clause (b)(ii) of sub-rule (1) below Rule 20 of CCS(Leave) Rules, 1972. Hence I should therefore, be INVALIDED OUT FROM SERVICE ON the expiry of "LEAVE DUE" and not from the following day after the declaration of permanent incapacitated for further service. In this connection Art. 455, Note below 2(b) of Art. 827 (A) and Rule 20 of CCS (Leave) Rules, 1972 refers.
- ii) that as per above office order, the period from 17.9.1983 (i.e. following day after declaration of unfit to 22.8.1984 (i.e. the day of issue of your order regarding my invalidation) has been treated as E.O.L.(LWP) which is irregular and contradictory to Rule 32 of CCS(Leave) Rules, 1972 as well as DD(A), CRPF letter No.P.3/1(Misc)-PAQ-Pen. dt. 14.9.82. (Para 2(b)(iii)). Moreover the undersigned has sufficient nos of leave due as well as never applied in my writing for grant of EOL/LWP. Further in my case total period of 341 days from 17.9.83 to 22.8.1984 have been treated as EOL(LWP) after the receipt of medical authority's report whereas Rule 20(b)(ii) of CCS (Leave) Rules, 1972 and Note 1(b) of Art.827 (A) the amount of debitable leave due should not exceed six months.
- iii) that I have been retained in service even when I was found medically unfit. Either ex-post facto sanction for regularisation of my retension from 15.3.1984 to 22.8.1984 as duty under GOI(1) below Art. 455 or I should be considered Invalidated out from service wef 15.3.1984 i.e. after expiry of leave due for grant of pension.

....P/2

(2)

In view of above facts, it is requested that above office order may please be modified under intimation to me. Further Commandant 37 Bn CRPF may please be asked to provide me the copy of DEDUCTION MEMO, for my record since I have not been provided the same inspite of my repeated submission.

Thanking you sir.

Dated: 29.8.1984.

Yours faithfully,  
Sd/-

(L.S.Sharma) Ex-SI/UDC

Copy forwarded to the:-

1. DD(Adm), CRPF, New Delhi-11003 for information and with the request to provide a copy of your office endt. No.P.III-7/84-Adm-3 dated 18.6.1984 as the same has not been received by me. This is in reply to his office letter No.P.III-7/84-Adm-3 dated 21.8.1984.
2. Commandant CC CRPF GNR/37 Bn CRPF for information. CC only. Papers for pension/DCRG/GPF/GIS and GIS have already been submitted to your office vide my regd. application dated 17.8.1984. Please confirm receipt. Please provide a copy of deduction memo. for my record. This disposes his office memo.P.III-90/84-CC-GNR dated 22.8.1984.

Yours faithfully,  
Sd/-  
(L.S.Sharma) SI/UDC

Attest

16/7/87  
Bdms  
16/8/87

73 A  
26

Registered

OFFICE OF THE COMMANDANT 37 BN CRPF KHANAPARA GAUHATI-22.

No.P.III-3/83-37-EC-1

Dated

28.8.1984

To,

Shri L.S.Sharma,  
Ex-Sub Inspector-CRPF,  
C/o Shri Ravi Shanker Trivedi, Advocate,  
Near Kali Mandir,  
Satya Nagar, Rae-Bareilly.

Sub: INVALIDATION

Reference this office memo.No.P.I-3/83-37-ECI dated 26th July, 1984 and office order No.P.III-2/84-ECI dated 22nd August, 1984 of the Dy. Insp. General of Police, CRPF, New Delhi.

2. Written undertaking for recovery of outstanding Government dues from your DCRG amount called for in the reference cited has not been received so far. The same may be sent direct to the Commandant GC CRPF Gandhinagar under intimation to this office. The pension case will be submitted by the Commandant GC Gandhinagar to PAO CRPF New Delhi only after receipt of such undertaking.

3. A copy of deduction memo, for Rs.1,029.15 is enclosed as desired by you. Loan fund dues of Rs.642.85 may be send immediately.

Sd/-

(Raghubir Singh) A/C  
for Commandant 37 BN CRPF

By Registered

No.P.III-3/83-37-ECI

Dated

28

August, 1984

Copy forwarded to the Commandant GC CRPF Gandhinagar for information. The pension and DCRG case will be sent by your office only after receipt of written undertaking from the individual. The medical certificate in form No.23-E.I/83 dated 16th Sept., 1983 issued by the Chief Medical Officer, Raebareilly is enclosed in original for further action.

Please ack. receipt.

Sd/-

(Raghubir Singh) A/C  
for Commandant 37 BN CRPF

Attested  
Hund  
Adv. 16/7/84  
[Signature]

कटौती खाउचर हेड व्वाटर कम्पनी 37 बहालियन फोरिगुन का दिनांक

87

| क्रम<br>सं० | वस्तु का<br>नाम | वस्तु की<br>चलन<br>अवधि | वस्तु की<br>लागत | वस्तु की<br>जारी<br>करने<br>की<br>तारीख | वस्तु<br>जितनी<br>अवधि<br>का म.<br>आई | अनो<br>लागत<br>को<br>कमाओ<br>द्वारा<br>की<br>गयी<br>तिफर रिम | कमाओ<br>व्वाओ<br>माओ<br>दिये<br>गये<br>वास्तवी<br>आई | लागत<br>आदेश<br>और<br>ताओ |
|-------------|-----------------|-------------------------|------------------|-----------------------------------------|---------------------------------------|--------------------------------------------------------------|------------------------------------------------------|---------------------------|
|-------------|-----------------|-------------------------|------------------|-----------------------------------------|---------------------------------------|--------------------------------------------------------------|------------------------------------------------------|---------------------------|

|                               |                 |         |        |          |     |        |  |  |
|-------------------------------|-----------------|---------|--------|----------|-----|--------|--|--|
| 1-681511271 एसओआई<br>एसओएसओआई | वैजकिय          | 1-आल    | 1-10   | 11-6-81  | गुम | 1-20   |  |  |
|                               | पेरिट लेप       | 1-3     | 7-34   | 11-6-81  |     | 16-50  |  |  |
|                               | बैलट वेव        | 1-3     | 11-89  |          |     | 13-10  |  |  |
|                               | कम्बल           | 2-10    | 69-11  | 15-1-82  |     | 152-05 |  |  |
|                               | सीओआरओ<br>पीओआर | 1-3     | 1-48   | 11-6-81  |     | 1-65   |  |  |
|                               | दरी             | 1-5     | 57-20  |          |     |        |  |  |
|                               | ग्रेट कोट       | 1-10    | 196-80 |          |     | 216-50 |  |  |
|                               | जरी             | 1-3     | 58-99  | 29-1-81  |     | 64-90  |  |  |
|                               | मज्जरदानी       | 1-6     | 104-39 | 11-6-81  |     | 144-80 |  |  |
|                               | गार्डिआकी       | 2-2     | 21-17  | 21-8-81  |     | 46-60  |  |  |
|                               | पुराव धू        | 2-2     | 10-47  | 21-8-81  |     | 23-00  |  |  |
|                               | बनियान          | 3-1     | 4-50   | 2-11-82  |     | 14-85  |  |  |
|                               | रहील बस्ता      | 1-10    | 66-00  | 11-6-81  |     | 72-60  |  |  |
|                               | वाकल हेण्ड      | 1-1     | 7-25   | 11-6-81  |     | 8-00   |  |  |
|                               | जिमिल कार्ड     | 1-1-1/2 | 1-75   |          |     | 1-90   |  |  |
|                               | पेन्ट ऑकी       | 2-2     | 24-44  | 21-8-81  |     | 53-75  |  |  |
|                               | वही तिल         | 1-6     | 1-05   | 11-6-81  |     | 1-15   |  |  |
|                               | फिट वेग         | 1-10    | 26-70  |          |     | 29-40  |  |  |
|                               | सीओएसओसीओ       | 2-3     | 0-10   |          |     | 0-10   |  |  |
|                               | गार्ट तफेट      | 2-2     | 14-87  |          |     | 32-70  |  |  |
|                               | एसओओएसओ         |         |        |          |     |        |  |  |
|                               | फाइव पाईन्ट     |         | 2-20   | 21-8-81  |     | 6-15   |  |  |
|                               | रदार जोड़ा      |         |        |          |     |        |  |  |
|                               | डवी खुट बाल     | 2-3     | 43-50  | 29-11-81 |     | 75-70  |  |  |

कुल योग = 1029-15

इसमें एक हजार उन्तीस और पैंते बन्दुह मात्र।

आर-तीन-3/83-37-इसीधन दिनांक 27 मार्च 1984

अनुमोदान हेतु प्रेषित है श्रीमान्

अनुमोदित

तत्सप्रतिनिधि

कमान्डेन्ट 37 बहालियन

फोरिगुन

अमलीय

दिनांक 27-9-84

हो कमान्डेन्ट 37 बहाओ  
फोरिगुन ।

Attested  
Kwul  
Date- 16/7/87  
[Signature]

[Signature]

(74)  
(88)

Registered

To,

The Deputy Inspector General of Police,  
Central Reserve Police Force,  
NEW DELHI-110066.

Sub: INVALIDATION FROM SERVICE; DEDUCTION MEMO. OF RESUMED KIT ITEMS.

Sir,

In continuation to my registered application dated 29.8.1984.

2. It is bring to your kind notice that as per my application (Regd.) dated 26.5.1984, I had requested your goodself for collection of my resumed kit items from my home after sending a representative or if it was not possible to prepare deduction memo. in view of my inability to undertake journey to Delhi due to aggravated condition of health. Accordingly my request was considered and your goodself had passed an orders for preparation of deduction memo. ~~as~~ as intimated vide his office signal endt. No.P.III-2/84-ECI dated 8.6.1984.

3. In this connection it is informed that Commandant 37 Bn. CRPF has prepared my deduction memo. after showing all the kit items as "LOST" from the date of their issue even they have also made the payment of items which have already completed their periods few years back. A copy of deduction memo. received vide Commandant 37 Bn CRPF memo.No.P.III-3/83-37-ECI dated 28.8.1984 is enclosed for ready reference. Accordingly to existing orders on the subject and your approval to prepare the deduction memo. the payment of my resumed kit items are to be made waf the date of my invalidation from service/Struck off strength. Moreover at present condmn. kit items are also not being deposited after expiry of their perio

4. In view of above, it is, requested that since the condition of the undersigned improved and is in position to undertake journey to deposit kit items and not in ~~position~~ position/willing to make payment. Please consider my case for issue of sympathetic orders to concerned authority.

Thanking you sir,

Encl:-One)

Dated:5th Sept., 1984.

Yours faithfully,  
Sd/-

(L.S.Sharma) EX-SI/UDC

*Attested*  
*Handwritten signature*  
*Below signature*  
*Signature*

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89

OFFICE OF THE DY.I.G.P. C.R.P.F. NEW DELHI-110066.

No.P.III-2/84-ECI Dated 21 Sept' 1984

To,

Ex-SI/UDC L.S.Sharma,  
C/o Shri Ravi Shanker Trivedi, Advocate,  
Near Kalimandir,  
Satya Nagar, Raebareilly-229001 (UP)

Sub: INVALIDATION FROM SERVICE; DEDUCTION MEMO. OF  
RESUMED KIT ITEM.

Reference your applications dated 5.9.84 and 29.8.1984.

2. Your case of invalidation was decided only after your acceptance to deposit cost of resumed clothing. It is, therefore, not subject to re-examination again.

3. As regards your present health condition, there is no provision to re-open the case after issue of final orders.

Sd/-  
DIGP, CRPF New Delhi-66

No.P.III-2/84-ECI Dated the, Sept., 1984

Copy forwarded to the:-

1. DD(Adm), CRPF, New Delhi for information w.r.t. applications cited above.
2. Commandant-37 Bn CRPF wrt applications under reference and his signal No.P.III-3/84-ECI dated 8.9.1984. He will expedite his para-wise comments on the individual application dated 29.8.1984 to take further action.
3. Commandant, GC CRPF, Gandhinagar wrt applications under reference.

Sd/-  
DIGP, CRPF, New Delhi-66.

*Attested  
Kwul  
Adm. 16/9/87  
Sd/-*

76  
90

OFFICE OF THE COMMANDANT 37 BATTALION CRPF KHANAPARA GAUHATI

No.P.III-3/84-ECI

Dated, the 15 October, 1984

To,

Ex-SI (UDC) L.S.Sharma,  
C/o Shri Ravi Shanker Trivedi, Advocate,  
Near Kali Mandir, Satyanagar,  
Ras Bareli (UP).

Sub: ISSUE OF RAILWAY WARRANT FROM HOME TOWN TO GC GANDHINAGAR

Reference your inland letter dated 24.9.1984.

2. In this connection it is brought to your notice that the person who is invalided out of service or proceeds on superannuation pension is only entitled for Railway Warrant from H Ex-HQ of the Unit to Group Centre to which the unit is affiliated. Hence you are not entitled for the Railway warrant from your home town to GC, CRPF, Gandhinagar. You are advised to perform Journey at your own cost to appear before the Medical Board and completion of pension documents.

Sd/-  
(Raghubir Singh) A/C  
for Commandant 37 Bn  
ACD

No.P.III-3/84-EC-I

Dated, the

October, 1984

Copy forwarded to:-

1. The DD(Adm), Dte. Genl. CRPF, New Delhi. | with reference to appli-  
| cation of individual
2. The DIGP, CRPF, New Delhi. | cited above for favour  
| of information please.

Sd/-  
(Raghubir Singh) A/c  
for Commandant 37 Bn.

*Attested by*  
*Amul*  
*16/10/84*  
*Adm.*  
*[Signature]*

77  
91

OFFICE OF THE S.D. BY. I.G.P. CRPF, NEW DELHI-110066.

No.P.III-2/84-ECI

Dated 27 November' 1984

OFFICE ORDER-INVALIDATION

Having been declared completely incapacitated for further service of any kind w.e.f. 16.9.1983(AN) in this Department/Force consequence of 'Prolapse Intervertebral Disc.' by the Chief Medical Officer, Rae Bareilly (UP), No.651511271 SI(M) L.S.Sharma of 37 Bn CRPF is hereby Invalided out from service w.e.f. 15.3.1984(IN) under the provision of Art. 455 read with Art. 827(A) of CSR Vol.I. He is struck off the strength of 37 Bn., CRPF from the same dated i.e. 15.3.1984 (IN). Since the individual insisted to be relieved immediately on invalidation, issuing of notice was dispensed with.

2. He was on leave from 25.7.83 (25.7.83) to 16.9.83 (AN) on medical grounds as sanctioned by Commandant 37 Bn CRPF vide his office order No.L.II-1/83-37-ST dated 30.7.84 and No.P.III-2/84-ECI dated 13.6.84.

3. His period from 17.9.1983 to 14.3.1984 (180 days) is & hereby regularised by granting him following EL/LHP due to him under the provision of rule 20(1)(b)(ii) of CCS (Leave) Rules, 1972 read with Art. 827 A of CSR Vol. I.

89 days EL from 17.9.83 to 14.12.1983.

91 days LHP " 15.12.83 to 14.3.84.

4. This supersedes this office order of even No. of 22 August, 1984.

Sd/-  
(D.D.Gupta)  
DIGP, CRPF, New Delhi

No.P.III-2/84-ECI Dated, the 27 Nov' 1984

Copy forwarded to the:-

1. Commandant CC CRPF Gandhinagar (in duplicate) for favour of necessary action.
2. Commandant 37 Bn CRPF for information.
3. Shri L.S.Sharma C/o Shri Ravi Shanker Trivedi, Advocate, near Kalimandir, Satya Nagar, Raebareilly (UP)

Sd/-  
(D.D.Gupta)  
DIGP, CRPF, New Delhi

Attested  
16/11/84  
[Signature]

RegisteredOFFICE OF THE COMMANDANT GROUP CENTRE CRPF GANDHINAGAR.

No.P.III-2/83-84-GC GNR-GWF Dated the, 05 Dec' 1984

To,

Ex-SI(M) L.S.Sharma, S/o  
Late Shri Prabhu Dayal Sharma,  
C/o Shri Ravi Shanker Trivedi,  
Advocate, H/No.508, Near Kalimandir,  
Satya Nagar, Rae-bareilly (UP)-229001.

Sub: FINANCIAL ASSISTANCE FROM CENTRAL WELFARE FUND TO  
EX-SI(M) L.S.SHARMA.

For financial assistance from Central Welfare Fund a Medical Board is required to assts the percentage of medical disability. You are requested to report to the Adl. DIGP, Group Centre, CRPF, Rampur for Welfare Medical Board.

Sd/-  
Commandant GC CRPF,  
Gandhinagar

No.P.III-2/83-84-GC-GNR-GWF Dated, the December'84

Copy forwarded to the Adl. DIGP, CRPF, Rampur (UP) He is requested to kindly detail a Welfare Medical Board for grant of financial assistance to the above named SI(M). The proforma of medical Board duly completed and other connected documents are also enclosed which may kindly be return as early as possible.

Encl:- (8)

Sd/-  
Commandant GC CRPF  
Gandhinagar

Ex-SI(M) Shri L.S.Sharma,  
S/o Shri Prabhu Dayal Sharma,  
has reported his arrival in this  
GC CRPF Rampur (UP) on 10.1.1985 (EN)  
and left this Station on 12.1.1985AM.  
He attended Medical Welfare Board on  
11.1.85 and 12.1.1985.

Sd/- 12.1.1985  
Office Supdt.

Sd/-  
A/C Adm. GC CRPF

Attested  
Hawal  
14/1/85  
Rajw  
D. Singh

79

93

Registered

To,

The Addl. Deputy Inspector of Police,  
Central Reserve Police Force,  
Gandhinagar (Gujrat)

Sub: FINANCIAL ASSISTANCE FROM CENTRAL WELFARE FUND.

Sir,

Please refer to your office letter No.P.III-2/83-84-  
GC-GNR-CWF dated 5.12.1984.

2. In this connection I beg to inform that the report of Welfare Medical Board of Chief Medical Officer Distt. Hosp. Raebareli (UP) has considered me to be permanently incapacitated for further service waf 16.9.1983 has already been submitted to your office in original vide my Regd. application dated 23.11.1984.

3. As regards to appear before the Welfare Medical Board at Rampur is concerned, it is requested that necessary Railway Warrant from Rae-bareli to Rampur & back may please be sent to me if the report of Welfare Medical Board of C.M.O. Distt. Hosp. Raebareli (UP) is not acceptable so that I may able to perform journey. It is also requested that my dues which are kept in your office deliberately without any fault of mine may also be remitted at the earliest to meet the journey expenses.

Thanks.

Yours faithfully,

Sd/-

(L.S.Sharma)

Dated:- 10.12.1984.

Copy forwarded to the Addl. DIGP, CRPF, Rampur (UP) for information w/r to Commandant GC CRPF, GNR letter under reference.

Sd/-

(L.S.Sharma)

Ex-SIM

Attested

1/11/85  
16/12/85  
[Signature]

80

94

OFFICE OF THE COMMANDANT GROUP CENTRE CRPF GANDHINAGAR.

No.P.III-2/83-84-GCGR-CWF Dated, the Dec.' 1984

To,

SI(M) L.S.Sharma, S/o Late Shri  
Prabhu Dayal Sharma, C/o Shri  
Ravi Shanker Trivedi, Advocate,  
H.No.508, Near Kalimandir,  
Satya Nagar, Raebareli (UP)-229001.

Sub: FINANCIAL ASSISTANCE FROM CENTRAL WELFARE FUND  
TO EXSI (M) L.S.SHARMA.

Reference your application dated 10.12.1984.

2. There is no provision to issued Railway Warrant from your Home Town and back. If you want to get the financial assistance, please appear before the Medical Board at Rampur (UP) as intimated vide this office letter No.P.III 2/83-84-BC GNR dated 5.12.1984 at your own expenses.

Sd/-

Commandant Group Centre  
CRPF, Gandhinagar

No.P.III-2/83-84-GC GNR-CWF Dated, the Dec'84

Copy forwarded to the Addl. DIGP, CRPF, Rampur (UP) for information with reference to above quoted letter of Shri L.S.Sharma.

Sd/-

Commandant Group Centre,  
CRPF Gandhinagar

*21*  
*Attested*  
*16/12/84*  
*Adms*  
*gmp*

(81)

(95)

OFFICE OF THE COMMANDANT GROUP CENTRE CRPF GANDHINAGAR (GUJ)

No.P.III -90/84-GC GNR

Dated, the

December, 1984

OFFICE ORDER

Under the authority of Govt. of India, Ministry of Finance (Department of expenditure) CM No.F.1(1)-EV-(8)/78 and G.19011/1/77/MF (GA)/5035 dated 29.1.79, sanction is hereby accorded for payment of DCRG amounting to Rs.4,650/- (Rupees-Four thousand six hundred fifty) only to Ex-SI(M) L.S.Sharma of 37th Bn., who retired from service w.e.f. 15.3.1984. The amount may be drawn from Treasury by presenting the bill in form No.TR-37 and paid to the individual within a fortnight.

(Authy: JAD (Pension), PAO CRPF special Seal Authority letter No. CRPF/7669/IP/Pen-3 dated 20.12.1984).

Sd/-  
(D.K.KHURANA) 2-I/C  
for Commandant-GC CRPF,  
Gandhinagar (Guj)

No.P.III-90/84-GC-GNR

Dated, the

29 December, 1984

Copy forwarded to the:-

1. Asstt. Commandant (Accounts), GC CRPF, Gandhinagar, in duplicate. The original special Seal authority is also enclosed herewith. The outstanding dues, if any, may be adjusted before making payment to the individual concerned. The following outstanding amount may also be recovered and remitted as shown against each:-

Rs. 1029.15 : on a/c of D/M recovery to be credited into Govt. Treasury.

Rs. 655.35 : on a/c of W & A fund recovery. Amount may be remitted to CO 37 Bn CRPF.

2. Ex-SI(M) L.S.Sharma C/o Shri Ravi Shanker Trivedi, Advocate, House No.508, Near Kali Mandir, Satya Nagar, Distt. Rae-Bareilly (UP) for information.

Sd/-  
(D.K.khurana)-2-I/C  
for Commandant-GC CRPF  
Gandhinagar (Guj)

Attested  
Hawal  
Delivered 16/12/84  
D.K.K

81

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OFFICE OF THE DY. INSPR. GENL. OF POLICE, CRPF, NEW DELHI.

No.: P.III-2/85-ECI Dated the, 14 May, 1985

OFFICE ORDER

Continuation this office order No.P.III-2/84-ECI dated 27.11.1984.

Under the provisions of MHA (Deptt. of personal and AR) OM No.P.12025/2/81-Estt. (L) dated 2.12.81, reproduced as GOI decision below rule 10 of CCS (Leave) Rules, the period of leave from 17.9.83 to 14.3.1984 in respect of SI(M) L.S.Sharma is amended to read as E.O.L.

---  
DIGP:CRPF:NEW DELHI

No.P.III-2/85-ECI Dated the, May, 1985

Copy forwarded to the:-

1. The Joint Asstt. Director (Pen.), Dte. Genl., CRPF, New Delhi-3 for information with reference to his Lr. No. CRPF/7669/IP/Pension, 3 dt. 22.3.1985.
2. The Commandant, Group Centre, CRPF, Gandhinagar for information and necessary action with reference to his Lr. No.P.III-96/84-GC GNR dated 29.3.1985.
3. Shri L.S.Sharma, SI(M) C/o Shri Ravi Shanker Trivedi, Advocate Near Kali Mandir, Satya Nagar, Raebareilly (UP).
4. Commandant 37 Bn CRPF for information and necessary action.

sd/-  
DIGP: CRPF: NEW DELHI

*Handwritten:*  
D.H. Sengupta  
Rampal (16/5/85)  
Rohit  
D.H. Sengupta

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OFFICE OF THE COMMANDANT GROUP CENTRE: CRPF, GANDHINAGAR.

No.P.III-90/86-GCGR

Dated, the

May, 1986

OFFICE ORDER

LEAVE ENCASHMENT

Under the authority of Ministry of Finance Letter No.P.14028/1/77-E (IV) dated 29.10.1977 and 30.6.1978 and MHA letter No.14028/9/80-Estt (L) dated 1.10.1981 read with rule 39 of CCS (LEAVE) RULES, 1972, sanction is hereby accorded to payment in lieu of un-utilised earned leave for 7 days to 681511271 SI(M) L.S.Sharma who had invalidated out from service w.e.f. 15.3.1984.

Sd/-

Commandant GC CRPF

This has approved by  
ADIGP on note sheet  
dated 26.5.1986.

No.P.III-90/86-GC-GNR

Dated, the

May, 1986

Copy forwarded to:-

1. The Asstt. Commandant GC GNR in duplicate for early drawal action.
2. Shri L.S.Sharma, House No. 107/16 Jawahar Nagar, Kanpur (UP).

Sd/-

Commandant GC CRPF  
GNR

*Affected*

*Amul*  
*16/1/87*  
*Adms*  
*26/5/86*

84

88

OFFICE OF THE ADDL. DIGP, CRIDE CENTRE, CRPF, GANDHINAGAR (GUJARAT)

No.P.III-90/84-86-CC-CNR

Dated, the

July, 1986

OFFICE ORDER

Under the authority of Govt. of India, MHA, Deptt. of Personal and Adm. reforms G.O. No. 14028/9/80-Estt(I) dated 1.10.1981 read with Rule 39(b) of CCS(Leave) Rules, 1972, sanction is hereby accorded for encashment of 113 days LHP in respect of No. 591511271 SI(M) L.S. Sharma, who has invalidated out from service w.e.f. 15.3.1984. The cash equivalent shall be equal to leave salary as admissible for half pay leave plus allowances admissible on that leave salary at the time of invalidation from service. The pension of Rs. 132.00 plus RHP Rs. 91/- (Total Rs. 225.00) p.m. for the period of half pay leave will be deducted from the leave salary period for the period of LHP. The amount so calculated will be paid to the pensioner in one go lump-sum as a one time settlement.

SG/-

ADDL. DIGP, CC, CRPF, CNR

No.P.III-90/84-86-CC-CNR

Dated, the

31 July, 1986

Copy forwarded to:-

1. The HC (acts) CC, CNR in duplicate for early drawal action as the individual has represented to DG, CRPF for non receipt of amount.
2. Shri L.S. Sharma, House No. 107/16, Jawahar Nagar, Kanpur (UP) for information.

SG/-

ADDL. DIGP, CC CNR (GJ.)

*Attested*  
*Handwritten*  
*16/7/87*  
*Adm.*  
*[Signature]*

*[Signature]*

Registered/AD

To,

The Secretary,  
Ministry of Home Affairs,  
Govt. of India,  
NEW DELHI.

Dear Sir,

Under the instruction of my client Shri L.S. Sharma, s/o late Shri Prabhu Dayal Sharma C/o Shri Bishamber Dayal Trivedi near Kali Mandir, Satya Nagar, Rae Bareilly who was employed as SI/UDC in 37th Bn. CRPF Khanapara Gauhati (Assam).

I am to write you as under :-

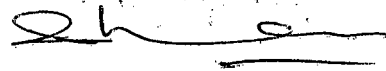
i) that my client was considered completely and permanently incapacitated for further service wef 16.9.1983 of and kind in the Department of CRPF or outside of force/Deptt., consequence of PROLOAPSE INTERVERTEBRAL DISC. by the Chief Medical Officer, distt. Hosp. Rae Bareilly vide his order No. E.I/83 dated 16.9.1983 under the provision of Rule 38 and 87 (A) of CSR-I and was also allowed to be Invalided out from further service wef 15.3.1984 FN vide DIGP, CRPF New Delhi office order No. P III-1/84-ECI dated 27.11.1984 (Copy annexed as appendix 'A').

ii) that my client has now received his pension/funds after prolonged time and after as many correspondence and request but could not get amount of Central Govt. Employees Group Insurance Scheme saving fund which has to be paid to him according to Govt. of India M.F.No.F.60/14/77-IC dated 23.6.1977 and its subsequent orders. The case of my client was forwarded to the Commandant 37 Bn CRPF by the Commandant

vide his office Regd. letter No. L.VIII-3/84-85-37-GC GNR dated 14.2.1985 (Copy annexed as appendix 'B') but till date my client neither received the amount of above fund nor any intimation to this effect. The authority competent to sanction/remitt the amount is the Comdt. 37 Bn CRPF Khanapara Gauhati (Assam) and Commandant Group Centre, CRPF, Gandhinagar (Gujrat) has rescinded their own orders by violating the Govt. of India M.F. OM No.F.60/14/77-IC dated 23.6.1977 and subsequent orders on the subject which is against the Fundamental Right. The violation of said orders by the Commandant 37 Bn CRPF and Commandant GC CRPF Gandhinagar (Gujarat) have effected monetary loss to my client.

The violation of Govt. of India M.F.F.O.M. No.60/14/77-IC dated 23.6.1977 and subsequent orders on the subject by the said authorities is against the natural justice and infringement of Fundamental Right .

iii) That the Higher authority of CRPF is Deputy Director(Adm) vide his order No. III/7/84-Adm-3 dated 21.8.1984 (Copy annexed as appendix 'C' ) was pleased to regularise the period of my client's Hospital/Rest period as Commuted leave/EL/LHP/EDL but it is writ that the authority competent to regularise is the DIGP, CRPF New Delhi, Comdt. 37 Bn CRPF and Comdt. GC CRPF, Gandhinagar (Gujrat ) has violated the orders passed by the Higher authority (DD Adm, CRPF) without giving reasonable opportunity of being to heard.



The period of rest of my client from 25.7.83 to 15.9.83 has been regularised as E.L. ignoring the request of my client for regularisation of rest period as Comuted leave vide his Regd. AD application dated 26.8.1983 and subsequent reminders from time to time under the authority of DD(Adm), CRPF letter No. P.III-7/84-Adm-3 dated 21.8.1984 and Rule 30 of CCS(Leave) Rules, 1972. It is further mentioned that my client was sanctioned one month commuted leave wef 25.7.83 to 24.8.83 on his request as per Comdt. 37 Bn CRPF Khanpara Gauhati letter No. L.II-2/83-37-ST dated 29 August, 1983 (Copy annexed as appendix 'D') but subsequently it was altered by granting E.L. violating the Rule 7(2) of CCS (Leave), Rule 1972 and DD(Adm), CRPF, New Delhi letter No. P.III-7/84-Adm-3 dated 21.8.1984 which is against the natural justice and infringement of Fundamental Right.

The villation of Rule 7(2) of CCS(Leave) Rules, 1972 and DD(Adm), CRPF letter No. P.III-7/84-Adm-3 dated 21.8.1984 by the Commandant 37 Bn CRPF Khanapara Gauhati (Assam), Comdt. GC CRPF Gandhinagar (Gujrat) and DIGP?CRPF, New Delhi is against the nature justice and infringement of Fundamental Right iv) that my client is entitled for leave due of 6 months wef 16.9.1983 ie after the declaration of completely and permanently incapacitated for further service b the Chief Medical Officer Rae Bareilly vide his order No. E. I/83 dated=16.9.1983 under the authority of Rule 20(ii) of CCS (Pension) Rules 1972 or be given read with Art. 827 (A) of CSR-I and Rule 38

-4-

of CCS (Pension) Rules, 1972 or be granted suo-motu cash equivalent of leave salary in respect of leave due and admissible on the date of his invalidation from further service is 15.3.1984 under the authority of Govt. of India MHA Deptt. of Personnel and Administrations Reforms New Delhi O.M. No.P/14028/9/80-Estt.(I) dated 1.10.1981 reproduced in Rule 39 (B) of CCS (Leave) Rules, 1972. But in the case of my client the authority competent to sanction leave due/cash equivalent of leave salary is DIGP, CRPF, New Delhi/Commandant 37 Bn CRPF and Commandant GC CRPF GNR (Gujrat) has violated the Rules quoted ibid. Further the DIGP, CRPF, New Delhi has rescinded his own orders passed vide his order No. P.III-2/84-ECI dated 22 August, 1984 Annexed as Appendix 'E' ) on P.III-2/84-ECI dated 27 Nov. 1984, (Annexed as appendix 'G') which is against and P.III-2/85-EC-I dated 14th May, 1985 (Annexed as appendix 'G' ) which is against natural justice and equity and against Fundamental Right Rules framed by the Higher authority (DIGP CRPF N/Delhi) can not be rescind by him without giving reasonable opportunity of being heard and the applicant was devoid of this opportunity. Further this violation of F.R. and rescinding his own orders has effected the pensionary benefits and also given monetary loss to my client.

The DIGP, CRPF, New Delhi has rescined his own orders passed vide his office order No. P.III-4/84-EC-I dated 22.8.1984 P.III-2/84-ECI dated 27.11.1984 and P.III-2/85-ECI dated 14.5.1985 (copies already annexed) and Rule 20(ii) of CCS (Leave) Rules, 1972 and Rule 38 of CCS (Pension) Rules, 1972 and Art. 827 of

CSR-1, Rules 32 of CCS (Leave), Rules, 1972 and GOI MHA Deptt. OM No. P-14028/9/80-Estt.(1) dated 1.10.1981 reproduced below Rule 39 B of CCS (Leave) Rules, 1982 which is against natural justice and infringement of F.R.

v) that my client had officiated as UDC on ad-hoc basis for two months in the leave vacancy while he was posted in 3 Sig Bn CRPF Rampur (UP) under the formal orders of competent authority is DD(C), CRPF (entry to this effect is available in Service Book of my client) but on his regular promotion as SI/UDC wef 15.12.1981 the period of above two months have not been counted to give the benefit of advancement of date of increment under the authority of F.R. 26. The case of my client was moved to Comdt. GC CRPF Gandhinagar (Gujrat) by the Comdt. 37 Bn CRP vide his office letter No. E.III-1/82-E dated 10.10.1982 and accordingly Commandant GC CRPF Gujrat agreed to settle the issue on receipt of my client's service book from the Dte. General, CRPF but it is to write that the said authority has rescinded his own orders by violating the Rule 26 which is against the Fundamental Right. Further the violation of Fundamental Rule 26 and his own orders by the Commandant GC CRPF Gandhinagar (Gujrat) has effected the pensionary benefits and monetary loss to my client.

The violation of Rule 26 by the Commandant GC CRPF GNR (Gujrat) is against the natural justice and infringement of F.R.

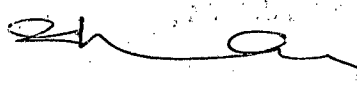


vi) that during the course of leave due (EL+LWP) for 6 months) w.e.f. 17.9.1983 to 14.3.1984 my client earned an increment due on 1.1.1984 which was not withheld but while allowing the benefits of 10 months average emoluments for pension and D.C.R.G. under Rule 34 of CCS (Pension) Rules 1982, the benefit of increment earned has not been given as such the Commandant GC CRPF Gandhinagar (Gujrat) has rescinded the Rule 34 of CCS (Pension) Rules, 1972 which is against the natural justice and equity and also against the F.R.

The violation of Rule 34 of CCS (Pension) Rules, 1972 has effected the pensionary benefits and monetary loss and is against the natural justice and infringement of F.R.

vii) that my client was considered permanently incapacitated for further service of any kind of the force and outside the force w.e.f. 16.9.1983, consequence of Prolapsed Intervertebral Disc. by the CMO Distt. Hosp. Rae Bareilly and the same has been accepted by your Department with order No. P.III-2/84-ECI dated 1.5.1984 (copy annexed as appendix 'H').

The certificate given by the CMO Distt. Hospital Rae Bareilly was also accepted by the Medical Board held on 11.1.1985 at GC CRPF Rampur (UP) when he was personally examined there. The medical Board has also considered him unfit for any service of CRPF or outside of force. The Board has also recommended for grant of financial assistance out of Central Welfare Fund and Benevolent Fund in



accordance with Rule 10 for Administration of CRPF Welfare Fund with amended rates of financial Assistance vide AFA (Shri P.N.Sen) O.M. CUS/I-Accts. dated 29.9.1981 and DD(Adm) CRPF O.M. No. BF-3/81-Adm dated 22.7.1981 (copy of opinion/recommendation of Medical Board is annexed as appendix 'I').

In this connection it is to write that your Department has violated the recommendation of the Medical Board and treated the case of my client as 'Ordinary Case' and closed the case after granting him only Rs. 2,000/- from CUS which he ought not to have done according to AFA OM No. CUS/I-Accts dated 29.9.1981 read with Rule 10 of Rules for Administration of CRPF Welfare Fund and DD(Adm.) CRPF OM No. BF-3/81-Adm dated 22.7.1981.

According to DD(Adm), CRPF OM No. BF-3/81-Adm dated 22.7.81, AFA OM No. CUS/I-Accts dated 29.9.81 my client should be granted Rs. 3,000/- out of CUS with recurring Payment of Rs. 25/- p.m. for 10 years which your deptt. has failed to adjust in spite of repeated requests.

The IGP, S/III, CRPF has rescinded the orders of Deptt. passed vide DD(Adm.) CRPF vide OM No. BF-3/81-Adm. dated 22.7.81 and AFA OM No. CUS/I-Accts dated 29.9.81 read with Rule 10 of Administration of CRPF Welfare Fund which is against natural justice and equity and Fundamental Right framed by your Deptt. The violation of Rules quoted *ibid* has caused mis-carriage of justice to my client as well as monetary loss.

viii) that my client was supplied clothings as per RMA OM No. O. IV-57/71-Adm-3/FP/IV dated 28.2.1981 with the

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following list attached with appendix 'J' but the orders of Hon'ble DIGP, CRPF, New Delhi vide letter No. P-III-2/84-ECI dated 21.9.1984 (annexed as Appendix 'K') was pleased to recover the cost of only resumed clothing items but it is to write that while effecting the recovery of kit items it was made at new rate after showing full clothings as 'LOST' by the Comdt. 37 Bn CRPF Gauhati (Assam) as intimated vide his letter No. P-III-3/83-37-ECI dated 28.8.1984 which ought not to be done from my client when DIGP N/Delhi specifically agreed to recover the cost of resumed kit items. Further the old clothings items which were consumed and torn out and were due for replacement on the date of invalidation or before few months earlier on him free of cost were also included in making payment at new rate after showing as lost. This is nothing but the violation of the order of the Hon'ble DIGP, CRPF N/Delhi vide his signal No. P-III-2/84-ECI dated 8.6.1984 (Annexed as appendix 'L') and letter No. P-III-2/84-ECI dated 21.9.1984 (annexed as appendix 'K') which were the reply of my client's request made vide his Regd/AD application dated 26.5.1984 (Annexed as appendix 'N').

Further inspite of several requests to the higher authorities of Range New Delhi i.e. DIGP, CRPF, New Delhi Comdt. 37 Bn CRPF and Commandant GC CRPF Gandhinagar (Gujrat) they have not considered the request and forcibly, arbitrary and illegally deducted the cost of new clothing items after showing all clothings as lost from my client's DCRG and intimated vide Comdt. GC CRPF GNR (Gujrat) endt. No. P-III-90/84-GCGNR dated 29.12.1984 (copy annexed as appendix 'O').



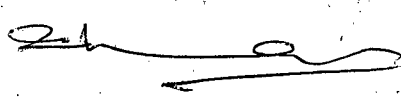
-9-

The violation of DIGP, CRPF, New Delhi Signal No. P. III-2/84-ECI dated 8.6.84 and letter No. P-III-2/84-ECI dated 21.9.1984 and Govt. of India's order by the Comdt. 37 Bn. CRPF and Comdt GC CRPF Gandhinagar (Gujrat) is against the natural justice and infringement of F.R.

ix) that my client was granted a sum of Rs. 1,000/- as a loan out of Bn. Welfare and Amenities Fund. Out of Rs. 420/- was recovered from the salary of my client upto August, 1983. For adjustment of remaining amount + interest my client severally requested to competent authorities i.e. DIGP, CRPF, N/Galhi, Comdt. 37 Bn and Comdt. GC CRPF, Gandhinagar (Gujrat) to adjust it from his dues of Rs. 966.40 which was lying in Group Centre Gandhinagar office. In this connection copy of signal No. P. III-3/83-S-37 dated 12.7.1984 (annexed as appendix 'P') and comdt. 37 Bn. CRPF letter No. P.1-8/83-37 ECI dated 26.7.84 (annexed as appendix 'Q') for your kind perusal.

The authority competent i.e. Commandant 37 Bn CRPF and Commandant GC CRPF Gandhinagar (Gujrat) has rescinded the request of my client for adjustment of balance outstanding amount of loan from his dues and forcibly, arbitrary and illegally deducted a sum of Rs. 656.35 from my client's DCRS. This is nothing but the violation of the Govt. orders on the subject and natural justice and infringement of F.R.

The excess amount of interest so recovered from my client may be refunded to him and be adjusted from the authority responsible for this lapse.



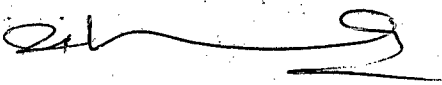
x) that my client as per Addl. DIGP, CRPF Gandhinagar (Gujrat) (Commandant GC CRPF) letter No. P.III-2/83-84-GC GNR-CUS dated 5.12.84 was directed to report Group Centre, CRPF, Rampur (UP) in connection with to appear before the Welfare Medical Board by Addl. DIGP, CRPF, Rampur in accordance with circular order No. 29/74.

In this connection it is to write you that the authority competent to sanction Rly. fare and DA for journey and halt i.e. Addl. DIGP CRPF, GC CRPF GNR (Comdt. GC CRPF) has rescinded the request of my client by not allowing him the Rly. fare and DA for journey and for halt from Rae Bareli to Rampur and back.

The violation of C/o 29/74 by the Addl. DIGP, CRPF, GNR (Gujrat) (GC CRPF) is against the natural justice and infringement of FR. Further this has caused mental agony and monetary loss.

xi) that my client has submitted number of representations for settlement of case as per detailed above from para (i)(x) above but your department is not ready to settle the issue. The deptt. is not giving any reply of my client's representations and requests.

xii) that the cause of action arose on 1.5.1984 on each and every day at Rae Bareli Court District Rae Bareli (U.P.) when the department has accepted the certificate of Incapaciation of further service of my client issued by the CMO Distt. Hosp. Rae Bareli as intimated vide DIGP, CRPF, endt. No. P.III-2/84-EC-I dated 1.5.1984 (copy annexed as appendix 'R').



(95)

109

xiii) that my client claims the relief as per the request mentioned in para (i) to (x) of the notice.

xiv) that the statutory notice u/s 80 of CPC is served and after the expiry of two months if no response is made by your department and no adjustment is made due to my client my client will be compelled to file the suit for the settlement of dues which is due to him in the Competent Court of Law at Rae Bareilly (UP) and you will be responsible for all the dues due from the department. The notice is clean and there is no cuttings or over-writings. Keep a copy of notice with you because you have to produce when and so regd. by the court. A copy is with me.

Yours sincerely,

Sd/-

Vishwambhar Nath Mishra

Lawyer Practising

Civil Court, Rae Bareilly

Dt. 29.10.1985

Notice sent to the :-

1. Union Govt. of India, through Secy.
2. DG, CRPF, N/DLI/IGP S /III, N/DLI/DIGP, CRPF N/DLI ADD1, DIGP, CRPF GC CRPF GNR (Gujrat) Comdt. 37 Bn. CRPF, State Govt. through DM. RBL.

Attested  
Kumar  
29/10/85  
[Signature]

---

[Signature]

96

110

4/15/80

Common cold  
Cough.

Back ach. }

Rx @ Resteclin 1010

@ Apridone 1 + 1/2 pc.

3 L/s Gargle.

25/4/80 Phing/buagcon 2 + 1/2 pc ~~Manda~~  
4/7/80

~~Rx on~~  
25/4/80

25/4/80 Avil 1 + 1/2

Rest rest @

2/3

1 Lib Bupren  
Lib C. Bupren

AKSFO  
H. C. 12  
B. C. 12  
B. C. 12

Amalgen  
Tooth  
Tooth

*[Signature]*

8.8.80:

X-Ray film of the  
damaged wire is N/A in our  
The Radiographer tried to help by  
taking X-Ray on  
film of some other wire  
after cutting them but the  
results obviously do not justify the effort. Alternative  
arrangements may please be  
made for the X-Ray

एक्स-रे रिपोर्ट  
X-Ray Report

97

111

Sh. R. S. Sharma, LDC 54 Bn.

Sl. No: 130

8.8.80

Report: -

Done for  
Hawal  
Dolm  
B...

21

98

16/8/80 days  
328  
16/8/80

26.8.80  
Rupa Sagar 1 m  
B. Nagar  
Sulphate mud — 20g m

26.8.80  
P. H. = ①  
28/8/80

At. S. S. S.  
K. S. S.  
B. S. S.  
S. S. S.

2112

4/10/80

W

OK

99

29 Cab. Tetracycline -  
18/10 x 2

TAB. Vitamin C 1000 x 3  
= 3

TAB. Anal 1000 x 3 = 6

$$\begin{array}{r} \text{Rft} \times 2 \\ \hline 10/10/80 \end{array}$$
  
TAB. Analgin 1000  
= 3

16/10/80

TAB. Eiganil - 170 x 3  
= 9

TAB. Foricetal - 170 x 3  
= 9

Caf. Restectin 1000 x 3  
= 12

TAB. Analgin 1000 x 3

AMK  
Hemel  
Adw  
20/10/80

25

Back ache?

① Pain - Ray Abdomen

② Day. But gone 1 amp x 3 days

③ Relaxyl oint to apply.

④ TB. Calumose 1 daily x 3.  
at bed time

R

① Oxephenbutazone - 1 tab tds

② Relaxyl oint - 1 tube to apply, 6 times

③ TB Calumose - 1 tab daily

M. J. J. J.  
17/11/82  
M. J. J. J.

Rpt all:

Continue medicine for 10 days

also for the blood & review

M

9/11/82  
M. J. J. J.

Attested  
Paul  
D. J. J.  
M. J. J.

19

115

Ap  
(1) Inj Neurolept 1 amp  
in 1st 1st 1st

(2) Ap all

Indelium

9/3/81

Medical Center

Ap all 1st 1st 1st

9/3/81

Ap all  
MB

16/3

Tab Boufer - 1 tab tds  
x 10 days

Use hard Bed

MB

9/4

AT-5-5-5  
16/3  
Adm  
24/81

21

103

के.ए.पी.ए.पी. - 1/मह. (एन) C.R.P.F.-1/Hosp.(L)

केन्द्रीय रिजर्व पुलिस फोर्स, बेस/ग्रुप अस्पताल  
C.R.P.F BASE GROUP HOSPITAL

बहिर्गत रोगी विभाग/OUT PATIENT DEPARTMENT

ब.रो.वि.सं.

O.P.D. No.

नाम Name: ... आयु, स्त्री/पुरुष Age & Sex: ...

फोर्स नं. Force No.: ... बा.जी.सी. Bn./G.C.: ...

निदान

Diagnosis

तारीख/Date वैदिक लिपि/इलाज, Clinical Notes/Treatment

12 JAN 1982

R - Hard bed  
- Brufen 1700  
- Be 1000

23 JAN 1982

Localised

In Novagen  
Zeellm 00  
Tad PBL 1700  
in are 1700  
in Calcutta 1700

1700

Handwritten signatures and notes, including "14/10/82".

R - Tetracycline 1700  
- PBL 1700  
- Calcutta 1700

104

*[Handwritten signature]*

५०

ସାବିତ୍ରୀ ୧୫/୭

U.S. GOVERNMENT PRINTING OFFICE

明 弘治 庚辰

८५/१००

1997

2407

SECRET

पिबति

ପ୍ରକାଶକ ଶ୍ରୀମତୀ ପ୍ରଦୟାଗତୀ

2250%

31-3

261412

9 de Rissol

 $H_2O$  1Ca

٤٠

x coal gas 115

NY

Handson

14 ~~15~~

Pendurak

145  
 146

1470  
D. H. F. 2

16-1  
Schweizer  
16-1

Q. Yes, well.

- 10/5

Re Re

Reverend Col.

- Bawang Putih & Merah
- Bawang Putih

- ① Baralgin - 1000 mg
- ② Piroxicam - 100 mg
- ③ Piroxicam
- ④ 30 use have been for 2 weeks

Neubehring  
# 20/5/81  
M 054

Attended  
Kau  
16 Febro

105

10

F. HOSPI

Age

32 yrs 4

m

3910 000

Dec  
82

51

1-8 MAY 1982

hard bed  
SOMING  
APC 2108

18/10/82

19 MAY 1982

add to orthopedic  
Drs. H. R. R. R.

17 JUL 1982

Backache  
Tab Vegenin 1000  
Tab BC 100  
Tab AD 100

21 JUL 1982

6 AUG 1982

9 AUG 1982

Tab Tolandin 1000  
Tab Prednisolone 1000  
Tab BC 1000

Attos  
Ac  
16/7  
Ac  
Ac

21

SEP 1982

258

SEP 1982  
As Accusely told  
- He had been a little bit  
one month ago  
of the medical  
path. Help to  
KAM...

6 OCT 1982 :-

Backache

Tab. PM 17ms.  
tab. analgin 17ms.  
Im Number 1 amb 1/1

13 OCT 1982 ST.

18 OCT 1982 ST.

Handwritten signatures and notes, including "Adew" and "10/10".

107



रोगी का नाम : ..... ग्राम : .....

आयु : ..... स्त्री/पुरुष ..... बच्चों की संख्या : .....

रोग निदान.....चिकित्सक.....

हमारे दो

*L. S. Ingram*

**दिनांक**

**संलग्न तथ्या उपचार**

Clot Baccare - 2 yrs

(Orthocentrus ruber)

Q - How did

→ Pheng Ch'ing

100-1-105

Analysis 1757

~~Scap - 10000000~~

का.मूल्य 0.50 पैसे।

की का मूल्य 0.50 पैसे।

W.D. Day Number  
80.00

11/20/78

165

*Handwritten signature*

CONFIDENTIAL

ଅନୁସନ୍ଧାନ ୫୦

ପାଞ୍ଚିତ ଚଳନ

[illegible]

000 2-000/000

दीर्घ ए० ओ० ऋ० ॠ० ए०

निःशुल्क

द्वि

ପ୍ରଥମ ଶ୍ରେଣୀ ଉପାଦାନ

71.14)

79

12131

~~10th~~

124

2/28/87

Libra

7-45

4. A

1111

244

14. 5. 20

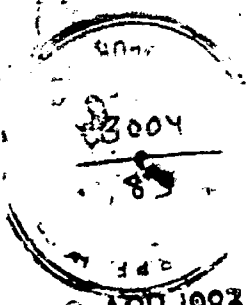
*Alfred*

Mr. Deane

*[Handwritten signature]*

11

109 (11)



(M)

681511271 SI/M L.S. Storms  
37 BA 32425

6 APR 1983

C/O low back ache - 2 yrs

I.V.D.P.

- Pain not radiating to any where  
bending slightly

O/E Tenderness sp - T<sub>10</sub> - T<sub>12</sub>  
Bending movement - positive  
Level test

- Tib Ramalgia

24 Hemoglobin

- Rheumatoid joint lamp 0000  
directly

1 - 28 Calcium

Off spec  
16/5  
Hello  
D. B. B.

200

21

11 Apr 1983

Referred to C.M.O. Civil Hospital Rampur for advice & needful (Pt. being sent with all his medical documents).

Orthopedic Surgeon  
please report.

Sd/- 12.4.83  
C.M.O.

Sd/- 11.4.83  
Medical Officer  
37 Bn CRPF Hosp.  
Rampur (UP)

13/4/83 R.I.O. to C.M.O. Rampur with the remark that Sri L.S.Sharma SI CRPF is under treatment as a case of backache since July'80 as per his medical documents and he is under treatment for the disease since that period. The X-ray report of 7.8.80 of CC BTH Hosp. Jammu shows a sandiopaque shadow on the (rt.) side of 3rd and 4th lumbar vertebral space.

He has been diagnosed as a case of Intervertebral Disc prolapse (Lumbago) with Myalgia back. Despite all the treatment for about last 3 years, there is continuous aggravation in his ailment. As he has been engaged on sedentary duties, for which he does not normally qualify medically, this will further aggravate his disability, in my opinion. This is for information and necessary action please.

Sd/- 13.4.1983  
(Dr. Sudhir Dhamodiyal,  
M.S. (Orths)  
Orthopedic Surgeon,  
District Hospital, Rampur.

Call for his service  
records and medical  
report papers if any.

C.M.O. 20.4.83.

OFFICE OF THE CHIEF MEDICAL OFFICER RAMPUR

No.M-5/83

Dated 20.4.1983

To,

The Commandant 37 Bn CRPF, Rampur.

Sri L.S.Sharma SI(M) of your unit was referred by the A.M.O. to the undersigned for investigation. He was investigated at D.H. Rampur. He has a prolonged illness of Lumbago with Myalgia back. Hence he is unable for further duties. Kindly send his medical History and service record to this office so that necessary action may be taken for his invalidation.

Sd/-  
(N.C.Pandey)  
Chief Medical Officer,  
Rampur

*Attache*  
*Adm-67*  
*by [signature]*

OFFICE OF THE COMMANDANT 37 BN CRPF GAUHATI (ASSAM)

No.M.III-1/83-37-EC-II Dated, the May, 1983

To,

The Chief Medical Officer,  
Base Hospital, CRPF, Gauhati (Assam).

Sub: TREATMENT

No.681511271 SI(M) L.S.Sharma of this unit was referred to CMO District Hospital, Rampur (UP) by our unit M.O. on 11.4.83 after diagnosing as a case of Intra Vertebral Disc. Prolapse with low backache for 2 years for advice and needful.

2. The said individual was investigated by the Orthopedic Surgeon District Hospital Rampur (UP) on 12.4.1983. The Surgeon in his report has also diagnosed as a case of Intravertebral Disc. Prolapse (lumbago) with Myalgia back. The Surgeon has also reported that despite all the treatment for about last three years, there is continuous aggravation in his ailment as he has been engaged in sedentary duties for which he does not qualify medically and this will further aggravate his disability in his opinion. On this, CMO District Hospital, Rampur (UP) has endorsed remarks to call for his Service Records and medical History of above official for his invalidation. Meanwhile, the Unit moved from Rampur to Gauhati.

3. In view of above, the said official is being directed to report in your office alongwith his all medical documents for advice and further report.

63/-  
(P.C.Joshi)  
Commandant

No.M.III-1/83-37-EC-II

Dated Gauhati, the 30 May, 1983

Copy to SI(M) L.S.Sharma, 37 BN CRPF. He is directed to report to the CMO, Base Hospital, CRPF, Gauhati for further check-up and investigation. You should bring all the connected documents of medical treatment for perusal of the CMO, Base Hospital, CRPF Gauhati (Assam).

64/- 30.5.1983  
(P.C.JOSHI)  
COMMANDANT

Copy of letter No.M.III-2/83-OCCH Dated 14.6.83 of Chief Medical Officer.

Kindly refer to your memo.No.M.III-1/83-37-EC-II dated 30.5.83 and 7.6.1983.

2. No.681551271 SI(Min) L.S.Sharma of your unit has been examined and clinically found to have got Disc. Prolapse. He has been put on treatment and advised to use L.S.Belt. If he fails to respond to conservative treatment then his case to be considered for further myelography followed by Surgery if required. In my opinion there is nothing at present which makes him unfit for clerical job.

No.M.III-1/83-37-EC-II

Dated the,

June, 1983

Copy to No.681551271 SI(Min) L.S.Sharma 37 Battalion, CRPF Gauhati for information.

64/- 24.6.83  
for Commandant 37 BN CRPF

103 CMO 1601133

C.R.F.F. Hosp.(S)

के.पी.ए. रिजर्व पालक कम बेस/ग्रुप प्रस्यतातः  
C.R.P.F. BAS. 3/GROUP HOSPITAL

## बहिरंग रोणी विभाग

**U PATIENT DEPARTMENT**

ब० रो० हि० च०

शाय स्त्री बहुव

**O.F.D.No.**

43 Sex

नाथ

1954

Name \_\_\_\_\_

Excess No.

श्री.पद्म./श्री.श्री.

विश्वविद्यालय

BN/GC

### Diagnosis

Date \_\_\_\_\_

नैदानिक निष्पत्ति/इलाज  
Clinical Notes/Treatment

1/6/83

Cf Harris i.  
back L 12  
top can find  
3/4. Some have  
different types I have seen  
at various places without coming  
to see. Should not  
ease. No typical d. family  
or significance. C. L. &  
each. While I'm here can  
be seen.

प्रशासकीय-3/सां.कार.पी.एफ./80-84-81-0,000  
MCHPNIK-3/CBPF/20-84-81-1,10,000

MOIPNLK-3/CRPF/20-24-81-1,10,000.

*[Handwritten signature]*

115

क.र.प.फ. (प्र.प.)  
C.R.P.F. (H.C. 2.5)

के.डी.ए. रिजर्व ग्रुप होस्पिटल/ग्रुप होस्पिटल  
C.R.P.F. BASE/GROUP HOSPITAL

आउट पैशियन्ट डिपार्टमेंट  
OUT PATIENT DEPARTMENT

ओ.पी.डी. नं. 65151121  
नाम 37 R.N.  
बी.एन./बी.सी. 37 R.N.  
BN/G.C.

आयु व लिंग 33 Yr  
आयु व लिंग 33 Yr  
फोर्स नं.  
निदान

दिनांक  
Date

नैदानिक दिनांक/दिनांक  
Medical Notes/Treatment

555  
555  
555

Handwritten signatures and notes, including "16/1" and "555".

प्रमाणित—3/ली.आर.सी.एफ./80—8-4-81—1,10,000.  
MOIPNLK—3/CRPF/80—8-4-81—1,10,000.

Seal

GAUHATI MEDICAL COLLEGE

Department of Surgery

Gauhati, Assam, India

No. MCH/PLFC/27/81-98

Date 11th July, 1983

Sub- R.I.C. to C.N.O. CRPF Gauhati Area regarding treatment  
of Sri L.S. Sharma.

(To whom it may concern)

This is to certify that Sri L.S. Sharma SI attended  
Ortho. O.P.D. on 6.7.83. Sri Sharma is suffering from  
Intractable Backache due Prolapse Intervertebral Disc.  
His condition does not improve despite active treatment.

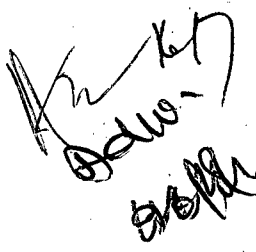
Sri Sharma, is not fit for clerical and other general  
duties as prolonged standing and sitting may aggravate  
the disease.

Sd/-  
Professor,  
Deptt. of Orthopaedic Surgery  
Gauhati Medical College.

Sd/-  
Medical Officer I/C  
Peripheral Limb Fitting Centre  
Gauhati Medical College  
Gauhati-781001







(20)

(10)

(53)

(116)

1/2

A case of chr. Bauxach

to continue about  
as for the use of  
orthopedic surgery

1) Spasmodic oxygen  
cap

1 cap 50

2) Hand to use

3) Neurosion  
1 hrs 30

4) Report of 12  
1 month

to be used of

5) the case  
the first 1 month  
12

Attended  
Admission  
20/7

20/7

20/7

(21)  
117

जिला शिक्षासालय (पुरुष) रायचरेली

रजिस्ट्रेशन नं०

व्यक्ति संख्या

पैसी का नाम

आयु

35

स्त्री/पुरुष

५० पैसा

*[Signature]* 1/5/11

मार्ग

लक्षण और उपचार

74013

*Achidil*

*Amcar B*

*Ref/Suppl*

*1/5/11*

*mib*

*22*

प्रीतपालस का बाप

11/5/81 HSR

पति का नाम

पति का पता

पत्नी का नाम

L. S. Sharma

पता 70% 7/1/81

241

मि. 1/8

129  
1/8

म. 1/8

for

12/6/81

1/10/81

Rec - Handled  
- for  
- 15/7/1005

- 11/8/81

1/1/81

for

for  
16/7

रक्तचाप का माप

रक्तचाप नं०

रोगी का नाम

S. Sharma (E.R.L.F.)

महि 35km

10/10/57

रोग

Backache

2.19

दिनांक

लक्षण और उपचार

19/10/57

- to lie on hard bed

- Hot foment

- 10-15 drops

Dr. R. K. Singh

21/10/57

Dr. R. K. Singh

Dr. R. K. Singh

21/10/57

Dr. R. K. Singh

FORM NO. 23

120

OFFICE OF THE CHIEF MEDICAL OFFICER RAE BARELI (UP)

No.E.1/83

Dated the. 16 Sept, 1983

Certified that I/we have carefully examined No.681511271 SI(M) Sri L.S.Sharma S/o Late Shri Prathu Dayal Sharma of 37 En CRPF in District Hosp. Rae Bareli. His age by his own statement is 34 years, and by appearance about 34 years, I/we consider No. 681511271 SI(M) Sri L.S.Sharma of 37 En CRPF to be completely and permanently incapacitated for further service of any kind in the Department to which he belongs or outside of Force/Deptt. in consequence of PROLAPSE INTERVERTEBRAL DISC. I/we of opinion that No.681511271 SI(M) Sri L.S.Sharma is that his incapacity does not appear to me/us to have been caused by irregular habits.

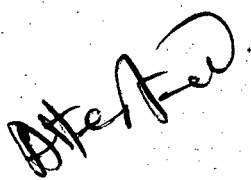
Authy: GOMF Notification No.7.9(3)-EV(A)/74 dated 29.1.1976.

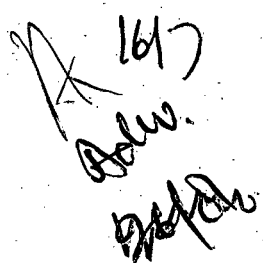
Sd/- 16.9.1983  
of Sri L.S.Sharma

Sd/- 16.9.1983  
Chief Medical Officer  
Rae Bareli

Sd/- 16.9.1983  
Chief Medical Officer,  
Rae Bareli.







25  
121

OFFICE OF THE CHIEF MEDICAL OFFICER DISTT. HOSP. RAEBARELI (UP)  
(FOR THE PURPOSE OF WELFARE MEDICAL BOARD)

No.681511271 SI/M L.S.SHARMA S/O Late Shri Prabhu Dayal Sharma  
of 37 Battalion, CRPF, Rhenapara, Gauhati (Assam).

Disability : Prolapse Inter Vertebral Disc.  
Dated of onset : Since 1980  
Cause of onset : Not known  
Court of inquiry findings. : (On duty/not on duty) : Not done  
Attributable/Non - attributable.

C/o disablement

Fit for non combatant employment. : Not fit in the force or out side of Force.  
In the Force. :  
Not in the force. : 1

Further deterioration

Likely : Likely  
Not likely : -  
No opinion can be given. : -

Recommendation review after:- Unfit for any service outside the Force or in the force.

26/12/83  
Chief Medical Officer  
Raebareli.

Attested

AK  
Balu.  
96/07

No. 561511271 SI(M) of M En CAPF S/o Late Prabhu Dayal Sharma

Date of Cause of Invalidation his family

PRESENT OCCUPATION: MEMBER OF MEDICAL BRANCH

Opinion of member-I

15/3/94M prolapsed inter vertebral disc.

Sgt. Ravinder Singh Sharma (35 years)

CHILDREN

1. Master Aswari Kumar Sharma (Son) - 14 yrs.
2. Master Gurabhi Kz. Sharma (Son) - 7 yrs.
3. Visve Disha Sharma (Son) 14 years.
4. Sgt. P.P. Sharma (Mother) 30 yrs.
5. Kripa Shaker Sharma (Brother) - 19 yrs.
6. Ramu Harker Sharma (Brother) - 14 yrs.
7. Kunal Dady (Sister) (Mother) 10 yrs.

OPINION OF THE ADDL DGP OF RAJPUT (President)

14 agree with the opinion of the member-I & II. Sri L.S. Sharma (SI(M) of 37 En CAPF) is unfit for active duty/service in CAPF and as such he is recommended for grant of financial assistance from Central Welfare Fund and Benevolent Fund.

24/- 11.11.1985  
(B. Chakrabarti)  
DGP CC CAPF RAJPUT  
PRESIDENT

- 1) Individual is suffering from prolapsed inter vertebral disc.
- 2) There is no negligence in this. He may be provided financial assistance for the cause of disease. Hence he be given financial assistance.
- 3) He is unfit for any service of CAPF or outside of force. He is unfit for any service of CAPF or outside of force.

24/- 11.11.1985  
(Dr. J.V. Agarwal)  
M.O. 00065. XI

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Copy of ED(Adm.), CRPF at No. DE-2/01-122-11 dt. 22 July, 1981.

Subject:-CREDIT FROM CENTRAL RELEASE(RISK PREMIA) FUND AND  
CENTRAL RELEASE FUND ON INVALIDATION.

Sir,

This is in continuation of this Directorate letter No. CRP-4/83-79 dated 22.6.1979. As you may recall, we have recently augmented the monetary benefits in invalidation cases by an additional grant of Rs.7,500/- in lump sum in each invalidation case from Central Release (Risk Premia) Fund. This has been done with a view to helping out those who owing to exigencies of service and so rigours of climate have been rendered incapable of leading a normal life and thus become unfit for service. The stress is essentially on invalidity or unfitness to serve any more. The measure is basically ameliorative in character and intent and aims at relieving distress to the individual and family following a forced retirement on invalidation.

2. As you are aware a member of this Force presently becomes entitled to the following benefits when he is invalided out from service:-

| Nature of Benefits | CRF | Risk Fund | Total |
|--------------------|-----|-----------|-------|
|--------------------|-----|-----------|-------|

A. Due to injury on account of enemy action.

|                                                    |              |              |               |
|----------------------------------------------------|--------------|--------------|---------------|
| Lumpsum grant                                      | 2,500        | 7,500        | 10,000        |
| Recurring payment<br>Rs.50/- p.m. for<br>10 years. | 0,000        | -            | 0,000         |
|                                                    | <u>0,500</u> | <u>7,500</u> | <u>10,000</u> |

B. Due to injuries while on duty other than on account of enemy action/natural climate accidents.

|                                                    |              |              |               |
|----------------------------------------------------|--------------|--------------|---------------|
| Lump sum grant                                     | 2,000        | -            | 2,000         |
| Recurring payment<br>Rs.20/- p.m. for<br>10 years. | 0,500        | 7,500        | 10,000        |
|                                                    | <u>0,500</u> | <u>7,500</u> | <u>10,000</u> |

C. Due to injuries for other reasons while on duty.

|                    |              |              |              |
|--------------------|--------------|--------------|--------------|
| Lump sum grant.    | 2,000        | 7,500        | 9,500        |
| Recurring payments | -            | -            | -            |
|                    | <u>2,000</u> | <u>7,500</u> | <u>9,500</u> |

3. It has been widely observed that after the introduction of New Central Release (Risk Premia) Fund scheme, there is an all too sudden & indecent rush for invalidation. During visits of senior officers, a number of grossly hood gontlemen have cheekily approached them to help them in getting out of service throughly contrived invalidation so that they could get the above benefits. If we thus allow ourselves to be cheated, it would spell the doom of our Risk Premia Fund Scheme which shall soon founder. The scheme, genuine one, is based on overages of real figures of deaths and invalidation. Since the former is impossible to contrive, the success of it shall depend on how keenly we guard against a possible abuse under the latter category.

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You may kindly appreciate that this situation has arisen owing to the fact that while going for invalidation an individual gets a decent sum enough sum to enable him start a new business of trade. This is, perhaps more applicable to the tradesmen/technical persons who can easily get employment or start their own business after having received the training at the Govt. cost than others.

3. Director General desires that all officers specially the members of the Welfare Medical Board should be an evervigilant while recommending benefits from the above funds. It may be ensured that only genuine and hard and deserving cases are recommended for benefits from the Risk Premium Fund and CMF. This will require a thorough scrutiny at all levels, failing which the very purpose of running the various Welfare schemes will be defeated.

sd/-  
( J.M. Gureshi )  
Deputy Director (Adm)

Copy of AYA (P.N.Sen) CM No. CM/1-Accts dated 29.9.1981.

Subject:- FINANCIAL ASSISTANCE FROM CMF IN INVALIDATION CASES.

Sir,

Kindly refer to the minutes of the governing body of CMF/GBF held in this Directorate on 5th Sept. 1981 (copy endorsed to you under this Dto. enclt. No. CMF-4/81-82-Accts, dated the 15th Sept., 1981)

2. In accordance with the decision taken by the Governing body read with Rule 10 of the Rules for Administration of the GBF Welfare Fund, the revised rates of financial assistance in following types of invalidation cases will be Rs. 3,000/- instead of Rs. 2,500/-

i) On account of injuries suffered due to enemy action/hostile action/armed smugglers/dacoits/transfrontier criminals/rioters and other miscreants, including while on ID duties.

ii) On account of injuries suffered on duty in a mine blast not directly due to enemy action/a on account of injuries sustained while on duty at the hands of a Colleague/a on account of being struck with lightning and other kinds of static electricity while on duty/on account of injuries suffered or motor vehicle accident or unexpected fall while on duty/on account of snake bite while on duty/any other cases of special type on duty/any other cases of special type for which the governing body would like to take separate decision.

3. Invalidation cases available in Appendix 'A' of the scale of Benefits vide item 5 and 6 thereof forwarded to you under this Directorate enclt. No. CMF-4/79-80-Accts dated 15 May, 1980, stands amended accordingly.

4. The revised rates will apply to all cases of invalidation occurring on or after 5th September, 1981.

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Directorate General CRPF, R.S. Puram, New Delhi-110022.

(Ministry of Home Affairs/Grih Mantralaya)

CIRCULAR ORDER-29/1979

Subj: Welfare measure-Invalidation-Grant of Benefits from C.M.F.

Please refer to this office letter No.CWF-4/78-79-dcts dated 23.6.78, 18.11.78 and 1.12.178 addressed to the IGO.

2. The present procedure for grant of benefits from the C.M.F. is that all the cases are referred to the C.M.O., N/Delhi or Hyd. for clearance for definite recommendation that the assistance from C.M.F. may be considered by the IGP.

3. It has, however, been brought to the notice of the D.O., that the procedure leads to delay and that since the Board is held after the man has been invalided out and sent home, he is very reluctant to present himself before the board at his own cost. In order to get over these difficulties the following amendment procedure is prescribed for holding of W.Meeting Board:-

(a) All persons who have been or who are to be invalided should appear before a Welfare Board consisting of the following:-

- (1) Commandant Group Centre- President,
- (2) HQ Hd.I - Member
- (3) One More Medical officer- " " "
- GO.I and II.

The venue of the Board will be the Group Centre of the Battalion.

(b) The Sector IG may take into account the recommendation of the above Board for granting the assistance from the C.M.F.

4. All personnel who have to be invalided out required to be sent to the Group Centres as soon as possible for preparation of Pension Papers. During this period of stay in the Group Centre alone they should be examined by the Welfare Medical Board mentioned in para 3 above.

5. No body would therefore normally be sent out home on Invalidation before the Welfare Medical Board is held.

6. The above instructions are in the context of grant of benefits from C.M. Fund/Benevolent Fund. In so far as the procedure for Invalidation of a Govt. servant is concerned the instructions contained in the Dto. C/O 12/79 will continue to apply.

cc/-  
( J.M. Gureshi )  
D.D.(in)

16/12/79

Dated



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**Rule-20 LEAVE TO A GOVERNMENT SERVANT WHO IS UNLIKELY TO BE FIT TO RETURN TO DUTY.**

- (1) (a) When a medical authority has reported that there is no reasonable prospect that the Government servant will ever be fit to return, leave shall not necessarily be refused to such Government servant.
- (b) The leave may be granted, if due, by the authority competent to grant leave on the following conditions:-
- (i) If the medical authority is unable to say with certainty that the Government servant will never again be fit for service, leave not exceeding twelve months in all may be granted and such leave shall not be extended without further reference to a medical authority.
- (ii) If a Government servant is declared by a medical authority to be completely and permanently incapacitated for further service, leave or an extension of leave may be granted to him after the report of the medical authority has been received, provided the amount of leave as debited to the leave account together with any period of duty beyond the date of the report of the medical authority does not exceed six months.

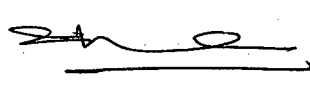
(2) A Government servant who is declared by a medical authority to be completely and permanently incapacitated for further service shall--

- (a) if he is on duty, be invalidated from service from the date of relief of his duties, which should be arranged without delay on receipt of the report of the medical authority; if however, he is granted leave under sub-rule(1) he shall be invalidated from service on the expiry of such leave.
- (b) if he is already on leave, be invalidated from service on the expiry of that leave or extension of leave, if any granted to him under sub-rule(1).

**Rule-30. COMMUTED LEAVE**

(1) Committed leave not exceeding half the amount of half pay leave due may be granted on medical certificate to a Government servant (other than a military officer), subject to the following conditions:-

- (a) the authority competent to grant leave is satisfied that there is reasonable prospect of the Govt. servant returning to duty on its expiry;
- (b) & (c)- Deleted.
- (d) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due;
- (e) Deleted.

 .....

(1-a) Half pay leave upto a maximum of 180 days may be allowed to be commuted during the entire service (without production of medical certificate) where such leave is utilized for an approved course of study certified to be in the public interest by the leave sanctioning authority.

(2) where a Government servant who has been granted commuted leave resigns from service or at his request permitted to retire voluntarily without returning to duty the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered.

Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the Government servant for further service or in the event of his death.

Note--Commutated leave may be granted at the request of the Government servant even when earned leave is due to him.

#### Rule-32. EXTRAORDINARY LEAVE.

(1) Extraordinary leave may be granted to a Government servant (other than a military officer) in special circumstances--

(a) when no other leave is admissible;

(b) when other leave is admissible, but the Government servant applies in writing for the grant of extraordinary leave.

(2) Unless the President in view of the exceptional circumstances of the case otherwise determines, no Government servant, who is not in permanent employ or quasi-permanent employ, shall be granted extraordinary leave on any one occasion in excess of the following limits--

(a) three months;

(b) six months, where the Government servant has completed (one year's continuous service) on the date of expiry of leave of the kind due and admissible under these rules, including three months extraordinary leave under clause (a) and his request for such leave is supported by a medical certificate as required by these rules;

(c) Deleted.

(d) eighteen months, where the Government servant who has completed one year's continuous service is undergoing treatment for--

(1) pulmonary tuberculosis or pleurisy of tubercular origin, in a recognised sanatorium;

*Admitted  
K  
Dew-16/7  
20/7/77*

*[Signature]*

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P.R. S.S.-PART III  
CENTRAL CIVIL SERVICES

LEAVE RULES

(Corrected upto 1st March, 1985)

Rule-10. COMMUTATION OF ONE KIND OF LEAVE INTO ANOTHER

(1) At the request of a Government servant, the authority which granted him leave may commute it retrospectively into leave of a different kind which was due and admissible to him at the time the leave was granted, but the Government servant cannot claim such commutation as a matter of right.

(2) The commutation of one kind of leave into another shall be subject to adjustment of leave salary on the basis of leave finally granted to the Government servant, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid.

Note--Extraordinary leave granted on medical certificate or otherwise may be commuted retrospectively into leave not due subject to the provisions of Rule-31.

GOVERNMENT OF INDIA'S DECISION

Commutation of leave of one kind into leave of another kind cannot be done after the employee ceases to be in service.

Cases have come to the notice of this Department where certain Ministries/Departments of the Government of India have allowed commutation of leave of one kind into that of another kind even when the request for the same was made by the Government servant concerned after finally quitting the service on retirement, apparently in exercise of the powers vested under Rule 10 of CCS (Leave) Rules, 1972, which provides that at the request of a Government servant the authority which granted him leave may commute it retrospectively into leave of a different kind which was due and admissible at the time the leave was granted.

In this connection attention is invited to the provisions under Rules 9 and 39(1) (a) of the aforesaid Rules according to which all leave standing to the credit of a Government servant lapses as soon as he ceases to be in service. It is thus clear that the powers vested in the Ministries/Departments under Rule 10 ibid. cannot be exercised by them after the employee concerned has ceased to be in service. Any sanction issued by the Ministries/Departments concerned commuting one kind of leave granted to the employee when he was in service, into any other kind of leave, after the employee has ceased to be in Government service is irregular and violation of the provisions of the Statutory Rules.

It is requested that instructions be issued to all concerned officers in the Ministry/Department to ensure compliance with the provisions of the Statutory Rules so as to avoid any irregular action in such cases. Desirability of fixing the responsibility for not complying with the Rules may also be considered by the Heads of the Ministries/Departments in order to avoid recurrence of such irregularities.

(G.I.M.A., Dept. of Personnel & A.R.O.M. No.P.12025/2/81-Entt.(L)  
Dated the 2nd December, 1981).

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**Rule-39. Leave/Cash payment in lieu of leave beyond the date retirement or quitting of service.**

(1) No leave shall be granted to a Government servant beyond-

- (a) the date of his retirement, or
- (b) the date of his final cessation of duties, or
- (c) the date on which he retires by giving notice to Government or he is retired by Government by giving him notice or pay and allowances in lieu of such notice, in accordance with the terms and conditions of his service, or
- (d) the date of his resignation from service.

(5) A Government servant who retires or is retired from service in the manner mentioned in clause (c) of Sub-rule(1), may be granted, suo motu by the authority competent to grant leave, cash equivalent of the leave salary in respect of Earned Leave at his credit subject to a maximum of 180 days and also in respect of all the half pay leave at his credit provided this period does not exceed the period between the date on which he so retires or is retired from service and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service. The cash equivalent shall be equal to the leave salary is admissible for earned leave and/or equal to the leave ~~in~~ salary as admissible for half pay leave plus dearness allowance admissible on that leave salary for the first 180 days, at the rates in force on the date of the Government servant so retires or is retired from service. The pension and pension equivalent of other retirement benefits and ad hoc relief/graded relief on pension shall be deducted from the leave salary paid for the period of half pay leave, if any, for which the cash equivalent is payable. The amount so calculated shall be paid in one lump sum as a one-time settlement. No house rent allow. or City Compensatory allowance shall be payable.

Provided that if leave salary for the half pay leave component falls short of pension and other pensionary benefits, cash equivalent of half pay leave shall not be granted.

(Provided further that a Government servant who is retired by Government by giving him pay and allowances in ~~lieu~~ of notice, cash equivalent of leave salary shall be allowed only for the period of leave excluding that period for which pay and allow. in lieu of notice have been allowed.)

(39-B. A Government servant who is declared by a medical authority to be completely and permanently incapacitated for further service may be granted, suo motu by the authority competent to grant leave, cash equivalent of leave salary in respect of leave due and admissible on the date of his invalidation from service, provided that the period of leave for which he is granted cash equivalent does not extend beyond the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service. The cash equivalent thus payable shall be equal to the leave salary as calculated under sub-rule(5) of Rule 39. A Government servant not in permanent employ or quasi-permanent employ shall not however be granted cash equivalent of leave salary in respect of half pay leave standing at his credit on the date of his invalidation from service.

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Adm 26/07

SECTION-III.- INVALID PENSIONRules regarding Medical CertificateArt. 442(b)

If the officer submitting the application is in India, then the ~~examining~~ examining medical authority shall be---

(1) a Medical Board, in the case of all Gazetted Govt servants and those non-Gazetted Government servants whose pay as defined in Rule 9(21) of the Fundamental Rules, exceed Rs. 500/- per mensem;

(2) Civil Surgeon or a District Medical Officer or Medical Officer of equivalent status in other cases.

Art. 442(c)

Except in the case of the officer on leave elsewhere than in India, no medical certificate of incapacity for service may be granted unless the applicant produces a letter to show that the head of his office or Department is aware of his intention to appear before the Medical Officer. The Medical Officer shall also be supplied by the head of the office or Department in which the applicant is employed with a statement of what appears from official records to be the applicant's age. Where the applicant has a service book, the age there recorded should be reported.

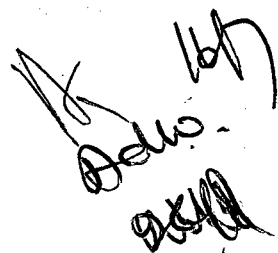
APPLICANT TO BE DISCHARGEDArt. 455

An officer who has submitted under Article 442 a medical certificate of incapacity for further service shall, if he is on duty, be invalided from service from the date of relief of his duties, which should be arranged without delay on receipt of the medical certificate or, if he is granted leave under the Note below Article 827-A, on the expiry of such leave. If he is on leave at time of submission of the medical certificate he shall be invalided from service on the expiry of that leave or extension of leave if any, granted to him under the note below Art. 827A.

Government of India's Decision:- (1) A Government servant was retained in service even when he was found medically unfit. Although his retention was irregular the Government of India held that as he was retained in service and actually discharged duties of his post retention should be regularised by issue of ex-post sanction and he should be paid the pay of the period of his duty. (C.I.B.P. U.O. No. D-2626 EV/52, dated 20th April, 1953).



Attested

  
Delivered  
25/4/53

PART-IX-PROCEDURE RELATING TO LEAVE.MEDICAL CERTIFICATES-GENERAL RULESArt. 927A.

Medical officers are debarred from recommending the grant of sick leave in any case in which there appears to be no reasonable prospect that the officer concerned will ever be fit to return to duty. In such a case, the opinion that the officer is permanently unfit for service under Government should be recorded in the medical certificate.

Note-1- When a medical authority has reported that there is no reasonable prospects that a particular Government servant will ever be fit to return to duty, leave should not necessarily be refused to such Government servant. It may be granted, if due, by a competent authority on the following conditions:-

- (a) If the medical authority is unable to say with certainty that the Government servant will ~~never~~ never again be fit for service, leave not exceeding twelve months in all may be granted. Such leave should not be extended without further reference to a medical authority.
- (b) If a Government servant is declared by a medical authority to be completely and permanently incapacitated for further service, leave or an extension to leave may be granted to him after the report of the medical authority has been received, provided that the amount of leave is debited against the leave account together with any period of duty beyond the date of the medical authority's report does not exceed six months.

Note-2. A Government servant who is declared by a medical authority to be completely incapacitated for further service shall:

- (a) if he is in duty, be invalided from service from the date of relief of his duties, which should be arranged without delay on receipt of the report of medical authority. If however, he granted leave under paragraph (1) above he shall be invalided from service on the expiry of such leave; and
- (b) if he is already on leave, be invalided from service on the expiry of that leave or extension of leave if any, granted to him under paragraph (1) above.

Note-3. A Government servant applying for invalid pension must obtain a medical certificate as in the manner laid down in Art. 447.

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Att. Fee

16/7  
Dolo.  
Dolo.

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(131)

FORCE ORDER  
BY  
COL. A.M. DAVID (RETD)  
COMMANDANT SIGNAL GROUP CENTRE CENTRAL RESERVE POLICE FORCE  
NEEMUCH (MP)  
FOR THE WEEK ENDING 17.3.1973

Force order No. 132  
Confirmation

Consequent on conversion of temporary posts of Ministerial cadre into permanent ones, the following ministerial officials of this Centre are confirmed as specified against each:-

|                              | <u>Confirmed as</u> | <u>Date of confirmation</u> |
|------------------------------|---------------------|-----------------------------|
| 681511271 Laxmi Shanker, LDC | LDC                 | 01.05.1972                  |

(Authy: WA's Office order No.C.VI-1/73-W dated 28.2.1973.)

\*\*\*\*\*

FORCE ORDER  
BY  
LT. COL T.D. RADHAKRISHNAN  
COMMANDANT SIGNAL GROUP CENTRE CENTRAL RESERVE POLICE FORCE  
NEEMUCH (MP)  
FOR THE WEEK ENDING 9th SEP., 1972

Force order No. 511  
QUASI PERMANENT DECLARATION

In pursuance of Rule 3 & 4 of the CCS (Temporary Service Rule 1965) the following personnel are hereby appointed in Quasi Permanent capacity in the CRPF under the Govt. of India in the post of LDC with the dates indicated against each:-

Shri Laxmi Shanker Sharma-7.6.72  
Shri Sarup Singh -4.8.72\*

They have been medically examined by the CMO Base Hospital CRPF Neemuch/MO CC CRPF\*H respectively and declared medically fit for Quasi permanency.

(Authy: WA's O/O No.C.VI-6/72-(W) dated 1.9.1972)

1471

To,

Shri Laxmi Shanker Sharma,  
C/o 6th Bn. CRPF  
Neemuch (MP)

(32)

Memorandum No.C.III-1/68-KW  
Dated Neemuch, the 5th June, 1968.

Subject: Temporary appointment as LOWER DIVISION CLERK in CRPF.

Reference your application and test in connection with temporary appointment in the Central Reserve Police Offices as Lower Division Clerk held in DIGP Office, CRPF, Neemuch on 3.6.68.

2. You are hereby offered a purely temporary appointment as Lower Division Clerk on the marginal noted emoluments.

Pay Rs.110/-pm in the scale of Rs.110-180 plus usual dearness allowance.

It may be noted that in case the office to which you are being attached is headquartered elsewhere in the country you will be liable to be shifted there. Also the posts being to a joint cadre you are liable

to be transferred from one office to another.

3. For the present you have been allotted to the Office of the Commandant 6th Battalion, Central Reserve Police, Neemuch but as the force has an all India liability you are liable to be posted to any place in the country as and when ordered.

4. The appointment can be terminated any time without assigning any reason on a month's notice and in case you wish to resign after joining, one month's clear notice will have to be given failing which and in case of your absents without permission you will be liable to be departmentally dealt with and to forfeit of all dues for the period of unauthorised absence.

5. If you are willing to accept the offer, please report yourself to the Commandant 6th Bn. CRP, Neemuch at your own cost latest by 20.6.68 but not before--failing which this shall be treated as cancelled.

Please acknowledge.

Sd/- 4/6/68  
( E. H. M. David).  
Dy. Inspector General of Police,  
Central Reserve Police,  
NEEMUCH

No.C.III-1/68-KW

Dated Neemuch, the 5th 1968

Copy forwarded to the Commandant 6th Battalion CRP Neemuch the usual particulars may please be reported as soon as the candidate joins.

Sd/-  
( E.H.M. David)  
Dy. Inspector General of Police,  
Central Reserve Police,  
NEEMUCH.

T.C.A.  
AMZ  
16/7/68  
Sharma



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अभिभाषक पत्र (वकालतनामा)

सेन्ट्रल एडमिनिस्ट्रेटिव ट्रिबुनल, एडिशनल बेंच, इलाहाबाद

मुकदमा नं० 625 सन् १९८७

अपीलान्ट

एल. एस. शर्मा

बनाम

रेस्पान्डेन्ट

भारत सरकार

मैं कि हम अपर पुलिस उप महानिरीक्षक, कै० रि० पु० बल, रामपुर १३०५०१

उपरोक्त प्रकरण (मुकदमा) में मैं अपना पक्ष समर्थन हेतु हम

श्री सन० बी० सिंह

सीनियर स्टैंडिंग कौंसिल

४, छिडिल रोड, जाज टाउन, इलाहाबाद

को कानूनी शुल्क (मेहनताना) नियत करके अपना/हमारा अभिभाषक (वकील) नियुक्त करता हूँ और यह स्वीकार करता हूँ कि उक्त सज्जन हमारी ओर से वाद-पत्र (अर्जीदावा), प्रतिवाद-पत्र (बयान तहरीरी), बाद स्वीकार पत्र, विवाद पत्र, पुनरवलोकन एवं पुनर्निर्णय प्रार्थना-पत्र (दरखास्त), शापथिक कथन (हलफनामा), प्रवर्तन-पत्र (दरखास्त इजराय), मुजबात अपील, निगरानी इत्यादि हर प्रकार के अन्य प्रार्थना पत्रादि एवं लेखादि की प्रतिलिपियां अपने हस्ताक्षर करके न्यायालय में प्रस्तुत करें अथवा किसी पत्र पर आवश्यकतानुसार शापथिक पुष्टीकरण करें और आवश्यक सवाल जवाब करें और लेखादि की प्रतिलिपियां एवं हमारे प्राप्य धन को अपने हस्ताक्षरी पावती देकर प्राप्त करें, हमारी ओर से किसी को मध्यस्थ तथा साक्षी (गवाह) मानें और उससे सम्बन्धित प्रार्थना-पत्र प्रस्तुत करें तथा उसका समर्थन करें तथा तसदीक करें, वाद-पत्र उठावे छोड़ें अथवा सनझौता करें तथा सुलहनामा दाखिल करें तथा उसके सम्बन्ध में प्रार्थना-पत्र दाखिल करके उनका समर्थन करें अर्थात् प्रकरण से सम्बन्ध रखने वाली कुल कार्यवाही डिग्री के भर पाई होने के समय तक स्वतः या संयुक्त करें। आवश्यकता होने पर किसी अन्य वकील महोदय को वकील करें।

उक्त सभी कार्यवाही जो उक्त सज्जन करेंगे प्रत्येक दशा में अपने किये की भांति हम को सर्वथा स्वीकार मुझ को

होगी। अगर मैं कानूनी शुल्क तथा विशेष शुल्क आखिरी वहस के वक्त उक्त सज्जन को न दूँ/देँ तो उनको अधिकार होगा कि वह हमारी ओर से मुकदमा की पैरवी न करें। उपरोक्त दशा में उक्त सज्जन का कोई उत्तरदायित्व न रहेगा।

अतएव यह अभिभाषक पत्र लिख दिया कि प्रमाण रूप से समय पर काम आये।

तिथि

माह

सं०

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DIRECTORATE GENERAL, CRPF, 666 COMPLEX, LODI ROAD, NEW DELHI  
(Ministry of Home Affairs/Grih Mantralaya)  
(Legal Branch)

No. J.II-134/87-Legal (WP) Dated, the 19th November, 1987

To

The Deputy Registrar,  
Central Administrative Tribunal,  
Allahabad (UP)..

Subject:-REGISTRATION NO. 625 of 1987 : L.S.SHARMA  
VERSUS UNION OF INDIA AND OTHERS .

Dear Sir,

Kindly refer to Your letter No.CAT/ALID/24838  
dated 11/11/87.regarding service of notice to us.

2. It is intimated that the provisions of the Administrative Tribunals Act, 1985 (No.13 of 1985) are applicable to the members of the Armed Forces of the Union as per clause (a) of Section 2 of the Act. Central Police Force is one of the Armed Forces of the Union, & constituted under section 3 of the CRPF Act, 1949, the power of Parliament under Schedule VII, item-2, of the Constitution of India.

Respectful  
provisions may be passed



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DIRECTOR GENERAL, CRPF, 333 COMPLEX, LODI ROAD, NEW DELHI  
(Ministry of Home Affairs/Grin Mantralaya)  
(Legal Branch)

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applicable to the members of the Armed Forces of the Union,  
as per clause (a) of Section 2 of the Act. The Central  
Police Force is one of the Armed Forces of the Union,  
& constituted under section 3 of the CRPF Act, 1949, Item-2, Part I  
of the power of Parliament under Schedule VII, Item-2, Part I  
of the Constitution of India.

3. In view of the directions may be passed  
accordingly.

Yours faithfully,

(Arjun Kumar)  
Jt. Asst. Director (I)

9/3/88  
2  
received in from court  
today  
condition

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del

Before the Central Administrative Tribunal And  
Registration No. 625 of 1987

L. S. Sharma Vs Union of India & Ors

Sir,

most respectfully it is prayed that  
I am unable to argue this case today  
as I am not feeling well ✓

So it is prayed that kindly  
adjourn above noted case for today to  
any other date for admission in the  
ends of justice.

26/2/90

Shd.

(SATISH DWIVEDI)  
Counsel for petitioner

J.11.1/92-48.

23.12.92.

To

The Dy Registrar  
C.A.T.  
LUCKNOW.

SUB: - TA 82/92 Filed by SI/UDC.  
L.S. SHARMA. (Retd).

Sir,

Assistant Director (Legal) CRPF.

Directorate General vide letter No J.11.134/  
87-Legal (WD) dated 14 Dec 92 has  
asked for the copy of TA No 82/92  
and certified copy judgement dated  
28/8/92 along with copy notice issued  
by the CAT to the respondent.

Requirement: -

- (i) copy of Judgement dated 28/8/92.
- (ii) copy of TA No 82/92
- (iii) copy of notice issued to the respondent.

T.

12.92

Encl: IPO. Wadhwa S.

68 8430

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[737]

Yours sincerely

Shasain  
23/12

S. M. HASNAIN  
Asst Comd.

For Comd-48 CRPF.  
LRO.

Issued

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24.12.92

909/5 910

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH : LUCKNOW  
Opp. Residency Gandhi Bhavan, Lucknow.

6/4

No. CAT/CE/1KO/JULL/ T.A. 82/92 T.L

Date :

REGISTRATION NO 625/87 OF ~~1991/92~~ (L)

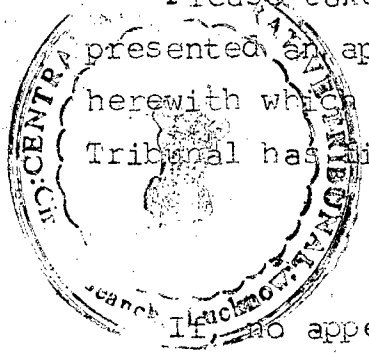
Sr L. S. Sharma Applicant.

VERSUS

Union of India & others Respondents.

① L. S. Sharma, C/o R. S. Trivedi, Near Kali Mandir, Salga Nage, Ron Bareilly.

② Sr N. B. Singh, Adv., 4, Liddle Road, George Town, Allahabad.



Please take notice that the applicant above named has presented an application a copy \_\_\_\_\_ thereof is enclosed herewith which has been registered in this Tribunal and the Tribunal has fixed 26 day of Jun, 92 for hearing.

If, no appearance is made on your behalf, your pleader of by some one duly authorised to Act and plead on your behalf in the said application, it will be heard and decided in your absence. Given under my hand and the seal of the Tribunal this 4 day of 4 199 2

For Deputy Registrar.  
*[Signature]*  
O/C

M. Panda./

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

23-A, Thornhill Road, Allahabad- 211 001

No,

CAT/ALLOD/

524 OF 1987

Reg. no.

of 1988.....1....

-APPLICANT (S)

VERSUS

-RESPONDENT (S)

To,

1. Union of India through the Secretary of Home Ministry, Govt. of India, New Delhi.
2. The Director General of Police, Allahabad.

Please take notice that the applicant above

named has presented an application, a copy whereof

is enclosed herewith which has been registered in this

tribunal, AND the Tribunal has fixed .....

..... day of ..... 1988..... For.....

..... to the Tribunal to be heard on the day of .....

If no, appearance is made on your behalf, Your

pleader or by some one duly authorised to act and plead on

your behalf in the said application, it will be heard and deci-

ded in your absence.

Given under my hand and the seal of the Tribunal this

0.11.07

..... day of ..... 1988.....

FOR DEPUTY REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BEN ALLAHABAD.

✓ Re: Hon. 1144/90  
O.A./T/A. NO. .... 1987.

L. S. Sharma

Applicant(s)

Verse Dr. J. K.

Union of Uda

Respondent(s)

| S.L. No. | Date | Ords |
|----------|------|------|
|----------|------|------|

OR.

Misc Restoration.

Appl No 1144/90

in OA 625/87 has been filed.

vide DR(T) & Order dated

07.8.90 same

is submitted

before Honble

Court for orders

on 03.9.90. with

Original file

Am

28/8

OR.

No extra copy

of Restoration Application

meant for opposite

Parties Counsel has

been provided by the

Applicant. So that only

date has been informed

to the Counsel. Ask

6/9

3-9-90 Hon. M. D. Agarwal. J.M.

Hon. M. M. Singh. AM.

Dr. B. Singh for applicant.

This is an application for

restoration of O.A. No. 625/87

However, other parties counsel

has not been named yet

let order be issued to

Counsel for O.P. with

order on 29-10-90

H. H. L.

AM

Dr.

J.M.

29-10-90

Honble A.P. Bhattacharya-JM

Honble K. Obayya - AM

As neither party nor any

Counsel is present due to the

Resolution of Strike passed

by the CAT Bar Association

the case is adjourned to

25-2-91 for orders.

Am

1 walk-away  
8/21/00

Noted the  
date 29.10.90  
R.P. G. 1/3

Restoration Application

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

NOTICE OF MOTION

Misc Petition 1144 of 1990  
in O.A./T.A. 625 of 1987  
L.S. Sharma Applicant/appellant.

Varsus Union of India Respondents/Defendant

Take notice that the court will be moved by the order signed on 3-9-90 the day of September 1990 at 10.30 o'clock in the forenoon or so soon thereafter as the notice on their occasion can be heard.

the object of the motion is hereby indicated by

A copy of the Application is enclosed herewith. The further notice that meanwhile this court has been pleased to pass that following orders

Dated this the 7 day of September 1990

Signature

Advocate of petition

Applicant/Appellant

or

Petitioner/Defendant in no

To

Advocate on record for the opposite party  
Respondent/Defendant.

SO(J)  
Put up the appn  
before court for orders  
on 3-9-90 as prayed.

DR(J)

N/C

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

Misc Restoration 1144/90

Registration No. 625 <sup>1N</sup> of 1987

L.S.Sharma . . . . . Versus . . . . . Union Of India and ot

The applicant most respectfully submit as under :-

1. That the applicant is the counsel for the petitioner in the case noted above.
2. That on 9.7.1990 this case was listed at serial no.1 admission.
3. That due to oversight the above-said date was not in the diary of the counsel. Apart from this in the cause the name of Shri H.B.Singh, Advocate who is conducting this was not typed.
4. That the applicant came to know from the <sup>junior of counsel</sup> ~~XXXXXX~~ for the respondent that the case was dismissed in default on 9.7.90.
5. That for the reasons given above, the applicant could not appear before the court on the date fixed.
6. That the petitioner is very much interested in this case and if this case is not restored, the petitioner who is a disabled person shall suffer an irreparable loss and injury.

P R A Y E R

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may be pleased to set aside the order dated 9.7.90 and restore the case no.625 of 1987 on its original number in the ends of justice otherwise the petitioner shall suffer an irreparable loss and injury.

Dated: 4.8.90

  
(H.B. SINGH)  
Counsel for petitioner