

50/100
**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI.5

ORIGINAL APPLICATION NO. 376/2001 (T)

Baidya Nath Singh APPLICANTS
versus.

Union of India &ors Respondents.

FOR THE APPLICANT(S) Mr. R. P. Sarma
ADVOCATE

Mr. P. Sarma
Mr. A. R. Rama

FOR THE RESPONDENT(S)

Dr. B.P. Todi
K.V.S.

Notes of the Registry

DATE

COURT'S ORDER

8.11.00

Present: Hon'ble Mr. Justice D.N. Choudhury, Vice-Chairman.

None appears for the applicant.

Mr. B.P. Todi learned counsel for the respondents is present. On the prayer of Dr. Todi, 6 weeks time is allowed for filing of written statement. List on 20.12.00 for filing of written statement and further orders.

Vice-Chairman.

1m

20.12.00

Application is admitted. Four weeks time is granted to the respondents to file written statement.

List on 22.1.2001 for written statement and further orders.

Member

Vice-Chairman

pg

22.1.0

None appears for the applicant.
List on 19.2.01 to enable the respondents to file written statement.

I.C. M. Sharma

Member

Vice-Chairman

1m

19.12.2000

No. written statement
has been filed.

19-1-2001
No. 178 has been
filed by the
respondents.

19.2.01

List on 22.3.01 to enable the respondents to file written statement.

ICCCShan
Member

Vice-Chairman

1m

No written statement
has been filed.

22.3.01

None appears for the applicant. No written statement has been filed. Four weeks time is granted for filing of written statement. The matter of 1998, pertaining the order of termination that took place in February 1998. No further time will be granted. List on 2.5.01 for hearing. In the meantime the respondents may file written statement within two weeks.

Kishore
Member

Vice-Chairman

1m

2-5. Pass over to 21-5-2001

Reb
A. E. Ben
2-5

21.5.01

Judgment delivered in Open Court.

Kept in separate sheets. Application is disposed of. No costs.

Ullah
Member

Vice-Chairman

Copy of the budget
has been sent to the
D/sec. for issuing
the same to the Appellate
as well as to the Govt.
Advocate for the respe.

85

IN THE GAUHATI HIGH COURT

(High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura,
Mizoram & Arunachal Pradesh)

CIVIL APPELLATE SIDE

Appeal from

Civil Rule

No. 2507 of 1998

Shri Baidya Nath Singh

Appellant

Petitioner

Versus

Kendriya Vidyalaya

Respondent

Sangathan 81st

Opposite-Party

Appellant
For
Petitioner

Mr. R. P. Sharma

Mr. P. Sharma,
Mr. N. Rama, Advocates.

Respondent
For
Opposite-Party

C.G.S.C

Noting by Officer or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings with signature
1	2	3	4
		27-5-98	<p>BEFORE : HON'BLE MR JUSTICE DN CHOWDHURY</p> <p>Heard Mr R. P. Sarma learned counsel for the petitioner.</p> <p>Let the records be called for.</p> <p>Let a Rule issue calling upon the respondents to show cause as to why a writ as prayed for, should not be issued; and/or why such further order(s)/direction(s) as to this Court may seem fit and proper should not be passed.</p> <p>The Rule is made returnable by two month.</p>

Noting by Office or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings with signatures
Contd. (27-5-98)			Petitioner shall take steps for
			service of notice on the respondents by registered post.
			Post this case along with Civil Rule No. 2146/96.
			JUDGE
① RULE RETURNABLE 2 nd ncd			
② Post along with C.R. 2146/96	21.6.98 H. B. H.		
20.01.99			
Recorded called			
Notices sent to			
Despatch section			
for issue notice			
on Respondents			
Nos 1 to 5 through			
Regd post with			
A.D.			
Handwritten	20/01/99		

35

CR 2507/98

Noting by Office or Advocate	Serial No.	Date	Office notes, reports, orders or proceeding with signature
<u>09/3/99</u>			
Notices received from Despatch Section and to Shriitago of postage stamp of Rs. 8 (Eight) on Respondents Nos 1 to 5. Received notices kept with file. Laid for Leave court.		12.3.99	2 (m) weeks for grant.
Handy <u>09/3/99</u>			
P.P. 99 Replies above 2 weeks time wanted for already copied.		31.3.99	2 (m) weeks for grant as Court room
On the 2/4. ers not deposited the deficit postal stamps as yet. Laid for favour forward.			
<u>09/3/99</u>			

CR 2807/98

6
4Name by office or
Advocate.

Serial

Date

Office notes, reports, orders, or proceeding
with signature.

23/4/99

Ref. order dated
21.3.99 at prece
2 weeks time
granted as last
chance has
already expired.
But the 44
has not paid the
deficit postal
stamps as yet.

Card for final
order.

8/3/99

26/4/99

Pls. are available
before bench

REGISTRAR (I&E)
GAUHATI HIGH COURT,
GUWAHATI

7.5.99

B E F O R E
THE HON'BLE MR. JUSTICE JN SARMA

Registry shall transfer this matter to Central
Administrative Tribunal (CAT) at Guwahati.

Accordingly, Registry shall transfer the matter
to the CAT by keeping a copy of the record in this
Registry.

JUDGE

upadhyaya

Transfer the
matter to CAT
as directed

8/5/99

8/5/99

C.R 2507/98

Noting by office or Advocate.	Serial	Date	Office notes, reports, orders, or proceeding with signature.
24.6.99			
Notice issued on Respondents Nos 1 to 5 through Regd Post Circular A/10 81/21/99 No 11,521-25/ RM dt 24.6.99.			
Recd copy of order dated 7/5/99 on behalf of Advocate of the petitioner - Md. Shah 25/6/99			
copy Received of order dated - 7-5-99 corroborated for C-61 S-1 28/6/99			

Noting by Office or Advocate

Serial
No.

Date

**Office notes, reports, orders or proceedings
with signature**

10

CENTRAL ADMINISTRATIVE TRIBUNAL ::
GUWAHATI BENCH.

O.A./xxxx No. **376 of 2000** of

DATE OF DECISION **21.5. 01**

Shri Baidya Nath Singh

APPLICANT(S)

Mr. R. P. Sharma, Mr. P. Sharma, Mr. N. Rama

ADVOCATE FOR THE APPLICANT(S)

- VERSUS -

Union of India & Ors.

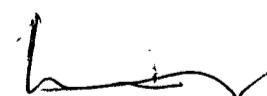
RESPONDENT(S)

Mr. A. Deb Roy, Sr. C. G. S. C.

ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE **MR. JUSTICE D. N. CHOWDHURY, VICE-CHAIRMAN**
THE HON'BLE **MR. K. K. SHARMA, ADMINISTRATIVE MEMBER**

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the judgment is to be circulated to the other Benches ?
5. Judgment delivered by Hon'ble **VICE-CHAIRMAN.**



CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 376 of 2000

Date of Order: This the 21st Day of May 2001.

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

HON'BLE MR.K.K.SHARMA ADMINISTRATIVE MEMBER

Shri Baidya Nath Singh,

Son of Sri Bhikhari Singh,

Vill & P.O.Sondhani,

P.S. Bhagwanpur, Dist.Siwan, Bihar,

Presently working at Kendriya Vidyalaya,

Tenga Valley(Arunachal Pradesh) ... Petitioner.

By Advocate Mr.R.P.Sharma , Mr.P.Sharma, Mr.N.Rama

-Vs-

1. Kendriya Vidyalaya, Sangathan,
represented by the Chairman, 18, Institutional Area,
Saheed Jeet Singh Marg, New Delhi-15.
2. The Commissioner, Kendriya Vidyalaya, Sangathan, 18
Institutional Area, Saheed Jeet Sing, Marg,
New Delhi-16.
3. Asstt. Commissioner, Kendriya Vidyalaya Sangathan,
Guwahati Regional Office, Maligaon Charali.
Guwahati-12.
4. Officiating Principal Kendriya Vidyalaya, Tenga Valley,
Dist. West Kameng, Arunachal Pradesh.
5. Union of India, represented by the Secretary, Govt.
of India, Ministry of Human Resource Development,
New Delhi-1. Respondents.

By Advocate Mr.A. Deb Roy, Sr.C.G.S.C.

O R D E R.

D.N.CHOWDHURY (V.C.):

The order of termination of the applicant is the subject of this application. An advertisement was made by the Respondents (for filling up a number of posts of Graduate teachers, Primary teachers and Trained Graduate Teachers all over India). The applicant applied for the

post of Primary Teacher. He was called for interview and therefore he was selected and empanelled in the list. By the order dated 14/15-12-97 the petitioner was offered for appointment in the Kendriya Vidyalaya, Tenga Valley at Arunachal Pradesh. as Primary Teacher. The petitioner accordingly, joined the said post on 10.2.98. By the following impugned order dated 26.2.1998 his services were terminated :

" OFFICE ORDER.

The services of Mr. Baidyanath Singh, who has joined this Vidyalaya on 09.02.1998 (F.N.) at PRT, stands terminated w.e.f. 26.02.1998 (A.N.) as per the K.V.S. H.Q. New Delhi letter No. F. 19-1(4)/98-KVS(L&C) dated 13.02.1998 and K.V.S. Guwahati Region letter No. F. 8-6/96-KVS(GR)/16675-716 dated 19.02.1998. He was offered appointment by the former Asstt. Commissioner, Dr. K.C. Prakash, Guwahati Region, Guwahati vide letter No. F. 8-11/96-KVS(GR)/14107-08 dated 14/15-12-97."

Similarly the termination order were also issued by the respondents. The candidates challenged the order of termination before this Bench. The Tribunal were numbered and registered as O.A. No. 53 of 99, O.A. No. 56 of 99(T), O.A. No. 272 of 99. The applicants in those cases were initially approached this Bench. By order dated 3rd Feb, 2000 the Tribunal set aside the order of termination. This application is squarely covered by the earlier decision. The fact situation the impugned order of termination is similar to that of the aforesaid cases. The facts of the present case are also similar. This application is squarely covered by the aforesaid cases. The order of termination dated 26.2.1998 is accordingly, set aside. There is no order as to costs.

K. K. Sharma
(K. K. SHARMA)
ADMINISTRATIVE MEMBER

[Signature]
(D. N. CHOWDHURY)
VICE-CHAIRMAN

3/6/2000

THE GAUHATI HIGH COURT
 (THE HIGH COURT OF ASSAM : NAGALAND : MEGHALAYA MANIPUR : TRIPURA
 MIZORAM AND ARUNACHAL PRADESH)

CHECK SLIP

DISTRICT : *West Kameng* : C.R CASE NO. *2507 198*
 DB/SB/A/B CATEGORI CODE : *10015*
 FILING SL. NO. *4163* DATE OF FILING : *12/5/98*

Name of Party : *B. Nain Singh*

*VS
K.V.S. 103*

13/5
Signature of D. A.

1. Court Fee due : *52.20*
 Court Fee paid :
 Deficit if any :
 2. Filed within Limitation : Yes / No.
 Condation Petition : Yes / No.
 (if any)
 3. Related information For : Yes / No.
 Caveat Matching :
 4. Vakalatnama File : Yes / No.
 5. Certified copy of order : Yes / No.
 Judgement, if required, : Filed.
 6. Affidavit / Verification : Yes / No.
 in order.
 7. Form in proper : Yes / No.
 8. Any other defects (to be name) : Yes / No.

CASE READY / DEFECTIVE.

SIGNATURE OF THE SUPERINTENDENT
 FILING SECTION.

SIGNATURE OF THE
 REGISTRAR OF THE
 GAUHATI HIGH COURT
Guwahati

THE GAUHATI HIGH COURT
 (THE HIGH COURT OF ASSAM : NAGALAND : MEGHALAYA : MANIPUR : TRIPURA
 MIZORAM AND ARUNACHAL PRADESH)

Category	No.	Year
1. (a) Case No.:	C.R.	1/2507 /1998
1. (b) Related Case No.:		1199
1. (c) Related Information:		
1. (d) Jurisdictional Value Rs.	1. (e) Court Fee Rs. 58-80	
1. (e) Provision of law under which the case filed		
DATE / MONTH / YEAR		
1. (f) Date of Registration:	12/05/98	
2. (b) Case Category Code:	CR 10015	
2. (a) Subject Category Code:	<input type="text"/> <input type="text"/>	
2. (c) Bench Code:	<input type="text"/> B	
3. State Name :	West Kameng (P.P)	
4. Petitioner (s) :	Sri Baidya Nath Singh	
5. Respondent (s) :	K. V. S. 005	
6. Petitioner (s) : Advocate (s)	Mr. R. P. Saroorah Mr. P. Saroorah Mr. N. Roma	
7. Respondent (s) : Advocate (s)	C. G. S. R.	
8. Stage Code of the Case :	<input type="text"/> <input type="text"/>	
9. Court No. :	<input type="text"/> <input type="text"/>	
10. Caveat (if any) : Yes	<input type="checkbox"/>	No. <input type="checkbox"/>

Kindly use appropriate codes.

Signature with date:

G.H.C. E.W. FUND

DISTRICT : WEST KAMENG

IN THE GAUHATI HIGH COURT
(THE HIGH COURT OF ASSAM:NAGALAND:MEGHALAYA: MANIPUR:
TRIPURA: MIZORAM AND ARUNACHAL PRADESH)

(CIVIL WRIT JURISDICTION)

Civil Rule No. 2507 /98

Code No. 10015 (Major Parnashwar)
Shri Baidya Nath Singh

.....Petitioner.

-Versus-

Kendriya Vidyalaya Sangathan and Ors.

..... Respondents.

BENCH : B

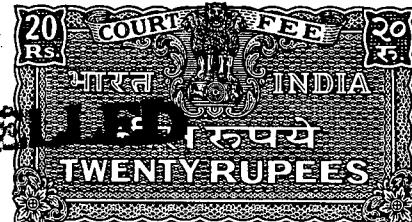
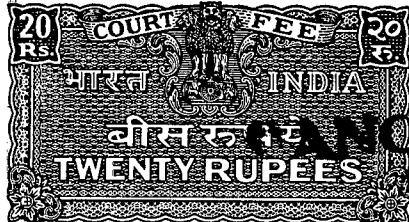
MATTER : School Service

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Filed by


(Prem Sarmah)
Advocate.



6

DISTRICT : WEST KAMENG

IN THE GAUHATI HIGH COURT

(THE HIGH COURT OF ASSAM:NAGALAND:MEGHALAYA:MANIPUR:
TRIPURA: MIZORAM AND ARUNACHAL PRADESH)



(WRIT JURISDICTION)

Civil Rule No. 2507 /98

Code No. :

To

The Hon'ble Shri V.D. Gyani, B.A., LL.B.,
the Chief Justice(Acting) of the Hon'ble
Gauhati High Court and His Lordship's
companion justices of the said Hon'ble
High Court.



In the matter of :

An application under Article 226 of the Constitution of India for issuance of a Writ in the nature of Mandamus and/or Certiorari and/or any other appropriate Writ, Order or Direction.

- And -

In the matter of :

Violation of fundamental rights of the petitioner alongwith other legal rights.

- And -

Contd., 2.

-: 2 :-

In the matter of :

Violation of provisions of Articles
38, 39, 41 and 311 of the Constitution
of India.

- And -

In the matter of :

✓ Office order under Ref. No.F.PF/BS/
97-98/721-23 dated 26.02.1998 issued
by the officiating principal, Kendriya
Vidyalaya, Tenga Valley terminating the
service of the petitioner w.e.f.
26.02.1998 (A.N.).

- And -

In the matter of :

Violation of principle of natural
justice and Administrative fair play.

- And -

In the matter of :

Sri Baidya Nath Singh,
Son of Sri Bhikhari Singh,
Vill. & P.O. - Sondhani,
P.S. - Bhagwanpur, Dist. Siwan, Bihar.
Presently working at Kendriya Vidyalaya,
Tenga Valley (Arunachal Pradesh).

..... Petitioner.

Contd...3.

Complaint of Affidavit
Gauhati High Court
Guwahati

-Versus-

1. Kendriya Vidyalaya ,Sangathan,
represented by the Chairman ,18,
Institutional Area,Saheed Jeet
Singh Marg, New Delhi-15.
2. The Commissioner,Kendriya
Vidyalaya,Sangathan,18,Institu-
tional Area, Saheed Jeet Sing
Marg, New Delhi - 16.
3. Asstt.Commissioner,Kendriya
Vidyalaya Sangathan,Guwahati
Regional Office,Maligaon Charali,
Guwahati - 12.
4. Officiating Principal,Kendriya
Vidyalaya,Tenga Valley, Dist.
West Kameng,Arunachal Pradesh.
5. Union of India, represented by
the Secretary, Govt. of India,
Ministry of Human Resource
Development, New Delhi - 1.
..... Respondents.

The humble petition of the
petitioner above-named -

MOST RESPECTFULLY SHEWETH :

1. That the petitioner, being a citizen of
India and a permanent resendent of Sondhani,Bihar,

Contd..4.

presently working at Tenga Valley, Arunachal Pradesh, file this writ petition assailing the illegal termination order dated 26.2.98 issued by the officiating principal without affording any opportunity to the petitioner to defend himself.

2. That the petitioner is a Graduate in Arts, passed in 1989 from D.A.V. College, Siwan in second division. He passed in Matriculation in the year 1983 in second division and I.A. in the year 1986 from Hillchar College, Siwan and B.T.C. in the year 1994 from Siwan in 1st Division. After successfully completion of post graduate, the petitioner had undergone Basic Teachers Training Course in the year 1994 under Bihar School Examination Board and he secured II division. He had also teaching experience for a period w.e.f. 21.6.93 to May 1997 in the C.V.S.C. School, Siwan cantonment which is a affiliated school by ISCE, New Delhi.

3. That the petitioner states that in the month of June 1996, the respondent Kendriya Vidyalaya Sangathan Published an advertisement for filling up a number of posts of Graduate Teachers, Primary Teachers and Trained Graduate Teachers all over India. Being fully eligible as per the advertisement, the petitioner offered his candidature for the post of Primary Teacher and his

Contd..5.

candidature for the post of Primary Teacher has been duly accepted by the respondents and called him for interview which was held on 21.1.97.

One copy of the Advertisement dated 14.6.96 is annexed herewith as Annexure - A.

4. That in the interview, the petitioner did well and accordingly he was selected and empanelled in the Second Panel list. Be it stated here that the respondent prepared two lists in the first list there were about 40 candidates and in the second list there ~~there~~ were about 24 candidates. Both the list were duly approved by the Commissioner, Kendriya Vidyalaya Sangathan, New Delhi in the month of May, 1997.

5. That being duly selected, the Assistant Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Guwahati offered him appointment vide Memorandum No. F.8-11/96-KVS(GR)/14107-08 dated 14/15-12-97 in the Kendriya Vidyalaya, Tenga Valley, Arunachal Pradesh on initial Pay of Rs.1200/- in the scale of Rs.1200-30-1380-EB-30-1560-EB-40-1800-40-2040/- (unrevised).

One copy of the memorandum dated 14/15-12-97 is annexed herewith as Annexure - B.

Contd...6.

6. That after getting the offer for appointment the petitioner accepted the appointment and joined his duty on 10.2.98 vide his acceptance undertaking dated 10.2.98.

One copy of the acceptance undertaking dated 10.2.98 is annexed herewith as Annexure - C.

7. That after joining his service, the petitioner devoted himself in his duty/most sincerity and with regularly. But he was surprised and shocked on getting an office order under reference No. F.PF/BS/97-98/721-23 dated 26.2.98 issued by the officiating principal, Kendriya Vidyalaya, Tenga Valley, whereby his service has been terminated with immediate effect in the afternoon of 26.2.98.

One copy of the office order dated 26.2.98 is annexed herewith as Annexure - D.

8. That the said termination order had been issued without following the due procedure as is required to terminate a Govt. Employee and no opportunity was given to the petitioner to defend his case. Be it also state here that the termination order itself has not disclosed any reason whatsoever for which his service has been terminated. As he was in dark about the reason, he asked WY the principal about the matter in the Regional Office, Guwahati. Accordingly, he enquire

Contd..7.

in the office of the Asstt. Commissioner and came to know that as his appointment order was issued by the then Asstt. Commissioner Dr. K.C. Rakesh whose service has been terminated w.e.f. 11.12.97 as per the Hon'ble Delhi High Court's order dated 4.2.98. Hence, as the petitioner's appointment letter was issued after 11.12.97 his appointment has no legal effect.

9. That the petitioner was shocked and surprised in as much as he has no fault for which he may be terminated. Being a selected candidate he was offered the appointment as were made to all other selected candidates. As he was a selected candidate he was appointed as per the Rule 43 of the Education Code for Kendriya Vidyalaya, hence his service can not be terminated in such a whimsical way without following due procedure and law. It is pertinent to mention that the petitioner has already crossed the maximum age limit to get any Govt. Service but that fact has not been considered by the respondents.

10. That it is submitted that as his appointment was made by the competent authority after following due selection process, his service is not liable to be terminated by the officiating principal who has no authority under the extent rule.

11. That as the respondents did not afford him any opportunity and as no reasons whatsoever has been

Contd...8.

Exhibition of Affidavit
Chandni Chowk Court
Delhi

mentioned, the termination order is not maintainable in the eye of law and is liable to be quashed.

12. That it is submitted that as the petitioner has requisit qualification he applied for the post of primary teacher and after due selection process, his name was empanelled in the selection list which was duly approved by the Commissioner and after approval, the then Asstt. Commissioner ~~and~~ offered his appointment letter and hence his service cannot be terminated without showing sufficient cause and without following the prescribed procedure as laid down under Article 311 of the Constitution of India.

13. That the action of the respondents is violative of fundamental rights of the petitioner as has been guaranteed under Article 14, 16 and 21 of the Constitution of India and also against the Directive principles of State Policy as envisaged under Article 38, 39 and 41 of the Constitution and hence is not sustainable.

14. That the action of the respondents is whimsical and arbitrary in as much as the same has not been done under any provision of law and hence is not maintainable in the eye of law.

Contd.. 9.

-: 9 :-

15. That the action of the respondents in issuing the termination order is against the principle of natural justice and administrative fare play.

16. That at any rate the action of the respondent in terminating the service of the petitioner without showing any cause and without affording any opportunity to the petitioner, is not maintainable in the eye of law and liable to be set aside and quashed.

17. That the petitioner demanded justice but the same has been denied to him.

18. That the petitioner also submits that there is no other alternative efficacious remedy available to him other than to approach this Hon'ble Court by filing this Writ Petition under your Lordships protective hand.

In the premises aforesaid it is therefore prayed that your Lordships may please to admit this petition, call for records and issue Rule upon the respondents to show cause as to why a Writ in the nature of certiorari shall not be issued quashing the impugned termination order under No.F.PF/BS/97-98/721-23 dated 26.2.98(Annexure-D) and why a writ in the nature of Mandamus shall

Contd..10.

Examination of Ambedkar
Chennai High Court

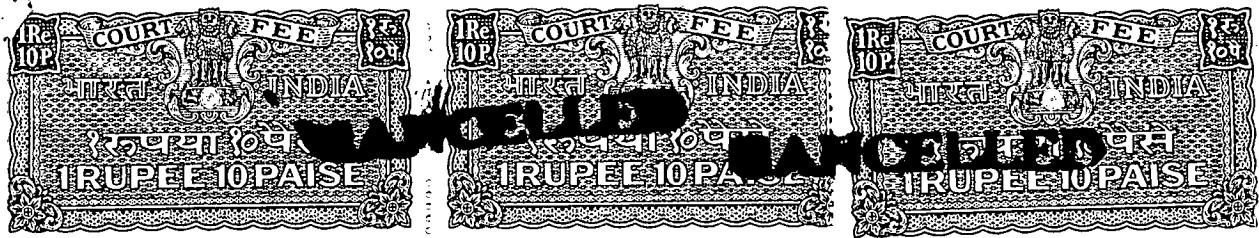
-: 10 :-

not be issued directing them to withdraw/ cancel/revoke the termination order dated 26.2.98(Annexure-D) treating the same as non-est and allow the petitioner to continue his duty in the Kendriya Vidyalaya, Tenga Valley, Arunachal Pradesh, and upon perusal of records and after hearing the ~~part~~ parties on the cause or causes that may be shown be pleased to make the Rule absolute and/or be please to pass any other further order or orders as your Lordships may deem fit and proper.

And for this act, as in duty bound, petitioner shall ever pray.

Affidavit...ll.

Complaint of Arindot
Central High Court
X malati



-: 11 :-

A F F I D A V I T

I, Shri Baidya Nath Singh son of Shri Bhikhari Singh, aged about 31 years, permanent resident of Vill. & P.O. Sondhani, P.S. Bhagwanpur, Dist. Siwan, Bihar, presently working at Kendriya Vidyalaya, Tenga Valley, Arunachal Pradesh, do hereby solemnly affirm and state as follows :-

1. That I am the petitioner in the ~~inter~~ instant case and hence entitled to swear this affidavit.

2. That the statements made in this affidavit and in paragraphs 1, 2, 4, 8, 9, 10 to 17 are true to my knowledge and those statements made in paragraphs 3, 5, 6 and 7 being matter of records. I believe the same are true and rests are my humble submission before this Hon'ble Court.

And I sign this affidavit on this 12th day of May, 1998.

Identified by .

Hashim Ali.
12/5/98
Advocate's Clerk.

Baidya Nath Singh

Deponent.

Solemnly affirmed before me this 1.2.98
May 1998. The declarant is identified by me personally known to me. I certify that I read over and explained the contents to the declarant and that the declarant seemed perfectly to understand them.

Commissioner of Affidavit
Gorakhpur High Court
Court No. 1

12/5/98

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ANNEXURE-B.

-: 13 :-

REGISTERD POST

KENDRIYA VIDYALAYA SANGATHAN
Regional Office
Chayaram Bhawan, Maligaon Chariali
Guwahati - 12

REGISTERD POST

No. F.8-11/96-KVS(GR)/14107-08 Date: 14/12/97
 15

M E M O R A N D U M

SUBJECT : OFFER OF APPOINTMENT TO THE POST OF PRIMA RY
TEACHER

With reference to his/her application/interview for the post mentioned above, Shri/Smt. Baidyanath Singh is hereby informed that he/she has been selected for appointment against a temporary post of Primary teacher, in Kendriya Vidyalaya Sangathan on initial pay of Rs.1200/- in the scale of 1200-30-1380-EB-30-1560-EB-40-1800-40-2040/- . She/he will draw allowances and other benefits in addition to pay at the rates as admissible to the Kendriya Vidyalaya employees. This offer of appointment is subject to the candidate being declared fit for the post of Primary teacher by a Civil Surgeon.

2. If the candidate is a woman, she should certify that she is not the family way at the time of acceptance of the appointment. If however, she is pregnant of 12 weeks standing or over at the time of acceptance of appointment as a result of Medical tests, she will be declared temporarily unfit and the offer would be treated as withdrawn for the present. However, her

Contd....14.

appointment would be held in abeyance until her confinement is over. She would be re-examined for a fitness certificate six weeks after the date of confinement and her appointment would be subject to production of Medical Certificate from a "Registered Medical Practitioner/Authorised Medical Attendance. She should indicate when her delivery is expected and also should indicate the date of confinement soon after it is over. In case the candidate fails to comply correspondences will be entertained there to from her.

3. No TA will be admissible for first joining the Sangathan as Primary Teacher.

4. He/She will be on probation for a period of two years which may be extended. Upon successful completion of probation he/she will be confirmed in his/her turn according to the availability of permanent vacancies.

5. During probation and there after, until he/she is confirmed the services of the appointee are terminable by one month's notice on either side without any reason being assigned thereof. The appointing authority, however, reserves the right to terminate the services of the appointee before expiry of the stipulated period of notice by making payment of a sum equivalent to the pay and allowances for the period of notice of the un-expired portion thereof.

-: 15 :-

6. Other terms and conditions of service governing the appointment are as laid down in the Education Code for Kendriya Vidyalayas as amended from time to time. He/She will be liable for transfer anywhere in India. Initially he/she is posted as Primary Teacher to Kendriya Vidyalaya Tengavalley.

7. He/She will have to subscribe to the General Provident Fund-Cum-Pensionary Scheme on completion of one year of his/her joining the Sangathan's service in terms of Kendriya Vidyalaya Sangathan Employees Provident Rules, 1975 as amended with effect from 01.01.1986.

8. He/She shall be admitted to KVS(Employees) Group Insurance Scheme with effect from the date he/she joins the service under the Sangathan.

9. In case of any dispute or claim against the Kendriya Vidyalaya Sangathan, in respect of service or any contract existing arising out of or following from this offer of appointment, the Courts at Delhi alone shall have jurisdiction.

10. If he/she accepts the offer on the terms and conditions stipulated he/she should send his/her acceptance immediately on receipt of this Memorandum in the form attached and join the Kendriya Vidyalaya mentioned above. This acceptance should reach the undersigned in any case by 26.12.97. If the offer is not accepted by the said

Contd..16.

-: 16 :-

date or after acceptance if the appointee does not report for duty at the above named Kendriya Vidyalaya on 10.2.98 this offer of appointment will be treated as cancelled and no further correspondence will be entertained from him/her.

11. Suppression of any information will be considered a major offence for which the punishment may extend to ~~or~~ dismissal from the service.

To

Sd/-

Baidya Nath Singh (Dr. K.C. Rakesh)
Vill&PO. Sondhani PS. Bhagwanpur ASSISTANT COMMISSIONER
Distt. Siwan, Bihar, Pin. 841 408.

REGISTERED

Copy forwarded for information to the principal Kendriya Vidyalaya, Tengavalley. The date of joining of the teacher may be intimated to this office immediately after the candidate has reported for duties. In case he/she does not join by the stipulated date, this office should be informed telegraphically. The appointment is further subject to production of certificates etc. as per article 49(i) of Education Code for Kendriya Vidyalaya. The candidate will be allowed to join his/her duties only after verification of original certificates, fake Universities etc. The application form of the aforesaid candidate is enclosed herewith.

ENCLOSED : AS ABOVE.

ASSISTANT COMMISSIONER

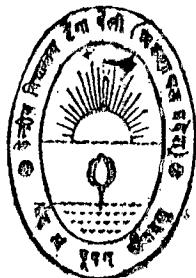
ACCEPTANCE OF OFFER OF APPOINTMENT

I, Shri/Smt/Kum Baidya Nath Singh hereby accept the offer of appointment to the post of Primary Teacher in Kendriya Vidyalaya, Tengavalley made in Memorandum No. F/8-11/96/KVS(GR)/14107-~~88~~ 08 dated 14/15-12-1997 on the terms and conditions mentioned therein and agree to join ~~my~~ ~~the~~ duties at the place on the date specified.

Sd/- Baidyanath Singh

Date : Signature -
Name (In block - BAIDYA NATH SINGH
letter)
Address - S/O Sri Bhikhari Singh,
Vill & PO. Sondhani,
Dist. Siwan(Bihar)

Contd..



केन्द्रीय विद्यालय, टेंगा वैली

जनपद - पश्चिमी कामेंग (अरुणाचल प्रदेश) 790115

KENDRIYA VIDYALAYA, TENGA VALLEY

DIST. WEST KAMENG (ARUNACHAL PRADESH) 790115

Ref No. F.PF/BS/97-98/721-23

Dated 26.02.1998

[OFFICE ORDER]

The services of Mr. Baidyanath Singh, who has joined this vidyalaya on 09.02.1998 (F.N.) as PRT, stands terminated w.e.f. 26.02.1998 (A.N.) as per the K.V.S. H.Q. New Delhi letter No. F.19-1(4)/98-KVS(L&C) dated 13.02.1998 and K.V.S. Guwahati Region letter No.F.8-6/96-KVS(GR)/16675-716 Dated 19.02.1998. He was offered appointment by the former Asstt. Commissioner, Dr. K.C. Rakesh, Guwahati Region, Guwahati vide letter No. F.8-11/96-KVS(GR)/14107 - 08 Dated 14.12.97.

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To

✓ Shri Baidyanath Singh,
PRT
K.V.Tenga Valley.

N. Selvin
(N. Selvin) 26/02/98

Offg. Principal.
केन्द्रीय विद्यालय/Kendriya Vidyalaya
टेंगा वैली/TENGA VALLEY
अरुणाचल प्रदेश/Arunachal Pradesh

Copy to:-

1. The Asstt. Commissioner, Kendriya Vidyalaya Sangathan, Guwahati Region, Guwahati.
2. Shri K.N.Singh, Sr. Administrative Officer, Kendriya Vidyalaya Sangathan, (H.Q.) New Delhi.

XXX
(N. Selvin)

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OA(1) 853/94
Dm 2005
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UOI 3.2.2005
DID 3.2.2005