

50/100

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

(DESTRUCTION OF RECORD RULES, 1990)

**INDEX**

O.A./T.A No. 62/2000  
R.A/C.P No.  
E.P/M.A No.

- 1. Orders Sheet... OA-62/2000 .....Pg. 1 .....to 4.....
- 2. Judgment/Order dtd. 07/08/2001 .....Pg. 1 .....to 7 ..... allowed
- 3. Judgment & Order dtd.....Received from H.C/Supreme Court
- 4. O.A..... 62/2000 .....Pg. 1 .....to 34.....
- 5. E.P/M.P..... NIL .....Pg. ....to.....
- 6. R.A/C.P..... NIL .....Pg. ....to.....
- 7. W.S.....Pg. 1 .....to 10.....
- 8. Rejoinder..... NIL .....Pg. ....to.....
- 9. Reply.....Pg. 1 .....to 11.....
- 10. Any other Papers.....Pg. ....to.....
- 11. Memo of Appearance.....
- 12. Additional Affidavit.....
- 13. Written Arguments.....
- 14. Amendment Reply by Respondents.....
- 15. Amendment Reply filed by the Applicant.....
- 16. Counter Reply.....

SECTION OFFICER (Judl.)

**In The Central Administrative Tribunal**  
GUWAHATI BENCH : GUWAHATI




ORDER SHEET  
APPLICATION NO. 62/2000 OF 199

Applicant(s) Mrs. Krishna Tripathi

Respondent(s) Union of India and ors.

Advocate for Applicant(s) Mr. A.K. Goswami  
Ms. A. Jalundar.

Advocate for Respondent(s) C.G.S.L.

Notes of the Registry	Date	Order of the Tribunal
<p>Rs 100 vide No. 458929 15.2.2000</p> <p>AN 16/2/2000 16/2/2000</p>	17.2.00	<p>Application is admitted. Issue usual notices. Returnable on 16.3.00.</p> <p>List on 16.3.00 for further order.</p> <p> Vice-Chairman</p>
<p>23 - 2 - 2000</p> <p>Service of notices prepared and sent to D. Section for issuing of the same to the respondents through Regd. post with A/D, vide D.Nos. 566 to 570 Dtd. 24.2.2000.</p>	16.3.2000	<p>Two weeks time allowed for filing of written statement on the prayer of Mr B.C.Pathak, learned Addl.C.G.S.C.</p> <p>List on 3.4.2000 for written statement and further orders.</p> <p> Member (J)</p> <p> Member (A)</p>

pg

Notes of the Registry

Date and Order of the Tribunal

Notice duly served  
on R. No. 2.

3.4.00

Two weeks further time is allowed for filing of written statement on the prayer of Mr. B.C. Pathak, learned Addl. C.G.S.C.

List on 25.4.2000 for written statement and further orders.

Member

15-3-2000

Notice duly served  
on R. No. 4, 5 and 6

25.4.2000

Two weeks time allowed for filing of written statement on the prayer of Mr B.C.Pathak, learned Addl.C.G.S.C.

List on 15.5.2000 for written statement and further orders.

Member

pg

8-6-2000

No. written statement has been filed.

15.5.00

There is no written statement filed.

Member

By

15-11-2000

9.6.00

There is no written statement filed.

Member

Vakalat nama has been filed by the respondents No. 4.

30.8.00

There is no written statement filed.

Member

By

No. writs has been filed.

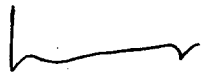
02.1.01

Ms.A.Talukdar learned counsel for the applicant and Mr.S.Sarma learned counsel for the respondents. Mr.S.Sarma learned counsel prays for time to file written statement. List on 25.1.01 for orders.

Vice-Chairman

1.1.2001

Dates of the Registry	Date	Order of the Tribunal
	25.1.01	<p>Written statement has been filed. List on 22.2.01 to enable the applicant to file rejoinder if any.</p> <p><i>K. C. Shrivastava</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>
	22.2.01	<p>Case is ready for hearing. List for hearing on 27.3.01.</p> <p><i>K. C. Shrivastava</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>
<p>5.2.2001</p> <p>W/s has been filed on behalf of the Respondent No. 4, 5 and 6.</p> <p><i>[Signature]</i> 5/2/2001</p>	<p>1m</p> <p>27-3</p> <p>11-4-2001</p> <p>11-5</p>	<p>Left it again on 11/4/2001</p> <p><i>[Signature]</i> 11-4</p> <p>There is no discussion with today. The case is adjourned to 10.5.2001.</p> <p><i>[Signature]</i> 11-4</p> <p>There was a recess. The case is adjourned to 11-6-2001.</p> <p><i>[Signature]</i> 11-5</p>
<p>No. Rejoinder has been filed.</p> <p><i>[Signature]</i> 20.2.01</p>	<p>11.6.01</p>	<p>Miss A. Talukdar on behalf of Mr. A.K. Goswami, learned counsel for the applicant requests for adjournment of the case on the ground of marriage in the family of Mr. Goswami.</p> <p>Accordingly, the case is adjourned to 15-7-2001 for hearing.</p> <p><i>K. C. Shrivastava</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>
<p>22.2.2001</p> <p>A reply by the applicant to the W/s filed by respondent Nos. 4, 5 &amp; 6 has been submitted.</p>	<p>bb</p> <p>16.7.01</p>	<p>No representation stand out. List again on 30.7.2001 for hearing.</p> <p><i>K. C. Shrivastava</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>
<p>The case is ready for hearing.</p> <p><i>[Signature]</i> 26.3.01</p>	<p>bb</p> <p>30-7</p>	<p>Heard both the parties (Mr. A.K. Goswami, learned counsel for the applicant &amp; Mr. S. Sarma, learned counsel for the respondent). Hearing concluded. Judgment reserved. Mrs. Sarma,</p>

Notes of the Registry	Date	Order of the Tribunal
<p>23.8.2001</p> <p>Copy of the Judgment has been sent to the Office for receipt the time to the Appeal as well as to the Dr. G.H.S.C for the Respondent</p>	<p>7.8.01</p>	<p>Learned Counsel for the respondent has <del>been</del> submitted the following records:</p> <ul style="list-style-type: none"> <li>(i) 20-monthly probation report.</li> <li>(ii) Rebuild report of March 17.3.99</li> <li>(iii) Termination order dated 26.4.99</li> <li>(iv) AOR 1997-98 &amp; 1998-99.</li> </ul> <p>Plus 5/6/99 30/7.</p> <p>Judgment pronounced in open court, kept in separate sheets. The application is allowed. No order as to costs.</p> <p>T.C. Usher Member</p> <p> Vice-Chairman</p>

mb

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 62 of 2000.

7-8-2001.  
Date of Decision.....

Mrs Krishna Tripathi

-----Petitioner(S)

Sri A.K.Goswami and Miss A.Talukdar.

-----Advocate for the  
Petitioner(s)

-Versus-

Union of India & Ors.

-----Respondent(s)

Sri S.Sarma.

-----Advocate for the  
Respondent(s)

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 ?

Judgment delivered by Hon'ble : Admn.Member.

*IC What*

4

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 62 of 2000.

Date of Order : This the 7th Day of August, 2001.

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

The Hon'ble Mr K.K.Sharma, Administrative Member.

Mrs. Krishna Tripathi,  
W/o Sri Hari Nath Tewari  
Vill & P.O. M.B.Sipah (Doharighat)  
Dist. Mau (U.P.) 275303. . . . Applicant

By Advocate Sri A.K.Goswami & Ms A.Talukdar.

- Versus -

1. Union of India  
represented by the Director,  
Navodaya Vidyalaya Samiti,  
New Delhi.
2. Navodaya Vidyalaya Samiti,  
represented by its Director,  
A-39, Kailash Colony,  
New Delhi 110048.
3. The Joint Director (Admn)  
Navodaya Vidyalaya Samiti,  
New Delhi.
4. The Deputy Director,  
Navodaya Vidyalaya Samiti,  
Regional Office, Shillong.
5. The principal,  
Jawahar Navodaya Vidyalaya,  
Pailapool, Cachar, Assam.
6. The principal,  
Jawahar Navodaya Vidyalaya,  
Ramkrishna Nagar, Karimganj,  
Assam. . . . Respondents.

By Advocate Sri S.Sarma.

O R D E R

K.K.SHARMA, ADMN.MEMBER,

By this application under Section 19 of the Administrative Tribunals Act 1985 the applicant has challenged the order of termination dated 26.4.99 issued by the Deputy Director, Navodaya Vidyalaya Samiti, Shillong as also the

*K.K.Sharma*

order dated 7.6.99 relieving the applicant with effect from 10.5.99 and also the order of Joint Director, Administration dated 10.12.99 rejecting the representation dated 14.6.99. The applicant has also challenged the recovery of Rs. 834/- and Rs. 16,150/- as ordered vide order dated 7.6.99 and 17.12.98

2. The applicant was appointed on contract basis by order dated 9.9.96 at Bhadohi and was transferred to Balla Rae-bareli vide order dated 25.9.96. In response to an advertisement the applicant applied for appointment as PGT, Mathematics and after interview she was selected and posted at JNV, R.K.Nagar, Karimganj vide order dated 20.11.97 (Annexure-IV). The appointment letter mentioned that she would be on probation for a period of two years from the date of appointment which may be extended by the competent authority. The post was mentioned to be purely temporary basis and could be terminated at any time by a month's notice from either side. The applicant was informed by a letter dated 24.4.98 that her attending an 'orientation course' was absolutely necessary. The applicant attended the orientation course from 15.6.98 to 29.6.98. It is mentioned that ~~the applicant~~ due to the applicant's efforts the pass percentage in Mathematics in the Board examination for the first year of applicant's teaching was 97% and in the second year the pass percentage was 100%. Vide order dated 18.11.98 the applicant was transferred to JNV, Pailapool, Silchar and was relieved on 3.12.98. While she was at Silchar by letter dated 17.12.98 issued by the Principal, JNV, Karimganj she was <sup>informed</sup> that an amount of Rs. 16150/- was recoverable from the applicant for shortage of furniture items. No such shortage was informed to the applicant while she was working at Karimganj. By order dated 10.4.99 the Principal, JNV, Silchar required the applicant to produce

*K. Ushah*

her certificates in original. Vide order dated 26.4.99 the service of the applicant was terminated with effect from 4.5.99. The applicant was relieved with effect from 4.5.99. She made a representation dated 14.6.99 before the Director, JNV, New Delhi. The applicant approached this Tribunal by O.A.No.205/99 which was disposed of as pre-matured by order dated 5.7.99. The applicant's representation was rejected by the Director, NVS by order dated 10.12.99. The applicant has challenged the impugned orders on the ground that the order of termination was bad in law, based on irrelevant and extraneous considerations. The respondents have ignored the outstanding results of 97% and 100% success in the two years. The recovery of alleged payment has been made without giving any opportunity.

3. We have heard Mr A.K.Goswami assisted by Miss A. Talukdar, learned counsel for the applicant and Mr S.Sarma, learned counsel appearing on behalf of the respondents. It was argued on behalf of the applicant that no school can function without a Mathematics teacher and she was the only Mathematics teacher in the school. There was no record of any unsatisfactory service of the applicant and she was never informed of any adverse remarks about her performance. The applicant had been selected by a Selection Committee for teaching in English.

4. We have also heard Mr S.Sarma, learned counsel for the respondents. The respondents have also filed written statement and produced some records. The respondents have challenged the submission of the applicant that she was able to achieve 97% result in the Class-X examination in 1998. It is stated that the result was achieved because of the efforts of the applicant's predecessor who had completed the syllabus by the time the applicant had joined her duty. During the academic year 1998-99 when the applicant

16/11/99

was teaching Mathematics in JNV, R.K.Nagar from the beginning of the academic year till 3.12.98 the result in the Mathematics was only 70%. The performance of the applicant was assessed by a DPC which recommended for termination of her service. Accordingly the service of the applicant was terminated on the recommendation of the DPC and there was no illegality for such termination. The respondents have placed on record the 22 Monthly Probation Report dated 16.4.99 and have relied on this <sup>to</sup> state that the applicant was not capable to teach <sup>in</sup> English and she lacked knowledge in her subject. The submission made by the respondents have been disputed by the learned counsel for the applicant. The applicant has also filed additional reply to the written statement. In the additional statement it is stated that in the academic year 1998-99 the applicant had taught Mathematics in Class XII and in the Board Examination of 1999 for Class XII the result was 100% in mathematics. The applicant has also filed a copy of the result sheet as Annexure-A to support this statement. It is denied that the applicant was never informed about any inadequacy by the Principal. It was urged that as the termination was sought to be made on account of poor performance of the applicant such order of termination could not have been passed without affording her any opportunity. It was not also informed to her that her transfer to Silchar was on account of her poor performance.

5. We have heard learned counsel for the parties at length and perused the documents filed by the applicant as well as the respondents. We have also gone through the records produced by the respondents. The record of the respondents shows that the service of the applicant had been terminated on account of her poor performance. The

U Ushah

stand of the respondents is not consistent. It has been submitted that the result of 97% achieved in the first year of her service was due to the efforts of her predecessor. The respondents have stated that in the second year while the applicant was teaching Mathematics upto 3.12.98 at Karimganj the result in Mathematics was only 70%. On behalf of the applicant it is stated that for the academic year 1998-99 while the applicant taught Mathematics in Class XII upto 4.12.98 the result was 100%. This fact has not been disclosed by the respondents. From the records produced by the respondents it is seen that 22 Monthly Probation Report was made by the respondents from 24.4.99 while the applicant's probation was upto 3.12.99. No reasons could be given as to why 22 Monthly Probation Report was carried out 8 months before the completion of the probation by the applicant. The record also shows that the Principal, JNV, Pailapool by a letter dated 17.3.99 addressed to the Deputy Director, NVS, Shillong reported the performance of the applicant. He also enclosed performance sheets from first to fourth pre-Board Examination 1999. for Class X and Class-XII. We have perused the result sheets enclosed with this letter. The applicant was transferred from JNV, Karimganj only on 3.12.98. Thus the performance covered in this result sheet pertains to at least 3 Examinations conducted prior to her joining at Silchar. the Vidyalaya/ The only examination conducted after joining in December 1998 would be the Fourth examination. A perusal of the two result sheets shows that the number of students who obtained more than 50 marks in each of the examination was as under :

		& XII "Result of Class X/1st to 4th Pre- Board Examination 1999."			
		1st Exam.	2nd Exam.	3rd Exam.	4th Exam
Class X	2	6	5	13	
Class XII	2	6	2	17	

*K. Ushah*

A perusal of the above result ~~it~~ shows that the performance obviously improved in the 4th examination after the applicant had joined. Poor performance of the 1st, 2nd and 3rd examination in 1999 pre-Board examination, could not be attributed to the applicant. The termination of the applicant for the reasons mentioned above was for extraneous reasons and the same cannot be sustained. The termination appears to be arbitrary. The '22 Monthly Probation Review was due in October 1999. It was carried out on 24.4.1999. No reasons justifying such review 6 months before it was due have been given. The proforma for '22 Monthly Review' expects reviewing officers to be objective and contains following instructions.

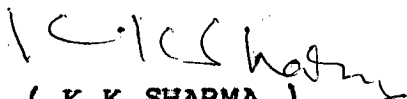
- "1. Disregard your general impression of the officer and concentrate on one factor at a time.
2. Study carefully the implications of each factor.
3. When assessing an officer, call to mind instances that are typical of his work and way of acting. Do not be influenced by UNUSUAL CASES which are not typical.
4. Make your assessment with the utmost care and thought. DO NOT ALLOW PERSONAL FEELINGS TO GOVERN YOUR ASSESSMENT.
5. After you have given your assessment for each factor, please sum up your general views about the officer indicating in it any additional factors particularly those related to his INTEGRITY and ability to correct himself if his faults are pointed out to him."


These instructions have not been observed by the reviewing officers. The disciplinary/appellate authority have not acted objectively. Their actions are considered arbitrary. The record also does not show that the applicant was not a good teacher. The result of 97% or 100% cannot be considered poor. When the termination was made on account of poor performance the applicant was required to be given an opportunity to present her case. This has not been done.

10/10/99

Similarly the recovery of the amounts mentioned above without giving her an opportunity also appears to be arbitrary. Accordingly the impugned orders cannot be sustained and are quashed. The applicant shall be deemed to be in service from the date of alleged termination and shall be entitled to all consequential monetary benefits.

The application is accordingly allowed. There shall, however, be no order as to costs.

  
( K.K.SHARMA )  
ADMINISTRATIVE MEMBER

  
( D.N.CHOWDHURY )  
VICE CHAIRMAN

134  
Central Administrative Tribunal.

15 FEB 2000

गुवाहाटी बेंच

Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:: ADDITIONAL BENCH

GUWAHATI.

O.A. NO. 62 /2000

Mrs. Krishna Tripathi,  
W/o. Sri Hari Nath Tewari  
Vill. & P.O. M.B. Sipah(Doharighat)  
District. Mau(UP)275303

..... Applicant

Vs.

Union of India and others

..... Respondents.

I n d e x

<u>Sl.No.</u>	<u>Particulars</u>	<u>pages.</u>
1.	Application	1-15
2.	Annexure -1(order dt.9.9.96)	16
3.	Annexure II(Order dated 25.9.96)	17
4.	Annexure-III (order dated 16.6.97)	18
5.	Annexure IV (Order dated 20.11.97)	20
6.	Annexure V (Order dated 24.2.98)	22
7.	Annexure VI (Order dated 7.4.98)	24
8.	Annexure VII (Order dated 23.11.98)	25
9.	Annexure VIII(Order dated 17.12.98)	27
10.	Annexure IX (Order dated 19.2.99)	28
11.	Annexure X (Order dated 10.4.99)	29
12.	Annexure XI (Order dated 26.4.99 4.5.99)	30
13.	Annexure XII(Order dated 7.6.99)	31
14.	Annexure XIII (Order dated 5.7.99)	32
15.	Annexure XIV (Order dated 10.12.99)	34
16.	Vakalatnama	35

14  
Filed by  
Krishna Tripathi  
through  
Anju Talukder  
Advocate 14/2/15

Krishna Tripathi

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:: ADDITIONAL BENCH  
GUWAHATI

An application U/s. 19 of the  
Administrative Tribunal Act, 1985.

O.A.No. 62 / 2000

Mrs. Krishna Tripathi  
W/o. Sri Hari Nath Tewari  
Vill & P.O.M.B. Sipah (Doharighat)  
Dist. May (U.P.) 275303

*Krishna Tripathi*

...Applicant

Vs.

- 1. Union of India  
REPRESENTED BY RESPONDENT NO. 2
- 2. Navodaya Vidyalaya Samiti,  
represented by its Director,  
A-39, Kailash Colony  
New Delhi 110048
- 3. The Joint Director (Admn)  
Novodaya Vidyalaya Samiti  
A-39 Kailash Colony New Delhi  
110048
- 4. The Deputy Director,  
Novodaya Vidyalaya Samiti  
Regional Office, Shillong  
Nongrim Hills, Shillong

*1997 - 2 yrs 4*

- 5. The Principal,  
• Jawahar Novodaya Vidyalaya  
Pailapool, Cachar, Assam.
- 6. The Principal  
Jawahar Navodaya Vidyalaya  
Ramkrishna Nagar, Karimganj  
Assam.

Xoishna Jaispathi

... Respondents

1. PARTICULARS OF THE ORDER AGAINST WHICH APPLICATION IS MADE

- i. Order No.Ref. No.F.1-/PF/KT/97/NVS (SHR)/391 dated 26.4.99 issued by the Deputy Director, Novodaya Vidyalaya Samiti, Regional office, Shillong, whereby the services of the applicants were terminated forthwith in pursuance of the provisõ to sub rule (1) of Rule 5 of the Central Civil Services(Temporary service)Rules, 1965.
- ii. Order No.T.3.8/PF/Kt(JMVP/99/3077 dated 7.6.99 issued by the Principal, Jawahar Navodaya Vidyalaya, Pailapool, relieving the applicant w.e.f. 10.5.99 and stating therein that an amount of Rs.834.00 is recover able from the applicant.
- iii. Letter Ref. no.F.2-38/JWRK/98/1049-50 dated 17.12.98 issued by the Principal, Jawahar Novodyaya Vidyalaya , Karimganj stating that an amount of Rs.16,150/- was recoverable from the applicant for shortage of furniture items.

iv. Memorandum No.E. No.2.47/99-NVS(Estt) issued by the Joint Director(Admn)Novodaya Vidyalaya, Samiti; New Delhi rejecting the representation dated 14.6.99 filed by the petitioner.

## 2. JURISDICTION OF THE TRIBUNAL

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

## 3. LIMITATION

The applicant states that the application is filed within the period of limitation..

## 4. FACTS OF THE CASE

a. That the applicant is a qualified teacher of Mathematics having post Graduate degree and also possesses B.Ed degree. The petitioner had been appointed as TGT (Maths) on contract basis at the Jawahar Navodaya Vidyalaya Bhadohi, vide order dated 9.9.96<sup>and</sup> was subsequently posted as TGT(Maths ) on contract basis at Jawahar Navodaya Vidyalaya Balla Rae-bareli vide order dated 25.9;96, both orders being passed by the Deputy Director, Novodaya Vidyalaya Samiti (NVS. for short) Lucknow.

Copies of orders dated 9.9.96 and 25.9.96 are annexed hereto and are marked as Annexure I & II respectively.

b. That the Jawahar Novodaya Vidyalaya, JNV for short, is an offshot of the National Policy of Education,

Xrishna Joshi

1986 and pursuant to this the Government of India established Novodaya Vidyalayas in 23 States and 7 Union Territories. The objective of Novodaya Vidyalayas Scheme is to promote national integration and also to encourage students predominantly from rural areas and weaker sections. It is pertinent to mention that the Novodaya Vidyalayas are under the Ministry of Human Resources Development, Govt. of India. However, its activities are ~~financed~~ financed by the Govt. of India through an autonomous organisation, i.e. the Novodaya Vidyalaya Samity. It has been created in order to enable the Government of India to discharge the Constitutional obligation of making access to education as well as quality possible to rural and backward people of the country.

c. That pursuant to an advertisement, the applicant submitted application with requisite particulars for appointment as PGT(Maths) and the respondent no.3 vide letter dated 16.6.97 <sup>called</sup> the applicant was called for an interview on 8.7.97 for selection to the post of PGT(Maths). The applicant appeared for the interview and vide order dated 20.11.97 issued by the Deputy Director, NVS. Shillong, the applicant was selected to the post of PGT(Maths). ~~The applicant~~ and her services were placed <sup>AT</sup> Navodaya Vidyalaya, R.K. Nagar Karimganj. The applicant was put on probation for a period of two years from the date of appointment. It is relevant to state that such appointment orders are issued on cyclostyled sheets to all selected candidates and

Jaipathi  
Kishna

the applicant was also given one such cyclostyled order wherein it was indicated that the post to which she had been appointed was a temporary one.

Copies of letter dated 16.6.97 and order dated 20.11.97 are annexed hereto and are marked as Annexures III and IV respectively.

d. That although the appointment order indicated that the appointment of the applicant is to a temporary post, in fact and in reality, the posts are permanent in nature. In this connection, it is stated that the Deputy Director, Training NVS, had issued a letter dated 24.2.98 whereby it was indicated that the NVS had orgaied an orientation course for newly recruited PGTs and for others who had not attended any course in the last four years, and it was ordered that the presence of the applicant was an "absolute necessity". Vide letter dated 7.4.98 issued by the Deputy Director, Training, NVS, the orientation course was fixed w.e.f. 15.6.98 to 29.6.98. The applicant attended this training programme and the same is certified vide certificate dated 29.6.98.

Copies of letters dated 24.2.98 and 7.4.98 are annexed hereto and are marked as Annexure V and VI respectively.

e. That on 22.11.98 an incident took place involving grossly inappropriate behaviour by one Shamina Ferdouse and one Kalyan Biswas, both students of C lass XII of the School. The applicant, as house mistress, made a

19  
Dedipathi  
24/8/98

written complaint dated 23.11.98 to the Principal, JNV, Karimganj requesting that the guilty students should be expelled immediately.

A copy of complaint dated 23.11.98 is annexed hereto and is marked as Annexure VII

f. That it is relevant to state that the performance of the applicant was good and this is apparent from the result of the students in Mathematics at the Board Examination where in the first year of the applicant's teaching the pass percentage ~~of~~ in Mathematics was 97%. In the second year of the applicant's ~~te~~ teaching, the pass percentage actually went up to 100%. It is also stated that at no point of time, the applicant was informed that her performance was unsatisfactory and needed improvement. To the knowledge of the applicant, there was no complaint from any quarter.

g. That pursuant to an order dated 18.11.98, the applicant was transferred to JNV, Pailapool, Silchar, and vide relieving order dated 3.12.98, the applicant was relieved in the afternoon of 3.12.98 and she accordingly joined JNV, Pailapool, Silchar.

h. That while the applicant was serving at JNV, Silchar, the Principal of JNV, Karimganj, where the applicant had last worked, sent letter dated 17.12.98 to the Principal of the applicant's School at Silchar, stating therein that an amount of Rs.16,150/- was recoverable from the applicant for shortage of certain

*Krishna Jaiswal*

furniture items which were under her charge during her tenure at JNV, Karimganj.

A copy of letter dated 17.12.98 is annexed hereto and <sup>is</sup> marked as Annexure VIII.

i. That the applicant wrote a letter to the Principal, JNV, Karimganj, denying the allegations made in his letter dated 17.12.98. It is relevant to state that no such allegations of shortage of furniture were made while she was working at Karimganj or when she handed over charge. The allegations have been levelled against the applicant only after her transfer to Silchar.

j. That thereafter the applicant continued to render her services at the JNV, Silchar to the satisfaction of all. The petitioner had earned the trust and confidence of the School authorities and vide order dated 19.2.99 issued by the Principal, JNV, Silchar, she was one of the four teachers singled out to look after the construction work of temporary staff quarters.

A copy of order dated 19.2.99 is annexed hereto and is marked as Annexure IX

k. That vide order dated 10.4.99 issued by the Principal, JNV, Silchar in pursuance of letter dated 31.3.99 issued by the Deputy Director, NVS, Shillong, the applicant was directed to submit her certificates/degree in originals in the office before 20.4.99 for onward submission to the Deputy Director, NVS, Shillong. The applicant complied with the said order and submitted the requisite documents.

21  
Kishorini

A copy of order dated 10.4.99 is annexed hereto and marked as Annexure E.

1. That the applicants performances at Karimganj had been remarkable and even at Silchar, in the span of barely a few months, the applicant had ~~won~~<sup>won</sup> the trust and confidence of all concerned. However vide order dated 26.4.99/4.5.99 issued by the Deputy Director, NVS, Shillong, the applicant's services were terminated forthwith under Proviso to sub-rule (1) of Rule 5 of the Central Civil Services(Temporary Service)Rules, 1965.

*22*  
*Xisthna Joripathi*

A copy of order dated 26.4.99/4.5.99 is annexed hereto and is marked as Annexure EI

m. That the applicant states that apart from the applicant there was no other PGT(Maths) teacher in JNV, Silchar, and the applicant states that the impugned order of termination has been passed without jurisdiction and for oblique motive and is malafide .

n. That thereafter the Principal JNVs, Pailapool, issued order dated 7.6.99 whereby the applicant was relieved w.e.f. 10.5.99 and was granted one month salary in lieu of one month notice. However, on the basis of a request made by the Principal, JNV, Karimganj vide letter dated 7.12.99, an amount of Rs. 16,150/- was to be recovered from the applicant. As such after deducting the amount due to the applicant, the amount recoverable from the

applicant was found to be Rs.834/- .The applicant was requested to deposit this sum before 30.6.99.

A copy of the order dated 7.6.99 is annexed hereto and is marked as Annexure XII.

o. That the applicant filed a representation dated 14.6.99 against the orders dated 26.4.99/4.5.99 and 7.6.99 before the Director, NVS, New Delhi but as no action has been taken on the said representation, the applicant approached this Hon'ble Tribunal for appropriate relief and her application was registered as O.A.No.205/99.

p. That O.A. No.205/99 was disposed of by this Hon'ble Tribunal vide order dated 5.7.99 as premature as the ~~applicant~~ representation of the petitioner was still pending before the Director, NVS, New Delhi. Further the Director NVS, was directed to dispose of the application as early as possible.

A copy of the order dated 5.7.99 is annexed hereto and is marked as Annexure XIII

q. That vide Memorandum No.E.No.2-47/99-NVS(Estt), dated 10.12.99 issued by the Joint Director(Admn) with the approval of the Director (NVS), the applicant's representation dated 14.6.99 was rejected.

A copy of the Memorandum of dated 10.12.99 is annexed hereto and is marked as Annexure XIV

r. That it is relevant to state that <sup>soon</sup> after the services of the petitioner were terminated, another

29  
Doripathi  
X-18/ma

person was appointed to the post on a part time basis, betraying oblique motive and malafide on the part of the respondents in terminating the services of the applicant.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISION :

- A. For that the impugned order of termination is bad in law and as such the same is liable to be set aside and quashed.
- B. For that having regard to the attending facts and circumstances, by no stretch of the imagination, notwithstanding mentioning of the post as a temporary one in the appointment order, can it be said that in reality and in effect the post is a temporary post and on the contrary, it being crystal clear that the post is permanent, the Central Civil Services (Temporary Services) Rules, 1965, are not applicable in the case of the applicant and as such, the impugned orders are liable to be set aside and quashed.
- C. For that the impugned order of termination has been passed on irrelevant and extraneous consideration without any application of mind and as such the same is liable to be set aside and quashed.
- D. For that the applicant's performance as a teacher being outstanding, with percentage of pass in her subject in two years of service being 97% and 100% , and there being no complaints against her, it could not be said that her performance was not satisfactory and in the

Krishna Rajpathi

said view of the matter, the impugned order of termination is liable to be set aside and quashed.

E For that the impugned order of termination having been passed to <sup>Accomodate</sup> a part time employee, and as ~~such~~ the same is illegal and discriminatory and is liable to be set aside and quashed.

F. For that the impugned order of termination having been passed in gross violation of natural justice, the same is liable to be set aside and quashed.

G. For that the impugned order of recovery dated 17.12.98 having been passed without any enquiry and without affording any opportunity to the petitioner to state her case, the impugned order is bad in law and the same is liable to be set aside and quashed.

H. For that the impugned order dated 17.12.98 is stigmatic and penal in nature and the same having been passed in gross violation of the principles of natural justice, the same is liable to be set aside and quashed.

I. For that the order dated 10.12.99 having been passed in a most *sketchy* manner without reasons and insufficient grounds the same cannot stand in the eye of law and as such the same is liable to be set aside and quashed.

J. For that the impugned order dated 17.12.98 ~~has~~ having been passed arbitrarily capriciously and ~~with~~ without assigning any reasons thereof, the same is liable to be set aside and quashed.

25  
Kaishona  
Dipathi

K. For that the order dated 10.12.99 rejecting the representation filed by the petitioner having been passed on extraneous considerations and ~~leaving out~~ relevant considerations, the same is bad in law and is liable to be set aside and quashed.

L. For that in ~~xxx~~ any view of the matter, the impugned orders are liable to be set aside and quashed.

6. DETAILS OF REMEDIES EXHAUSTED.

The applicant filed a representation dated 14.6.99 against the impugned order before the Director NVS, New Delhi but the same was rejected vide Memorandum dated 10.12.99. The applicant had also filed O.A. 205/99 before this Hon'ble Tribunal but the same was dismissed as premature vide order dated 5.7.99 on account of non disposal of the representation filed by the applicant.

7. MATTER NOT PENDING WITH ~~OUT~~ 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.

8. RELIEF SOUGHT

In view of the facts mentioned in paragraph 4 above the applicant prays to the following reliefs :

1. To set aside order No.Ref. No.F.1-PF/KT/97 NVS (SHR)/301 dated 26.4.99 issued by the Deputy Director,

76

*Mishra*  
*Krishna*

Novadaya Vidyalaya Samiti, Regional office, Shillong  
whereby the services of the applicant were terminated  
forthwith in pursuance of proviso to sub-rule (1a) of  
Rule 5 of the Central Civil Services (Temporary services)  
Rules, 1965.

ii. To set aside order No.T.3.8/PF/KT (JNVP)/99/3077  
dated 7.6.99 issued by the Principal, Jawahar Novodaya  
Vidyalaya, Pailapool, relieving the applicant w.e.f.  
10.5.99 and stating therein that an amount of Rs.834.00  
is recoverable from the applicant.

iii. To set aside and quash letter ref. no.F.2-38/  
JNVRK/98/1049-50 dated 17.12.98 issued by the Principal,  
Jawahar Novodaya Vidyalaya, Karimganj, stating that  
an amount of Rs.16,150/- was recoverable from the applicant  
for shortage of furniture items.

iv. To set aside and quash memorandum no.E.No.2-47/  
99 NVS(Estt) dated 10.12.99 issued by the Joint Director  
(Admn) <sup>WITH</sup> the approval of the Director (NVS) rejecting the  
petitioner's representation dated 14.6.99.

v. To reinstate the applicant in service w.e.f.  
10.5.99 with full pay and benefit.

9. INTERIM ORDERS.

Pending final decision on the application, the  
applicant <sup>Seeks</sup> ~~may~~ issue of the following interim

orders :

NONE

10. Does not arise. The application is filed locally by the Advocate of the applicant.

11. Particulars of Bankdraft/postal order in respect of the application fee :

- 1. Number of postal order : 06 458929
- 2. Name of issuing post office : GPO
- 3. Date of issue of postalorder : 15/2/2000
- 4. Post office at which payable. GPO

12. List of enclosures- As stated in index.

*Naishna Daspalhi*

Verification...15

V e r i f i c a t i o n

I, Mrs. Krishna Tripathi, wife of Sri Hari Nath Tewari, Village and Post Office M.S., Sipah (Doharighat) District Mau (U.P) 275303, do hereby verify that the statements made in paragraphs 1 to 3, 4(a, c, e), 4(g), 4(i), 4(j), 4(m), 4(o, r), 5 to 10, 12 are true to my knowledge those made in paragraphs 4(b), 4(d), 4(f), 4(h, k, l), 4(p, n, q), 11 are true to my information and I have not concealed any material facts.

And I sign this Verification on this 8th day of Febr'2000 at Guwahati.

*Krishna Tripathi*

Signature

- 16-3-

72632 I  
71297

**ANNEXURE I**

NAVODAYA VIDYALAYA SAMITI, B-159, NIRALA NAGAR LUCKNOW:  
Lucknow Region, Lucknow:

No. F.16-2(Contract)/96/NVS(LR)/ 15484 Dated: 9.9.1996  
Registered.

To

The Principal,  
Jawahar Navodaya Vidyalaya Bhadohi  
~~Smt. Krishna Tripathi~~

Sir,

Smt. Krishna Tripathi,

has been selected as TGT (Maths) on contract basis  
and he/she is being posted in your Vidyalaya. Contract agreement  
proforma in Triplicate is also enclosed herewith for your necessary  
action.

The candidate should not be allowed to join his/her  
duties before filling agreement form. You are also requested  
to check up the certificate ( Educational Qualifications, Caste  
Certificate etc. ) before joining the duties.

A duly filled copy of the Contract Agreement may  
please be sent to this office for information alongwith a copy  
of joining report. Please send the joining report of the  
candidate telegraphically.

Yours faithfully,

( S. Haque )  
Deputy Director.

Enc: As above.

Copy to : Smt. Krishna Tripathi, vill. & P.O. Sipoh(Dohrlghat)  
District Mau U.P.

He/she is hereby directed to report to the Principal Jawahar  
Navodaya Vidyalaya Bhadohi

failing which the appointment will be cancelled

by 21.9.1996

Deputy Director.

*Copyed  
by talab  
(Adi)*

14/2

ANNEXURE - II

तार -- नवसम  
Gram--NAVSAM  
दूरभाष Tele: 71297  
72632

नवोदय विद्यालय समिति

(मानव संसाधन विकास मंत्रालय शिक्षा विभाग,  
गाजा सरकार का स्वायत्त संगठन)



Navodaya Vidyalaya Samiti

(An Autonomous Organization of Ministry of  
Human Resource Development, Department of  
Education, Govt. of India)

संख्या/NO F.16-2(Cont0)/96/NVS(LR)

दिनांक / Dated 25.9.1996

14892  
OFFICE ORDER

In part-ial modification of this office order No. F.16-2(Cont)/96/NVS(LR)/13483-84 dated 9.9.1996, the place of posting of Smt. Krishna Tripathi, TGT ( maths) on contract basis is changed from JNV Bhadohi to JNV Balla Rae-bareli. She is thus directed to join her duties as TGT ( Maths) at JNV Balla (District Rae-bareli) latest by 10th October, 1996, failing which her offer of contract appointment will be treated as withdrawn.

The other terms and conditions shall remain unchanged.

To

( S. Haque )  
Deputy Director

✓ Smt. Krishna Tripathi,  
Village & P.O. Sipoh ( Dahrighat )  
District Mau U.P.

Copy forwarded to-

1. The Principal, JNV, Rae-bareli
2. The Principal, JNV, Bhadohi.

Deputy Director.

Carried  
As per  
14/2

- 18.

ANNEXURE - III

82

VIDYALAYA SAMITI: REGIONAL OFFICE: SHILLONG: MEGHALAYA :

52/NVS (Rectt) / Rectt/ 97-98/1623

Date: 29.5.97.

16.06.97

KRISHNA TRIPATHI,  
vill+Po - Sipak (Dokariglat),  
DIST. Mau. (U.P.)  
Pin - 275303.

Sub: Interview for the post of PGT (Maths) on Direct/Dept basis regarding /

Sir/ Madam,

With reference to your application for the post of PGT (Maths). You are hereby directed to appear for an interview at the place, date and time given below:-

Place: REGIONAL-OFFICE, NAVODAYA VIDYALAYA SAMITI, UPPER LACHUMIERE/ SHILLONG- 793001 ( MEGHALAYA ) /

DATE: 08.07.1997 . 1996.

Time: 0900 Hrs/ 1200 Hrs.

2. If the Selection Committee is unable to interview you on the specified above, it will be necessary for you to stay on until the next day without any claim for overstay.

3. You are requested to bring with you the following documents at the time of Interview.

i) The original Degree, Diploma and Mark Sheets ( Part- I/ Part- II etc. if any) in support of Educational Qualifications starting from H.S.E.C. onwards.

ii) Experience Certificate/ and certificate of co-curricular and Extra Co-Curricular activities etc.

iii) High School/ Hr. Sec. Certificate in support of date of birth.

Contd.22..

*Certified  
By Chakraborty  
14/2*

16-19-

.....2.....

iv) In case of Scheduled-Caste/ Scheduled Tribe/BC-candidates, a certificate in original from the competent authority i.e. Dist. Magistrate/ Deputy Commissioner/ Collector of your Dist.

4. Candidate a should produce recent pass post size photograph duly attested by the competent authority, in case he / she has not affixed in the application form.

5. Bonafide SC/ST candidates will be paid to and for single second class Rail fare or lower class Bus fare by the shortest route from the station given by them in the address for correspondence to Shillong, on production of original bus tickets & train tickets numbers.

6. If any of the particulars stated by you in your Application is on verification, found incomplete or wrong or if you are found to have willfully suppressed material information relevant to the consideration of your case without prejudice to any other action that may be taken in consequence thereof, your candidature will summarily be rejected, and no travelling allowance will be paid to you.

I. Candidates are also advised to be ensured before attending interview that they are eligible for the post applied for as per criteria detailed in the advertisement notification and if any candidate is found not eligible after verification of certificates/ Marksheets, his candidatures will be rejected and no TA will be paid to him, as many candidates failed to submit all the required documents.

8. It is your responsibility to make proper arrangements for the receipt or re-direction of communication addressed to you and save, in exceptional circumstances, no plea on non-receipt or late receipt of this communication for whatever reason shall be accepted for postponing the date of the Interview, or for any other purpose.

9. Only those candidates who are willing to serve any where in the North Eastern Region and Sikkim need appear for the Interview.

N.B. In case of third language teachers they may be posted any where in India.

Yours faithfully

*[Handwritten Signature]*

(Sd/-) C. DEBENDRA  
DEPUTY DIRECTOR  
Ministry of Human Resource Development  
Regional Office, Shillong- 793 001

*Copyed  
by 7/10/20  
2 Ad  
14/2*

20

34

ANNEXURE-IV

IV

NAVODAYA VIDYALAYA SAMITI: REGIONAL OFFICE: SHILLONG: MEGHALAYA

Ref. No. F. 1-7/97/NVS(SHR)/Admn/ Posting/ 5903

Date: 20 18.11.97  
REGD POST

To,

Krishna Triparhi,  
Vill+ P.O. Sipah, (Doharighat),  
Distt. Mau (U.P). Pin- 275303.

Sub: Appointment to the post of PGT/ 161 PGT(Maths)

Sir/ Madam,

On the recommendation of the Selection Committee, I am directed to offer the temporary post of PGT(Maths) in Navodaya Vidyalaya Samiti, on the following terms and conditions. ✓

i) The Scale of pay attached to the post is Rs. 1640-60-2600-EB-75-2900.

Your initial pay in the scale will be fixed in accordance with the normal rules and you will also in addition be for usual allowances admissible under the rules and orders in force from time to time.

ii) You will be on probation for a period of two years from the date of appointment which may be extended at the discretion of the competent authority. Failure to complete the period of probation to the satisfaction of the competent authority will render you liable to discharge from service. ||

iii) You will not be entitled to any travelling allowance for joining the appointment.

iv) Your appointment will be subject to your being found medically fit by the competent authority for appointment to the aforesaid post. This offer of appointment is liable to be cancelled if you are not found medically fit. You are, therefore, advised to bring your medical certificate of fitness from the Civil Surgeon in the enclosed proforma.

v) If the candidate is women, she should certify that she is not in the family way at the time of acceptance of the appointment. If however, she is pregnant of twelve weeks standing or more at the time acceptance of appointment as a result of medical test, she will be declared temporarily unfit and the offer would be held in abeyance until her confinement is over. She would be medically re-examined and declared fit six weeks after the date of delivery and her appointment would be subject to production of medical fitness certificate from a Civil Surgeon. She would indicate when her delivery ~~xxxxxxxxxxxxxxxx~~ is expected and also should indicate the date of delivery soon after it takes place. In case, the candidate fails to comply with these instructions, her candidature would not be considered and further correspondence will be entertained in this regard from her. On production of medical fitness certificate she will be to the same post.

vi) On appointment you will be required to take on oath of allegiance to the constitution of India or make solemn affirmation to that effect in the enclosed proforma from her. On production of medical fitness certificate she will be appointed to the same post.

Contd..2..

*Certified  
Ajay Talukder  
(Add)  
14/2*

- vi) On appointment you will be required to take an oath of alligance to the constitution of India or make solemn affirmation to that effect in the enclosed proforma.
- vii) The appointment will be further subject to the submission of a marital declaration in the form enclosed and in the event of your having more than one spouse living, the appointment will be subject to your being exempted from the enforcement of the requirement in this behalf.
- viii) You shall declare your Home Town within a period of six months of your joining the duty in Navodaya Vidyalaya Samiti.
- ix) Other conditions of service would be governed by the relevant rules and orders in force from time to time in the Samiti.
- x) You shall produce the following certificates in original alongwith attested copy of each to the Principal at the time of joining.
  - a) Degree/ Diploma Certificate of educational qualifications.
  - b) Secondary School/ SSLC Certificate issued by the Board giving your date of birth.
  - c) Discharge Certificate, in the prescribed proforma of previous Government appointment, if any.
  - d) Scheduled Caste/ Scheduled Tribe Certificate, if applicable.
  - e) Medical Certificate of fitness from the Civil Surgeon.
- xi) If any declaration given or information furnished by you proves to be false or if you are found to have wilfully suppressed any material information, you will be liable to removal from service and to such other as Samiti may deem necessary.
- xii) ~~The appointment is on probation, and purely on temporary basis hence it can be terminated at any time from either side by giving a month's notice or a month's pay in lieu thereof.~~

xiii) ~~In case you accept~~, the offer, on the terms & conditions contained in this letter, you may report to the Principal, Navodaya Vidyalaya R.K. Nagar. Dist: Karimganj State Cachar. positively on 10.12.97 for proceeding further for an Induction Course at . You will be paid necessary advance by the concerned Principal to meet your TA/DA requirements. During training you will be ~~restricted~~ provided free boarding & Lodging and therefore, your DA will be restricted to 1/4 of the admissible DA amount for that period, as per rules.

xiv) In case you do not continue in the employment of the Samiti for a period of two years after the completion of Induction Course, you will have to refund entire expenditure incurred on you on training by the Samiti.

xv) If you accept the offer on the above terms & conditions, you should communicate your acceptance through your Employer, if any so as to reach the undersigned latest by 01.12.97

Yours faithfully  
 ( D.C. MISHRA )  
 DEPUTY DIRECTOR.

- Copy forwarded to :-
- 1. The District Magistrate & Chairman, VMC R.K. Nagar, Karimganj, Cachar.
  - 2. The Principal, JNV, R.K.Nagar, Karimganj
  - 3. the date of joining of the person concerned.
  - 4. Personal file concerned. 4. Office Copy.

Deputy Director  
 Navodaya Vidyalaya Samiti  
 Ministry of Human Resource Development  
 Regional Office, Shillong- 793 001.  
 ( D.C. MISHRA )  
 DEPUTY DIRECTOR.

*Certified  
 As correct  
 Adm  
 14/12*

Telephone 9468001 (7 Lines)

तार : 'नवसम'

Gram : 'NAVSAM'

नवोदय विद्यालय समिति



NAVODAYA VIDYALAYA SAMITI

(An Autonomous Organisation of Ministry of  
Human Resource Development  
Department of Education)

A-39, KAILASH COLONY, NEW DELHI-110048

(मानव संसाधन विकास मंत्रालय, शिक्षा विभाग  
का एक स्वायत्त संस्थान)

ए-39, कैलाश कालोनी, नई दिल्ली-110048

संख्या

No. F.2-7/97-98/NVS.(Trg.)

दिनांक

Dated 24th Feb. '98

To,

SH KRISHNA TRIPATHI ✓

Pbit (DRTNS)

JNV, KARIMGANJ

ASSAM-

Sub:- Orientation Course for Newly recruited PGTs and for those RMTs who have not attended any Training Course during the last 4 years.

Sir,

With reference to the above mentioned subject, I am to inform you that the Samiti is going to organise Orientation Courses for newly recruited PGTs & for those who have not attended any course during last four years, with the aim at updating their knowledge to deal with XIth and XIIth class students for effective teaching in different subjects and to bring them up to desired standard as per requirement of CBSE.

Since a large number of concepts have now been changed, therefore, updating of knowledge of the PGTs is felt very necessary which is done through Orientation Courses.

Orientation Courses for PGTs will be organised in Collaboration with NCERT - sometimes during the month of May & June, however the exact schedule and the venue will be communicated to you in due course of time.

Meanwhile, I am directed to request you kindly to go through the syllabus of Sec. & Sr. Sec. Classes thoroughly and identify the difficult areas, if any, on which you would like deliberation/discussion at length during the Orientation Course for the enrichment of your knowledge. The difficult areas/topics so identified may be enlisted prioritywise in the enclosed proforma which may be mailed to the undersigned by name at the earliest possible/within week's time, so that the course design may be prepared accordingly and the resource persons are informed thereof.

Orientation Course organised by the Samiti are the rare opportunities to the teachers which help them in their professional growth and development. It is, therefore, your presence in the Course is absolute necessity and under no circumstances you will be permitted to be absent in the Course.

Certified

*[Signature]*  
14/2

Participants are entitled for TA/DA for attending the Course as per Samiti's Rule.

Yours faithfully,

( NIRANJANA SINGH )  
DY. DIRECTOR (TRG.)

Copy for information to the :-

1. The Principal of the concerned Vidyalaya with the request kindly to expedite the above mentioned information without any delay.
2. The Deputy Director, NVS, all ROs.

1  
DY. DIRECTOR (TRG.)

*Centred  
As per  
(Sd/-)  
14/2*

24  
ANNEXURE - VI

98

30  
29

आप  
Telephone 6468001 (7 Lines)

सं.सं. : 'नावसम'  
Gram : 'NAVSAM'

**नवोदय विद्यालय समिति**  
(मानव संसाधन विकास मंत्रालय, शिक्षा विभाग  
का एक स्वायत्त संस्थान)  
ए-39, कैलाश कॉलोनी, नई दिल्ली-110048



**NAVODAYA VIDYALAYA SAMITI**  
(An Autonomous Organisation of Ministry  
Human Resource Development  
Department of Education)  
A-39, KAILASH COLONY, NEW DELHI-110 048

संख्या  
No. F.2-7/97-98/NVS(Trg.)

दिनांक  
Dated 7th April, 1998

*Mr. K. Tripathi*  
*To attend the course (Compulsory)*

Sub:- ORIENTATION COURSE FOR NEWLY RECRUITED PGTs AND FOR THOSE PGTs WHO HAVE NOT ATTENDED ANY ORIENTATION COURSE DURING LAST FOUR YEARS.

Sir/Madam,

Kindly refer to this office letter No.2-7/97-98/NVS(Trg.) dt. 24.2.98 on the above mentioned subject, it is now decided that the Orientation Course for PGTs Hindi/Eng/PHY/CHEM/MATHS will be conducted at NCERT w.e.f 15/6/98 to 29/6/98. In this connection I am directed to say that you are required to reach NIE Guest House of the NCERT, Sri Aurbindo Marg, New Delhi, positively by 14/6/98 afternoon. As already intimated, you may kindly go through the syllabus of Secondary and Senior Sec. Classes thoroughly and the difficult areas, if any, on which you feel discussion at length may immediately be intimated to the undersigned. Kindly see that you come prepared for attending the Orientation Course for maximum benefit from the Resource Persons.

Kindly note that the orientation Course organised by NCERT are the rare opportunities <sup>which</sup> help the teachers tremendously in their professional growth and development. It is, therefore, your presence in the course is absolute necessity and in no circumstances you will be permitted absent in the course. You are entitled for TA/DA for attending the course as per Samiti's Rule.

*Tosh. Kristina Tripathi*  
*PAT Maltis*  
*JNU Karimganj (Assam)*

Yours faithfully,  
(NIRANJAN SINGH)  
DEPUTY DIRECTOR (TRG.)

Copy for information to:-

1. Principal of the concerned Vidyalaya with the request kindly to relieve the teacher concerned well in time so that he may reach venue a day advance of the commencement of the course.
2. Deputy Director, NVS, All Regional Offices.

*(Signature)*  
Deputy Director (Trg.)

NAVODAYA VIDYALAYA  
KAILASH COLONY, NEW DELHI  
KARIMGANJ  
Office Staff  
Principal

*Certified*  
*Aj. Tare*  
*(A.O.)*  
*14/2*

## Annexure VII

A committee of the following teachers is formed to enquire and submit the report by 27.11.98.

1. Sri R.P.Misra, PGT (His)
  2. Sri S.K.Singh PGT (Chem)
  3. Mrs. K.Tripathi PGT (Math)
- & House Mistress

Sd/- 23.12.98

To

The Principal

J.N.V. R.K.Nagar, Karimganj (Assam)

Sub : Regarding the contemptuous incident that occurred in the midnight hours on 22.11.98 and request on initiating strong disciplinary action against the accused.

Ref. The written statements of the girl students of class IX to XII and acceptance of the accused.

Sir,

With reference to the subject cited above and as per the statement furnished by the girl students of classes IX to XII regarding the contemptuous incident that occurred in the midnight hours in the campus on 22.11.98, in which Mrs. Ferdouse & Master Kalyan Biswas of class XII Sc. are involved in absolutely serious and demands strict disciplinary action against the accused. According to the verbal & written statements of the girl students and the acceptance of Shamima Ferdouse, copies of which are enclosed herewith this letter, the conduct of both the <sup>accused</sup> ~~alleged~~ students & absolutely against the norms of Vidyalaya and is a blot on the eastern and reputation of the Vidyalaya.

Certified  
Ajay Taluk  
(A.S.)  
14/2

Being a house mistress and a lady, it is really very shocking for me and for whole of the Vidyalaya family seeing the gravity of the offence, it is my fervent request to you to initiate strong disciplinary action against the accused to avoid any such type of misbehaving in future in the Vidyalaya. For the welfare of the Vidyalaya the accused students should be expelled immediately, failing which I will not be responsible for such type of occurrence in future.

This is for your kind information and immediate disciplinary action from your end.

Thanking you,

Yours faithfully,

Krishna Tripathi  
(Smt. K. Tripathi)

H/M. Lanni Bai House (Senior)  
J.N.V.R.E. Nagar Krk. Assam.

Place: R.K. Nagar  
Date 23.11.98

Certified  
As per  
(Adh)  
4/2

27

-24-

ANNEXURE - VIII

41  
300

Mrs. K. Tripathy  
PGT (Maths)  
for information

K. S. P. L. S.

OFFICE OF THE PRINCIPAL  
JAWAHAR NAVODAYA VIDYALAYA, RAMKRISHNA NAGAR,  
KARIMGANJ, ASSAM.

Ref.No.F. 2-38/JNVRK/'98/1049-50

Date: 17.12.98

To

The Principal,  
Jawahar Navodaya Vidyalaya  
Pailapool, Silchar.

Sub: Recovery due from Mrs. Krishna Tripathi, PGT(Maths).

Sir,

An amount of Rs. 16,150/- (Sixteen thousand one hundred fifty only) stands recoverable from Mrs. Krishna Tripathi PGT(Maths) for the following shortage of furniture items which were under her charge during her tenure at J.N.V. R.K. Nagar, Karimganj.

Sl.No.	Name of items	Quantity	Rate	Total cost
01	Bench & Desk	10	1450/-	14,500/-
02	Dual Desk & Bench	01	1650/-	1,650/-
Total.				16,150/-

Yours faithfully,

Sd/-

( R. A. SINGH )

Principal,

Jawahar Navodaya Vidyalaya  
Ramkrishna Nagar, Karimganj,  
Assam.

Copy to :-

1. Mrs. Krishna Tripathi, PGT(Maths) for information & Necessary action.
2. Personal File.
3. Office copy.

( R. A. SINGH )  
PRINCIPAL.

Mr. P. Barish  
for O.A.

24/12/98

EEE

Certified  
by  
14/2

नवोदय विद्यालय

Jawahar Navodaya Vidyalaya

Pailapool, Cachar Assam



JAWAHAR NAVODAYA VIDYALAYA

(Ministry of Human Resource Development,  
Deptt. of Education Govt. of India.)

Pailapool, Cachar Assam, pin- 788 098

पत्रांक / Ref. F.6.2/JNVP/98/4619.

दिनांक / Date 19.2.99

OFFICE ORDER

Ref.No.3(1)/NVS/(SHR)/Execution/7666 Dated:7.12.98

I view of the construction of temporary Staff Quarters (with three partitions) the following members are instructed to collect the Quotations Minimum 3 Nos from the local market for purchasing the raw materials as per given in the list available in our office,

They are requested to look after the construction work also. Mr.P.Baishya LDC will help the committee to complete the work with in Budget of Rs.58,000/- only.

The construction work must be completed before 25.3.99.

1. Mrs. Krishan Tripathi, I/c PGT Maths.
2. Mr. Sudhir Kumar TGT English
3. Mr. V.K.Pandey, TGT Hindi
4. Mr. E.A.Shimrah, PET

(V.R. Yadav)  
Principal,  
Jawahar Navodaya Vidyalaya,  
Pailapool, Cachar Assam

Copy to :-

1. The concern staff.
2. Office file.

(V.R. Yadav)  
Principal,  
Jawahar Navodaya Vidyalaya,  
Pailapool, Cachar Assam

\*\*\*\*\*

Copies  
Sujit Kumar  
1/2

ANNEXURE - X - 26 -

OFFICE OF THE PRINCIPAL JAWAHAR NAVODAYA VIDYALAYA, PAILAPOOL.

F.NO.3.8/pf/kt/99/4892

Dated.10.4.99.

OFFICE ORDER

In pursuance of letter No 1/PF/KT/97/NVS(SHR)/9159 Dated.31.3.99. of Deputy Director NVS Regional Office Shillong, Mrs. Krishna Tripathi PGT(Maths) is Directed to submit her certificates/Degree in originals in the office before 20-4-99 for onwards submission to Dy. Director NVS Regional Office Shillong.

( V.R.Yadav )

Principal, JNV, Pailapool  
Cachar. Principal  
Jawahar Navodaya Vidyalaya  
Pailapool, Cachar, Assam-788095

Copy for information

- 1) To The Deputy Director NVS Regional Office Shillong.
- 2) P.F.Concerned.
- 3) Person Concernes.
- 4. Office File.

( V.R. Yadav ) 10/4/99

Principal, JNV, Pailapool  
Cachar. Principal  
Jawahar Navodaya Vidyalaya.  
Pailapool, Cachar, Assam-788095

\*\*\*\*\*

*Copy for  
Jy. Taluk  
14/4*

30  
44  
ANNEXURE-XI

HANOVAYA VIDYALAYA SAMITTE . REGIONAL OFFICE : SHILLONG

PHONE NO : 233361  
233362 (Fax)  
233363.

Regd. Post

Ref.No.F.1=PF/KT/97/NVS(SHO)/391

Dated : 26.04.99.  
4/5

F O R M - IV

Order of Termination of service issued under the Proviso to sub-rule (1) of Rule 5 of Central Civil Services (Temporary Service) Rules, 1965, where the Appointing Authority is the Deputy Director, Navodaya Vidyalaya Samiti, Regional Office, Shillong.

In pursuance of the Proviso to sub-rule(1) of Rule 5 of the Central Civil Services (Temporary Service) Rules, 1965, the Deputy Director hereby terminates forthwith the services of ~~Sri/Smt./Kumar~~ Krishna Tripathi, PGT(Maths) and directs that he/she shall be entitled to claim a sum equivalent to the amount of his/her/ pay plus allowances for the period of notice at the same rates at which he/she was drawing them immediately before the termination of his/her service, or, as the case may be, for the period by which such notice falls short of one month.

Station : NVS, R/O, Shillong.

Date : 26.04.99.

*D. C. Mishra*  
( D. C. MISHRA )  
DEPUTY DIRECTOR.

To, ✓

~~Sri/Smt./Kumar~~ Krishna Tripathi  
PGT(Maths), JNV. Pailapool, Silchar  
(Assam). (-Through Principal)

Copy to :

1. Principal, JNV. Pailapool, Silchar (Cachar).
2. ACR file.

/  
DEPUTY DIRECTOR.

*Copyed  
By Arjun  
14/2*

31  
28  
ANNEXURE XII

25  
XII-288

JAWAHAR NAVODAYA VIDYALAYA : PAILAPOOL : CACHAR : ASSAM :

No.F.3.B/PF/KT/JNVP/99/30ff

Dated:07.6.99

OFFICE ORDER

Consequent upon the letter No.F.1/PF/KT/97/NVS(SHR)/391 dated 26.4.99/4-5 received on 10.5.99 at this end, you are hereby relieved w.e.f. 10.5.99 A/N.

You are hereby made payment of one month salary in lieu of one month notice.

The details of the payment are as under.

- |    |  |               |
|----|--|---------------|
| 1. | salary for 01.5.99 to 10.5.99                    | = Rs.3732.00  |
| 2. | Salary for one month in lieu of one month notice | Rs. 8904.00   |
| 3. | Arrear of D.A. 01.1.99 to 30.4.99                | = Rs. 2680.00 |

-----  
Total : Rs. 15316.00

The Principal JNV, R.K.Nagar Karimganj has requested vide his letter No F.2-38/JNVRK/98/1049-50 dt.17.2.98 to recover the amount of Rs.15150/- (Rs.Sixteen thousand one hundred fifty )only.

Your above refered salary is forfeited against the recovery and you are requested to deposit the balance amount of Rs.834.00 (Rs.Eight hundred thirty four) only in this office before 30.6.99.

*V.R.Yadav* 7/6/99  
(V.R.Yadav)  
Principal,  
JNVP, Pailapool,  
Cachar, Assam

Copy for information please.

1. The Deputy Director, NVS, R.O. Shillong -3.
2. The Principal, JNV, R.K.Nagar, Karimganj, Assam.
3. Personal file.
4. Office file.
5. Mrs. Krishna Tripathi, PGT Maths.

*V.R.Yadav* 7/6/99  
(V.R.Yadav)  
Principal,  
JNV, Pailapool,  
Cachar, Assam.

Principal  
Jawahar Navodaya Vidyalaya  
Pailapool, Cachar, Assam-788091

\*\*\*\*\*

*Certified  
As true  
10/12*

ANNEXURE XIII

FORM NO. 4

(See Rule 42)

**In The Central Administrative Tribunal**

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO. 205


OF 1999

Applicant(s) Mrs. Krishna Tripathi

Respondent(s) Union of India &amp; Ors.

Advocate for Applicant(s) Mr. A.K. Goswami  
Ms. A. Talukdar


Advocate for Respondent(s) C.G.S.C.

Notes of the Registry	Date	Order of the Tribunal
	5-7-99	<p>Present: Hon'ble Mr. Justice D.N. Baruah Vice-Chairman and Hon'ble Mr. G.L. Sanglyine Administrative Member</p> <p>This application has been filed to set aside the Annexure XI order dated 26-4-99, terminating of service of the applicant under the provision of Central Civil Services (Temporary service) rules 1965. The applicant being aggrieved by the order submitted a representation dated 14-6-99 before the Director of Novodaya Vidyalaya Samiti. The representation has not yet been disposed of. This representation was filed only little more than 2 weeks before filing of this application. The applicant without waiting for disposal of the representation has approached this Tribunal. Normally, the applicant should await 6 months. We feel that he may come only after expiry of</p>

contd/-

*Copyed  
Aggrieved  
(Addy)*

1/12

Notes of the Registry	Date	Order of the Tribunal
	5-7-99	<p>6 months period. In view of the above we cannot entertain this application. Application is accordingly, dismissed as premature. We however direct the Director of Navodaya Vidyalaya Samiti to dispose of the application as early as possible. The applicant may also approach the authority for early disposal of the representation.</p> <p>Mr. A.K. Goswami learned counsel for the applicant prays for interim order and submits that the post may not be filled up by any adhoc/temporary employee. The applicant may request the authority in this regard. No costs.</p>

SU/- VICE-CHAIRMAN  
 SU/- MEMBER (A)

**TRUE COPY**

प्रतिलिपि

*N. Sanyal*  
 20/7/99

Section Officer (J)  
 अनुमान अधिकारी (न्यायिक शाखा)  
 Central Administrative Tribunal  
 केन्द्रीय प्रशासनिक अधिकरण  
 Guwahati Bench, Guwahati-8  
 गवाहाटी बेंच, गुवाहाटी-8

*H.S. 20/7*

*Certified  
 Any (date)  
 (date)  
 14/2*

Fx 6460159

Gram : Navsam  
Novodaya Vidyalaya Samiti  
(An autonomous Organisation of Ministry of Human Resource Development  
Department of Education  
A-39, Kailash Colony, New Delhi 110048

No. F.No. 2-47/99-NVS(Estt)

Dated 10.12.99

Regd Post.

Memorandum

With reference to her representation dated 14th June '99 and in pursuance of the directions dated 5th July '99 given by the CAT Guwahati on the application No. 205 filed by her against the termination order dated 4th May '99 issued by the Regional Dy. Director of the Samiti at Shillong, Smt. Krishna Tripathi, ex-PGT(Maths) of JNV Silchar in Assam is, hereby informed that her case was considered carefully taking all aspects into consideration by the competent authority and not been agreed to her request for setting aside the impugned termination order keeping in view her work, conduct and performances reflected in her ACRs, SPRs and Panel Inspection Reports, which confirms that she was not competent enough to hold the post of teacher in Novodaya Vidyalaya. Her representation, therefore is rejected with no relief.

This issues with the approval by the Director NVS.

(V. Rama Rao  
Smt. Krishna Tripathi Joint Director, Admn.  
W/o. Harinath Tripathi  
V & PO Mahammadabad Sipah  
Daurighat  
Dist. Mau(UP) 275303

Certified  
Ajay Talwar  
12/12

ACR  
SPR  
panel Insr

Filed by:  
Bimal Chandra Dth  
Advocate  
25.1.2001. 49

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: GUWAHATI BENCH ::  
GUWAHATI

ORIGINAL APPLICATION NO. 62/2000

Smti. Krishna Tripathi ..... Applicant.  
- Versus -  
Union of India & Ors. ... Respondents.

The Written Statement filed on behalf of the  
Respondents No. 4, 5 and 6 :-

- 1) That all the averments and submissions made in the Original Application are denied by the answering respondents save what has been specifically admitted herein and what appears from the records of the case.
- 2) That save and except those which are matters of records of the case all the averments made in paragraphs 4(a), 4(b), 4(c), 4(d) and 4(e) of the Original Application ( hereinafter referred to as the O.A. ) are denied by the answering Respondents. Initially by Order dated 9.9.96 the applicant was appointed as TGT Maths on contract basis. Thereafter vide order dated 20.11.97 the applicant was offered the temporary post of PGT (Maths) on terms and conditions mentioned in the said order dated 20.11.97. One of the condition was that the applicant will be on probation for a period of two years and failure to complete the period of probation to the satisfaction of the competent authority will render the applicant liable to discharge from service.

2.

3) That with regard to the statement made in paragraph 4 (f) of the Original Application it is denied that due to the applicant's sincerity in duty the results of the students in Mathematics was 97%. As a matter of fact the achievement of 97.2% result in Mathematics subject of Class - X Board Examination, 1998 was due to the best effort of the Applicant's predecessor who had completed the syllabus by the time the applicant had joined her duty. During the Academic year 1998-99 the Applicant was teaching Mathematics in JNV, R.K. Nagar from the beginning of the academic year till 3.12.1998 and the result in Mathematics subject was only 70 % whereas in English, Hindi, Science and Social Studies it was 94%, 100%, 100% and 94 % respectively. It is due to her bad performance. That 10 out of 33 students failed in Mathematics subject in the Board Examination and as a result Vidyalaya achieved only 67% result, causing bad image in successive years. Had the applicant been little efficient and sincere the result would have been 94%.

4) That save and except those which are matters of records of the case all the averments made in paragraph 4(g), 4(h) and 4(i) of the Original Application are denied by the answering respondents.

5) That the statement made in paragraph 4.j of the O.A. the applicant continued to render services at JNV, Silchar to the satisfaction of all concerned is emphatically denied by the answering respondents. As pointed out above

contd....

3.

the performance of the Applicant during the period of her probation had never been satisfactory. The contention that the applicant earned trust and confidence of the school authority and for which she was chosen to look after the construction work is absolutely misconceived, in as much as, the same is not relevant for deciding the issues involved in the instant case.

6) That save and except those which are matters of records of the case all the averments made in paragraphs 4.k of the O.A. are denied by the answering respondents.

7) That with regard to the statement made in paragraphs 4.l and 4.m of the Original Application the answering respondents beg to state that the performance of the applicant was assessed by the duly constituted Departmental Promotion Committee ( DPC ) for declaration of result of probation based on the probation report and ACR. The DPC had recommended to terminate the service of the applicant with immediate effect under proviso to Sub Rule (1) of Rule 5 of the Central Civil Services ( Temporary Services ) Rules, 1965 and according to the terms and conditions of the appointment order dated 20.11.1997.

A copy of the Probation Report including the remark of the DPC is annexed hereto and is marked as Annexure - I Series.

8) That save and except those which are matters

contd....

4.

of records of the case all the averments made in paragraph 4.n, 4.o, 4.p and 4.q of the Original Application are denied by the answering respondents. The temporary services of the applicant was terminated , as noted above, on the basis of recommendation of the D.P.C. The impugned action is based on bonafide exercise of power and no element of arbitrariness is invoked as alleged by the applicant.

9) That with regard to the statement made in paragraph 4.r of the Original Application the answering respondents state that part time appointments were made keeping in view ~~of~~ the interest of the students.

10) That the grounds taken in the Original Application in paragraph 5 are no grounds in the eye of law and, as such, the O.A. is liable to be dismissed with cost. At the outset it may be pointed out that the impugned action has been taken in public interest keeping in view relevant consideration. The remark of the D.P.C. are very serious. It has been observed that the applicant is very poor academically and that she is incapable of handling plus two level students. Even after shifting to Class X, she miserably failed to satisfy the academic requirements of the students. Both the Principals under whom the applicant worked had given adverse remarks and the same have been endorsed by the Reviewing Officers. Therefore, the D.P.C. recommended for termination of services of the applicant. It would thus appear that there is no illegality,

contd....

irrationality and/or procedural impropriety in the decision making process. Needless to say that this Hon'ble Tribunal is not sitting in appeal to substitute the views of the D.P.C. Therefore, the Original Application is liable to be dismissed with cost.

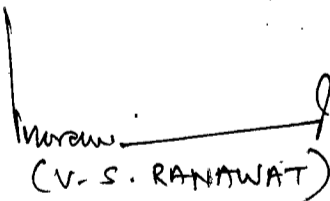
11) That under the facts and circumstances stated above, it is respectfully submitted that the challenge in the Original Application is devoid of any merit and the same is liable to be dismissed with cost.

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

I, Shri Vikram Singh Ranawat, presently working as In-charge Deputy Director, Navodaya Vidyalaya Samiti, Regional Office, Shillong do hereby verify that the statement made in paragraphs 1, 3, 5, 9 and 10 of the Written Statement are true to my knowledge and those made in paragraphs 2, 4, 6, 7, 8 and 8 being matters of records of the case are true to my information derived therefrom which I believe to be true and those made in paragraph 11 is based on legal advise. I have not suppressed any material fact.

Date : 16<sup>th</sup> Jan. 2001

Place : Guwahati.

  
(V. S. RANAWAT)  
SIGNATURE

ASSESSMENT REPORT ON PROBATIONARY TEACHING STAFF  
( INCLUDING PRINCIPAL ) OF NAVODAYA VIDYALAYAS.

ANNEXURE - I Series

## INSTRUCTION READ CAREFULLY:

Each Officer's ability and fitness in his PRESENT occupation or for promotion may be appraised with a reasonable degree of accuracy and uniformity, through this report. The assessment requires the appraisal of an Officer in terms of his ACTUAL PERFORMANCE. It is essential therefore that snap judgement be replaced by careful analysis as you are building up administrative leaders of tomorrow.

Please follow these instructions carefully:-

1. Disregard your general impression of the officer and concentrate on one factor at a time.
2. Study carefully the implications of each factor.
3. When assessing an officer, call to mind instances that are typical of his work and way of acting. Do not be influenced by UNUSUAL CASES which are not typical.
4. Make your assessment with the utmost care and thought. DO NOT ALLOW PERSONAL FEELINGS TO GOVERN YOUR ASSESSMENT.
5. After you have given your assessment for each factor, please sum up your general views about the officer indicating in it any additional factors particularly those related to his INTEGRITY and ability to correct himself if his faults are pointed out to him.

\*\*\*\*\*

## PART - I

## PERSONAL DATA.

(To be filled by Office )

- |  |                            |
|--|----------------------------|
| 1. Name of Probationer   | : Smt. KRISHNA TRIPATHI    |
| 2. Date of Birth   | : 11-5-1964.               |
| 3. Educational Qualification   | : B.Sc, Acharya, BEd.      |
| 4. Date of appointment as Probationer  | : 4.12.1997                |
| 5. Date on which the probationary period will be/was completed                           | : 3.12.1999                |
| 6. Details of extensions of probation, if any  | : NIL                      |
| 7. Vidyalaya(s) in which employed during the year  | : JNU, PAILAPOOL, SILCHAR. |
| 8. Period of absence from duty on leave, etc. during the year                            | : —                        |
| 9. Details of in-service training course/workshops attended during the deputation period | : —                        |
| 10. Total experience prior to appointment on probation.                                  | : —                        |

Contd/- page-2.

	Performance Grade.					
	Performance factors.	Exceed requirements of this job.	Meets fully requirements of this job.	Just meets requirements of this job.	Partially meets requirements of this job.	Does not meet requirements of this job.
	(1)	(2)	(3)	(4)	(5)	(6)
<b>I. MENTAL CAPACITY</b>						
1. Efforts made to acquire knowledge relevant to job.						✓
2. Analytical ability.						✓
3. Power of Grasp.						✓
4. Spirit of enquiry.						✓
5. Power of expression.						✓
(a) Oral						✓
(b) Written						✓
6. Sense of responsibility.						✓
7. Ability to participate in discussions and seminars.					✓	
<b>II. WORK HABITS AND ATTITUDES.</b>						
1. Aptitude					✓	
2. Interest in work					✓	
3. Promptness					✓	
4. Initiative						✓
5. Originality						✓
6. Self-reliance						✓
7. Manner of performance (whether methodical & orderly).					✓	
8. Thoroughness						✓
9. Punctuality						✓
10. Resourcefulness					✓	
<b>III. STABILITY</b>						
1. Poise				✓		
2. Fairness				✓		
3. Dependability					✓	

Performance factors	Exceed requirements of this job	Meets fully requirements of this job	Just meets requirements of this job	Partially meets requirements of this job	Does not meet requirements of this job
<b>IV. ABILITY TO GET ALONG</b>					
1. Tact				✓	
2. Dealing with:					
a) Subordinate			✓		
b) Fellow officials			✓		
c) Superiors			✓		
3. Public			✓		
4. Ability to inspire others.				✓	
<b>V. ABILITY TO MANAGE</b>					
1. Quality to judge					✓ ✓
a) Decision making					✓
b) Ability to plan and programme.					✓
c) Direction and control.					✓
2. Ability to evaluate the work of individuals subject or themes.					✓
<b>VI. PHYSICAL FITNESS</b>					
1. State of health, sportsmanship etc.		✓	✓		

COMMENTS.

General appraisal of the Officer's good and had qualities in narrative form particularly those related to his integrity and ability to correct himself if his faults are pointed out to him.

Decision if any taken regarding fitness for drawing 1st/2nd increments. (where applicable)

*Not capable to teach in English medium. Lack of knowledge in maths. Not capable to teach in senior secondary or secondary level.*

N/A

Signature :-

Designation :-

Date :-

*Hyndan*  
 16/4/99  
 Principal  
 P. S. School  
 Co. Sec. Area-788098

REMARKS OF THE DEPARTMENTAL PROMOTION COMMITTEE.

(To be filled by the committee when case is referred to it)

Recommendation whether the probationer :-

i) Is fit for retention/confirmation

OR

ii) Should be watched for a further period

(here list what improvements are required in the probationer any specify the period for which he is to be watched further )

OR

iii) Should be discharged from Government service (here give reasons for recommending this course of action ).

SIGNATURE OF THE  
CHAIRMAN OF THE  
DEPARTMENTAL PROMOTION  
COMMITTEE.

00000

PART III

REMARKS OF THE DEPARTMENTAL PROMOTION COMMITTEE

(To be filled by the Committee when case is referred to it)

Name of the Candidate: Smt Krishna Tripathi  
P. G T.

i. Recommendation whether the probationer is fit for retention/confirmation :

OR

ii. Should be watched for a further period (here list what improvements are required in the probationer and specify the period for which he is to be watched further.

The teacher is academically v. poor - ~~shorter~~ in capability to handle plus two level students. She was shifted to a smaller school up to class X where again she

OR

iii. Should be discharged from Government service (Here give reasons for recommending this course of action)

failed normally to satisfy the children academically. Both the principals under whom she has worked have given adverse remarks and the same have been endorsed by the reviewing officer also recommended for the termination of service.

1. Signature of I Member.

2. Signature of II Member.

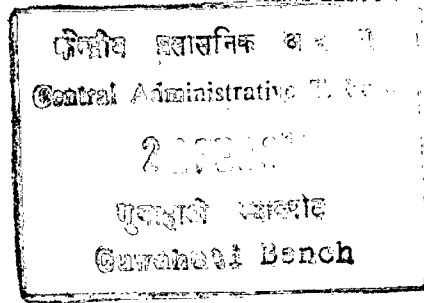
Mona  
24/4/88

3. Signature of III Member.

Dewendra

SIGNATURE OF THE Smt Krishna Tripathi  
CHAIRMAN OF THE DEPARTMENTAL  
PROMOTION COMMITTEE.

\*\*\*\*\*



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL; ADDITIONAL BENCH;  
GUWAHATI

O.A. No. 62/2000

Mrs Krishna Tripathi

... Applicant.

-Versus-

Union of India & ors.

... Respondents.

A Reply by the applicant to the  
Written Statement filed by  
Respondent Nos. 4, 5 and 6.

1. That all statements and contentions made in the  
Written Statement which are not specifically admitted here-  
inbelow and those which are contrary to the record shall be  
deemed to have been denied by me.

2. That with reference to the statements made in  
paragraph 1 of the Written Statement, the applicant reiter-  
ates and reaffirms statements made in paragraphs 4(a) to (e)  
of the application.

3. That the statements made in paragraph 2 of the  
Written Statement are admitted.

Filed by:-

Krishna Tripathi  
Through: Raju Talukder, Advocate, 22/02/01

Krishna Tripathi

Krishna Sripathi  
Krishna Sripathi

4. That allegations made against the applicant in paragraph 3 of the Written Statement are denied as false and baseless. It is stated that the role of the subject teacher in the crucial months prior to the examination cannot be over emphasised and as such the applicant's efforts had certainly contributed to the achievement of 97.2% result in Mathematics in the Board Examination. It is relevant to point out that upto 4.12.98 is the academic year 1998-99, the applicant had taught mathematics in Class XII and in the Board Examination of 1999 for Class XII, the result was 100% in mathematics. The respondents have not disclosed this material fact to portray a negative and incorrect picture of the applicant. It is stated the code for mathematics is 041.

A copy of the result sheet of the Class XII Board Examination of 1999 is annexed hereto and is marked as Annexure:A.

5. That with reference to statements made in paragraph 4 of the Written Statement, the applicant reiterates and reaffirms statements made in paragraphs 4 (g) to (i) of the application.

6. That the statements and allegations made in paragraph 5 of the Written Statement are not correct and the

47

61

Xoishma Jipathi

same are hereby denied. It is stated that at no point of time were there any complaints against the applicant or indication of dissatisfaction with her work. That apart, the fact that the applicant was entrusted with the responsible task of looking after the construction work of temporary staff quarters is a clear indication of the confidence reposed in the applicant and denial of the same in the Written Statement is only made for the purpose of the case.

7. That with reference to the statements made in paragraph 6 of the Written Statement, ~~the paragraph 6 of the Written Statement~~, the applicant reiterates and reaffirms statements made in paragraph 4(k) of the application.

8. That with regard to the statements made in paragraphs 7, 8 and 10 of the Written Statement, I state that the applicant's probationary period was not even over when the DPC made the recommendation. It is also relevant to state that the applicant was never at any prior point of time informed about any inadequacy. The applicant was also made Principal-in-Charge after 16.4.99. The finding that the teacher is academically very poor is absolutely incorrect. The petitioner has a uniformly good academic career. The applicant passed the High School Final examination with 65.6% marks,; Class XII with 53%; B.Sc. with <sup>58.11%</sup>~~58%~~; M.Sc. with 62.4% in Mathematics. The applicant had also obtained B. Ed.

degree. The applicant states that there is no basis for making the observation by the Departmental Promotion Committee. The so-called adverse remarks had never been communicated to the applicant and as such the same cannot be taken into consideration for making any appraisal. The applicant further states that the order of termination has been passed without affording any opportunity to the application on irrelevant consideration. It is further stated that at no point of time the applicant was given to understand that she was transferred to JNV Pailapool, Silchar for any alleged deficiency and as such the impugned order of termination is liable to be set aside and quashed.

The applicant craves the indulgence of this Hon'ble Tribunal to produce copies of the mark sheets as Annexure:B series.

9. That with reference to statements made in paragraph 9 of the written statement the applicant reiterates and reaffirms statements made in paragraph 4(r) of the application.

10. That the statements made in paragraph 11 of the Written Statement are not correct and the same are hereby denied. The applicant states that in view of the facts and circumstances of the case, the Hon'ble Tribunal may be pleased to grant the relief as prayed for.

48

62

Krishna Joipathi

49  
63

Krishna Tripathi

i

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

I, Mrs Krishna Tripathi, wife of Sri Hari Nath Tewari, village and Post Office M.S., Sipah (Doharighat) Distict Mau (U.P.) 275303, do hereby verify that the statements made in paragraphs 1 to3, 5, 6, 7, 8 to 10 are true to my knowledge, those made in paragraphs 4 are true to my information and I have not concealed any material facts.

Krishna Tripathi  
Signature.

ANNEXURE - A

SENIOR SCHOOL CERTIFICATE EXAMINATION 1999 GUWAHATI



SCHOOL - 5055 JAWAHAR NAVODAYA VIDYALAYA KARINGANG ASSAM

02-06-99

800  
700

ROLL NO.	NAME OF CANDIDATE	SUBJECT		SUBJECT		SUBJECT		SUBJECT		SUBJECT		SUBJECT		WE PHS GS RSL COMP-SS						
		MRK.	GR. CD.	MRK.	GR. CD.	MRK.	GR. CD.	MRK.	GR. CD.	MRK.	GR. CD.	MRK.	GR. CD.	1	2	3				
3206700	SURESHWAR DEY	301	63	02	041	26	A1	042	59	01	043	52	01	044	92	A1	42	42	A1	PASS
3206701	KIRAN LAL BAISHNAB	301	70	A2	041	33	02	042	60	01	043	69	01	044	65	01	01	02	02	PASS
3206702	CHARINA FERDUSE	301	62	01	041	43	01	042	47	02	043	50	02	044	55	01	01	01	01	PASS
3206703	KALYAN BISWAS	301	71	A2	041	60	02	042	51	02	043	70	01	044	77	01	01	01	02	PASS
3206704	HARSHU HAQUE	301	60	02	041	51	01	042	63	01	043	51	A1	044	72	A2	A2	01	A2	PASS
3206705	A. S. FUJAYEL AHMED	301	72	A2	041	50	A2	042	71	01	043	85	A1	044	72	A2	A2	A2	A2	PASS
3206706	NAFIZURAHMAN	301	59	02	041	54	01	042	60	01	043	61	01	044	73	01	A2	A1	01	PASS
3206707	SURIT DAS	301	61	02	041	52	A1	042	66	02	043	59	01	044	71	02	01	02	01	PASS
3206708	SLABU DAS	301	77	A1	041	84	A1	042	85	A1	043	95	A1	044	86	A1	01	A1	A1	PASS
3206709	SUSHANTA KUMAR DAS	301	67	01	041	67	01	042	63	01	043	79	A2	044	91	A1	01	01	A1	PASS
3206710	PANQJ KUMAR DAS	301	60	02	041	42	01	042	58	02	043	64	02	044	67	01	A1	A1	02	PASS
3206711	SHACANKA SHEKHAR DAS	301	54	01	041	54	01	042	63	01	043	66	02	044	81	A2	02	01	01	PASS
3206712	JADAB CHANDRA DAS	301	48	02	041	53	01	042	50	02	043	62	01	044	69	02	02	A1	02	PASS
3206713	PROSENJIT PAUL																			ABSENT
3206714	SUSHANTA SINHA	301	61	02	041	40	01	042	50	02	043	55	02	044	60	02	A1	02	01	PASS
3206715	ANUPRABHA POY	301	62	02	041	48	02	042	22FT	02	043	53	01	044	69	02	02	01	A2	FAIL
3206716	ASHIM DHAR	301	64	01	041	51	01	042	45	02	043	51	02	044	51	02	A2	01	A2	PASS
3206717	SUNAM SARMA	301	69	A2	041	72	A2	042	55	02	043	53	01	044	56	01	02	A2	A1	PASS
3206718	ABUL QUASIM	301	42	01	041	48	02	042	56	02	043	50	02	044	60	02	A1	A2	01	PASS

300  
800

800  
800

SCHOOL-5055 PASS- 17 FAIL- 1 COMPARTMENT- FAIL IN ADDL-

*Certified to be true copy*  
*Advocate*

800  
800

51

65

1964

2-15-64 B J16222

RECORD

REG. / 1964  
FULL EXAM REGULAR

Sl. No.	Name	Grade	Remarks
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			
40			
41			
42			
43			
44			
45			
46			
47			
48			
49			
50			
51			
52			
53			
54			
55			
56			
57			
58			
59			
60			
61			
62			
63			
64			
65			
66			
67			
68			
69			
70			
71			
72			
73			
74			
75			
76			
77			
78			
79			
80			
81			
82			
83			
84			
85			
86			
87			
88			
89			
90			
91			
92			
93			
94			
95			
96			
97			
98			
99			
100			

100 TOTAL 328  
 80 PASSED  
 100 D FIRST DIV  
 100  
 100

Certified to be true copy  
 [Signature]  
 (Advocate)

के लिए प्रयोग किया जाय।

अंक-पत्र

52

इन्टरमीडिएट परीक्षा, १९८१

उत्तर प्रदेश विद्या परिषद्, उत्तर प्रदेश द्वारा संचालित १९८१ की इन्टरमीडिएट परीक्षा में विद्यार्थियों द्वारा प्राप्त अंकों का विवरण

परीक्षार्थी का नाम कुशा कुमारी

वर्ग एवं क्रमांक

विद्यार्थी का पता निगोवा दण्डर कोलाज सिपाह, उज्जयिनी प्रवर्ग संस्था ०/व्यक्ति ०

1	2	3	प्रश्नपत्रवार प्राप्तांक				5	6	7
			प्रथम	द्वितीय	तृतीय	समा०			
प्रश्नपत्र	१०	२०	२०	२४				४४	सम्पूर्ण प्राप्तांक एवं परीक्षाफल
द्वितीय	१०	१२	१२	२३				४२	
तृतीय	१०	२३	२३	१८	३१			६२	उत्तीर्ण
प्रश्नपत्र का	१०	३२	११	१३	-	२४	२४	४८	द्वितीय
द्वितीय का	१००	२३	१६	१५	-	३२	२६	५६	

अ. प्र. वि. (प. प्र.)

Certified to be correct

Ajaya K. Ka.

29.8.81

प्रधानाचार्य के हस्ताक्षर एवं

प्र. वि. मुहर

# विद्ययालय, गोरखपुर

53-9

कालेज बडहलमंज-गोरखपुर

सूचना

## २०२३ परीक्षा की अङ्क तालिका

नामांकन संख्या.....

बी० एस० सी०-भाग २

प्रभाषित

अभ्यर्थी का नाम.....

प्रसिद्धक  
20/03/23  
प्रसिद्धक कुलसचिव  
गोरखपुर विद्यालय, गोरखपुर

क्र.सं.	विद्यार्थी का नाम	प्राप्त अंक	प्रथम प्रश्न-पत्र	द्वितीय प्रश्न-पत्र	तृतीय प्रश्न-पत्र	योग सिद्धान्त	प्रयोगात्मक	पूर्ण विषय का योग
1	.....	१००	25					
2	.....	१००	३३					
			✓	✓	✓	25		90
			✓	✓	✓	26	38	83
			✓	✓	✓	27	36	77
कुल								254 / 290
बी० एस० सी० भाग १ का योग								269 / 290
बी० एस० सी० भाग एक व दो का योग								523 / 290

पूरक परीक्षा का विषय..... कृपांक.....

हस्ताक्षर प्रधान लिपिक.....

*(Signed) 20/3/23*  
*Ans 10/11/23*  
*(Signature)*

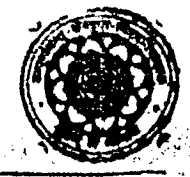
*(Signature)*  
Principal

National College  
Barabanki

सं० 5258

सम्पूर्णानन्द - संस्कृत - विश्वविद्यालयः, वाराणसी

आचार्यपरीक्षालब्धांकपत्रम्, सन् १९६६



अनुमाङ्कः ५१६५५५५ परीक्षायिनाम् कृष्णा त्रिपाठी विषयः गणित  
 स्थानसङ्केतः— स्त्री. स्तन. मेहता आ. सं. म. यी. प्रतापगढ़

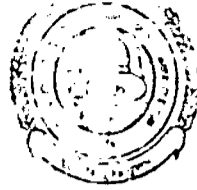
विषयाः	प्रथमखण्ड					द्वितीयखण्ड							परीक्षाक.कम्
	प्रथमपत्रे	द्वितीयपत्रे	तृतीयपत्रे	चतुर्थपत्रे	योगः	प्रथमपत्रे	द्वितीयपत्रे	तृतीयपत्रे	चतुर्थपत्रे	पञ्चमपत्रे	योगः	सम्पूर्णयोगः	
पूर्णाङ्काः	१००	१००	१००	१००	४००	१००	१००	१००	१००	१००	५००	९००	उत्तीर्णः/अनुत्तीर्ण
प्राप्ताङ्काः					२३६	६०	५५	५७	६३	५८	३२३	५६२	श्रेणी I

लेखकस्य हस्ताक्षरम् ..... पर्यवेक्षकस्य हस्ताक्षरम् .....  
 दिनांकः ..... दिनांकः .....  
 उपकुलसचिवः (परिष्कारः)  
 सम्पूर्णानन्द संस्कृत विश्वविद्यालय

- (१) लब्धांकपत्रप्रतिलिपिशुल्कां दत्ता सम्यक्तानि । चतुरस्रदापूर्ध्वं प्रतिलिपिप्राप्तये शुल्कं विशतिलप्यकाणि ।
- (२) कालसूचकपत्रे, विषये, योगे वा उन्मोहजुतीर्णः, तस्य पत्रस्य, विषयस्य, योगस्य वा अङ्काः रेलया भङ्गजीकृताः सन्ति ।

*Certified to be true (as)  
 Ajay Choudhary  
 1966*

55



RESULT-cum-DETAILED MARKS CARD  
Board of Education (One Year Course) Examination,

B.Ed. EXAMINATION JUNE, 1994

KRISHNA KUMARI

VISHWANATH SHUKLA

DETAIL OF MARKS

		Marks obtained	Maximum marks	Minimum pass marks
	(E-11)	40 ✓	100	33
	Theory	57	80	26
	Practical	13	20	7
	(SP13)	23	50	33
	HP14	20	50	33
	(ET 19)	35	100	33
PS01	Theory	37	100	33
	Practical	58	100	33
HT02	Theory	41	100	33
	Practical	58	100	33
	(BB03)	8	20	7
	(A) AJ34	27	40	
	(B) MJ33	16	20	26
	(C) KN36	15	20	
		448	900	360

PASS AND MARKS OBTAINED ARE  
FOUR HUNDRED FORTY EIGHT

DEC. 17, 1994

*Corrected like the 1993  
by result  
(over)*

*Prasad*  
CONTROLLER OF EXAMINATIONS

(For instructions, scheme of ex

of papers overleaf)