

50/100

5

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

✓ (DESTRUCTION OF RECORD RULES, 1990)

396/02

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FORM No. 4  
(See Rule 42)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH: GUWAHATI.

ORDER SHEET

APPLICATION NO.

396/2001

Applicant (S)

Clement Shangma

Respondant (S)

H. V. I. 90M

Advocate for the Applicant:

Abil Shoned

Advocate for the Respondant:

Call.

Notes of the Registry

Date

Order of the Tribunal

1.10.01

This application is in form  
but not in the form of a  
Petition. It is filed vide  
VI P. R. No. 76 C.F.  
for Rs. 50/- deposited vide  
IPO/B. No. 76 548540  
Dated 11.8.2001

Dy. Registrar

mb

NS  
11/10/01

Pl. comply order dated  
1.10.01.

NS

11/10/2001

20.11.01

List on 20/12/01 to enable the  
respondents to file written statement.

Notice filed and sent to  
H/S for filing the Respondent's  
No 1 to 3 by Regd AID.

8/10/01

mb

D/No 3932 to 3934

Dtd 12/10/01

Member

Vice-Chairman

① Service report are still awaited.

20.12.01

List on 22.1.02 to enable the respondents to file written statement.

20  
19.1.01

ICU Shau  
Member

\_\_\_\_\_  
Vice-Chairman

No. written statement has been filed.

mb

22.1.02

List on 19.2.2002 on the prayer of Sri B.C.Pathak, learned Addl. C.G.S.C. to enable him to submit the written statement. State may also file written statement within that period.

20  
19.12.01

No. written statement has been filed.

20  
21.1.02.

ICU Shau  
Member

\_\_\_\_\_  
Vice-Chairman

mb

19.2.02

No written statement so far filed. Mr. B.C.Pathak, learned Addl. C.G.S.C. for the respondents prayed for four weeks time to file written statement. Respondents are allowed further four weeks time to file written statement as a last chance.

No. Wts has been filed.

20  
19.3.02.

List on 20.3.2002 for order.

ICU Shau  
Member

\_\_\_\_\_  
Vice-Chairman

mb

20.3.02

Heard Mr.A.Ahmed learned counsel for the applicant and Mr.B.C.Pathak, learned Addl.C.G.S.C. for the Respondents.

It appears that the applicant joined Nehru Yuva Kendra, Tura in 1973 and superannuated on 31st December 1990. Prior to his joining as Nehru Yuva Kendra the applicant was working as Inspector, Passport/Jail, Meghalaya. Mr.A.Ahmed stated that though the applicant was retired on 1990 he was not paid the Pensionary benefit. Mr.B.C. Pathak, learned Addl.C.G.S.C. has made communication to the respondents No.1 & 2 but did not getting the reply from the Respondents. He also stated that the records of his past service relating to Government of Meghalaya has not been submitted to the

(3)

3

Notes of the Registry

Date

Order of the Tribunal

20.3.02

Government of India for settlement of his pensionary claim. He also stated that the local authority <sup>U office</sup> <sup>has the</sup> Nehru Yuva Kendra Tura, will also <sup>relevant record</sup> make a necessary party. Mr. Ahmed submits that he will add the Nehru Yuva Kendra, Tura as a necessary party of the Respondents List on 24.4.02 for filing of written statement.

Meanwhile, the Respondents may consider to give the provisional pension to the applicant, since the matter is pertaining to retirement in the year 1990.

Notes of the Registry

Date

Order of the Tribunal

23.4.02

lm  
24.4.2002

No written statement so far filed though opportunity was given to the respondents. On the prayer made by ~~Mr.~~ Mr. B.C. Pathak, learned Addl. C.G.S.C. further four weeks time is granted to the respondents to submit written statement.

List the case on 24.5.2002 for order.

Vice-Chairman

24.5.02

No written statement so far filed. The Respondents may file written statement within four weeks from today. List on 21.6.2002 for orders.

Vice-Chairman

Notes of the Registry

Date

20.6.02

21.6.02

No written statement  
has been filed

18.7.02

Order of the Tribunal

lm  
Date

19.7.02

Written statement has not  
been filed. The case may now  
be listed for hearing on 19.7.02  
In the meantime, the respondents  
may file written statement  
before the date of hearing.

K. C. Shah  
Member

Notes of the Registry

Mr. A. Ahmed learned counsel  
for the applicant prays for  
adjournment. Mr. B. C. Pathak,  
learned Addl. C.G.S.C. has no  
objection. Prayer is accepted.  
List on 16.8.02 for hearing.

K. C. Shah  
Member

lm

16.8.2002

Heard counsel for the  
parties. Judgment delivered in  
Open Court, kept in separate sheet  
The application is allowed  
in terms of the order. No order  
as to costs.

K. C. Shah  
Member

MAHARAJ

bb  
Date

Notes of the Registry

Judgment dtd 16/8/02  
Communicated to the  
parties counsel and  
the Applicant & Respondent

30/8/02

Order of the Tribunal

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

O.A./~~XXX~~.No.396/.2001....~~35~~

DATE OF DECISION.16.8.2002.....

Clement Shangma

APPLICANT(S)

Mr.A.Ahmed.

~~XXXXXXXXXXXXXXXXXXXX~~ ADVOCATE FOR THE APPLICANT

-VERSUS-

Union of India & Others

RESPONDENT(S)

Mr.B.C.Pathak, Addl.C.G.SC.

ADVOCATE FOR THE  
RESPONDENT(S)

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

THE HON'BLE

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 Administrative Member.

K U Shan

X

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No.396/2001.

Date of Order : This the 16th Day of August, 2002.

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

Shri Clement Shangma  
Retd. Youth Coordinator  
Nehru Yuba Kendra, Tura  
West Garo Hills  
Meghalaya - 794 002.

. . . . Applicant.

By Advocate Mr. Adil Ahmed.

- Versus -

1. The Union of India represented by  
the Secretary to the Government of India  
Ministry of Human Resources Development  
(Department of Youth Affairs & Sports)  
New Delhi.
2. The Director General  
Nehru Yuba Kendra Sangathan  
Department of Youth Affairs & Sports  
Ministry of Human Resource Development  
Government of India  
J.N. Stadium, New Delhi.
3. The Government of Meghalaya  
Represented by the the Chief Secretary  
Government of Meghalaya  
Shillong.
4. Nehru Yuba Kendra, Tura . . . . Respondents.

O R D E R

SHARMA K.K. (ADMN. MEMBER) :

This is an application under section 19 of the Administrative Tribunals Act, 1985 praying for <sup>U</sup>non-payment of pensionary benefits due to the applicant w.e.f. 31.12. 1990. The applicant has claimed interest @ 18% on the amoynt due to him.

1. The applicant joined as Assistant Relief Rehabilitation Officer under the Government of Meghalaya in the pay scale of Rs.225-600/- on 22.5.1971. After closing down<sup>U</sup> this office in November, 1972, the applicant was re-<sup>^</sup>appointed as Inspector of Border Trade on 3.11.1972 under the Department of Home and Passport, Government of Meghalaya. He served there till 30.5.1973. On 23.5.1973 the

Contd./2

Usha

applicant was appointed as Youth Coordinator, Nehru Yuva Kendra, Tura, Garo Hills, Meghalaya which comes under the control of <sup>Miny. of</sup> Human Resources Development, Department of Youth Affairs & Sports, Govt. of India. The applicant had been rendering continuous service under Nehru Yuva Kendra Tura, Garo Hills w.e.f. 1.6.1973. The Welfare Association of the Youth Coordinator of the Nehru Yuva Kendra approached the Principal Bench of C.A.T., New Delhi for permanent absorption of their services as Central Govt. employees. The Union of India filed an S.L.P. against the order of Principal Bench. The said S.L.P. was ultimately dismissed. The applicant took retirement from Govt. of India service on 31.12.1990. The applicant applied for pensionary benefits due to him. The applicant has not been paid the pensionary benefits on the ground that his service with Meghalaya Govt. remained unverified. Hence this application.

2. Heard Mr.A.Ahmed, learned counsel for the applicant and also Mr.B.C.Pathak, learned Addl.C.G.S.C. for the respondents. Though numerous opportunities were given to the respondents, no written statement was filed either by respondent No.2 i.e. The Director General, Nehru Yuva Kendra Sangathan, Deptt. of Youth Affairs & Sports, Ministry of Human Resources Development, Govt. of India, New Delhi and respondent No.4 i.e. Nehru Yuva Kendra, Tura and also respondent No.3 i.e. Government of Meghalaya. Mr.B.C.Pathak, Addl.C.G.S.C. submitted that he had made attempts to obtain instruction from the respondents. In this regard, he referred to his letter dated 15.11.2001 to the Secretary, Govt. of India, Ministry of Human Resources Development, Deptt. of Youth Affairs & Sports, New Delhi and his letter dated 22.3.2002 to the Nehru Yuva Kendra, Tura, West Garo Hills, Tura - 794 002, Meghalaya. However, he has not got any response in the matter.



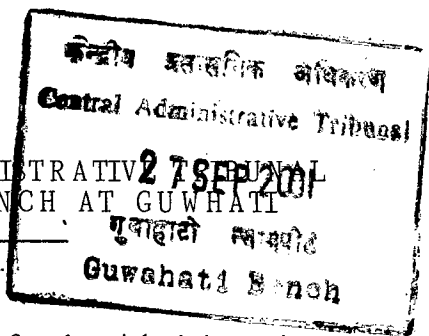
3. I have perused the application as well as the documents filed with the application. The undisputed fact is that the applicant was an employee of the Nehru Yuva Kendra Sangathan who retired on 31.12.1990. The applicant has not been paid even provisional pension even though directed by the Tribunal <sup>U</sup>by order dated 20.3.2002. The applicant was Central Govt. employee and the post held by him was pensionable. As the respondents have not filed the written statement, it is difficult to dispose of the application on merit. At the same time the fact that the applicant retired on 31.12.1990 and has not been paid pensionary benefits so far cannot be ignored. It would be in the interest of justice, if a direction is issued to the respondents to dispose of the pension matter of the applicant. Accordingly the respondents are directed to dispose of the pension matter of the applicant as per law within a period of two months from the date of receipt of the order. A copy of the Original Application filed by the applicant may also be sent to the respondents along with the order. The respondents are also directed to pay interest as per applicable rate to the applicant as per rules on the amount from the due date of pensionary benefits.

The application is treated as allowed.

There shall , however, be no order as to costs.

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

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH AT GUWAHATI



( An application under Section 19 fo the Administrative  
Tribunals Act, 1985 )

ORIGINAL APPLICATION NO. 396 OF 2001

Shri Clement Shangma

.....Applicant

- versus -

Union of India and others

.....Respondents

I N D E X

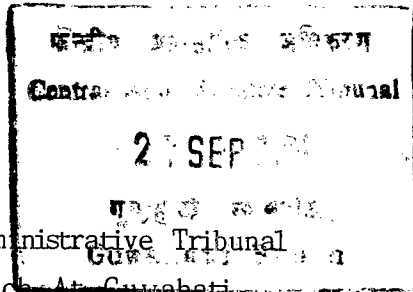
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Filed by:

Advocate

(ADIC AHMED)

*C. Shangma*



In the Central Administrative Tribunal  
Guwahati Bench At Guwahati

(An application under Section 19 of the Administrative  
Tribunals Act, 1985)

ORIGINAL APPLICATION NO. 396 OF 2001

B E T W E E N

Shri Clement Shangma  
Retd. Youth Coordinator  
• Nehru Yuba Kendra, Tura,  
West Garo Hills,  
Meghalaya - 794002

.....Applicant

- versus -

1. The Union of India represented by  
The Secretary to the Government of India,  
Ministry fo Human Resources Development,  
(Department of Youth Affairs & Sports),  
New Delhi.
2. The Director General,  
Nehru Yuva Kendra Sangathan,  
Department of Youth Affairs & Sports,  
Ministry of Human Resource Development,  
Government of India,  
J.N. Stadium, New Delhi.
3. The Government of Meghalaya, represented by  
The Chief Secretary,  
Government of Meghalaya,  
Shillong.

.....Respondents

4. Nehru Yuva Kendra, Tura  
as Respondent No 4 as per  
Order dtd 24/5/02 in MP.  
74/2002.

Contd/-.....

*C. Shangma*

Filed by  
Shri Clement Shangma  
applicant  
through  
Advocate (A.D. AHMED)

DETAILS OF THE APPLICATION

1. PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:

This instant application is made against Non-payment of Pension, Leave Salary, Gratuity and other pensionary benefits to the applicant who was retired from service of the Respondent No.1 w.e.f. 31.12.1990 and with a prayer for payment of pension and other pensionary benefits with 18% interest from the date of his retirement from service.

2. JURISDICTION OF THE TRIBUNAL:

The applicant declares that the subject matter of the instant application is within the jurisdiction of the Hon'ble Tribunal.

3. LIMITATION:

The applicant further declares that the application is within limitation period prescribed under Section 21 of the Administrative Tribunals Act, 1985.

4. FACTS OF THE CASE:

Facts of the case in brief are given below:-

4.1 That your humble applicant is a citizen of India and as such he is entitled to all the rights and privileges and protection granted by the Constitution of India. He is now aged about 69 years.

4.2 That your applicant begs to state that he was appointed as Assistant Relief and Rehabilitation Officer on 22.5.1971 under

Contd/-.....

*Changma*

13

the Government of Meghalaya in the Pay Scale of Rs.225-600 p.m. plus other allowances as admissible under the Rules. He served as Assistant Relief and Rehabilitation Officer, West Garo Hills from May 1971 to November 1972. After closing down of all Relief Camps of Bangladesh in India, your applicant was reappointed as Inspector of Border Trade on 3.11.1972 under the Department of Home and Passport, Government of Meghalaya. He served there till 30.5.1973. Then he was again selected as Youth Coordinator on 23.5.1973 on deputation from State Government to the Central Government. He was appointed as Youth Coordinator of Nehru Yuvak Kendra, Tura, Garo Hills, Meghalaya. Accordingly he was released by the Meghalaya Government on 1.6.1973 to join in his post under the Central Government.

Annexure-A is the photocopy of the appointment letter of the applicant as Assistant Relief and Rehabilitation Officer dated 22.5.1971.

Annexure-B is the photocopy of the appointment letter of the applicant as Inspector of Border Trade dated 3.11.1972.

Annexure-C is the photocopy of the appointment letter dated 23.5.1973 of the applicant as Youth Coordinator, Nehru Yuvak Kendra at Tura under the Central Government on deputation.

Annexure-D is the photocopy of the release order of the applicant from Meghalaya Government by the Deputy Commissioner, Garo Hills, Tura.

4.3 That your applicant begs to state that the President of India vide his Notification No.F.4-37/72-YSII(3) dated 7th July 1973 appointed him as Youth Coordinator in Nehru Yuvak Kendra,

Contd/-.....

*Chhangma*

Tura w.e.f. 1.6.1973 under the Ministry of Education and Social Welfare, Government of India.

Annexure-E is the photocopy of the Notification No.F.4-37/72-YSH(3) dated 7th July 1973.

4.4. That your applicant begs to state that the Respondent No.1 extended the service of the applicant as Youth Coordinator of the Nehru Yuva Kendra upto 30.6.1987 vide their letter No.A 11011/13/83-N.S.Y.I/Y.S.I dated 24.3.1987.

Annexure-F is the photocopy of the letter No.A 11011/13/83-N.S.Y.I/Y.S.I. dated 24.3.1987.

4.5. That your applicant begs to state that the post of Border Trade Inspector under the Government of Meghalaya was abolished vide their letter No.H.P.T.93/72/109 dated Shillong 3rd September 1973.

Annexure-G is the photocopy of the letter No.H.P.T.93/72/109 dated Shillong the 3rd September 1973.

4.6. That your applicant begs to state that the Welfare Association of the Youth Coordinator of the Nehru Yauva Kendra filed an Original Application before the Hon'ble Central Admiistrative Tribunal, Principal Bench, New Delhi for permanent absorption of their services as Central Government employees. After hearing the case the Hon'ble Tribunal directed the respondents that all the Youth Coordinator of Nehru Yuva Kendra who have served on deputation for five years or more, must be absorbed as Central Government Employees with all benefits of Central Pay and Allowances and Retirement benefits. However, the Union of India filed an appeal before the Hon'ble Supreme

Contd/-.....

*eshangma*

15  
Court of India vide SLP No.9401-07/1989 dated 10.7.1989. In the meantime your applicant superannuated from his service as Youth Coordinator, Nehru Yuva Kendra, Tura, Meghalaya w.e.f. 31.12.1990 (AN) vide letter No.A 19011/66/79-NSY-1 dated 31.12.1990 issued by the Office of the Respondent No.1. In this letter it has been mentioned by the Respondent No.1 that the Pension and Pensionary benefits of your applicant will be subject to the outcome of the SLP No.9401-07/1989 dated 10.7.1989 pending before the Supreme Court.

Annexure-H is the photocopy of the letter No.19011/66/79-NSY-1 dated 31.12.1990.

4.7. That your applicant begs to state that the Hon'ble Supreme Court upheld the judgment of passed by the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi. After that the Respondent No.1 vide their letter No.F.No.A.19011/66/79-YS.1 dated 15th April 1996 forwarded a set of forms for claiming pension etc. to the applicant. In this letter it has also been stated that the Service Book of the applicant is not available before the Respondent No.1 as such your applicant was requested to arrange the Service Book from his Parent Department and to be sent to the Respondent No.1. Accordingly, your applicant requested before the Respondent No.3 the Government of Meghalaya to send his Service Book to Respondent No.1. In the meantime, the Nehru Yuva Kendra Sangathan vice their Ref. No.NYKS/Admn/97/657 dated 18.3.1997 informed the applicant that unless the Service Book of the applicant is not received by them, it would not be possible for them to process the pension documents of the applicant. The Parent Department of the

Contd/-.....

*Chhoojma*

applicant, i.e. Government of Meghalaya (Border Trade) informed him vide their letter dated 9.5.1997 that they are not dealing with any establishment matter, its function is only to issue No Objection Certificate to local Exporters and other Allied Subject. The Commissioner and Secretary, Border Areas Development (Government of Meghalaya) vide his personal letter addressed to the Additional Chief Secretary I/c Home (Passport and Jail) Department, Meghalaya, Shillong also requested for early settlement of the applicant's case. But, till today the Government of Meghalaya did not forward the relevant documents to the Respondent No.1 for early settlement of the applicant's Pensionary Benefits.

Annexure-I is the photocopy of the letter dated 15.4.1996 issued by the Office of the Respondent No.1 to the applicant.

Annexure-J is the photocopy of Ref:NYKS/Admn./97/657 dated 18.3.1997.

Annexure-K is the photocopy of the letter dated 9.5.1997.

Annexure-L is the photocopy of the letter dated 12.7.1999.

4.8. That your applicant begs to state that till today the Respondents have not taken any steps for payment of pension and gratuity and other pensionary benefits to the applicant. The family members of the applicant are suffering from acute financial hardships. The applicant is suffering from old age ailments and he is a very poor person to afford the medical expenses. Neither he has any other source of income nor

Contd/-.....

*Changana*



cultivable agricultural land to support his family.

4.9. That your applicant begs to state that for the last 10 (ten) years he has taken loans from his relatives and friends to survive his family members. Now the situation has been further deteriorated due to non-payment of earlier loans by the applicant no-body wants to give him further monetary help. Day by day, it is becoming very difficult for the applicant and his family members to survive in this world due to acute financial hardships. As such finding no other alternative he has been compelled to approach this Hon'ble Tribunal for seeking justice in this matter and also for early and immediate payment of pension with 18% interest from the due date.

4.10. That your applicant submits that he is running from pillar to post for getting his legitimate pensionary benefits but til today the respondents have not taken any sympathetic view in this matter.

4.11. That in view of the facts and circumstances it is a fit case for interference by the Hon'ble Tribunal to save the entire family members of the applicant from starvation.

4.12. That this application is filed bonafide and for the interest of justice.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS:

5.1. For that, the action of the Respondents for not paying the pension to the applicant is illegal, arbitrary, malafide

Contd/-.....

*Chandana*

and violative of the principles of natural justice.

5.2. For that, the Respondents have deprived the applicant from his legitimate claim of pension and as such the act of the Respondents is not maintainable in the eye of law.

5.3. For that, the Respondents have violated the fundamental rights of the applicant and as such the action of the Respondents is illegal, malafide with an ulterior motive behind.

5.4. For that, the applicant's case is a genuine and also need a sympathetic consideration of the matter by the Respondents and the Respondents cannot deny it.

5.5. For that, in any view of the matter the action of the Respondents are not sustainable and hence the same is liable to be set aside and quashed.

The applicant craves leave of this Hon'ble Tribunal to advance further grounds at the time of hearing of this instant application.

6. DETAILS OF REMEDIES EXHAUSTED:

That there is no other alternative and efficacious remedy available to the applicant except invoking the jurisdiction of the Hon'ble Tribunal under Section 19 of the Administrative Tribunals Act, 1985.

Contd/-.....

*C. Sharma*

7. MATTERS NOT PREVIOUSLY FILED OR PENDING  
IN ANY OTHER COURT

That the applicant further declares that he has not filed any Application, Writ Petition or Suit in respect of the subject matter of the instant application before any other Court, Authority, nor any such Application, Writ Petition or Suit is pending before any of them.

8. RELIEF SOUGHT FOR:

Under the facts and circumstance stated above the applicant most respectfully prayed that your Lordship may be pleased to admit this application and may call for the records of the case, issue rule calling upon the Respondents to show cause as to why the relief should not be given to the applicant and after hearing the parties on the cause or causes that may be shown and on perusal of records Your Lordship may be pleased to grant the following reliefs to the applicant:

8.1. To direct the Respondents to issue pension and other pensionary benefits to the applicant immediately without any further delay.

8.2. To direct the Respondents to pay 18% interest on the pension from due date till today to the applicant.

8.3. Cost for the application.

8.4. To pass any other relief or reliefs to which the applicant may be entitled and as may be deemed fit and proper by the Hon'ble Tribunal.

Contd/-.....

*Chongma*

9. INTERIM ORDER PRAYED FOR:

Pending disposal of the Original Application the applicant most respectfully prays for an interim order directing the Respondents to pay Provisional Pension to the applicant till his regular Family Pension is issued by the Respondents.

10. Application is filed through Advocate.

11. Particulars of I.P.O.

I.P.O. No. 76 54 8540

Date of issue: 11. 8. 2001

Issued from: G.P.O.

Payable At:

12. LIST OF ENCLOSURES:

As stated above.

.....Verification

*Chhoyma*

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

I, Shri Clement Shangma, Retired Youth Coordinator,  
Nehru Yuva Kendra, Tura, West Garo Hills, Meghalaya - 794002  
do hereby solemnly verify that the statements made in  
paragraphs ~~1-10519~~ are true to my knowledge and those  
made in Paragraphs 4, 2, 5, 6, 7 are being matters of records  
are true to my information derived therefrom which I believe  
to be true to my legal advice and I have not suppressed any  
material facts.

AND I sign this Verification on this 27<sup>th</sup> day  
of September 2001.

  
DECLARANT

OFFICE OF THE RELIEF & REHABILITATION COMMISSIONER,  
MEGHALAYA.

— 12 —  
O R D E R

ANNEXURE - A

Dated Camp Tura, the 22nd May, 1971

...

The following persons may be appointed as Assistant Relief and Rehabilitation Officers temporarily in Garo Hills in the scale of Rs. 225-600 P.M. plus other allowances as admissible under the Rules. The appointment will be purely temporary and may be terminated without notice and without assigning any reason therefor.

1. Shri. Trapish Marak
2. " " "
3. " Bloomfield Marak
4. " Clement Sangma
5. " Michael Momin
6. " Rohindra Pradhan
7. " Hastings Momin
8. " Cornesh B. Marak
9. " John J. Tojo.

Relief & Rehabilitation  
Commissioner, Meghalaya.

Memo. No. CR. 5/71/23  
Date - 22.5.71.

Copy forwarded to:-

- 1). The D.C., Garo Hills, Tura for necessary action.
- 2). The Secretary, Relief & Rehabilitation, Govt. of Meghalaya. He is requested to issue formal appointment order under Regulation 31(a) to the above persons early. The names have been approved by the Chief Minister. Because of the urgency of the matter I am asking D.C., Garo Hills to ask the persons involved to join immediately and proceed to the Camp site as and when required.

Relief & Rehabilitation Commissioner, Meghalaya.

AS  
Avtal  
Adante

- 13 -

No. IPT.93/72/35

GOVERNMENT OF MEGHALAYA  
HOME DEPARTMENT: : : PASSPORT BRANCH.

Dated Shillong, the 3rd November, 1972.

ANNEXURE-B

NOTIFICATION

Subject to discharge without notice and without assigning any reasons thereof, the following persons are appointed temporarily and until further orders as Inspector of Border Trade under regulation 3(f) of the Meghalaya Public Service Commission (Limitations of Functions) Regulations, 1972 in the scale of pay of Rs. 225-15-285-EB-15-360-(EB)-20-600/- plus usual allowances as admissible under the rules with effect from the date of taking over charge and posted to the District Office as indicated below :-

Sl. No.	Name	Designation of the post to which appointed	Office where posted
1.	Shri. Clement Shangma	Inspector of Border Trade	Office of D.C. Garo Hills Tura.
2.	Shri Throbish Marak	"	"
3.	Shri Mitra Sangma	"	"
4.	Shri Carnesh Marak	"	"
5.	Shri Gurudayal Koch	"	"
6.	Shri John Tojo	"	"

T. CAJEE.

Addl. Secretary to the Govt. of Megha  
Home Department, Passport Branch.

*Admission 5/4/73*  
*Admission*  
*Admission*  
*Admission*

*Admission*  
*Admission*

Memo. No. HPT.93/72/35. (A), Dated Shillong the 3rd November, 1972. 24

Copy forwarded to :-

- (1.) The Superintendent, Government Press, Shillong, for publication of the notification in the next issue of the Meghalaya Gazette and also to furnish this Department with 20 copies of the notification.
- (2.) The Accountant General, Assam Meghalaya and Nagaland, Shillong, for necessary action. The above named persons have been appointed against the post of Inspector of Border Trade sanctioned in this Department letter No. HPT.86/72/9, dated 9.8.72, for a period of 3 months only with effect from the date of entryment (i.e. from the date of joining of the Officer). Necessary pay slip may please be issued to the Officer on receipt of their charge reports and for a period stipulated in the sanctioning order.
- (3.) The Chairman, Meghalaya P.S.C., Shillong, for information and necessary action. The above named persons have been appointed as Inspector of Border Trade and are liable to be discharged from service after expiry of three months. The posts are not likely to continue beyond three months.
- (4.) The Deputy Commissioner, Garo Hills, Turin, for necessary action. He is requested to submit the detailed list showing the names in the border under which each Inspector of Border Trade has been placed in charge.
- (5) The Secretary to the Govt. of Meghalaya, Relief and Rehabilitation Department, for information.
- (6) To the persons concerned for information.

By Order etc.,

Addl. Secretary to the Govt. of  
Meghalaya, Home Department,  
Passport Branch.

Attn:  
J.S. 1  
Adm. to



GOVERNMENT OF MEGHALAYA  
EDUCATION DEPARTMENT

1000/111/73/4002

Dated Shillong, the 23rd May, 1973.

Shri V. Kohli, I.A.S.,  
Deputy Secretary to the Govt. of Meghalaya,  
Education Department.

The Inspector of Schools,  
Garohills, Tura.

appointment of Youth Coordinator at Tura.

G.O.'s letter M.S. & S.W. (Deptt. of EDN.)  
N.P. 437/73 K3 II(3) dt. 8.5.73.

With reference to the Govt. of India letter above,  
I am directed to inform you that the final selection for appoin-  
ment to the post of Youth Co-ordinator has been made and Shri  
Clement Sangma has been appointed on deputation for one year with  
effect from the date he joins his duty at the Nehru Yuva Kendra,  
Tura.

A copy of the terms and conditions regulating his  
appointment as Youth Co-ordinator is also telegraphically direct  
to the Govt. of India along with the date of his joining under  
intimation to this Department.

Yours faithfully,

Sd/- V. Kohli,  
Deputy Secretary to the Govt. of Meghalaya,  
Education Department.

1000/111/73/4002

1000/111/73/4002

Copy together with copy of terms of deputation  
referred to Shri Clement Sangma, for information and necessary  
action.

2. The Deputy Commissioner, Garohills, Tura.

Shri Clement Sangma.

3/5/73  
Inspector of Schools,  
Garohills, Tura.

Attd  
Dy Secy

ORDER.

NO. TDR. 1/205/73/15

Shri Clement Sangma, Border Trade

Inspector is hereby released with effect from 1-6-73

(fere noon) so as to enable him to join to his new post of appointment.

Sd/- T. Anand  
Deputy Commissioner,  
Garo Hills, Tura.

Memo No. TDR. 1/205/73/15-A

Dated Tura, the 1<sup>st</sup> June, 1973.

Copy to:-

1. The Chief Secretary to the Govt. of Meghalaya, Shillong
2. The Secretary to the Govt. of Meghalaya, Personnel Department, Shillong for favour of approval.
3. The Accountant General, Assam, Meghalaya etc, Shillong.
4. The Treasury Officer, Tura.
5. The Superintendent of Police, Garo Hills, Tura.
6. Shri Clement Sangma, D.D.T. Hq. Tura
7. The Assistant Marketing Officer, Garo Hills, Tura.
8. The District Agricultural Officer, Garo Hills, Tura.
9. The Deputy Commissioner (General Branch), Tura.

Forwarded By

Asstt. to the Deputy Commissioner,  
Garo Hills, Tura.

Sd/- T. Anand,  
Deputy Commissioner,  
Garo Hills, Tura.

D.K.B./

Advocate

be published in Gazette of India Part I Section II)

Ministry of Education & S.W.  
Government of India  
Shastri Bhavan.

New Delhi: the 7th July, 1973.

# NOTIFICATION

F.4-37/72-YSHI(3) The President is pleased to appoint the following persons to officiate as Youth Coordinators in the Nehru Yuva Kendras on deputation purely on adhoc basis with effect from the dates shown against each.

S.No.	Name	Previous designation office.	Date of appointment as Youth Coordinator.	Name of Nehru Yuva Kendra.
1.	Shri Clement Shanma	Inspector of Border Trade	1.6.1973(FN)	TURA (GATE HILLS)

*(Signature)*  
(V.M. BHADUR)  
UNDER SECRETARY.

To  
The Manager,  
Government of India Press,  
Faridabad.

Copy forwarded for information to:- A copy of the charge assumption report of the persons mentioned above is enclosed.

1. A.G. concerned.
2. Treasury Officer concerned.
3. K.C.C.R., New Delhi.
4. Persons concerned.
5. Deputy Programme Adviser.
6. Sr./Jr. Camp Commandant.
7. Personal files concerned.

*(Signature)*  
(V.M. BHADUR)  
UNDER SECRETARY.

*(Handwritten initials)*  
A. B. S.  
A. B. S.

- 18 -

28

New Delhi dated the 24th March, 1987.

To

The Accounts Officer,  
Pay and Accounts Office  
(Education and Sports),  
Shastri Bhawan,  
New Delhi.

Subject:- Nehru Yuva Kendras - Extension in the period  
of deputation of Youth Coordinators.

Sir,

I am directed to convey the sanction of the President to the extension in the period of deputation in respect of all the existing Youth Coordinators of the Nehru Yuva Kendras upto 30-6-1987 on the existing terms and conditions of deputation. The deputation can be terminated even before 30-6-1987 without assigning any reasons in public interest. The extension in deputation is further subject to their parent departments agreeing to the extension in the period of deputation. No deputation allowance will be admissible beyond the date on which they completed four years of deputation.

This issues with the approval of Secretary,  
Department of Youth Affairs and Sports.

Yours faithfully,

( K.K.Kirty )

Under Secretary to the Govt. of India

Copy for information and necessary action to:-

1. Director General, NYK Sangathan, (Room No.1019)  
J.L.Nehru Stadium, New Delhi.
2. All deputationist Youth Coordinators of the Nehru Yuva Kendras. They should take up the matter with their parent departments to convey their approval to this Department immediately. This must be given priority as otherwise further extension to them may not be permitted.

..... 2/-


2/4/87  
Advocate

3. All Controlling Officers with the request that approval from the parent departments of the concerned officers may kindly be obtained and communicated to this Department.


4. All State Govt. files.

5. Personal files of all deputationist Youth Coordinators.

6. Guard file.

  
(K.K. Kirty)

Under Secretary to the Govt. of India

  
Sd/-  
Asst. Secy

GOVERNMENT OF MEGHALAYA.

NOTIFICATION

Dated Shillong, the 3<sup>rd</sup> September, 1973

No.HPT.93/72/109- The Services of the following Border Trade Inspectors are terminated with effect from 30.6.73 Afternoon.

- |                                 |              |  |
|---------------------------------|--------------|--|
| 1. Shri G.A.Cajee               | -            | Border Trade Inspector, Khasi Hills.   |
| 2. Shri J. Pala                 | -            | -----do-----                           |
| 3. Shri Hamonlang Kharkongor-   | -----do----- |  |
| 4. Shri John Gilbert Soanes     | -----do----- |  |
| 5. Shri Elphon Syiem            | -----do----- |  |
| 6. Shri Festost Shullial        | -----do----- |  |
| 7. Shri R.B. Phillip            | -----do----- |  |
| 8. Shri Crynden S. Sangma       | -            | Border Trade Inspector, Garo Hills.    |
| 9. Shri Mitra Sangma            | -----do----- |  |
| 10. Shri Carnesh Marak          | -----do----- |  |
| 11. Shri Gura Dayan Koch        | -----do----- |  |
| 12. Shri Dorkupar Dkhar         | -            | Border Trade Inspector, Jaintia Hills. |
| 13. Shri Philip Walter Khongwir | -----do----- |  |
| 14. Shri Paul J. Sawlon.        | -----do----- |  |

*M. P. Rymoke* 3.9.73

Under Secretary to the Govt. of Meghalaya,  
Passport & Jails Deptt.

Memo.No.HPT. 93/72/109(A), dated Shillong, the 3<sup>rd</sup> September, 1973.  
Copy forwarded to :-

1. Superintendent, Govt. Press, Meghalaya, Shillong for publication of the above notification in the next issue of the Meghalaya Gazette. 15 spare copies of the notification may please be supplied to this Deptt. at an early date.
2. The Accountant General, Assam, Nagaland & Meghalaya, Shillong for information. This has the reference to his letter No. MG/834, dt.26.7.73. Sanction to the retention of the posts from 1.7.73 onwards does not arise now.
3. The Deputy Commissioner, Khasi Hills/Jaintia Hills, Jowai/Garo Hills, Tura for information. This is in continuation of this Deptt.'s Message No.HPT. 93/72/34, dt.29.6.73.
4. The Chairman, Meghalaya Public Service Commission for information.
5. The Secretary to the Govt. of Meghalaya, Relief & Rehabilitation Deptt. for information.
6. To the persons concerned for information.

By order etc.

*M. P. Rymoke* 3.9.73  
Under Secretary to the Govt. of Meghalaya,  
Passport & Jails Deptt.

3/9

*Attchd*  
*File* *Amc*

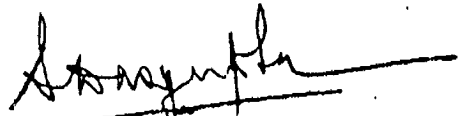
NO.A 17011/66/79-NSY-I  
GOVERNMENT OF INDIA  
MINISTRY OF HUMAN RESOURCE DEVELOPMENT  
(Department of Youth Affairs & Sports)

NEW DELHI, the 31st December, 1990.

OFFICE ORDER No. 131/90

On attaining the age of superannuation on 31-12-1990 Shri CLEMENT SHANGMA, Youth Coordinator, NYK, Tura (Meghalaya) who has been on deputation to this Department from Government of Meghalaya is permitted to retire from Govt. service w.e.f. 31-12-1990 (AN).

2. The pension & pensionary benefits of Shri Clement Shangma will be subject to the outcome of the SLP No.9401-07/1989 dated 10-7-1989 pending in the Supreme Court.

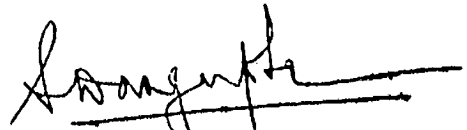


( SOMIT DASGUPTA )

UNDER SECRETARY TO THE GOVT. OF INDIA.

Copy to :

1. Shri Clement Shangma, Youth Coordinator, NYK, Tura Meghalaya.
2. Pay and Accounts Office (Deptt. of SPORTS), Shastri Bhavan, New Delhi.
3. Directorate of SPORTS & YOUTH AFFAIRS, Govt. of Meghalaya, Shillong.
4. DG, NYK Sangathan, J.N.Stadium, New Delhi.
5. Youth Coordinator, Nehru Yuva Kendra, Tura, Meghalaya.
6. Distt. Magistrate/Collector, Tura, Meghalaya.



( SOMIT DASGUPTA )

UNDER SECRETARY TO THE GOVT. OF INDIA.

Attd  
SS -  
Admte

S.No. 22 - ✓

ANNEXURE - I

F.NO.A.19011/66/79-Ys.I  
GOVERNMENT OF INDIA  
MINISTRY OF HUMAN RESOURCE DEVELOPMENT  
DEPARTMENT OF YOUTH AFFAIRS & SPORTS  
.....

NEW DELHI, THE 15TH APRIL, 1996.

To

Shri Clement Shangma,  
Ex- Youth Co-ordinator,  
Nehru Yuva Kendra,  
Tura,  
C/O Nehru Yuva Kendra, Tura,  
West Garo Hills,  
MEGHALAYA : 794 002.

*K*  
*24/4*  
SUBJECT : Settlement of Pension.

\* \* \*

SIR,

I am directed to refer to your letter NO.NYK/A-I/96-3, dated 15th January, 1996 on the subject mentioned above and to forward a set of forms for claiming pension etc. which may kindly be forward through Nehru Yuva Kendra, Tura to the undersigned duly completed for further necessary action.

2. From the records available in the Deptt., it is observed that your Service Book might be available in your Parent Department. You are, therefore, requested to arrange to forward the same to this Department at an early date.

Yours faithfully,

*11010116-0*  
*11-1-1996*

( SANJEEV DUBEY )

UNDER SECRETARY TO THE GOVT. OF INDIA.

*Attn*  
*Adm*



- 23 -

# नेहरू युवा केन्द्र संगठन

ANNEXURE - J

## NEHRU YUVA KENDRA SANGATHAN

स्वायत्तशासी संस्था  
युवा कार्यक्रम एवं खेल विभाग  
मानव संसाधन विकास मंत्रालय  
भारत सरकार

an Autonomous Body under the  
Department of Youth Affairs & Sports  
Ministry of Human Resource Development  
Government of India

Ref. : NYKS/Admn./97/657

March 18, 1997

Shri Clement Shangma,  
Ex- Youth Coordinator,  
Nehru Yuva Kendra, Tura,  
C/o NYK-Tura,  
West Garo Hills,  
Meghalaya : 794 002.

Subject : Settlement of pension.

Sir,

I am directed to refer to the office order issued by Deptt. of Youth Affairs & Sports no. F.No.9-3/89-YS.I dated 28th February, 1997 whereby your services as Youth Coordinator in Nehru Yuva Kendra on deputation basis from the State Govt. have been regularised and placed at the disposal of NYKS w.e.f. 01.04.1987. Since you have already been superannuated from the service of the Govt. on 31.12.90, the pension matter needs to be decided. I would, therefore, like to draw your attention to the letter of Department no.F.No.A.19011/66/79-YS.I dated 15th April, 1996 (copy enclosed) with which a set of forms for claiming pension etc. have been forwarded to you for submission. You are, therefore, requested kindly to submit the duly filled documents as well as the service book. As per Para II of the above letter, your service book might be available with your parent deptt. You may please note that unless the service book is received, we would not be in a position to process the pension documents.

Yours faithfully,

Umesh Sahni  
Section Officer (Pers.)

C. C. : Director, NYKS, New Delhi

A. K. S.  
S. K. S.

I.D.NO. TRADE.6/93/170

Dated Shillong, the 9th May, 1997.

HOME (PASSPORT) DEPARTMENT I/D.

Subj : Placement of parent Department Post etc.

Enclosed please find herewith a copy U/O.No.PS/F/E/  
BAD (PER) 2/96-97/25 dated 11.4.97 from Parliamentary Secretary,  
Incharge Finance etc. along with the Representation dated 8.4.97  
from Shri Clement Sangma, Retired Youth Co-ordinator, Nehru Yuva  
Kendra, Tura and its enclosures in original for necessary action  
at your end, as the incumbent was originally appointed by your  
Department.

This Department is not dealing with any establish-  
ment matter, its function is only to issue No Objection Certifi-  
cate to Local Exporters and other allied subjects.

Enclosed :- As above.

Under Secretary to the Govt. of Meghalaya,  
Trade (Including Border Trade) Department.

4

.....

Memo No. TRADE.6/93/170-A Dt. Shillong, the 9th May, 1997.

Copy for information to :-

The Clement Sangma, Retired Youth Co-ordinator, Nehru  
Yuva Kendra, Tura West Garo Hills, Meghalaya, 794002.

By order etc.

*[Signature]*  
11/5/97

Under Secretary to the Govt. of Meghalaya,  
Trade (Including Border Trade) Department.

*[Signature]*

....

19.5.97  
....

*[Signature]*  
Adm. Secy

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Development

10/73/Part/259

12th July, 1999.

I would like to draw your kind attention to the representation of Shri Clement Sangma, who served as Youth Coordinator, Nehru Yovak Kendra, Tura and retired from service on 31.12.1990. A copy of his representation is enclosed herewith for your kind information.

Unfortunately, till today Shri Clement Sangma has not received his pension & pensionary benefits due to some problems related with initial pay fixation.

Shri Clement Sangma is to get his pension and pensionary benefits from the Ministry of Human Resource Development, Department of Youth Affairs & Sports in view of Supreme Court Judgement, 1995 upholding the decree given by CAT against the Department of Youth Affairs & Sports in SLP No. 8401/07/1989 dated 10.7.89.

The Ministry of HRD, Youth Affairs & Sports vide their letter No. F.No.A.19011/66/79-YS.I dated the 15th April, 1996. (A copy of which is enclosed) have requested the petitioner to submit necessary documents for settlement of his pension.

From records, it is clear that Shri Clement Sangma was initially appointed as Inspector of Border Trade in the scale of pay of Rs.225-15-285-EB-20-600/- vide NO.HPT.93/72/33 dated the 3rd November, 1972 of Home (Passport & Jails) Department. A copy of the order is enclosed. Later, in 1973, on deputation he was appointed as Youth Coordinator, NYK, Tura and served in that post till he reached the age of superannuation on 31.12.1990

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.....2/-

Handwritten signatures and initials at the bottom of the page.

Since then he has been struggling for his pension and pensionary benefits in vain. It has been ascertained from him that, his pay fixation in the post where he was initially appointed is to be intimated to Government of India. There will be no financial implication for the State Government as his pension and pensionary benefits are to be given by Ministry of Human Resource Development Department of Youth Affairs & Sports.

I would, therefore, request you to kindly use your good offices to solve Clement Sangma's problem & intimate his initial pay fixation.

With regards,

Yours

Tc

*S. Chatterjee*  
( S. Chatterjee )

Shri J. Tayeng, IAS.,  
Addl. Chief Secretary,  
1/6 Home (Passport & Jails).  
Department.  
Shillong.

*ABT*  
*Adwite*