

GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 77/2001

R.A/C.P No.....

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SECTION OFFICER (Judl.)

Salita
5/12/14

FORM NO.4
(See Rule 42)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWATHI BENCH ::::: GUWATHI

ORDER SHEET
APPLICATION NO 77/2001 200

Applicant (s) *Sukeratna Basfore*

Respondent(s) *K. V. Sangalika*

Advocate for Applicant(s) *Mr. R. P. Sharma*

Advocate for Respondent(s) *Ms. M. Asma, Mr. Kent*

KVS.

Notes of the Registry Date Order of the Tribunal

This application is in form
but no written application
Petition is not filed vide
M. R. P. Sharma C. F.
for Rs. 3/- deposited vide
IPC/2001 No. 2273
Date.....12.2.2001

*My application
Dy. Registrar.*

28.2.2001

Heard the learned counsel
for the applicant. The
application is admitted. Call
for the records returnable by
three weeks. Issue notice as to
why interim order or direction
shall not be issued as prayed
for returnable by three weeks.
List it on 21.3.01.

Requisition filed.

7.3.2001

nkm

*NS
21.3.01*

*Service of Notice
issued to the
respondents vide
No. 859-863 dt.
12.3.2001*

21.3.01

List on 9.5.01 to enable the
respondents to file written state-
ment.

Recd

pg

① Service report are
still awaited.

9.5.2001

List on 25.5.2001 to enable
the respondents to file written
statement.

② Ob. w/s has been
filed.

bb

*3/5
8.5.01*

Vice-Chairman

Vice-Chairman

Vice-Chairman

25.5.2001 Four weeks time allowed to the respondents to file their written statement. List for orders on 27.6.01.

29.5.2001

W/S has been filed on & 2,3 & 4.


Vice-Chairman

nkm

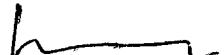
27.6.01

~~Written statement has been filed.~~

W/S filed on behalf of the R.No. 2,3 & 4, respondent No. 1 & 5 not yet filed.

26.6.01

Heard Ms. M. Aruna learned counsel for the applicant and Mr. S. Sarma learned counsel for the respondents. Written statement has been filed. Let this case be listed for hearing on 11.7.01. The applicant may file rejoinder if any within 10 days from to-day.


Vice-Chairman

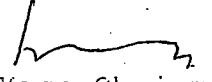
No. rejoinder has been filed.

lm

26.7.01

11.7.2001

Ms. M. Aruna, learned counsel for the applicant is present. Adjourned. List again on 27.7.01 in presence of Mr. S. Sarma, learned counsel for the respondents.


Vice-Chairman

nkm

27.7. There is a reference.

The case is adjourned to 29/8/2001.

No
Adjourned

29.8.01

29.8.01

Hearing concluded. Judgment delivered in open court, kept in separate sheets.

The application is allowed in terms of the order. No order as to costs.


Vice-Chairman

18/9/2001
Copy of the Judgment has been sent to the Office for issuing the same to the Appellants as well as to the L/Adv. for the Respondents.

bb

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 77 of 2001

Date of Decision. 29.8.2001...

Sri Surjendra Basfore

Petitioner(s)

Mr. R. P. Sharma, Mr. M. Aruna & Mr. Kento

Advocate for the
Petitioner(s)

Versus-

Union of India & Others

Respondent(s)

Mr. S. Sarma

Advocate for the
Respondent(s)

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

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 : Vice-Chairman

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No. 77 of 2001.

Date of Order : This is the 29th Day of August, 2001.

HON'BLE MR. JUSTICE D.N.CHOUDHURY, VICE CHAIRMAN.

Sri Surendra Basfore
S/O Sri Jagdish Basfore
Resident of Village :- Patidoi Verela
P.O. and P.S:- Garubandha
District :- Sonitpur (Assam).

... . Applicant.

Mr.R.P.Sharma, Ms.M.Aruna &
Mr.Kento.

- Vs -

1. Union of India
by the Secretary to the
Govt. of India, Ministry of Human Resource &
Development, Central Secretariat
New Delhi - 110 001.

2. Kendriya Vidyalaya Sangathan
(through the Commissioner)
18, Institutional Area
Saheed Jeet Singh Marg
New Delhi - 16.

3. The Assistant Commissioner
Kendriya Vidyalaya Sangathan
Maligaon, Guwahati-11.

4. The Principal
Kendriya Vidyalaya No.1
Missamari.
District:- Sonitpur.

5. Durga Baruah
O/O Nepali Basti
Missamari
Sonitpur.

... . Respondents.

By.S.Sarma

ORDER

CHOWDHURY J.(V.C) :

The application is directed against the order
of termination dated 4.12.2000 and also for a direction
for absorbing the applicant in regular service in the
post of Sweeper in Kendriya Vidyalaya, Missamari. in the
following circumstances.

1. The applicant was initially appointed as sweeper in 1995 on contingent basis. According to the applicant, he was selected for regular appointment for the post of Group 'D' (Sweeper) after the interview held on 17.9.98. His name was sponsored by the District Employment Exchange vide letter dated 08.12.98. Pursuant to that, the respondent No.4 the Principal, Kendriya Vidyalaya No.1, Missamari wrote to the authority for approval of the regular appointment as per selection on merit. Instead of absorbing him in regular post, the applicant was terminated from service by a verbal order passed by the respondent No. 4. The applicant submitted a representation on 5.12.2000 to the respondent No.3 demanding justice. Failing to get appropriate relief from the administration the applicant moved this Tribunal by filing this D.A. assailing the action of the respondents as arbitrary and discriminatory.

2. The respondents submitted its written statement contesting the case of the applicant. In the written statement the respondents did not admit that he was appointed to any post. On the other hand he was called for the interview, but the selection process could not be completed, since he did not possess the minimum required qualification i.e. Class VIII pass as laid down in the education code. The respondents did not dispute that he was engaged as a Casual Labourer by the department and he was utilised as such. Materials on records also indicated that the Chairman of the Vidyalaya Management Committee and other Members conducted the interview for the post of Group D (Sweeper) on 17th & 18th September 98 based on aptitude test and performance of interview. The selection Committee was satisfied at his performance and recommended his name in Sl.No.1. The Principal by a communication dated 8.12.98 sought for approval from the Assistant Commissioner, respondent No.3 for appointment to the post of Group D (Sweeper) as per

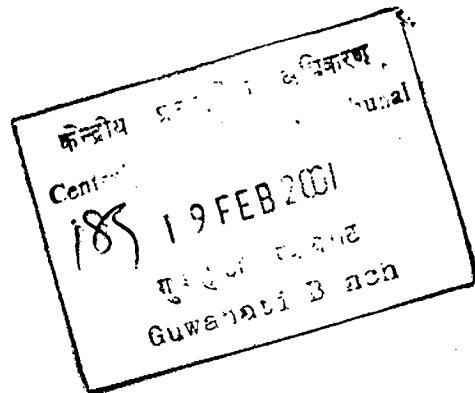
resolution of the Vidyalaya Selection Committee. According to the respondents, the applicant did not fulfil the requirement of educational qualification of Class VIII pass. Admittedly, the applicant was a person selected by the Selection Committee, as they found him suitable for the post. The applicant worked as a Sweeper till the issue of the order of termination. The respondents on their own showing stated that the applicant read upto 6th class standard hence did not fulfil the minimum educational qualification. When the authority prescribed the qualification for the post of Group D (Sweeper), it has also the authority to relax the qualifications.

3. Considering the facts and circumstances of the case and upon hearing Mr.S.Sarma, learned counsel for the respondents, I am of the view that a direction need to be issued on the respondents for consideration of the case of the applicant for appointment on the strength of the selection made by the Vidyalaya Management Committee. The respondents, more particularly, respondent No.3 is accordingly directed to examine the proposal sent by the Principal of the Vidyalaya dated 8.12.98 on the basis of the recommendation and consider for appointment of the applicant. While considering the case of the applicant the respondents shall also take note of his past service and consider his case for appointment on the basis of the recommendation by relaxing the educational qualification in the light of the peculiar facts and circumstances. The respondents are accordingly ordered to complete the above exercise expeditiously preferably within two months from the receipt of the order.

With this, application is allowed.

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

(D.N. CHOWDHURY)
VICE CHAIRMAN



8

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

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

O.A. NO. 77 /2001

Sri Surendra Basfore ... Applicant

-Versus-

Union of India & others ... Respondents

I N D E X

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For use in the Tribunal Office :-

Registration No.

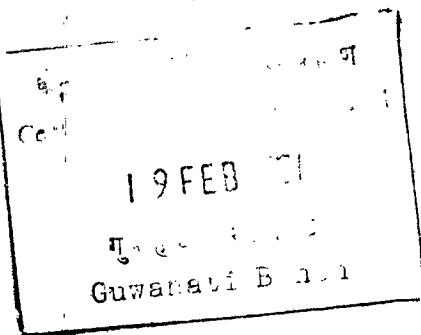
Date :

Signature

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :::
GUWAHATI BENCH

9
Filed by the
opponent through
Ms. Monikshya Guwe
Advocate
19-2-2001

- BETWEEN -



Sri Surendra Basfore
Son of Sri Jagdish Basfore
Resident of Village - Patidoi verela
P.O. and P.S. Garubandha
District - Sonitpur (Assam)

.... Applicant

- AND -

1. Union of India, represented.
by the Secretary to the Govt.
of India, Ministry of Human
Resource Development,
Central Secretariat,
New Delhi - 110 001.
2. Kendriya Vidyalaya Sangathan
(through the Commissioner),
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 16.
3. The Assistant Commissioner,
Kendriya Vidyalaya Sangathan
Maligaon, Guwahati-11.

Swinder Basore

contd...2

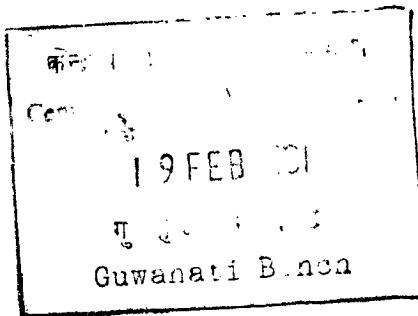
4. The Principal

Kendriya Vidyalaya No.1,

Missamari,

5. District-Sonitpur.
Durga Baruah, O/o

Nepali Basti, Missamari,
Sonitpur. Respondents



1. Particulars of Orders against which the application is made :-

This application is made due to illegal and termination on 4-12-2000 of the applicant's regular service in the post of Sweeper in Kendriya Vidyalaya (K.V. in short) No. 1, Missamari by the respondent No.4.

2. Jurisdiction of the Tribunal :-

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

3. Limitation :-

The applicant also declares that this application is made within the limitation period as laid down in Section 21 of the Administrative Tribunal Act, 1985.

4. Fact of the case :-

(i) That the applicant is a citizen of India and as such is entitled to all the rights and privileges guaranteed by the Constitution of India. The applicant belongs to

Swarupender Basu

Com:

মুসলিম

19 FEB 1998

-3-

মুসলিম
Cura

Scheduled Castes Community and permanent resident of
Sonitpur district, Assam.

(ii) That the applicant was initially appointed as Sweeper on contingent basis in 1995. Subsequently the applicant was selected for regular appointment for the post of Group 'D' (Sweeper) after the interview held on 17-9-98 through a call letter dated 9-9-98 after the applicant's name was sponsored by the District Employment Exchange by letter dated 08-12-98 bearing No. F-132/KVMI/98-99/1006. The respondent No. 4 wrote for approval of the application as per selection on merit.

A copy of the call letter dated
9-9-98 is annexed herewith as
Annexure-'A'.

A copy of the letter dated 8-12-98
is annexed herewith as Annexure-'B'.

(iii) That, being a Schedule Castes candidate he is fully eligible for the said post which was regularised by the respondents in the year 1998.

(iv) That the applicant has been continuously working in the school for over 5 (five) years diligently without any break to the satisfaction of all concerned.

Surinder Basu

(v) That unfortunately from few months back the respondent No.4 has been threatening the applicant of termination his service for some obvious and undis-
closable reason.

(vi) That all of a sudden on 4-12-2000 the respon-
dent No.4 without following the procedure verbally
terminated the service of the petitioner. Thereafter the
[9 FEB] applicant asked for a formal order of termination which
the respondent refused to give the same to the applicant.
Guwahati B nti

(vii) That immediately on 5-12-2000 the applicant made a representation to the respondent No.3 with a benign hope that the respondent will take action into the matter of the applicant expeditiously. But no action has yet been taken by the respondent besides keeping the matter of the applicant hanging and appointed one outsider, on adhoc basis and thereby to deprive the applicant.

A copy of the representation dated

5-12-2000 is annexed herewith as

Annexure-'C'.

(viii) That, the applicant states that he is a selected candidate and his name has been sponsored by the District Employment Exchange by letter dated 8-12-98 bearing No. F.132/KVMI/98-99/1006 and suddenly without showing any reason terminated him from his regular service by the respondent No.4 and hence the applicant approach this Hon'ble Tribunal for necessary direction.

Swinder Basu

contd...

Central Govt.
19 FEB 2001
T. L. Agarwal
Guwahati

-5-

(ix) That, the applicant submits that the validity of that selection will loss it's force and hence if he is not reinstated immediately, he will be deprived for ever, besides being the only earning member of the family after his father's retirement from the same post it becomes a threat of financial stringencies to his family. If this Hon'ble Tribunal do not interfere at this very stage, the applicant will suffer irreperable loss and injury.

5. GROUND FOR RELIEF :

(i) For that the applicant is a selected candidate and a regular service holder in the post of Group 'D' (Sweeper) and his name has been sponsored by the District Employment Exchange, bearing No. 394/95.

(ii) For that the applicant being a Schedule Castes candidate and as he is a regular service holder after due selection and sponsored against the said post, the respondents cannot terminate him otherwise to reinstate him forthwith.

(iii) For, that as his name has been sponsored for the said post against which post he has been serving diligently since 1998 has as in difasible right to be reinstated.

Sunita Basu

contd...

14

कानूनी सेवा संस्था	कानूनी सेवा संस्था
सुप्रीम कोर्ट ट्रिब्यूनल	सुप्रीम कोर्ट ट्रिब्यूनल
गुवाहाटी	गुवाहाटी
Guwahati Bench	Guwahati Bench
-6-	

(iv) For that action of the respondent No.4 is illegal in as much as it is going to deprive the applicant's livelihood.

(v) For that due to action of the respondents, the valuable fundamental rights of the applicant has been grossly violated.

(vi) For that the action of the respondents is against the principles of natural justice\$.

6. DETAILS OF REMEDIES EXHAUSTED :

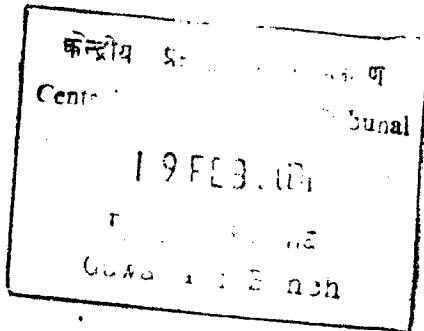
That, the applicant declares that he has taken recourse to all the remedies available to him but till date he has not been favoured with a single and as such there is no other alternative remedy open to him than to approach this Hon'ble Tribunal.

7. MATTER NO PREVIOUSLY FILED OR PENDING BEFORE ANY COURT :

That, the applicant further declares that he has not previously filed any application, Writ Petition or suit regarding this matter in respect of which this application has been made, before any court, authority or any Bench of this Hon'ble Tribunal nor any such application, Writ Application or suit is pending before any of them.

Surinder Basu

contd...



8. RELIEFS SOUGHT FOR :

Under the above facts and circumstances the applicant prays for the following reliefs :-

- (i) To direct the respondents, to reinstate in his regular service in the post of Sweeper in K.V. No.1, Missamari who was selected for regular appointment, after the interview held on 17-9-98, who has been serving for over 5 years in the same post.
- (ii) To direct the respondents to extend all the consequential benefit to the applicant.
- (iii) To pass any other further order or orders as Your Lordships may deem fit and proper.

9. INTERIM RELIEF PRAYED FOR :

Under the facts and circumstances the applicant prays that he may be directed to appoint the applicant subject to the result of the case.

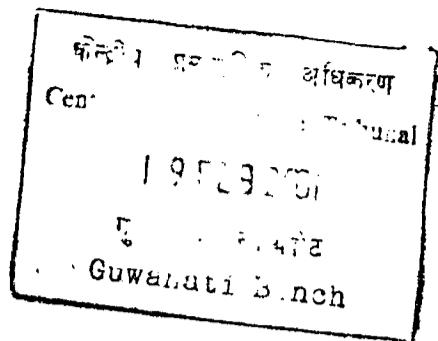
10. PARTICULARS OF THE I.P.O. :

- (i) I.P.O. No. :- 5 G 4 2 2 113
- (ii) Dated :- 15. 2. 2001
- (iii) Payable at Guwahati.

11. LIST OF ENCLOSURES :

As stated in the INDEX.

Sunder Basu



- 8 -

VERIFICATION

I, Sri Surendra Basfore, aged about 21 years,
Son of Sri Jagdish Basfore of patidoi verela, P.O. and
P.S. Gorubandha, District - Sonitpur, Assam do hereby
solemnly affirm and state that the statements made in
paragraphs 1 to 11 are true to my knowledge and belief
and I have not suppressed any facts relevant to the
case.

And I sign this verification at this 19th day
of February 2001.

Surender Basfore
Signature of Applicant

ANNEXURE- 'A'

KENDRIYA VIDYALAYA NO. 1 MISSAMARI (ASSAM)

No. F. 132/KVM1/98-99/678-94 Dated 09-09-98

Sub :- REGULAR APPOINTMENT FOR THE POST OF GROUP 'D'
Sweeper.

With reference to District Employment Exchange
Tezpur letter No.F. Act.66/98/3268 dt. 18-8-98 and No. Act-

66/98/3733 dt. 8-9-98, your name has been sponsored by the
District Employment Exchange Tezpur as a candidate for the

post of Group 'D' (Sweeper) you are hereby directed to
attend the interview at Kendriya Vidyalaya No.1 Missamari
on 17-9-98 at 10-00 A.M. at school premises for regular
appointment for above mentioned post.

Venue :- Kendriya Vidyalaya No.1, Missamari
Dist. Sonitpur (Assam)-784506

Date of Interview :- 17-09-98

Time :- 10-00 A.M.

No. TA/DA will be paid for attending the interview.

Sd/- Illegible

9-9-98

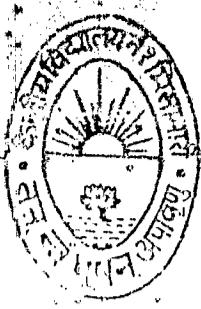
Principal

Kendriya Vidyalaya No.1,
Missamari.

To

Sri Surendra Basfore
S/O Sri Jagdish Basfore
Garubanda.

*Certified to be true
Raniketya Arun
Advocate
19.2.2001*



केन्द्रीय विद्यालय नं. 1, मिसामारी
KENDRIYA VIDYALAYA No. 1, MISSAMARI
 P.O. MISSAMARI - 724506
 Dist. Sonitpur (Assam)

Ref. No. F.132/KV1/98-99/ 1006

Date 08-12-98

To

The Assistant Commissioner,
 Kendriya Vidyalaya Sangathan
 2nd Floor of Chavara Bhawan
 Guwahati-781012

Subject-Approval of appointment proposal Group 'D' (Sweeper)
 of Kendriya Vidyalaya (Assam)

Sir,

With reference to the subject cited above, I am to inform that, a proposal for appointment to the post of Group 'D' (Sweeper) was forwarded to your good office vide letter No. F.132/KV1/98-99/962 dt. 24.9.98.

In this regard, I would like to mentioned that the following candidate was selected for appointment to the post of Group 'D' (Sweeper) as per resolution of Vidyalaya selection committee (Minutes of the meeting has already been sent as mentioned above).

Sl. No.	Name of candidate	Date of birth	Employment	Educational qualification
<input checked="" type="checkbox"/>				
<input checked="" type="checkbox"/>				
<input checked="" type="checkbox"/>				

1. Sh. Surendra Basu

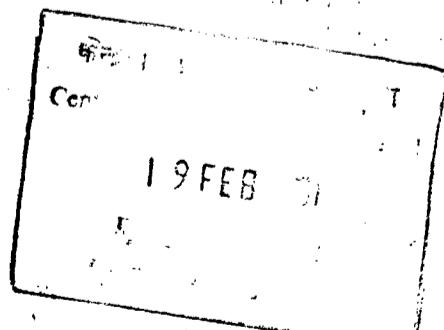
1. Sh. Surendra Basu 30.6.79 394/98 VI Passed SC

Therefore, I would like to request you kindly approve the proposal at your earliest please.

Encl :- Resolution copy
 = 01 No.

Yours faithfully,

J. G. Dupare
 (DR. J. G. DUPARE)
 PRINCIPAL



certified to be true
 Homi Kedge Barua
 Advocate
 19.2.2001

Selection of Group D (Sweeper)

The Chairman of VAC, Col Vijay Singh and other VAC members conducted interview for the purpose of selection for one post of Group D (Sweeper) on 17th and 18th of Sept '98 based on aptitude test and performance of interview.

The post of group D (Sweeper) is purely temporary.

The selection of group D (sweeper) is as follows .. and in accordance with the letter No.F.2-8/98-KVS(GR)/18480 dt. 26-3-98

Sl. No.	Post	Category	Name of selected candidate and Category
1.	Gr -D (sweeper)	SC	Mr. Surendra Baflore
			<u>Wait listed</u>
			1. Mr. Ratna Prakash (SC)

Member of VAC

Name

Signature

1. Col N.K. Dant
2. Mr. K.S. Malik
3. Mrs. A. Singh
4. Mr. R.C. Kalita
5. Dr. H. Mukherjee
6. Dr. J.G. Upadhyay

Member secretary

Signature

Signature

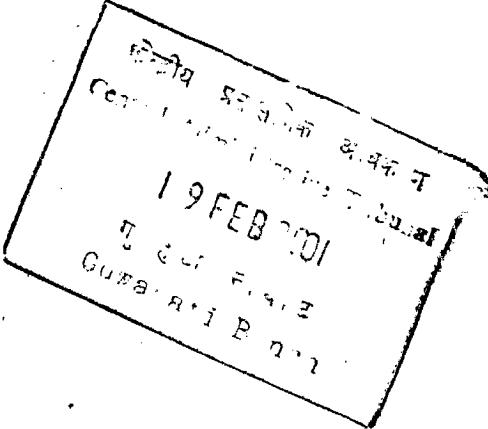
Signature

Signature

Signature

Counter signed

Col Vijay Singh
Admn Commandant (HQ)
and
Chairman VAC



The Asstt. Commissioner,
Kendriya Vidyalaya Sangathan,
Maligaon, Guwahati-11.

Date:-5/12/2000.

Subject:-Illegal termination of my regular appointment in the post of sweeper ,K.V.No.-1, Missamari, by the Principal.

Dear Sir,

With reference to the above, I have the honour to submit this application to your honour against illegal oral termination of my regular service in the post of sweeper in K.V.No-1, Missamari by the Principal of the school, for favour of your kind necessary action:

- 1). That I was initially appointed as sweeper on contingent basis in 1995. Thereafter, I was selected for regular appointment, after the interview held on 17/9/98, after which my name was sponsored by the District Employment Exchange, by letter dated 8/12/98 bearing No. P.132/KVM1/98-99/1006, the Principal of the school wrote for approval of my regularization application as per selection on merit. The copy of the letter dt 8/12/98 stated above is enclosed herewith for your ready reference.
- 2) That, I have been continuously working in the school. But in between, the Principal would threaten me of termination, for some obvious and undisclosable reasons.
- 3) That, finally on 4/12/2000 the Principal verbally terminated my service. When I had asked for order of termination, he refused to give the same to me.

Hence I have submitted this application to you, for your justice.

Sir, I am from a very poor family belonging to S.C. community. I have no other source of livelihood to save my family including old parents.

I, therefore, Pray to you to give me justice and reinstate me in service by setting aside the order of oral termination dated 4/12/2000 of the Principal, K.V.No-1 of Missamari and oblige.

Yours faithfully,

Surendra Basore

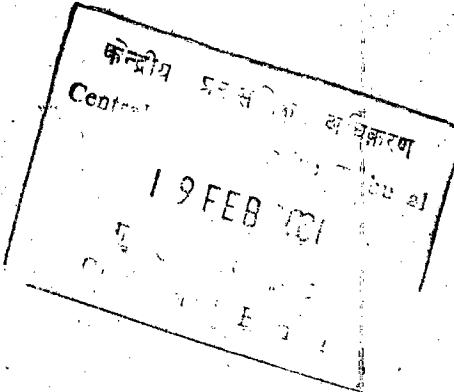
(Sri Surendra Basore)

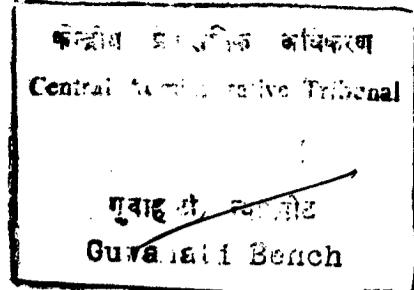
K.V.No. 1, Missamari.

Enclo-letter stated above.

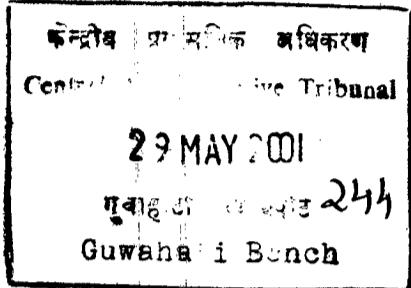
Copy to:-The Principal, K.V.No-1,
Missamari, for doing needful.

Certified to be true
Monikanta Deka
Advocate
19/2/2001





IN THE CENTRAL ADMINISTRATIVE TRIBUNAL; GUWAHATI BENCH
AT GAUHATI



ORIGINAL APPLICATION NO. 77 OF 2001

Sri Surendra Basfore

...Applicant

-Versus-

Union of India & ors.

... Respondents

The Respondent Nos 2, 3 and 4 above-named beg to file their Written Statement as follows:

1. That all the averments and admissions made in the original application (hereinafter referred to in short as the application) are denied by the answering Respondents save and except what has been specifically admitted herein and what appear from the records of the case.

2. That with regard to the statements made in paragraph 4(1) of the application the answering respondents have no comments as they are matters of fact.

3. That with regard to statements made in paragraph 4(ii) of the application the answering respondents beg to state that the applicant Sri Surendra Basfor was never appointed but worked as a casual labour. The applicant's name was sponsored by the employment exchange and accordingly he was called for interview. But the selection process could not be completed as he did not have the minimum requisite qualification that is class VIII pass for Group 'D' employees as laid down in the Education Code.

4. That with regard to the statements made in paragraph 4(iii) of the application the answering respondents beg to state that the applicant beg to state that the applicant is not eligible as he was not Class VIII pass as laid down in the Education Code.

5. That with regard to the statements made in paragraph 4(iv) of the application the answering respondent beg to state that the averments made by the applicant is not correct. The applicant was not continuously working as Group 'D' employee but was engaged as casual labour as per the requirement of Kendriya Vidyalaya Sangathan (referred in Short as KVS)

6. That with regard to the statements made in paragraph 4(v) of the application the answering respondents beg to state that the averments made by the applicant is not correct as he was never threatened for any reason.
7. That with regard to the statements made in paragraph 4(vi) of the application, the answering respondents beg to state that since the applicant was not a regular appointee the question of termination from service does not arise.
8. That with regard to the statements made in paragraph 4(vii) of the application the answering respondents beg to state that the applicant Sri Surendra Basfor was not appointed as a regular employee. He was only working as a casual labour on daily wage basis paid from Vidyalaya Vikash Nidhi. The application of the applicant was not considered as he was not a regular employee.

On the other hand Mrs Durga Barua is a regular Group 'D' employee of Kendriya Vidyalaya, Borgoloi who was transferred to Kendriya Vidyalaya, Missmari on closure of Kendriya Vidyalaya, Boragdoi and joined her duty on

10.7.2000.

9. That with regard to the statements made in paragraph 4(viii) of the application the answering respondents beg to state that though the name of the applicant was sponsored by District Employment Exchange, yet the selection process could not be completed as he did not possess the requisite qualification of Group 'D' employee that is class VIII pass. Therefore since he was not a regular service holder, formal termination was not required.

10. That with regard to the statements made in paragraph 4(ix) of the application the answering respondents beg to state that the selection process was not completed as it was not approved by the competent authorities. Further regular appointment of Group 'D' employees has been stopped by KVS (HQ), New Delhi.

11. That under the facts and circumstances stated above it is respectfully prayed that the Hon'ble Tribunal may be pleased to dismiss the application with cost.

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

I, Shri D.K.Saini aged about 51 years son of C.L.Saini presently working as Asstt. Commissioner, Kendriya Vidylaya Sangathan, Guwahati Region do hereby verify that the statements made in paragraphs 1,3,6
are true to my personal knowledge, those made in paragraphs 4,5,8
are based on records and nothing material has been concealed therefrom.

Place:- Guwahati

Date: 28/05/2001

D.K.Saini
Deponent