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GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

M.P-114/2001 ordersheet Pg-1 INDEX

Disposed Date-24/04/2001

O.A/T.A No.....96/2001.....

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

E.P/M.A No.114/2001.....

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3. Judgment & Order dtd..... Received from H.C/Supreme Court
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SECTION OFFICER (Judl.)

FORM NO.4

(See Rule 42)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWATHI BENCH ::::: GUWAHATIOriginal ORDER SHEET
APPLICATION NO 96 OF 2001

Applicant (s) C.R.P. Nair

Respondent(s) U.O.I. Govt

Advocate for Applicant(s) B.K. Sharma, S. Sarma, U.K. Nair

Advocate for Respondent(s) Case Mr. K.N. Choudhury, M.B.C. Das
D.K. Sharma

Notes of the Registry Date Order of the Tribunal

1. Is in form	7.3.01	Present: Hon'ble Mr. Justice D.N. Choudhury, Vice-Chairman Heard learned counsel for the parties.
2. Date of filing 3. Date of issue 4. Date of C.R. 5. Date of hearing vide 26/3/2001 27/2/2001 Dy. Registrar DR Arv Thy		Application is admitted. Call for records. Issue notice on the respondents as to why the interim order as prayed for shall not be granted. Returnable by 4 weeks. Mr. S. Sarma learned counsel accepts notice on behalf of respondent No. s 2 to 5. Returnable by 4 weeks. In the meanwhile, the respondents are directed to allow the applicant to appear in the interview which is to be held from 12.3.2001 onwards. shall The applicant be allowed to appear in the interview for recruitment for the Post of Principal Navodaya Vidyalaya (Special recruitment drive for ST/SC/OBC) in pursuance to the advertisement in Employment News dated 11-17 November 2000 without prejudice to his claim, the applicant is allowed to appear in the interview but the

contd/-

7.3.01

results be not finalised without leave of this Tribunal.

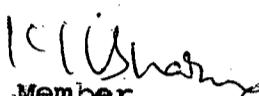
List on 4.4.01 for orders.


Vice-Chairman

23-3-2001 today 1m
Service of notice NS 4.4.01
issued to the
respondents side
D.No.

B.M.

List the matter on 24.4.01 for hearing
In the meantime the respondents may file written statement.


Member


Vice-Chairman

pg

24.4.01 Adjudged to 16.5.01.

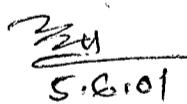

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16.5.01

List again after three weeks as a last chance to enable the respondents to file the written statement.

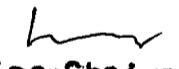
List for hearing is on 7.6.2001.

No written statement
has been filed.


S.B.01

bb


Member


Vice-Chairman

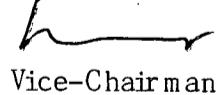
7.6.2001

On the prayer of Mr S. Sarma, learned counsel for the applicant the case is adjourned for hearing till 4.7.01.

No written statement
has been filed.

nk m

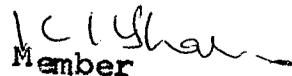

Member


Vice-Chairman

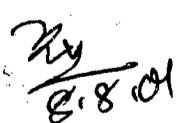
4.7.01

Prayer has been made on behalf of Mr. B.C. Das learned counsel for the respondents for adjournment the case on his personal ground. Prayer is allowed. List on 09.8.01 for hearing.

lm


Member

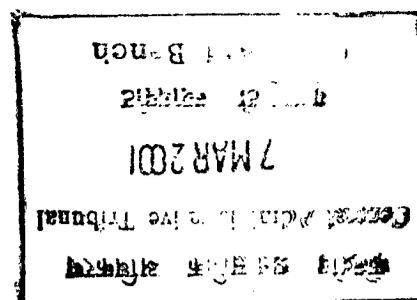

Vice-Chairman


B.C.01

Notes of the Registry	Date	Order of the Tribunal
U.K.Nair	9.8.2001	<p>The case is adjourned on the prayer made on behalf of Mr S. Sarma, learned counsel for the respondents. List again for hearing on 27.8.01.</p> <p><i>I.C.Ushar</i> Member</p> <p><i>Vice-Chairman</i></p>
No. Wts has been filed. <i>26/8/01</i>	27.8	<p>There is no Division Bench today. The case is adjourned to 17.9.2001.</p> <p><i>27/8</i> <i>17.9.01</i></p>
	17.9.01	<p>It has been stated by Mr. U.K.Nair that written statement has filed by the respondents today. List on 27/9/01 to enable the applicant to file rejoinder, if any.</p> <p><i>I.C.Ushar</i> Member</p> <p><i>Vice-Chairman</i></p>
17.9.2001 Wts submitted by Mr. Respondt. 2, 3, 4 and 5. <i>26/9/01</i>	27.9.01	<p>List on 15.11.01 alongwith O.A.No.323 of 2001 for hearing.</p> <p><i>I.C.Ushar</i> Member</p> <p><i>Vice-Chairman</i></p>
No. Rejoinder has been filed. <i>26/9/01</i>	15.11.01	<p>Mr.B.C.Das, learned counsel for the respondents stated that the O.A. 323/2001 is analogous with O.A. 96/2001. In O.A. 323/2001, written statement is yet to file and sought for time to file written statement. Prayer for adjournment is allowed.</p> <p>List on 20/12/01 for hearing.</p> <p><i>I.C.Ushar</i> Member</p> <p><i>Vice-Chairman</i></p>
No. Rejoinder has been filed. <i>13.11.01</i>	mb	
No. Rejoinder has been filed. <i>19.12.01</i>		

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Notes of the Registry	Date	Order of the Tribunal
Written statement filed on behalf of the P.No - 2, 3, 4 and 5.	20.12.01	<p>It has been stated by Mr. U.K.Nair, learned counsel for the applicant that he has received some relief in the matter and he may not have pressed the petition. Accordingly, he seeks some time to obtain instructions. Prayer is allowed. List on 22.1.2002 for hearing.</p> <p><i>U. Usha</i> Member</p>
<i>22.1.02</i>		<p><i>U. Usha</i> Member</p> <p>Vice-Chairman</p>
	22.1.02	<p>mb</p> <p>List on 11.2.2002 on the prayer of Sri B.C.Das, learned counsel for the respondents to enable him to obtain instructions.</p> <p><i>U. Usha</i> Member</p>
<i>22.2.2002</i>	11.2.02	<p>mb</p> <p>Heard Miss U.Das, learned counsel for the applicant and also Mr. B.C. Das, learned counsel for the respondents.</p> <p>It has been stated by Miss U.Das learned counsel appearing on behalf of Mr. B.K.Sharma, learned Sr. Counsel and Mr. S.Sarma, learned counsel for the applicant that instructions was received from the applicant not to press the application. Considering the facts and circumstances of the case, the application stands dismissed on withdrawal.</p> <p><i>B.K. Sharma</i> Member</p>
		<p><i>B.K. Sharma</i> Member</p> <p>Vice-Chairman</p>



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

(An application under section 19 of the Central Administrative Tribunal Act.1985)

O.A. No. 96..... of 2001

BETWEEN

Sri C.K.P.Naidu.Applicant.

AND

Union of India & ors.Respondents.

I N D E X

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FILED BY ; U.K.Nair. ADVOCATE.

FILE : C:\WS7\MP-2

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. No. _____/2001

BETWEEN

Shri C.K.P. Naidu,

Son of Sri C.B.K. Naidu

Presently working as Principal,

Jawahar Navodaya Vidyalaya, Kokrajhar,

Assam

Applicant

A N D

1. Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Human Resources Development,
New Delhi-1.
2. The Navodaya Vidyalaya Samiti,
Represented by its Chairman,
A-39, Kailash Colony, New Delhi-110048.
New Delhi.
3. The Director,
Navodaya Vidyalaya Samiti, A-39, Kailash Colony,
New Delhi 110048.
4. The Deputy Director, (Personnel),
Navodaya Vidyalaya Samiti, A-39, Kailash Colony,
New Delhi-110048.
5. The Deputy Director,
Navodaya Vidyalaya Samiti, Shillong.

..... Respondents.

DETAILS OF THE APPLICATION1. PARTICULARS OF THE ORDER AGAINST WHICH THIS APPLICATION IS MADE:

This application is not directed against any particular order but is directed against the arbitrary action on the part of the Respondents in depriving the applicant from an opportunity of being appointed as Principal in the samiti on regular basis.

2. LIMITATION

The applicant declares that the instant application has been filed within the period prescribed under sec.21 of the Administrative Tribunal Act.1985.

3. JURISDICTION

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

4. FACTS OF THE CASE:

4.1 That this applicant has by way of this application raised a grievance against the arbitrary action on the part of the Respondents in denying to him an opportunity to be appointed as Principal on regular basis. The applicant who has been working as Principal, JNV, Kokrajhar for the last 5 years on deputation, had in response to an advertisement inviting applications for appointment as Principal, JNV on regular basis filed his application. But in spite of lapse of considerable time he was not favoured with any call letter and on enquiry he was given to understand that his case was not considered as he had become overaged as per the relevant rules. On coming to learn about the same the applicant preferred an appeal praying for condonation of

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overage, if any. The applicant had been serving the respondent No.2 Samiti for the last 5 years on deputation as such it was a fit case wherein the authorities ought to have condoned the overage, if any, by invoking the power vested with the authorities under the Rules i.e. by relaxing the age limit. Further, the said relaxation ought to have been given granted to the applicant in view of the fact that the Respondents while requesting the parent Department of applicant for extension of his period of deputation, had stated that his services were indispensable to the samiti. The interview is scheduled with effect from 12.3.2001 onwards at New Delhi and as such left with no alternative, the applicant has by way of this application come under the protective hands of your Lordships.

4.2 That the applicant states that while he was working as a Senior Teacher in Govt. H.S. School, Roing D4-Dibang valley, Arunachal Pradesh, applied for appointment as Principal, Jawahar Navodaya Vidyalaya on deputation basis and thereafter appeared in a selection held for the same. On being selected the applicant was vide letter bearing Memo No. PRIN/APPT/DEV.96/NVS (PERS) dated 28.11.96 offered appointment as Principal in Navodaya Vidyalaya Samiti on transfer on deputations basis. The applicant accepted the offer held out to him and joined as Principal, J.N.V., Kokrajhar. Be it stated here that the applicant is a citizen of India and belongs to the other Backward Class Community and as such he is entitled to all the rights and privileges guaranteed under the Constitution of India and the laws framed thereunder.

Copy of the said letter dated 28.11.96 is annexed as Annexure-1.

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4.3 That as per the terms and conditions of the appointment letter issued to the petitioner, his appointment was initially for a period of two years and thereafter the same would be extendable upto four years by giving extensions on yearly basis at a time. As such in the year 1998 on completion of the initial period of appointment, the Respondents in consultation with the Parent Department of the applicant granted him extension till end of 1999. Thereafter in view of the works being done by the applicant he was granted further extention for the fourth consecutive year i.e. till the end of 2000. The applicant had since the date of his initial appointment discharged the duties entrusted to him to the best of his ability and without blemish to any quarter.

4.4 That in view of the naure of the works being done by the applicant, a proposal was mooted for his permanent absorption in the Samiti. The Respondent No.6 in response to such proposal vide his letter dated 4.8.2000 intimated the Chairman, JNV, Kokrajhar that there was no provision for absorption in the Samiti and hence it would not be feasible to absorb the applicant permanently in the services of the Samiti. As such the applicant was directed to apply as and when the post of Principal was advertised.

A copy of the letter dated 4.8.2000 is annexed hereto as Annexure-2.

4.5 That your applicant states that the Samiti vide an advertisement which appeared in the 11-17th November, 2000 issue of the "Employment News" invited applications for filling up of the posts of Principals on direct recruitment basis for the Navodaya Vidyalayas spread all over the country. The applicant on coming across the said advertisement and also in view of the directions passed vide Annexure-2 letter dated 4.8.2000, filed

his application for the said post, through proper channel. The application of the applicant was duly forwarded by the competent authority to the Respondent No.2, Samiti.

A copy of the said advertisement is annexed as Annexure-3.

4.6 That your applicant states that in the meantime his period of deputation came to an end and he has been directed by the Respondents to continue on deputation basis for another year. In this connection the Respondent No.4, has vide his letter bearing No. 8/96-NVS (Pers) dated 9.11.2000, requested the parent department of the applicant to issue no objection towards further extension of deputation period in respect of the applicant. In the said letter it was inter alia stated that the Samiti was facing hardships in getting suitable candidates for the post of Principal and as the applicant was doing good work throughout and his leaving the school would be detrimental to the interests of the Samiti and the students. As such it was requested that the services of the applicant with the Samiti be extended upto December, 2001 i.e. for the fifth consecutive year. The said letter was followed by letter dated 13.12.2000. Be it further stated here that the applicant was vide letter dated 3.1.2000 requested to take over the additional charge of the post of Principal, J.N.V.Bongaigaon in addition to his own duties.

Copies of the letters dated 9.11.2000 and 13.12.2000 and 3.1.2000 are annexed as Annexures-4, 5 and 6 respectively.

4.7 That as directed the applicant is continuing to discharge his duties as Principal, JNV, Kokrajhar. The Chairman, JNV, Kokrajhar vide his Certificate dated 25.11.2000 has highly commended the works of being done by the applicant. In the said Certificate in addition to appreciating the works being done by

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the applicant, the Chairman, JNV, Kokrajhar has given a list of developmental activities (under progress or completed) initiated by the applicant.

A copy of the said Certificate dated 25.11.2000 is annexed hereto as Annexure-7.

4.8 That your applicant states that the Respondent No.2 has formulated rules for regulating the method of recruitment to the posts in Navodalaya Samiti. The said Rules are called the "Navodaya Vidyalaya Samiti Recruitment (Revised) Rules, 1995". As per the provisions of the said Rules, any deputationist seeking permanent employment in the Samiti will have to apply for direct recruitment as per prescribed Rules. The schedule annexed to the said Rules lays down the qualifications and other requisite criterias required for appointment. As regards the qualifications prescribed for the post of Principal, the Age limit for direct recruits has been fixed at 35 to 45 years whereas as regards departmental candidates the same is not applicable.

A copy of the said Rules is annexed hereto as Annexure-8

4.9 That your applicant states that he is a Master Degree holder with about 59% of marks and has also acquired his B.Ed degree. The applicant has got more than 10 years experience as P.G.T. teacher in a Govt. Sr. Secondary School. Further he has been for the last 5 years working as a Principal of a CBSE affiliated fully residential school. As such the applicant fulfills the requisite educational and other qualifications as prescribed under the said Rules.

4.10 That your applicant states that the date for interview for the post of Principal pursuant to the Annexure-3 advertisement has been fixed w.e.f. 12.3.2001 onwards at Ne Delhi. As such

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on not being favoured with any call letters, the applicant made enquiries in the office of the Respondents and on enquiry he was given to understand that his case was not considered, inasmuch, as he was overaged as per the provisions of the said Rules. Be it stated here that the applicant has been working with the Samiti for the last 5 years and the Rules specifying that the age limit requirement would not be applicable in case of departmental candidates, the same cannot be made applicable in case of applicant, inasmuch, as he had applied for the said post while working in the said Samity. Further at the time of his initial appointment in the samiti as principal in the year 1996 he was very much within the age limit prescribed.

4.11 That your applicant states that on coming to learn from reliable sources about the reason for non consideration of his case, the applicant vide his representation dated 16.1.2001 prayed before the Respondent No.4 for condonation of the overage, if any and allow him to appear in the interview for the post of Principal. The said representation preferred by the applicant is still pending disposal.

A copy of the representation dated 16.1.2001 is annexed as Annexure-9.

4.12 That your applicant states that in the year 1998 when the post of Principal was advertised he had applied for the same. The applicant had then applied as a General category candidate. At that point of time the applicant was overaged by about 10 months. In spite of the said fact the applicant was called for the interview. The said aspect of the matter goes to show that in the case of persons like the applicant in the event they fulfil the Educational and other qualifications prescribed under column 7 of the schedule to the said Rules are normally called for the

interview and the prescription of age limit is not insisted in such cases and/or the same is condoned by invoking the relaxation clause incorporated in the said Rules.

4.13 That your applicant states that the upper age limit has been prescribed as 45 years. In the advertisement itself there is a provision for relaxation of the upper age limit by 3 years for SC/ST/OBC candidates. The applicant who had in the year 1999 and in 2000 applied as an OBC candidate is aged about 48 years 6 months as on 1.12.2000. As such if any relaxation is required it is required for the period of 6 months of over age only.

4.14 That your applicant states that his parent department had given him the last extension after much persuasion from the Respondents and the necessary No Objection for the extension of the services of the applicant with the Samiti for the 5th consecutive year is yet to be received. His parent department may grant the necessary No Objection soon but thereafter it may not agree for further extension of the period of deputation of the applicant. As such this is the last chance available to the applicant for being considered for appointment as Principal on Regular basis.

4.15 That your applicant submits that there is no any clear cut policy on the part of the authorities in matters relating to the prescription of age limit for persons like the applicant. In the year 1998 even though he was admittedly overaged by about 10 months he was given an opportunity to appear in the interview but in a similar situation at present the authorities have refused to give him the same benefit. The authorities of the Samiti have on the one hand expressed their willingness to absorb the applicant permanently but for the Rules, have now taken a contrary position by not condoning the overage if any, of the applicant. The Respondents who have all along expressed their inabil-

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ity to release the applicant from the services of the Samiti in view of the good work being done by him, have now refused to the applicant an opportunity to be appointed on regular basis as Principal in the Samiti.

4.16 That your applicant states that even if it is assumed that the age limit prescribed for direct recruits is also applicable to the case of the applicant, then it was a fit case wherein they ought to have granted relaxation of the said criteria and condoned the overage, if any, facilitating the applicant to appear in the selection for the post of Principal.

4.17 That the reason for granting extensions to the applicant is because of the good work being done by him and also due to unavailability of suitable candidates. The applicant who is continuing on the services of the Samiti for the fifth consecutive year, is doing so at the risk of losing his job in the parent department inasmuch as his parent department is yet to grant permission for extension of his period of deputation till December, 2001. The applicant is continuing in the services of the Samiti in view of the request made to him by the Samiti and also in view of the hope held out to him that the policy of absorption which is under review would be finalised and he would be absorbed permanently. As such it is a fit case wherein the authorities ought to have proceeded to absorb the applicant permanently if required, by relaxing the said Rules.

4.18 That the Respondents having utilised the services of the applicant for more than 4 years they cannot deprive him of an opportunity of being appointed as Principal on regular basis. The Respondents who are model employers ought not to have adopted such a rigid attitude against a person who according to their own

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version had discharged his duties to the satisfaction of one and all. The Respondents cannot be allowed to reprobate and appprobate at the same time.

4.19 That it is a fit case wherein this Hon'ble Tribunal would be pleased to interfere in the matter and direct the Respondents to consider the case of the applicant for permanent absorption, if required by providing for relaxation.

4.20 That the applicant prays that this Hon'ble Tribunal would be pleased to pass an interim order as has been prayed for, failing which the applicant would suffer irreparable loss and injury.

4.21 That this application has been filed bonafide and for the securing the ends of justice.

5. Grounds for relief(s) with legal provision(s):

5.1 For that in any view of the matter the impugned action of the Respondents is not sustainable.

5.2 For that the applicant fulfils all the requisite educational and other required qualifications for being appointed as Principal on regular basis, ought not to have been deprived of an opportunity of being appointed as such.

5.3 For that the Respondents having given extension to the applicant for the fifth consecutive year in view of the quality of the works being done by him and also in view of the fact that there was dearth of suitable candidates, ought to have allowed the applicant to appear in the said interview. As such it is a fit case wherein the Respondents ought to have absorbed the applicant permanently if required by relaxing the Rules.

5.4 For that the applicant was within the age limit prescribed

at the time of his initial appointment as Principal on deputation basis and as such the insistence on the part on the part of the Respondents that candidates must be within the prescribed age limit is uncalled for in the case of the applicant.

5.5 For that assuming though not admitting that the age limit prescribed is also applicable to the case of the applicant he ought to have been given an opportunity to appear in the interview for the post of Principal if required by relaxing the Rules and thereby condoning the overage.

5.6 For that the applicant once being granted relaxation in age limit when he had appeared as a general candidate cannot be denied the same benefit at present when he has already put in about five years of service with the Respondents and also in face of the fact that he belongs to the OBC community.

5.7 For that the impugned action/inaction on the part of the Respondents in not absorbing him permanently in the services of the Samiti and also in refusing to grant him necessary permission to appear in the interview for the post of Principal is illegal, arbitrary, and violative of Principles of Natural Justice and Administrative fair play.

The applicant craves leave of the Hon'ble Tribunal more grounds at the time of hearing of the case.

6. Details of Remedies Exhausted

The Applicant further declares that he has no other alternative efficacious remedy except by of filing this Application before this Hon'ble Tribunal.

7. Matters not previously filed or pending before any other Court.

The applicant further declares that he had not filed any other Original Application, writ Petition or suit in respect of the subject matter of the instant application has been made

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before any other Court, authority or any other Bench of the Hon'ble Tribunal nor any such application, writ petition or suit is pending before any of them.

8. Relief(s) sought for :

Under the facts and circumstances of the case, it is most respectfully prayed that Your Lordships may be pleased to admit this Application, call for the records, issue notice directing the Respondents to show cause as to why the relief(s) sought for in this application be not granted and upon hearing the parties and on perusal of the records be pleased to grant the following reliefs :

- 8.1 To direct the Respondents to absorb the applicant permanently in the post of Principal, if required by relaxing the relevant rules.
- 8.2 To direct the Respondents to consider the case of the applicant for appointment as Principal in the Samiti on regular basis if required by granting relaxation as regards the upper age limit.
- 8.3 Any other relief or relief(s) under the facts and circumstances stated above the applicant is entitled to, as deemed fit and proper by the Hon'ble Tribunal.

9. Interim order prayed for:

Pending disposal of this application the applicant further prays that Your Lordships would be pleased to direct the Respondents to allow the applicant to appear in the Interview for the post of Principal, scheduled to be held at New Delhi with effect from 12.3.2001 in pursuance to the Annexure-3 advertisement.

10.

This application is filed through Advocate.

11. Details of I.P.O.

i. I.P.O. No.

: 24 503694

ii. Date of Issue : 27.2.2001
iii. Issued from : G.P.O., Guwahati.
iv. Payable at : G.P.O., Guwahati.

12. List of enclosures

As stated in the Index.

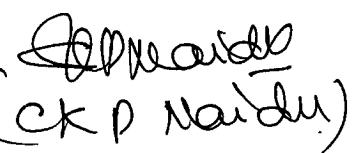
...Verification

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VERIFICATION

I, Shri C.P.K. Naidu, aged about 48 years, son of Sri C.B.K. Naidu, presently working as Principal, Jawahar Navodaya Vidya-Yaya, Kokrajhar, do hereby solemn affirm and declare that the statements made in paragraphs 1 to 3, 4'1, 4'2, 4'3, 4'5, 4'6, 4'7 to 4'18, 4'20 and 5' to 12 are true to my knowledge and those made in paragraph 4'4 and 4'8 are matter of records true to my information derived therefrom which I believe to be true and I have not suppressed any material fact.

And I sign this verification on this the 5th day of March, 2001.


(C.P.K. Naidu)

Telephone]

नवोदय विद्यालय समिति

(वानव संसाधन विकास मंत्रालय, शिक्षा विभाग
का इन स्वायत्त मस्थान)

ए-३४, कंसुलाश कालोनी, नई दिल्ली-११००४८



Gram: 'NAVSAM'

NAVODAYA VIDYALAYA SAMITI

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

A-39, KAILASH COLONY, NEW DELHI-110048

REGISTERED

दिनांक

Dated

November 28, 1996

संख्या

No.

F.NO. PRIN/APPT/DE\ 96/NVS(PERS.)

To

**The Dy^r Director, of Public Instructions
Dibang Valley District, Anini,
Camp-Roing, Arunachal Pradesh.**

Annexure-1

**Subject : Offer of appointment to the post of Principal in
Navodaya Vidyalaya Samiti on transfer on deputation
basis.**

Sir,

I am directed to inform you that on the basis of the recommendations of the Selection Committee, Mr. ~~XXX~~ C.K. Purushotama Naidu, Senior Teacher Govt. H.S. School, of your organisation has been selected for appointment to the post of Principal in Navodaya Vidyalaya Samiti, on transfer on deputation basis in scale of pay of Rs.3000-100-3500- 125-4500.

The appointment will be on transfer on deputation basis for a period of two years in the first instance. He/She will also be entitled to draw dearness and other allowances at the rates admissible subject to the conditions laid down in the Rules and Orders governing the grant of such allowances in force as amended from time to time. The general terms and conditions of deputation on foreign service are enclosed.

The other terms and conditions of the appointment will be as follows:-

- i) The appointment will be on purely on transfer on deputation basis initially for a period of two years, extendable upto four years by giving extension on yearly basis at a time, in consultation with his/her parent organisation. However, the deputation period may be curtailed or extended at the creation of the competent authority without assigning any reason or notice. No permanent absorption is guaranteed to the incumbent who joins on transfer on deputation basis. Those who desire permanent recruitment in Navodaya Vidyalaya Samiti should apply for direct recruitment as and when the vacancies are advertised by NVS. Further, it is clarified that the date of issue of the letter of appointment and the date of joining the Samiti on deputation will not

Roing D4-Dibang Valley, Ar.Pradesh.

Attested
Anu. Mr.
Advocate

- ii) The appointment will be subject to the condition that his/her lien will be kept by his/her parent organisation for the period of deputation/extended deputation on the post held by him/her in the organisation where he/she is presently working and he/she will be taken back on or before the expiry of deputation or extended period of deputation.
- iii) Pay while on deputation will be governed in accordance with the instructions contained in the Ministry of Finance O.M. No.107(24)E:iii/60 dated 4th May, 1961 as amended from time to time.
- iv) He/she will have the option to draw his/her grade pay plus deputation duty allowance in accordance with the prevailing rules or to have the pay fixed in the scale of pay of the post in the Samiti subject to the instructions/restrictions contained in the Department of Personnel and Training O.M.No.6/30/86-Estt.(pay-ii)dated 09.12.1986 and Department of Personnel and Administrative Reforms O.M.No.1/4.84-Estt.(pay-ii) dated 26.12.1984. The option will have to be exercised within one month from the date of joining. Option once exercised will be final.
- v) He/she will have to submit the LFC and Relieving Orders in original from his/her parent organisation in the prescribed proforma to this effect. (Proforma is enclosed).
- vi) If any declaration given or information furnished by him/her proves to be false or if he/she is found to have wilfully suppressed any material/information or HIS/HER SERVICES ARE NOT FOUND SATISFACTORY or otherwise during his/her tenure on deputation in the Samiti, his/her services are liable to be repatriated to his/her parent organisation without assigning any reason/ground or notice.
- vii) Other conditions of service will be governed by relevant Rules and Orders in force in the Samiti as amended from time to time.
- viii) Though the present posting will be as under, but subject to exigencies of work, HE/SHE IS LIABLE TO BE POSTED ANYWHERE IN INDIA, during the period of deputation in the Samiti.

NAME OF THE VIDYALAYA : Ranchaidhana

DISTRICT : Kokrajhar

STATE: Assam

*After seeing
Ans' for
Advocate*

It is requested that the concerned official may be informed accordingly and in case the above conditions are acceptable and he /she is willing to accept this offer, he/she may be relieved from his/her duties immediately SUBJECT TO THE CONDITION THAT NO VIGILANCE CASE IS PENDING/CONTEMPLATED AGAINST HIM/HER, with the direction to report to the Deputy Director, Navodaya Vidyalaya Samiti, Regional Office at the address given below latest by 31.12.96 as Principal in the Samiti on transfer on deputation basis.

The Dy. Director,
Navodaya Vidyalaya Samiti,
Regional office,
Upper Lachhumiere,
Shillong-793 001 (Meghalaya)

Tel: 0364-227836, 227609

Yours faithfully,

(ANURAG BHATNAGAR)
DIRECTOR

Enclosures :

1. Relieving Order Proforma
2. Terms & conditions of deputation

Copy to:-

✓ 1. Mr/Mrs. C.K. Burushotama Naidu, Senior Teacher, Govt. H.S. School, Roing D4-Dibang Valley, Ar. P.

2. The Dy. Director, NVS, Regional Office Shillong. The above named Officer may please be allowed to join the duties subject to verification of relieving order and other related documents. On his/her joining, the JOINING REPORT, LPC and the RELIEVING ORDER(AS PRESCRIBED BY THE SAMITI), IN ORIGINAL, may be forwarded to the Samiti at an early date.

3. The District Magistrate & Chairman, VMC, Distt. Kokrajhar State Assam.

4. The Principal/Incharge Principal, Navodaya Vidyalaya Ranchaidhanya Distt. Kokrajhar, State Assam, with a request to handover the charge to the newly posted Principal as per the directions of Deputy Director, Regional Office, concerned.

G. K. Singhal
(A.K. Singhal)
Section Officer (Estt.)

*Attested
Anil K. Singhal
Advocate*

Fax : 6460159

दूरध्वाय] 6468001 (7 Lines)
Telephone

नवोदय विद्यालय समिति

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

ए-39, केलाण कालानी, नई दिल्ली-110048

मानव विद्यालय समिति
नं. ND-8/96-NVS(Pers.)



- 18 -

Annexure -

तार : 'नवसम'

Gram : 'NAVSAM'

NAVODAYA VIDYALAYA SAMITI

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

A-39, KAILASH COLONY, NEW DELHI-110048

दिनांक
Dated

4.8.2000

To

Shri J. I. Kathar, IAS
Deputy Commissioner,
Kokrajhar(Assam).

Sub: Absorption/direct recruitment in respect of Shri C.K.P.Naidu,
Principal, JNV, Kokrajhar(Assam) - regarding.

Sir,

This is in reference to your letter No. DO/31/96/156 dated 28.06.2000 regarding absorption/direct recruitment in respect of Shri C.K.P.Naidu, Principal, JNV, Kokrajhar(Assam). It is to inform you that there is no provision of absorption in the Samiti and hence it may not be feasible to absorb Shri Naidu permanently. Regarding direct recruitment, Shri Naidu may apply as and when the post of Principal on direct recruitment is advertised.

Thanking you,

Yours faithfully,

V.K. Sharma
V.K. Sharma
4.8.2000
(V.K.SHARMA)
DEPUTY DIRECTOR(PERS.)

Attested
Anu. Bhattacharya
Advocate



NAVODAYA VIDYALAYA SAMITI

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

Address: 39, Kailash Colony, New Delhi - 110 048

REQUIRES PRINCIPALS ON DIRECT RECRUITMENT BASIS

(Special recruitment drive for ST/SC/OBC)

The Navodaya Vidyalaya Samiti, an autonomous organisation under the Ministry of Human Resource Development, Department of Secondary Education and Higher Education invites applications for the post of PRINCIPALS to be filled on Direct Recruitment basis for the Navodaya Vidyalayas spread all over the country in the scale of pay of Rs. 10000-325-15200 (revised) as per the details given below:

1. Approximate number of vacancies : SC - 09; ST - 18; OBC - 31
(The number of vacancies is purely tentative and subject to change)

2. AGE LIMIT : (As on 01 Dec. 2000) For Direct Recruitment basis : 35 to 45 years
(Upper age limit for SC/ST/OBC/Women candidates will be relaxed as per Govt. of India rules applicable to such categories).

3. QUALIFICATIONS :

- Essential :
 - Master's degree of a recognised University with atleast 50% marks;
 - B.Ed. or equivalent teaching degree
 - Aleast 10 years teaching experience of Senior Secondary Classes as PGT in the pre-revised pay scale of Rs. 1640-2000 in any Govt./Aided/recognised Senior Secondary School/Inter College.
- Desirable :
 - Experience of working in a fully residential school;
 - Experience of working in schools affiliated with CBSE;
 - Experience of working as a Principal/Vice-Principal of a Senior Secondary School.

NOTE : The proof of possession of essential qualification and experience must be specially and explicitly enclosed with the application failing which the application is liable to be rejected.

4. TERMS & CONDITIONS

(i) The candidates selected on Direct Recruitment will be appointed initially on probation for a period of two years extendable upto two years depending upon the performance. The Samiti reserves the right to terminate the services of a candidate at any time during the period of probation/extended period of probation if it is of the opinion that the officer is not suitable.

(ii) All applications shall be submitted through proper channel.

(iii) Samiti reserves the right to evolve an eligibility criteria to scrutinise the applications and to call candidates for interview. Depending upon the volume of applications received, Samiti may decide to conduct a written screening test for short listing the candidates for the interview. In case of conduct of such written test, the marks obtained in the written test shall not be added to the marks obtained in interview. Final selection of the candidates shall be done basing on the performance of the candidate and marks obtained in interview only. In case of receipt of limited number of applications, the Samiti may not conduct written screening test. Instead, it may interview the eligible candidates. The discretion of conducting a written screening test or not rests with the Samiti. No correspondence will be entertained in this regard.

(iv) The selected candidates are liable to be posted/transferred anywhere in India

(v) Selected candidates will be entitled in various allowances as admissible under the Central Government Rules. Besides, the Samiti offers the following incentives to the selected candidate

- Rent free furnished housing facility, as available on site
- Facility for admission to their sons & daughters in the Navodaya Vidyalaya where they are posted as per Samiti's rules.
- Free boarding with students, as per rules

HOW TO APPLY

- The application should be neatly typed in English or Hindi in the prescribed format given below in plain paper sheet (approximate size 30 cm x 22 cm). The applications received in any other format will NOT be entertained. The applications completed in all respects accompanied by attested copies of certificates mentioned therein along with a Demand Draft for Rs. 200/- (Rs. Two hundred only) drawn in favour of Navodaya Vidyalaya Samiti in case of OBC candidates only (no fee is to be paid by the SC/ST candidates) should reach the DEPUTY DIRECTOR (PERSONNEL), NAVODAYA VIDYALAYA SAMITI, A-39, KAILASH COLONY, NEW DELHI - 110 048 in a closed envelope with the words "APPLICATION FOR THE POST OF PRINCIPAL - DR BASIS" clearly subscribed on it. The fees once paid will not be refunded under any circumstances.
- THE LAST DATE OF RECEIPT OF APPLICATION is 11.12.2000 for all candidates and 30.12.2000 for candidates of North-Eastern States, Lahul, Spiti, Andaman & Nicobar Islands, Ladakh etc. The applications received after the stipulated date will not be considered under any circumstances and the Samiti will not be responsible for any kind of postal delay.
- Factually incorrect/misleading information/incomplete application shall be summarily rejected.
- TA will be paid to the Candidates as per rules admissible in this regard.

APPLICATION FOR THE POST OF PRINCIPAL

(TO BE FILLED IN BY THE CANDIDATE IN HIS/HER OWN HANDWRITING)

APPLICATION FOR THE POST OF PRINCIPAL ON DIRECT RECRUITMENT BASIS

CATEGORY OF CANDIDATE : SC/ST/OBC : _____

(Nature of the Caste/Tribe to which belongs. Attestated copy of the certificate from the Competent Authority should be enclosed)

Demand Draft No. _____ Date _____ Bank _____ Amount _____

Space for
passport size
photograph
Form is liable to
be rejected
without photo

1. NAME _____ (IN CAPITAL LETTERS)
2. SEX _____ (WRITE 'M' IF MALE AND 'F' IF FEMALE)
3. FATHER'S/HUSBAND'S NAME: _____ (IN CAPITAL LETTERS)
4. DATE OF BIRTH: _____ (IN CHRISTIAN ERA)
(BOTH IN FIGURES AND IN WORDS)

AGE AS ON 01.12.2000 : _____ YEARS _____ MONTHS

5. NATIONALITY : _____

6. POSTAL ADDRESS (IN CAPITAL LETTERS)

(a) Permanent _____ PIN CODE _____

(b) Address for correspondence _____ PIN CODE _____

(c) E-mail : _____

7. (A) ACADEMIC QUALIFICATIONS

S. No.	Examination	Subjects offered	Board/Univ.	Year	Marks obtained	Max Marks	Percentage (%)
i)	Hr. Sec/Sr. Sec./ PUC/Intermediate						
ii)	Bachelor's Degree						
iii)	Master's Degree						
iv)	Additional Master's Degree, if any						

(B) PROFESSIONAL QUALIFICATION

S. No.	Ed. or equivalent	Board/Univ.	Year	Marks obtained	Max Marks	%
		Theory				
		Practical				
	M.Ed					
	Ph.D/M.Phil.					
	Any other course					

8. TOTAL TEACHING EXPERIENCE FOR SENIOR SECONDARY CLASSES AS PGT

S. No.	Name of the Institution, Whether it is Residential	Name of the Board to which affiliated & State	Post Held	Basic pay & scale with break up of scale	From	To

9. TOTAL ADMINISTRATIVE EXPERIENCE

Name of the post	Basic pay and scale	Name of the Institution Res/Non-residential	Post Held To	Total Experience Yrs	Months

10. OTHER VITAL INFORMATION

- Name & Address of the institution where working
(Applicants who are working in the Samiti on deputation basis must give name and address of their parent organisation and forward their applications through proper channel).
- Whether the Institution is Govt/Aided/Privt.
- Whether the Institution is Residential/Non-residential
- The level of the Institution i.e., upto class X/XI/XII
- Present post held
(Applicants working on deputation in the Samiti must indicate the post held by them in their parent organisation)
- Whether permanent/temporary
- Date since held
- Complete break-up of the scale of the post held
- Present Basic Pay Rs. _____ Since _____
Total Emoluments Rs. _____ Since _____
- Present revised scale of your present pay scale :
- Date of superannuation from present service
- Language you can fluently
 - Speak _____
 - Write _____
 - Read _____
- Native Distt. & State
- Whether the spouse is employed
(Indicate the designation and complete address of employer)
- Any other relevant information

11. Name and address of the Relieving/Controlling Authority
(Give the complete address with PIN code)

DECLARATION

I solemnly declare that the statements made by me are correct to the best of my knowledge and belief. I have read all the terms and conditions thoroughly and also clearly understand that in the event of my appointment in the Samiti my services are liable to be terminated without notice, any time during the service, if the foregoing information or any part thereof furnished by me is found to be wrong or suppressed.

PLACE _____

DATED _____

(SIGNATURE OF THE CANDIDATE)

FOR USE OF THE FORWARDING OFFICE

Name of the Office and address

PIN code

(Please give complete address)

It is certified that the applicant is working as a _____ in this Institution, which is a Government/Semi-Government/State Govt./Govt. recognised/Autonomous/Aided/Private* and that entries made by the applicant have been found correct on verification from his service records. His present pay is Rs. _____ in the pay scale of Rs. _____

No vigilance/disciplinary case is pending/contemplated against him/her at the time of submitting this application.

Place _____ Signature _____ Name _____ Designation _____

Dated _____

COUNTERSIGNED _____

NAME _____

DESIGNATION _____

(To be signed by Relieving/Appointing/Competent Authority)

★ SEAL ★

* Strike off whichever is not applicable

PLEASE ATTACH ATTESTED COPIES OF THE FOLLOWING DOCUMENTS

(Self attested copies will not be entertained)

- Proof of Date of Birth
- Certificate in support of SC/ST by the Competent Authority
- Certificate in support of OBC, only on the format given by the Competent Authority
- Higher Secondary/Intermediate/10+2 Certificate
- Graduation and Post Graduation Certificate
- Certificate of Degree/Diploma of Professional Qualifications
- Mark-sheets of (v), (vi) and (vii) above
- In case degree/diploma has been obtained from an Institution not affiliated to any University/deemed University, Document in support of its recognition by the concerned State Government.
- Certificates in support of teaching and Administrative experience
- No Objection Certificate from the Present Employer in case of serving personnel and from Parent Organisation in case of candidates who are already working in the Samiti on Deputation Basis.
- Certificate(s) for competitive attainment(s) in co-curricular activities
- Any other relevant documents

FORM OF CERTIFICATE TO BE PRODUCED BY OTHER BACKWARD CLASSES APPLYING FOR THE POST OF PRINCIPAL IN NAVODAYA VIDYALAYA SAMITI

This is to certify that Shri/Smt. Kum. _____ son/daughter of _____ of village _____, District/Division _____ in the State of _____, India, Ministry of Welfare Resolution No. 12011/68/93-BBC (C), dated 10th Sept. 1993, Shri/Smt/Kum. _____ and/or his family ordinarily resides in the _____ District/Division of the _____ States.

This is also to certify that he/she does not belong to the persons/sections (Creamy Layer) mentioned in column 3 of the Schedule to the Govt. of India, Dept. of Personnel & Training O.M. No. 360/12/122/93-Ext (SC) dated 08.09.93.

Dated : _____

NO CERTIFICATE OTHER THAN THIS FOR OBC WILL BE ENTERTAINED.

EN 33/80

Attached
Annexure
A
School

Fax : 6460159

दूरभाष Telephone] 6468001 (7 Lines)

नवोदय विद्यालय समिति

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

ए-39, कैलाश कालोनी, नई दिल्ली-110048



(64) 20-

मुद्रा- ४

तार : 'नवसम'

Gram : 'NAVSAM'

NAVODAYA VIDYALAYA SAMITI

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

A-39, KAILASH COLONY, NEW DELHI-110048

संख्या NP-8/96-NVS(Pars.)
No.

दिनांक 09.11.2000
Dated

To

The Director of School Education
Government of Arunachal Pradesh,
Naharlagun, Arunachal Pradesh.

Sub: Request for further extension of deputation period in respect
of Shri C.K.P.Naidu, Principal, JNV, Kokrajhar, Assam.

Sir,

Kindly refer to this office letter of even number dated 3.4.2000
on the subject cited above vide which you were requested to grant
extension in respect of Shri C.K.P.Naidu upto the end of December,
2000.

Since the hardships being faced by the Samiti for getting
suitable candidates for the post of Principals have already been
explained in the said letter, you are further requested to grant
extension to Shri Naidu upto December, 2001 i.e. for the fifth
year as Shri Naidu is doing good work throughout and leaving the
school without Principal in the month of December, if extension
is not granted, will have a definite set back to those students
who are appearing in Board Exams in particular.

You may kindly appreciate our difficulty and grant extension
for the fifth year before that if he is not absorbed by that
time, he shall be repatriated definitely.

Yours faithfully,

(V.K.SHRIMAN)
DEPUTY DIRECTOR(P&E)

Copy to:

1. Deputy Director, NVS, Regional Office, Shillong.
2. Shri C.K.P. Naidu, Principal, JNV, Kokrajhar, Assam.

Attested
A. K. M. H.
Advocate

Fax : 6460159

दूरभाष] 6468001 (7 Lines)

नवोदय विद्यालय समिति

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

ए-39, कैलाश कालोनी, नई दिल्ली-110048



संख्या NJ-8/96-NVS(P&E.)
No. To

14
-21-

The Director of School Education
Government of Arunachal Pradesh,
Naharlagun,
Arunachal Pradesh.

Sub: Request for further extension of deputation period in respect
of Shri C.K.P.Naidu, Principal, JNV, Kokrajhar, Assam.
Sir,

This is in reference to Samiti's letter of even number dated 09.11.2000 regarding request for further extension of deputation period in respect of Shri C.K.P.Naidu, Principal, JNV, Kokrajhar, Assam for the fifth year i.e. upto the end of December, 2001. As already intimated that Samiti is facing hardship in appointing Principals in the North-Eastern Region, it is necessary to utilize the services of Shri Naidu upto 25.12.2001. Hence it is desired that your support in terms of extension of deputation of Shri Naidu will go a long way to strengthen the cause of Navodaya Vidyalayas.

दिनांक
Dated

12.2000

Yours faithfully,

(V.K. SHARMA)
DEPUTY DIRECTOR (P&E)

Copy to:

1. Deputy Director, NVS, RO, Shillong.
2. Shri C.K.P.Naidu, Principal, JNV, Kokrajhar, Assam - with a
request to pursue the matter of extension personally.

03/01/2001

Attested
Shri. [Signature]
for [Signature]

शेषीय कार्यालय
ज्ञवोदय विद्यालय समिति

शिलांग
मानव संसाधन विकास मंत्रालय
(शिक्षा विभाग)

No. F.II:8/2K-NVS(SHR)/Admn/ ६७४१० शान्तिलो



- 22 -

Annexure- 6

Regional Office
NAVODAYA VIDYALAYA SAMITI
SHILLONG
Ministry of Human Resource Development
(Dept. of Education)

Dated: -03-01-2000 Dated

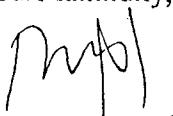
The Principal,
Jawahar Navodaya Vidyalaya,
Kokrajhar.

Subject:- ADDITIONAL CHARGE OF JNV, BONGAIGAON.

Sir,

Principal JNV, Barpeta vide his letter no.1641 dated 4/12/2000 regretted his inability to continue holding additional charge of JNV, Bongaigaon. He further proposed in his letter that JNV, Kokrajhar is very near to the proposed site of JNV, Bongaigaon. Therefore, in the interest of the Vidyalaya, Principal JNV, Kokrajhar is hereby requested to take over the additional charge of JNV, Bongaigaon from Shri M. Sharma, Principal JNV, Barpeta.

Yours faithfully,


(M.L. SHARMA)
DEPUTY DIRECTOR

Copy to:-

Sh. M. Sharma, Principal JNV, Barpeta with a request to hand over the charge to the Principal of JNV, Kokrajhar.

DEPUTY DIRECTOR

24/01/2001

Mr. M.L.
Advocate

J. I. Kathar, IAS



DEPUTY COMMISSIONER
KOKRAJHAR
Pin Code - 783 370
No. KDO.245/91
Date- 25-11-2000.

TO WHOM IT MAY CONCERN

Certified that I have been involved in many activities of Jawahar Navodaya Vidyalaya, Ranchaidham, (post) Via-Basugaon, Dist. Kokrajhar, Assam. Since my joining. Shri C.K.P.Naidu has been working as Principal at Jawahar Novodaya Vidyalaya, Kokrajhar since December, 1996.

Shri Naidu has contributed in the substantial change of the school environment in terms of student - teacher relation, and Principal-Guardian relation. He has been able to tap public contribution individually, and also from other agencies such as District Rural Development Agency, Kokrajhar, Bongaigaon Refinary and Petrochemicals Limited, Dhaligaon, Dist. Bongaigaon etc.

On account of his constant pressure for the progress of the Vidyalaya the following developmental activities have been made during his Principalship.

01. Construction of a 4 roomed building in 1997-98 with Rs. 3.00 lacs through DRDA, Kokrajhar. Inaugurated by Chairman, JNV, Kokrajhar.
02. Construction of a 7 roomed building in 1998-99 with Rs. 6.00 lacs through DRDA, Kokrajhar. Inaugurated by Hon'ble Member of Parliament Shri S.K.Bwismuthiary under my Chairmanship.
03. Temporary class rooms are constructed with Rs. 2.00 lacs in April,1999, financed by DRDA,Kokrajhar.
04. The road leading to JNV and the bridges on the way are repaired with Rs. 5.00 lacs.
05. Principal's chamber is constructed with Rs. 0.5 lacs, financed by BRPL, Dhaligaon, Dist. Bongaigaon.
06. The Vidyalaya is electrified with untied fund of Rs. 55,102.00 (State-Plan).
07. Two water pump sets with over head tanks are installed for fresh water supply, contributed by parents.
08. The Vidyalaya is shifted at its permanent site, Ranchaidham on 30th Oct./2000. He managed to construct 08 class rooms, Kitchen cum Dining Hall, and set up 12 hand pumps for fresh water with the kind courtesy of D.C., DRDA and BAC, Kokrajhar and the public of the JNV complex, costing Rs. 4.00 lacs.

During his tenure the Vidyalaya has maintained 100% success with satisfying percentage in the academic sphere.

He is a sincere and dedicated Officer. I recommend him for higher responsibility. I wish him all success.

Deputy Commissioner, Kokrajhar
& Chairman, JNV, Kokrajhar

25-11-2000
Deputy Commissioner
Kokrajhar

Attested
S. M. Kathar
Advocate

Principal,
J. N. V., Kokrajhar,
Assam - 733372

Annexure 8

REVISED RECRUITMENT RULES 1995



NAVODAYA VIDYALAYA SAMITI
A-39, KAILASH COLONY
NEW DELHI - 110048

Attested
Sri Mohd
Advocate

NAVODAYA VIDYALAYA SAMITI

MINISTRY OF HUMAN RESOURCE DEVELOPMENT
(DEPARTMENT OF EDUCATION)

A-39, Kailash Colony, New Delhi - 110048

No.F.2-29/94-NVS(Admn.)

Dated: 22nd June, 1995

NOTIFICATION

In exercise of the powers conferred under Rule-24 of the Rules of Navodaya Vidyalaya Samiti, the Executive Committee of the Samiti hereby makes the following rules in modification of the rules notified vide notification No. F.1-67/89-Admn. dated 7 June, 1991, for regulating the method of recruitment to all the posts in the Navodaya Vidyalaya Samiti :

1. SHORT TITLE AND COMMENCEMENT

- (i) These rules may be called Navodaya Vidyalaya Samiti Recruitment (Revised) Rules, 1995.
- (ii) They shall come into force on the date of their notification.

2. FUTURE MAINTENANCE OF THE SERVICE

- (i) All persons appointed on direct recruitment basis in accordance with the Recruitment Rules notified earlier vide notification No. F.1-67/89-Admn. dated 7th June, 1991, or under any administrative instructions existing prior to notification of the Rules, or on permanent absorption basis in accordance with the Permanent Absorption Rules of the Samiti, shall continue in the substantive posts held by them.
- (ii) All the appointments in the Samiti after the notification of these Rules shall be made only in accordance with the provisions of these Rules. Appointments to existing posts not covered by these Rules shall continue to be in accordance with the Recruitment Rules notified on 7th June, 1991 mentioned above.
- (iii) Persons who have joined on deputation to various posts in the Samiti one year before the date of notification of these Rules, shall be given one opportunity of consideration for permanent absorption in their respective post after notification of these Rules, against direct recruitment vacancies unless otherwise specified in the Schedule hereto. Such of the deputationists who are not recommended for absorption shall continue in the same capacity till completion of their deputation period subject to administrative exigencies. Thereafter any deputationist seeking permanent employment in the Samiti will have to apply for direct recruitment as per prescribed rules.
- (iv) All teaching staff other than Principals, and Vice-Principals and PGTs and all non-teaching staff upto and including Office Superintendents working in Navodaya Vidyalayas in a region, shall be borne on the concerned Regional Cadre. The seniority of Post Graduate Teachers, which is a feeder post for promotion to Vice-Principal, would be maintained on all-India basis.

Attested
Anil Kapoor
Advocate

(v) All Group 'A' and 'B' employees of the Samiti including Principals and Vice-Principals, will be borne on respective all-India Cadres. The seniority of employees borne on Regional Cadre will be maintained at the Regional basis. Notwithstanding anything contained herein any class or category of posts and incumbents thereof, may be placed in the Regional Cadre or All India Cadre, as the case may be, by general of special orders of Directory, NVS.

3. NUMBER OF POSTS, CLASSIFICATION AND SCALES OF PAY

The number of posts, their classification and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the Schedule annexed to this notification.

NOTE : Teachers are entitled for senior scale and selection grade in accordance with Govt. of India orders dated 20th Sept., 1987 as amended from time to time.

4. METHOD OF RECRUITMENT, AGE-LIMIT AND OTHER QUALIFICATIONS

(i) The method of recruitment, age-limit, qualifications and other matters relating to the said posts shall be as specified in columns 5 to 11 of the said Schedule.

NOTE : In columns 7 and 11 of the Schedule, wherever, regular service in a specific scale of pay is mentioned as part of qualification/experience for the post, the allowances attached to that scale shall be comparable or equivalent to that prescribed by the GOI.

(ii) For promotion to the various posts under the Samiti, the composition of the departmental promotion committees for different categories of posts will be as given in Appendix-1A to the Schedule.

The composition of selection committees for appointments to various categories of posts under the Samiti will be as given in Appendix-1B to the Schedule.

(iii) The scheme of the Navodaya Vidyalayas provides for admission of girls to the extent of atleast one-third of the students in each Vidyalaya. In order to effectively manage the residential and custodial requirements of girl students, the Director of the Samiti may decide during each selection to enlarge the zone of consideration by upto 50 % for female candidates in order to facilitate recruitment of more female candidates for direct recruitment in respect of all teaching posts in the Vidyalayas.

(iv) In order to encourage more female candidates to apply for teaching jobs in the Samiti, the upper age-limit in case of female candidates applying for teaching posts in the Vidyalayas, would be extendable by 10 years while deciding their eligibility.

(v) In cases where promotion has been prescribed as a method of recruitment, the eligibility list for promotion shall be prepared with reference to the date of completion by the officers of the prescribed qualifying service as on 1st October of the Recruitment Year in their respective grade/post. The Recruitment Year for promotions will be the calender year.

(vi) Notwithstanding anything contained in these Rules, the Director of the Samiti may, in case of urgent need, permit appointment on short-term contract against any post included in these Rules, on a consolidated remuneration, provided that the amount of remuneration shall not exceed the pay plus dearness allowance admissible at the minimum of the pay of the post. In such cases the contract period shall not normally exceed one year unless otherwise specified.

5. DISQUALIFICATION

No person -

(a) Who has entered into or contracted a marriage with a person having a spouse living, or

(b) having a spouse living has entered into or contracted marriage with any person, shall be eligible for appointment to the said post. Provided that the Samiti may, if satisfied that such marriage is permissible under the Personnel Law applicable to such person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this Rule.

Attested
Anu's Mark
Advocate

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6. POWER TO RELAX

When the Executive Committee of the Samiti upon a recommendation made by the Director to that effect, is of the opinion that it is necessary or expedient to do so, it may, for reasons to be recorded in writing, relax any of the provisions of these Rules with respect to any class or category of posts or persons. All administrative orders/instructions providing for any relaxation, exemption etc. of the provisions of Recruitment Rules issued prior to notification of these revised Rules shall stand superseded after notification of these Rules.

7. SAVINGS

Nothing in these Rules shall affect reservations, relaxations in age-limit and other concessions required to be provided by the Samiti for the Scheduled Castes, Scheduled Tribes, Ex-service men and other special categories of persons in accordance with the orders issued by the Government of India from time to time in this regard.

8. INTERPRETATIONS

Any question relating to interpretation of these Rules shall be decided by the Director, Navodaya Vidyalaya Samiti.

Neeru Nanda

(NEERU NANDA)
DIRECTOR

*Attested
Anni bhab
Advocate*

28 -

NVS SCHEDULE OF POSTS IN VIDYALAYAS

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1	Name of post :	PRINCIPAL
2	No. of posts :	348
3	Classification :	Group 'A'
4	Scale of pay :	Rs. 3000-100-3500-125-4500
5	Whether Selection post or non-Selection post :	Selection
6	Age limit for direct recruits :	Between 35 and 45 years
7	Education and other qualifications required for direct recruits :	ESSENTIAL 1. Master's Degree from a recognised university with atleast 50% marks. 2. B.Ed. or equivalent teaching degree. 3. Atleast 10 years experience as PGT in the pay scale of Rs. 1640-2900 in any Govt./recognised Sr. Secondary School/Inter College
8	Whether age and educational qualifications for direct recruits will apply to promotees :	DESIRABLE 1. Experience of working in a fully residential school. 2. Experience of working in schools affiliated with CBSE 3. Experience of working as a Principal/Vice-Principal of a Secondary/Sr. Secondary School.
9	Period of probation, if any :	<u>Age</u> - No
10	Method of rectt. whether by direct rectt. or by promotion or by deputation/transfer and percentage of vacancies to be filled by various methods :	Educational qualifications - Yes 2 years 66 2/3% by direct recruitment failing which by transfer on deputation including short-term contract: 33 1/3% by promotion failing which by transfer on deputation including short-term contract.
11	In case of rectt. by promotion/deputation/transfer grades from which promotion/deputation/transfer to be made :	PROMOTION From among the Vice-Principals of Jawahar Navodaya Vidyalayas who have put in 5 years of regular service in the grade and in case enough eligible candidates from among Vice-Principals are not available, then from among all Vice-Principals with a combined regular service of 10 years in the grades of Post-Graduate Teachers and Vice-Principals in the Samiti and all the Post-Graduate Teachers with 10 years regular service in the Samiti.
		TRANSFER ON DEPUTATION From among persons possessing qualifications prescribed for direct recruitment under column 7.

S. S. T. S.
A. M. I. B.
Advocate

जवाहर नवोदय विद्यालय,
कोकराज्हार

पा०: अ०:—रनचाइद्धाम भाया—बासुगाँधी

मानव संसाधन विकास मन्त्रालय

(शिक्षा विभाग) भारत सरकार

जिला—कोकराज्हार (असम)

पिन—७८३३७२



— २७ —

Annexure 9
STD CODE : 03661 81208

Jawahar Navodaya Vidyalaya
Kokrajhar

P.O.—RANCHAUDHAM Via. : BASUGAON

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

Dist—KOKRAJHAR (ASSAM)

PIN—783372

Ref. No. PF/CKPN/JNVK-2000-01/845

Date 16/01/2001.

To

The Deputy Director (P & E)
Navodaya Vidyalaya Samiti,
A-39, Kailash Colony,
New Delhi-110048.

Sub: TO CONDONE THE EXCESS OF AGE TO FACILITATE TO ATTEND
INTERVIEW.

Respected Sir,

I have the honour to inform you that, I am working as a Principal at J.N.V. Kokrajhar w.e.f. 26.12.1996. On deputation from Govt. of Arunachal Pradesh. In the month of November, 2000. I have applied for the post of Principal on Direct Recruitment Basis in OBC category. By 01/12/2000, my age is 48 years and 06 months. As per Samiti's Recruitment Rules, I am over aged by 06 months.

So, I request your kind honour to condone the excess of age 06 months and allow me to attend the Interview as I am working in the Samiti since more than 04 years. And since past 02 years, we hear that, the policy of absorption is likely to be reviewed and I will be absorbed. But, till now, nothing has come up.

Sir, I would like to mention that, being the departmental candidate, I have been called for the Interview on 04.06.1998 on Direct Recruitment basis in General category even though I was over aged by 10 months at that time.

This is for your kind information and necessary action please.

With deep regards,

Yours faithfully,

(Signature) 16/01/2001

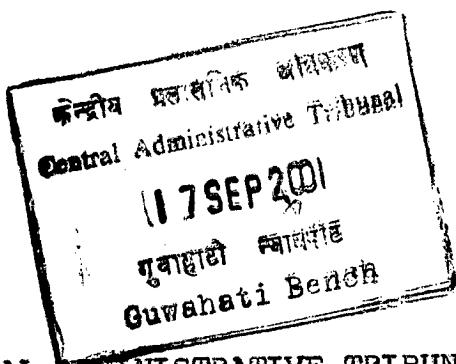
(C.K.P. NAIDU)

Principal,

J.N.V. Kokrajhar,

ASSAM

*(Attested
Sunil Mohan
Advocate)*



Filed by:
Bimal Chandra Deka
Advocate.

17-9-01.

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

ORIGINAL APPLICATION NO. 96/2001.

Shri C.K.P. Naidu ... Applicant.

- Versus -

Union of India & Ors. ... Respondents.

The Respondents No. 2, 3, 4 and 5 beg to file
their Written Statement as follows :-

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 with regard to the statement made in paragraph 4.1 of the Original Application (hereinafter referred to as the O.A.) the answering respondents admit to the extent that the applicant has been working as Principal, JNV, Kokrajhar w.e.f. 26.12.1996 on deputation from Govt. of Arunachal Pradesh. The applicant in response to the advertisement appearing in Employment News dated 11- 17 November, 2000 for the post of Principals on regular basis sent his application, but the same could not be considered because of his average. As per concession of age limit of 3 years applicable in the Category of OBC,

2.

meaning thereby that the candidates upto the age of 48 years (45 + 3 years) may be considered by giving the relaxation applicable to the category of OBC. The date of birth of the petitioner is 1.6.1952 and so he attained the age 48 years and 6 months instead of 45 years as on 1.12.2000 which was the condition for the eligibility of a candidate as based on Recruitment Rules, 1995. Further it was made clear in the advertisement that upper age limit for SC/ST/OBC women candidates will be relaxed as per Government of India Rules applicable to such categories because of the eligibility criteria which is invariably applicable to all applicants. Inspite of the fact that the age relaxation was given as per the Govt. of India criteria but the applicant was over age for consideration. Any further relaxation over and above the provisions of Recruitment Rules after giving necessary concessions as per the approved norms of Government would encroach upon the rights of the other suitable candidates in depriving them an opportunity of employment. However, in compliance to the direction of this Hon'ble Tribunal's order the applicant was allowed to appear in the interview on 15.3.2001 inspite of him being over age.

3. That the statement made in paragraph 4.2 of the O.A. being matters of records of the case the answering respondents do not admit anything which is

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3.

contrary to or in consistent from what appears from the records.

4. That with regard to the statement made in paragraph 4.3 of the O.A. the answering respondents beg to state that the samiti had requested his parent department to extend the deputation period under permissible tenure of deputation and accordingly extension was granted upto 21.12.2000. As a matter of fact, his service should have been repatriated immediately after the expiry of the date i.e. 21.12.2000, but since the correspondence was on and the academic session was in full swing, the services of the applicant has been continued with an understanding that the further grant of his deputation period will be received shortly by his parent department. The parent department of the applicant vide letter No. ED-2/134/PER/82 dated 5th March, 2001 has intimated that the Government of Arunachal Pradesh has not extended the deputation period of the applicant and requested further he may be repatriated immediately to enable the applicant to join in his parent department for which the action is being taken as there is no alternative to keep him any more in the samiti.

A copy of the letter No. ED-2/134/PER/82 dated 5.3.2001 is annexed hereto and is marked as ANNEXURE - 'A'.

contd... p 4.

5. That the statement made in paragraphs 4.4 and 4.5 of the Original Application being matters of records of the case the answering respondents do not admit anything which is contrary to or inconsistent from what appears from the records.

6. That with regard to the statement made in paragraph 4.6 of the O.A. the answering respondents beg to state that the period of deputation of the applicant was extended as it had been done in many similar cases in order to ensure that the functioning of the school do not suffer on account of non-availability of Principal. The applicant for his extension of his deputation does not confer any right to insist on considering his candidature inspite of him not fulfilling the minimum eligibility conditions.

7. That with regard to the statement made in paragraph 4.7 of the Original Application the answering respondents beg to state that the applicant on the basis of his performance and certificates cannot claim right to permanent confirmation and/or absorption. As pointed out above, the applicant was on deputation and, as such, does not confer any right to insist on considering his candidature.

8. That with regard to the statement made in paragraph 4.8 of the O.A. the answering respondents beg

5.

to state that the relaxation of age permissible under Government of India Rules was given but the applicant was not found eligible. The applicant cannot be treated as departmental candidate as he is not a regular employee of the Samiti. By quoting the provision of relaxation for Departmental candidates the applicant is trying to misguide the Hon'ble Tribunal for gaining sympathy and regarding departmental & relaxation is only applicable for the regular employees.

9. That with regard to the statement made in paragraph 4.9 of the O.A. the answering respondents state that it is correct to the extent that the applicant is working as Principal on deputation basis in a fully residential school for 4 years and 3 months as on to-day in place of 5 years as mentioned wrongly and as per his educational qualification he possesses the requirement but due to his over age he does not qualify to be considered for the post.

10. That with regard to the statement made in paragraphs 4.10 and 4.11 of the O.A. the answering respondents beg to state that as per this Hon'ble Tribunal's order dated 7.3.2001 the applicant was issued the call letters although he is not eligible for consideration on account of his over age and further the

contd....

respondents complied with the order by letting the applicant appear for interview before the Selection Board on 15th March, 2001.

11. That with regard to the statement made in paragraph 4.12 of the O.A. the answering respondents beg to state that the relaxation in respect of age is to the candidates in the category of OBC/SC/ST as per the Government of India Rules and other than that there is no other such provisions of relaxation. The decision in respect of the applicant was taken as per the existing Recruitment Rules of the Samiti.

12. That with regard to the statement made in paragraph 4.13 of the O.A. the answering respondents beg to state that relaxation was given to the candidates as notified in the advertisement and as per the existing Government Rules and, as such, special relaxation cannot be given exclusively to the applicant.

13. That with regard to the statement made in paragraph 4.14 of the O.A. the answering respondents have no comments to offer.

14. That the answering respondents deny the correctness of the statement made in paragraphs 4.15 of the O.A. as it is absolutely misconceived. Navodaya

Vidyalaya Samiti being an Autonomous Body under the Ministry of Human Resource Development has its own Recruitment Rules within the frame work of the provision of the Government. The Samiti has employed more than 14,000 employees across the country and, as such, the remarks made by the applicant is not just and proper.

15. That with regard to the statement made in paragraph 4.16 of the O.A. the answering respondents beg to state that the Samiti has considered the relaxation of age in the applicant's case, but over and above, no relaxation can be given by the Samiti as it has to adhere to its own Recruitment Rules.

16. That with regard to the statement made in paragraph 4.17 of the O.A. the answering respondents beg to state that the applicant was categorically informed that his service are being taken on deputation basis and his parent department i.e. Government of Arunachal Pradesh was ~~not~~ being requested from time to time to continue his deputation. Thus consideration of the applicant for permanent absorption is only subject to availability of vacancies and other such conditions required for permanent absorption and at present, there is absolutely no provision for permanent absorption since he has come on deputation.

17. That with regard to the statement made in paragraph 4.18 of the Original Application the answering respondent begs to state that the contention of the applicant regarding the respondents having utilized the services of him for more than 4 years and are deputizing him from being a regular Principal is not correct. The applicant was taken on deputation with specific conditions which are adhered to by the Samiti and further has also enjoyed all the privileges of being a Principal as provided in the Samiti provision. The Samiti has been regularly taking officers on deputation for different categories of posts for specific period as per the terms of deputation and this analogy was also the same for the applicant. As a matter of fact this cannot confer any right to the applicant to insist on floating the eligible criteria and qualification as prescribed in the Samiti Rules.

18. That with regard to the statement made in paragraph 4.19 of the Original Application the answering respondents beg to state that the contention of the applicant to consider his candidature in violation of existing recruitment rules and Government provisions cannot be considered, moreover, the applicant is praying for permanent absorption while simultaneously seeking relaxation of age for being interviewed as a candidate for Direct Recruitment.

19. That with regard to the statement made in paragraph 4.20 of the Original Application the answering respondents

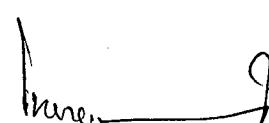
humbly prays that the applicant has been misrepresenting the facts and rules and making efforts to gain sympathy of this Hon'ble Tribunal and further any relaxation extended to the applicant over and above the provisions of the existing rules will effect the employment of many deserving candidates.

20. That under the facts and circumstances stated above it is devoid of any merit and the same deserved to be dismissed with cost.

VERIFICATION

I, V. S. Ranawat, presently working as in-charge Deputy Director, Navodaya Vidyalaya Sangathan, Regional Office, Shillong do hereby solemnly affirm and state that the statements made in paragraph 1,2,3,5 to 19 are true to my knowledge and those made in paragraph 4 are matters of records, information derived therefrom which I believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

I sign this verification on this the 17th day of September 2001, at Guwahati.



Signature.
Deputy Director,
Navodaya Vidyalaya Sangathan,
Ministry of Human Resource Development
(Department of Education)
Shillong.

GOVERNMENT OF ARUNACHAL PRAD
DIRECTORATE OF SCHOOL EDUCAT
NAHARLAGUN.

R-5
ANNEXURE - A

-10-

NO.ED.2/134/PER/82

Dated Naharlagun, the 5th March/2001.

To,

The Dy. Director (P&E),
Navodaya Vidyalaya Samiti,
A-39, Kailash Colony,
New Delhi - 110048.

Sub :-

Extension of deputation period in respect of
Shri C.K.P. Naidu.

Sir,

With reference to your letter No. ND-8/96-NVS (Pers) dated 13/12/2000 on the subject mentioned above, I am directed to inform you that the Govt. of Arunachal Pradesh has not considered further extension of deputation period in respect of Shri C.K.P. Naidu, S/T(Bio) (Now on deputation to NVS as Principal). Therefore, you are requested to release him immediately enabling him to join in the parent department.

This is issued under the approval of Secy(E) vide Dy. No. 575 dated 28/02/2001.

Yours faithfully,

(A. DEB) DDSE (E),
for Director of School Education,
Arunachal Pradesh,
Naharlagun.

Memo. No. ED.2/134/PER/82/115 Dated Naharlagun, the 5th March/2001.
Copy to :-

1. Shri C.K.P. Naidu, Principal, JNV, Kokrajhar, Assam for information. You are directed to repatriate the parent department immediately.
2. One copy.

(A. DEB) DDSE (E),
for Director of School Education,
Arunachal Pradesh,
Naharlagun.

EEF