

GUWAHATI BENCH  
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

C.P-17/2001 ordersheet pg-1 to 3 INDEX

closed date-18/01/2002

M.P-268/2001 ordersheet pg-1 to 2

allowed date-18/01/2002

O.A/T.A No..135/2001....

R.A/C.P No...17/2001.....

E.P/M.A No...268/2001....

1. Orders Sheet. OA-135/2001.....Pg.....1.....to.....3.....
2. Judgment/Order dtd..18/01/2002.....Pg.....1.....to.....6..... allowed
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A.....135/2001.....Pg.....1.....to.....16.....
5. E.P/M.P..268/2001.....Pg.....1.....to.....9.....
6. R.A/C.P..17/2001.....Pg.....1.....to.....9.....
7. W.S. Respondents No-2,3,4 & 5.....Pg.....1.....to.....16.....
8. Rejoinder. Submitted by the applicant Pg.....1.....to.....6.....
9. Reply. Show Cause in C.P-17/01.....Pg.....1.....to.....9.....  
Show Cause Reply contemner No 1 pg - 1 - to - 4
10. Any other Papers.....Pg.....to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

Rejoinder submitted by the applicant  
in C.P-17/2001 pg- 1 to 4

SECTION OFFICER (Judl.)

FORM NO.4  
(See Rule 42)

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

ORDER SHEET  
APPLICATION NO 135 OF 2001

Applicant (s) Sri Jaydev Barman

Respondent(s) 1101 2018

Advocate for Applicant(s) Mr M. Chandra, S.C. Biswas &

Advocate for Respondent(s) Mrs N.D. Goswami

CASE

Notes of the Registry	Date	Order of the Tribunal
-----------------------	------	-----------------------

This is in form  
but no cooperation  
for the 8/10/2001 vide  
IPO/5/10/01 64 792/6T  
Dated 3/4/2001

1/e Dy. Registrar 4/4/01

Requisites not filed.  
NS

11-4-2001

Service of Notice  
issued to the  
respondents vide  
No. 1314-1318 dt.  
11.4.2001

lm

2.5.

Vice-Chairman

Pass over to 4.5.2001  
Mr  
A.K. 2.5

4.5.2001

Await service report. In the meantime,  
the interim order dated 6.4.2001 shall continue.  
List for further orders on 25.5.01.

Vice-Chairman

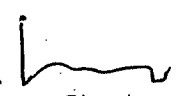
nk m

① Service report are still awaited

25.5.2001

List again on 13.6.01 for orders.

② Notice returned Un-Served on R.No.14.

  
Vice-Chairman

nkm

By  
21.6.01

18.7.01

Written statement has been filed.

Copy of the written statement has not been given to the applicant. Respondents are directed to give the copy of the written statement within two weeks. List on 10.8.01.

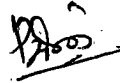
  
Member

28.6.2001

w/s ~~has~~ been submitted by 10.8.01  
-the Respondents No. 2, 3, 4 & 5.

Reply has been filed by the respondents. List on 14/9/01 for hearing.

  
Member



mb

14.9.01

List on 28/9/01 to enable the respondents to obtain necessary instructions.

w/s has been filed.

Vice-Chairman

By  
24.9.01

14.9.01

Adjourned on the prayer of learned counsel for the parties.

  
Vice-Chairman

mb

22.10.2001

28.9.2001

List it again on 19.10.01 for hearing.

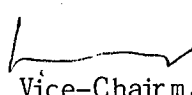
Rejoinder submitted by the applicant in reply to the A/S

nkm

19.10.01



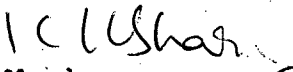


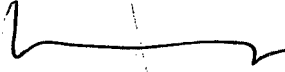
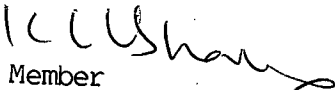

Request has been made by A on behalf of Mr.S.Sarma for a short adjournment.

Request is accepted, List on 12.12.2001 for further hearing.

  
Vice-Chairman

  
Member

bb

Notes of the Registry	Date	Order of the Tribunal
	12.12.01	It is stated that the applicant has filed the amended application being M.P. No. 268/2001. Request is made to be listed this case alongwith M.P. No. 268/2001.  List on 19.12.01 alongwith M.P. No. 268/2001 for hearing.  <div style="text-align: right;">   Member </div>
The case is ready for hearing.  By 3.1.02.	mb 19.12.01	List on 4-1-02 for hearing.  <div style="text-align: right;">   Vice-Chairman </div>
	lm 4.1.02	List on 9.1.02 for hearing alongwith C.P.17 of 2001.  <div style="display: flex; justify-content: space-between;"> <div style="text-align: right;">   Member </div> <div style="text-align: right;">   Vice-Chairman </div> </div>
The case is ready for hearing.  By 17.1.02.	lm 9.1.02	On the prayer of Mr. S.Sarma, learned counsel for the respondents, the case is adjourned. List again on 18.1.2002 for hearing.  <div style="display: flex; justify-content: space-between;"> <div style="text-align: right;">   Member </div> <div style="text-align: right;">   Vice-Chairman </div> </div>
	mb 18.1.02	Heard learned counsel for the parties. Hearing concluded. Judgement delivered in the open court, kept in separate sheets. The application is allowed. No costs.  <div style="display: flex; justify-content: space-between;"> <div style="text-align: right;">   Member </div> <div style="text-align: right;">   Vice-Chairman </div> </div>
Received Stamp for K.V.SS/2/02  14.2.2002 Copy of the Judgmt has been sent to the Office. for issuing the line to the applicant by Post. JS	trd	

Notes of the Registry

Date

Order of the Tribunal

CENTRAL ADMINISTRATIVE TRIBUNAL ::  
GUWAHATI BENCH.

O.A./R.A. No. 135 of 2001 . of

DATE OF DECISION 18.1.2002 .....

Sri Jaydev Barman

APPLICANT(S)

Mr. M.Chanda

ADVOCATE FOR THE APPLICANT(S)

- VERSUS -

Union of India & Ors.

RESPONDENT(S)

Mr. S.Sarma.

ADVOCATE FOR THE  
RESPONDENTS.

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

THE HON'BLE MR. K.K.SHARMA, MEMBER (A).

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the judgment is to be circulated to the other Benches ?

5.

Judgment delivered by Hon'ble Vice-Chairman.

Yes

X

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 135 of 2001

~~Original Application No. 135 of 2001.~~

Date of decision : This the 18th day of January, 2001.

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

Hon'ble Mr. K.K. Sharma, Member (A).

Sri Jaydev Barman  
Son of Late Madhav Barman,  
Upper Division Clerk  
Office of the Principal,  
Kendriya Vidyalaya,  
P.O. Tenga Valley (Arunachal Pradesh)  
District - West Kameng

...Applicant

By Advocate Mr. M. Chanda.

-versus-

1. Union of India  
Through the Secretary to the  
Government of India,  
Ministry of Human Resource,  
New Delhi.
2. Commissioner,  
Kendriya Vidyalaya Sangathan,  
18, Institutional Area,  
Shahid Jeet Marg,  
New Delhi-110016.
3. Assistant Commissioner,  
Regional Office,  
Maligaon Chariali,  
Guwahati-781012.
4. Principal,  
Kendriya Vidyalaya,  
P.O. Tenga Valley,  
Dist. West Kameng  
Pin-790115
5. G.S. Sandhu,  
Principal  
Kendriya Vidyalaya  
P.O. Tenga Valley,  
Dist. West Kameng (A.P.)

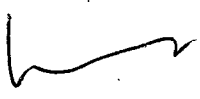
...Respondents

By Advocate Mr. S. Sarma.

O R D E R (ORAL)

CHOWDHURY J. (V.C.).

The applicant is working as Upper Division Clerk (in short UDC) in the office of the Principal, Kendriya Vidyalaya, Tenga Valley in the State of Arunachal Pradesh. It is stated that his wife Mrs. Shoma Dey Barman is also a State



Government employee working as Junior Teacher, Government Secondary School, Singchung (Tenga Valley) in the same station in the State of Arunachal Pradesh. While the applicant was serving as such, the impugned order of transfer dated 20/21.03.2001 was issued transferring the applicant from Kendriya Vidyalaya, Tenga Valley to Kendriya Vidyalaya, Kimin. The full text of the said order of transfer dated 20/21.03.2001 is reproduced below :

"No.10-4/2001-KVS(GR)/10454-58 Dated 20/21.03.2001

TRANSFER ORDER

Mr. Jaydev Barman, UDC, Kendriya Vidyalaya, Tenga Valley is hereby transferred to Kendriya Vidyalaya, Kimin in Public interest with immediate effect.

Sd/- D.K.Saini  
Assistant Commissioner

Copy to :-

1. Mr. Jaydev Barman, UDC, Kendriya Vidyalaya, Tenga Valley.
2. Principal, Kendriya Vidyalaya, Tenga Valley/Kimin. Mr. Barman, should be relieved immediately. He stands relieved from the Vidyalaya w.e.f. the date of receipt of this order. Relieving order may also be issued accordingly. It is the personal responsibility of the Principal to inform this office immediately regarding relieving/joining of the employees. Any lapse/failure on the part of the Principal in this regard would be viewed seriously."

The applicant assailed the aforesaid order of transfer as arbitrary, discriminatory and also as mala fide. The applicant also contended that the said order of transfer is contrary to the policy issued by the Government of India in posting husband and wife in a same station. In the application the applicant also averred of some discord and disension with the Principal on the alleged collection of rent realised from the contractual basis teachers and part time teachers which led to an enquiry by the Garrison Engineer, 859, EWS, C/O 99 APO. The Principal, Kendriya Vidyalaya, Tenga Valley was impleaded as party respondent by name.

Contd...



2. A written statement was submitted on behalf of the Respondent Nos. 2,3,4 and 5 by the Assistant Commissioner, Kendriya Vidyalaya Sangathan, Guwahati Region denying and disputing the contention raised by the applicant. At paragraph 5 of the written statement the Assistant Commissioner, Kendriya Vidyalaya Sangathan disputing the charge of collecting rent from the contractual teachers and part time teachers. The Assistant Commissioner even denied of realising any rent for Kendriya Vidyalaya, Tenga valley quarter. In the written statement the Assistant Commissioner stated that the order of transfer of the applicant was passed lawfully. It may be stated here though the Principal, Kendriya Vidyalaya, Tenga Valley was made a party respondent, he did not file any written statement. There was serious allegation of mala fide against him, when such allegation was made against a party it was expected that such party would come and explain the facts. In the absence of rebuttal from the party concerned one can presume that facts pleaded as admitted. The denial of Assistant Commissioner in the written statement also cannot be accepted more so in view of the nature of the verification made by the said Assistant Commissioner. The denial made in paragraph 5 by the Assistant Commissioner in the verification is said to be based on records but no records as such produced. On the other hand in the rejoinder, the applicant mentioned of the notice dated 23.4.1999 under the signature of Principal, Kendriya Vidyalaya, Tenga Valley indicating the payment made by some of the teachers. The full text of the said notice is reproduced below :

"KENDRIYA VIDYALAYA TENGA VALLEY

NOTICE

Dated 23rd April 1999

The following Contractual basis teachers & Part time teachers will pay the amount against their names

Contd..

regarding accommodation before 5th of every month to Dr. O.P. Pandey, P.G.T.(Hindi), I/C Accommodation.

Sd/- G.S.Sandhu  
PRINCIPAL

1.	Mrs. L.Sanatombi Devi PGT(Eco) (Contractual basis)	Rs.300/-
2.	Mr. N. Ansari, TGT (PCM) (Contractual basis)	Rs.300/-
3.	Mr. M.A. Bharbhuiya, TGT(PCM) (Contractual basis)	Rs.300/-
4.	Mr. R.N.S.Yadav, PRT, (Contractual basis)	Rs.300/-
5.	Mr. V.K.Singh, PRT (Contractual basis)	Rs.300/-
6.	Mr. Jogot Dewri, PRT (Contractual basis)	Rs.300/-
7.	Mr. S.I.Biswas, PrT (Contractual basis)	Rs.300/-
8.	Mr. Arun Kumar Aman, Part Time	Rs. 75/-
9.	Mr. Ashok Limbu, Part Time	Rs. 75/-"

The said documents also reflected the signatures against Sl. Nos. 1,3,4,6 and 7.

3. We have heard the learned counsel for the parties at length. By the impugned order of transfer dated 20/21.3.2001 the applicant was transferred to Kendriya Vidyalaya, Kimin and the order also indicated for his relieve forthwith even without waiting for his reliever. What was the urgency in relieving the applicant is also not indicated in the written statement. Mr. S.Sarma, learned counsel for the KVS strenuously urged that the Assistant Commissioner was the person competent to issue transfer order to any staff to any place in public interest but we were not shown any such public interest for transferring the applicant abruptly. The respondents may be competent to transfer an Upper Division Clerk but such discretion can only be exercised only on valid, and relevant consideration and on public interest. Under the normal circumstances the applicant is entitled for joining time that was seemingly not given and the order only

Contd..

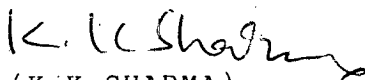
indicated that the concerned incumbent stood relieved from duty from the date of receipt of the impugned order of transfer. In fact the said impugned order of transfer dated 20/21.3.2001 was suspended by a order dated 6.4.2001 by the Tribunal. The respondents in the contempt petition only indicated that the applicant was already relieved by the order dated 31.3.2001 but in view of the interim order passed by the Tribunal the respondents did not issue any such order compelling him to join at Kimin. It was also submitted that the relieving order was not challenged before the Tribunal and therefore he is not entitled to join the post again. We express our displeasure on the stand taken by the respondents though we are not inclined to delve the matter on this issue. Office Memorandum dated 12.6.1997 is the policy applicable to all concerned including the respondents. No good reason was recorded in transferring the applicant all on a sudden by the impugned order. The conferment of discretion does not mean that the authority can arbitrarily exercise of powers as its own limit. The powers entrusted in trust to serve the public purpose. What are the reasons weighing upon the authority to transfer the employee, on the face of the professed norm in the matter of spouse posting. The post of Upper Division Assistant is a sanctioned post why the incumbent was precipitiously shifted without any substitution is also not discernible. The Respondent authority is an instrumentality of the state and is a state within the meaning of Article 12 of the Constitution of India. State action must be based on valid, lawful and relevant considerations. Where the operative reason is not legitimate and relevant and outside the permissible consideration it also amounts to malafide exercise of power and thus violative of Article 14 of the Constitution of India. Article 14 of the Constitution speaks of equality and


Contd...

inhibits arbitrariness. Equality is a dynamic concept of manifold facets. In the fact situation the impugned order of transfer and posting of the applicant is seemingly arbitrary.

4. From the foregoing reasons mentioned above it appears that the impugned order of transfer and posting of the applicant dated 20/21.3.2001 and the relieving order dated 31.3.2001 amounted to improper exercise of power and accordingly the same are set aside and quashed. The respondents are directed to discharge his lawful duty forthwith as Upper Division Assistant in Kendriya Vidyalaya, Tenga Valley.

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

  
(K.K.SHARMA)  
Member

  
(D.N.CHOWDHURY)  
Vice-Chairman

13

केन्द्रीय प्रशासनिक न्यायालय  
 Central Administrative Tribunal  
 6 APR 2001  
 गुवाहाटी न्यायालय  
 Guwahati Bench  
**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
 GUWAHATI BENCH**

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

Title of the Case : O.A. No...../2001

Sri Jaydev Barman : Applicant

- Versus-

Union of India & Ors. : Respondents

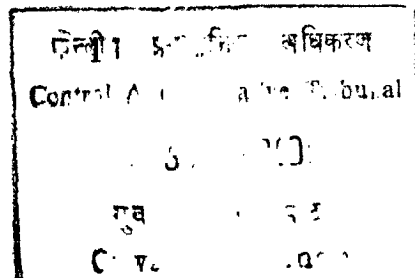
**INDEX**

Sl. No.	Annexure	Particulars	Page No.
01.	---	Application	1-11
02.	---	Verification	12
03.	1	Certificate dated 1.4.2001	13
04.	2	Impugned order dated 20/21.3.2001	14
05.	3	Copy of the Memo. dated 12.6.97	15-16

Filed by

  
 Advocate

Jaydev Barman.



**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH**

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

O.A. No. \_\_\_\_\_/2001

**BETWEEN**

**Shri Jaydev Barman,**

**Son of Late Madhav Barman,**

**Upper Division Clerk**

**Office of the <sup>Principal</sup> Kendriya Vidyalaya,**

**P.O. Tenga Valley (Arunachal Pradesh),**

**Dist. West Kameng.**

**Applicant**

**-versus-**

**1. Union of India,**

**Through the Secretary to the**

**Government . of India,**

**Ministry of Human Resource,**

**New Delhi.**

**2. Commissioner,**

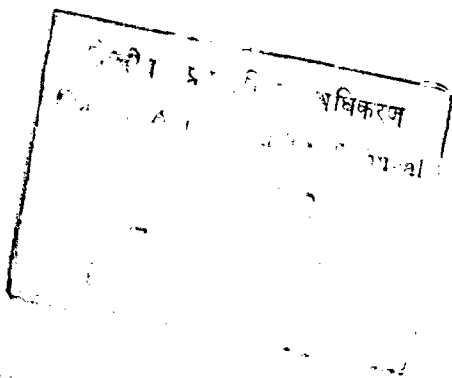
**Kendriya Vidyalaya Sangathan,**

**18, Institutional Area,**

**Shahid Jeet Marg,**

**New Delhi-16.**

*Jaydev Barman.*



3. Assistant Commissioner,  
Regional Office,  
Maligaon Chariali,  
Guwahati-781012.

4. Principal,  
Kendriya Vidyalaya,  
P.O. Tenga Valley,  
Dist. West Kameng,  
Pin - 790115.

5. G. S. Sandhu,  
Principal,  
Kendriya Vidyalaya,  
P.O. Tenga Valley,  
Dist. West Kameng (A.P.).

**Respondents.**

**DETAILS OF APPLICATION**

1. **Particulars of order (s) against which this application is made.**

This application is made against the impugned order of transfer and posting issued under letter No.10-4/2000-KVS(GR)/10454-58 dated 20.03.2001 whereby the applicant is sought to be transferred and posted from Kendriya Vidyalaya, Tenga Valley to Kendriya

*Jaydev Banman*

vidyalaya, Kimin in total violation of Government policy issued under memorandum dated 12.06.1997 wherein it is directed that husband and wife should invariably be posted in the same station, especially when the children are below 10 years of age and also in violation of the other schemes issued by the Government of India from time to time for posting of husband and wife in the same station for leading normal family life and also praying for a direction upon the respondents for retaining the applicant in the present place of posting at Tenga Valley, Kendriya Vidyalaya.

2. Jurisdiction.

That the present applicant declares that the application is within the jurisdiction of this Hon'ble Tribunal.

3. Limitation

That the present applicant further declares that this application is filed within the prescribed period of limitation as per Administrative Tribunals Act, 1985.

4. Facts of the Case

4.1 That your applicant is a citizen of India and as such he is entitled to all the rights and privileges as guaranteed under the Constitution of India.

4.2 That the applicant presently working as Upper Division Clerk (in short UDC) in the Office of the Principal, Kendriya Vidyalaya, Tenga Valley in the state of Arunachal Pradesh. It is relevant to mention here that the wife of the applicant Mrs. Shoma Dey Barman is also a State Government employee working as Junior Teacher, Govt. Secondary School, Singchung (Tenga Valley) in the same station in the state of Arunachal Pradesh. The applicant got a male baby aged about 4 years. The Govt. Secondary School in which the wife is working situated at the same station at Tenga Valley.

Jaydev Barman.



A copy of the certificate dated 1.4.2001 issued by the Head Master, Govt. Secondary School, Singchung, West Kameng District, Arunachal Pradesh is annexed as Annexure-1

4.3 That your applicant initially appointed as L.D.C. in the month of May 1984 at Kendriya Vidyalaya, No.1 Kungaban, Agartala in the state of Tripura. Thereafter he was transferred and posted to Kendriya Vidyalaya, Barapani in the month of May 1987 but surprisingly again transferred and posted to Kendriya Vidyalaya, Misamari in the month of September 1987. The applicant carried out the said transfer order and joined at Kendriya Vidyalaya, No.2, Misamari on 08.10.1987 and continued to serve there till 28.07.1990. The applicant again transferred and posted from Kendriya Vidyalaya, No.2, Misamari to Kendriya Vidyalaya, Tenga Valley on promotion to the post of U.D.C. in the month of July 1990. Thereafter the applicant is continuously serving in the aforesaid school at Tenga Valley. The applicant got married during the year 1995 and the wife of the applicant is a Govt. employee under the state of Arunachal Pradesh serving as Junior Teacher in the Govt. Secondary School, Simsung, as a result of wedlock a male baby is born in the month of October 1996.

4.4 That it is stated that Sri G.S. Sandhu, Principal, joined at Kendriya Vidyalaya, Tenga Valley in the month of November 1998. After joining of Sri Sandhu as Principal in the said school, the applicant started facing difficulties each and every step in course of discharging his duties to the post of Upper Division Clerk especially as the applicant, always insists for strict compliance of rules and regulation in handling the Govt. money. As a result Shri Sandhu very often gets agitated over simple issues and especially got annoyed with the applicant when he had requested Sri Sandhu to deposit the Quarter rent collected by Sri Sandhu from the contractual teachers and part time teachers serving in the said school from time to time and occupying the Govt quarter during the tenure of Shri Sandhu, it is relevant to mention here that after joining of Sri Sandhu as Principal in the aforesaid

Jaydev Benman.

school he had issued a notice to contractual teachers and part time teachers for payment of monthly rent to Dr. O.P. Pandey, P.G.T.(Hindi) teacher in total violation of the Govt. Rule but surprisingly the above rent collected from the individual teachers from the month of April 1999 onwards. But surprisingly the said rent was never deposited to the concerned authority G.E. 859 EWS, C/o 99 APO. However a spot inquiry is being conducted by G.E. 859 EWS, C/o 99 APO in the month of October/November 1999 and in the said enquiry it has come to the notice of the G.E. that some unauthorized persons occupying the Kendriya Vidyalaya Sangathan quarters without any proper allotment but surprisingly the monthly rent being collected by Shri Sandhu through Dr. O.P. Pandey, P.G.T.(Hindi) teacher without intimation to the office of the G.E. 859 EWS and also without depositing the Govt Revenue collected from the individual teachers. As a result of such enquiry the Principal, Sri Sandhu developed animosity with the applicant on the presumption that the applicant might have reported regarding unauthorized occupation of Kendriya Vidyalaya Sangathan quarters to the office of the G.E.859 EWS and thereafter starting misbehaving with the applicant on flimsy grounds. It is categorically submitted that the applicant very often used to receive harsh treatment from Sri Sandhu. It is also relevant to mention here that in number of occasions the applicant being threatened by Sri Sandhu with the pretext of official work. It is ought to be mentioned here that Sri Sandhu also got annoyed with the applicant when the applicant pointed out the age limit prescribed by the Sangathan for appointment of teachers for contract basis or part time basis in connection with the appointment of Mrs. Jatinder kaur Bansal and Sri Birendra Kumar Singh, as because the aforesaid teacher were appointed in total violation of the Sangathan Rules for appointment of contractual teachers. It is stated that there were many instances where Sri Sandhu got annoyed with the applicant, whenever objection raised by the applicant for violation of any rules and regulation of the Sangathan, so far applicant came to know from a reliable source

Jaydev Barmar,

that several complaints were lodge against the applicant by Sri Shandu confidentially to the Assistant Commissioner without serving any Memo/Warning at any point of time upon the applicant and surprisingly he <sup>has</sup> ~~was~~ managed to issue the impugned order of transfer and posting under letter bearing No. 10-4/2001-WS (GR)/10454-58 dated <sup>21</sup> 20.3.2001 from the office of the Assistant Commissioner, Kendriya Vidyalaya Sangathan, Maligaon whereby the applicant is now sought to be transferred and posted from the office of the Kendriya Vidyalaya, Tenga Valley to the office of the Kendriya Vidyalaya, Kimin which is more than 400 k.m. away from the present place of posting with a mala fide intention to harass the applicant.

4.5 That it is stated that on 31.3.2001 at about 12.30 p.m. respondent No. 4 summoned the applicant in his chamber and the applicant accordingly went to the chamber of the Principal and found that Sri K.K. <sup>Dubey</sup> Dutta, L.D.C. sitting in the chamber of the Principal with some papers, then all of a sudden Sri Shandu informed the applicant that following the order of the Assistant Commissioner, Regional office, Guwahati, applicant is required to report for duty immediately in the office of the Kendriya Vidyalaya, Kimin and also requested the applicant to hand over the charge to Sri K.K. <sup>Dubey</sup> Dutta, L.D.C. Surprisingly charge report got prepared by the Principal himself with the help of the Sri K.K. Dutta, L.D.C. The applicant immediately protested against the action of the Principal for such arbitrary and illegal action and requested him to allow him some time for consideration of his representation against the impugned order of transfer and posting. But surprisingly Principal turned down the request of the applicant and forced the applicant to sign the charge report prepared by the principal himself. The applicant finding no other alternative compelled to sign the charge report in presence of the Principal. The applicant being highly aggrieved and being disappointed with such arbitrary action approaching this Hon'ble Tribunal for protection of his valuable rights and interests.

A copy of the impugned order dated 20/21.3.2001 is annexed as Annexure-2

Jaydev Barman

4.6 That it is stated that the copy of the impugned order of transfer and posting although issued under letter No. 10-4/2001-KVS(GR)/10454-58 dated 20/21.3.2001 but the same was handed over to the applicant only on 31.3.2001. Surprisingly in the said impugned order of transfer it has been stated that the order of transfer has been passed in public interest with immediate effect. In the said impugned order itself it is directed by the Assistant Commissioner that applicant would be stands relieved immediately and also stated that the applicant stands relieved from the Vidyalaya with effect from the date of receipt of this order. Relieving order may also be issued accordingly, and it is the personal responsibility of the Principal to inform the office of the Assistant Commissioner, regarding releasing the applicant lapse/failure on the part of the Principal in this regard would be viewed seriously. A mere reading of the aforesaid instruction it is quite clear that the order of transfer and posting has been issued with a mala fide intention in total violation of normal Rule of transfer and it would be evident from the order itself that no one is posted in place of the present applicant in the office of the Principal, Kendriya Vidyalaya, Tenga Valley as such there is no urgency for relieving the applicant in such a hasty manner which itself speaks of mala fide and on that ground ~~self~~ the impugned order is liable to set aside and quashed. It is further submitted that Hon'ble Tribunal be pleased to direct the respondents for production of all relevant records regarding the transfer and posting of the applicant for perusal of the Hon'ble Tribunal.

4.7 That your applicant begs to state that Kendriya Vidyalaya Sangathan is an autonomous organization under the Government of India, Ministry of Human Resources as such all welfare scheme regarding posting of husband and wife in the same station and the Kendriya Vidyalaya is bound to implement those welfare scheme for posting of husband and wife in the same station. In this connection applicant begs to state that the Government of India, Ministry of Personnel and Training also issued O.M. dated 12.6.1997 wherein it is stated that both husband and wife be invariably be posted in a same station <sup>if</sup> for the post

Jaydev Barmah

exists in the appropriate level and especially when the children <sup>of</sup> and the Government employee are below 10 years of age. In the instant case the applicant is having a male baby aged about four and half years of age as such in the light of the OM dated 12.6.1997 the applicant has acquired a valuable and legal right for retaining him in his present place of posting where the wife of the applicant is presently serving as Junior Teacher under the State of Arunachal Pradesh. But the respondents in total violation of the scheme issued by the government of India regarding transfer and posting transferring the applicant as stated above. On that score alone the impugned order of transfer and posting dated 20/21.3.2001 is liable to be set aside and quashed.

It is further submitted that although the impugned order of transfer and posting has been issued in respect of the applicant stated to have been issued in public interest but no one is posted in place of the applicant as a result the post of UDC is lying vacant at Kendriya Vidyalaya, Tenga Valley as such there will be no difficulty on the part of the respondents to accommodate the applicant in his present place of posting to allow the applicant to continue his present place of posting.

Copy of the Memorandum dated 12.6.97 is Annexed as Annexure-3.

4.8 That your applicant begs to state that although the Respondent No.4 handed over the transfer and posting order on 31.3.2001 to the applicant and forcibly obtained his signature in the charge report as stated above but the applicant has not yet received any formal released order from the Principal, Kendriya Vidyalaya, Tenga Valley. In the circumstances the applicant finding no other alternative approaching this Hon'ble Tribunal for a direction upon the respondents to allow the applicant to continue in his present place of posting in the light of the O.M. dated 12.6.1997 issued by the Government of India, Ministry of Personnel and Training enabling the applicant to lead a normal family life and also for the welfare of his only son aged about four and half years.

Jaydev Barmam.

That it is a fit case for the Hon'ble Tribunal to interfere with and to protect the rights and interest of the applicant as the order of transfer and posting has been issued in total violation of the professed norms and also with a mala fide intention and thereby the respondent No. 4 has influenced the Assistant Commissioner, Regional Office, Guwahati to issue the impugned order of transfer on the basis of confidential complaint lodged by the Principal behind the back of the applicant.

4.9 That this application is made bonafide and for the cause of justice.

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

- 5.1 For that the applicant has acquired a valuable and legal rights for retaining in the same station where the wife of the applicant is working as Junior Teacher under the Government of Arunachal Pradesh in terms of the O.M. dated 12.6.1997 issued by the Government of India, Ministry of Personnel and Training.
- 5.2 For that the applicant is having a male baby aged about four and half years as such he has acquired a valuable and legal right for retention in a sama station where the wife of the applicant is working in the light of the O.M. dated 12.6.1997 issued by the Government of India, Ministry of Personnel and Training.
- 5.3 For that the impugned order of transfer and posting has been issued on the basis of confidential complaint lodged by the Principal Shri G.S. Sandhu against the applicant behind the back of the <sup>applicant</sup> application in total violation of the principles of natural justice.
- 5.4 For that the Assistant Commissioner has acted upon the complaint lodged by the Principal Shri G.S. Sandhu in total violation of principles of natural justice.
- 5.5 For that no one is replaced in place of the applicant in the office of the Principal, Kendriya Vidyalaya, Tenga Valley as such there is no difficulty on the part of the

Jaydev Barman.

respondents to allow the applicant to continue in his present place of posting i.e. at Tenga Valley, Arunachal Pradesh.

- 5.6 For that the impugned order of transfer and posting was handed over to the applicant by Sri G.S. Sandhu only on 31.3.2001 at about 12.30 P.M. and also obtained the signature of the applicant in the charge report forcibly.
- 5.7 For that the applicant and his wife Smti Shoma Deb Barman is working in the same station i.e. at Tenga Valley.

6. Details of remedies exhausted.

That the applicant states that he has no other alternative or other efficacious remedy available before him than to file this application. The applicant further states that he had no scope to file any representation against the impugned order of transfer and posting as because in the same order.

7. Matters not previously filed or pending with any other Court/Tribunal.

The applicant further declares that he had not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made, before any Court or any other 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 stated in paragraph 4 of this application, the applicant prays for the following relief(s):

- 8.1 That the Hon'ble Tribunal be pleased to set aside and quash the impugned order of transfer and posting dated 20/21.3.2001 issued under letter No. 10-4/2001-KVS(GR)/10454-53 (Annexure-2).

Jydev Barman

8.2 That the Hon'ble Tribunal be pleased to direct the respondents to allow the applicant to continue in service in his present place of posting i.e. at Kendriya Vidyalaya, Tenga Valley in the light of the Office Memorandum dated 12.6.1997 issued by the Government of India, Ministry of Personnel and Training.

8.2 Costs of the application.

8.3 Any other relief or reliefs as entitled to the applicant under the facts and circumstances stated above as deemed fit and proper by the Hon'ble Tribunal.

9. Interim reliefs prayed for :

During the pendency of this application the applicant prays for the following reliefs:

9.1 That the Hon'ble Tribunal be pleased to stay the operation of the impugned order of transfer and posting dated 20/21.3.2001 issued under letter NO. 10-4/2001-KVS(GR)/10454-53 (Annexure-2) till disposal of this application.

10. That this application has been filed through advocate.

11. Details of the I.P.O.

- |      |               |                     |
|------|---------------|---------------------|
| i.   | I.P.O. No.    | : 56 792167         |
| ii.  | Date of Issue | : 3-4-2001          |
| iii. | Issued from   | : G.P.O., Guwahati. |
| iv.  | Payable at    | : G.P.O., Guwahati. |

12. Details of enclosures

As stated in the Index.

Hyder Benman.



**VERIFICATION**

I, Sri Jaydev Barman, Son of late Madhav Barman, aged about 40 years, working as Upper Division Clerk in the Kendriya Vidyalaya, Tenga Valley, do hereby verify and declare that the statements made in paragraphs 1 to 4 and 6 to 12 are true to my knowledge and those made in paragraph 5 are the legal advice which I believe to be true and I have not suppressed any material facts.

I, sign this verification on this the 6th day of March, 2001.

Jaydev Barman .

GOVERNMENT OF ARUNACHAL PRADESH  
OFFICE OF THE HEADMASTER :: GOVERNMENT SECONDARY SCHOOL  
SINGCHUNG.

C E R T I F I C A T E

This is to certify that Mrs. Shoma  
Dey Borman W/O of Mr. Jaydev Borman is serving as J.T  
in this institution w.e.f. 12th February/1996 to till  
date.

I wish her all success.

*[Signature]*  
07/04/2001  
Headmaster,  
Govt. Secondary School  
Singchung,  
West Kamong (A.P.)



केन्द्रीय विद्यालय संगठन  
KENDRIYA VIDYALAYA SANGATHAN

क्षेत्रीय कार्यालय Regional Office  
मालीगौव चारियाली Maligaon Chariali  
गुवाहाटी : 781 012 Guwahati : 781 012

दूरभाष / Phone : 571797, 571 798  
Fax : 571799

Regd. Post

पत्रांक :  
No. F. : 10-4/2001-KVS(GR)/10454-58

दिनांक :  
Dated 20.03.2001

TRANSFER ORDER

Mr. Jaydev Barman, UBC, Kendriya Vidyalaya, Tengavalley is hereby transferred to Kendriya Vidyalaya, Kimin in Public interest with immediate effect.

( D. K. SAINI )  
ASSISTANT COMMISSIONER

Copy to :-

1. Mr. Jaydev Barman, UDC, Kendriya Vidyalaya, Tengavalley.

2. Principal, Kendriya Vidyalaya, Tengavalley/Kimin. Mr. Barman, should be relieved immediately. He stands relieved from the Vidyalaya w.e.r. the date of receipt of this order Relieving order may also be issued accordingly. It is the personal responsibility of the Principal to inform this office <sup>employee</sup> immediately regarding relieving/joining of the teacher. Any lapse/failure on the part of the Principal in this regard would be viewed seriously.

3. Dy. Commissioner(Admn.) KVS(Hqrs) New Delhi.

4. Dealing hand (Court case).

ASSISTANT COMMISSIONER

\*\*\*\*

Attested  
Whole

90

15 -

Annexure-3

No. 28034/2/97-Estt.(A)  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
(Department of Personnel & Training)

New Delhi, the 12<sup>th</sup> June, 1997

**OFFICE MEMORANDUM**

**Sub : Posting of husband and wife at the same Station.**

The undersigned is directed to say that on the subject mentioned above, Government has issued detailed guidelines vide O.M. No. 28034/7/86-Estt.(A) dated 3.4.1986. The Fifth Central Pay Commission has now recommended that not only the existing instructions regarding the need to post husband and wife at the same station need to be reiterated, it has also recommended that the scope of these instructions should be widened to include the provision that where posts at the appropriate level exist in the organization at the same station, the husband and wife may invariably be posted together in order to enable them to lead a normal family life and look after the welfare of the children, especially till the children are 10 years of age.

2. The Government, after considering the matter, has decided to accept this recommendation of the Fifth Central Pay Commission. Accordingly, it is reiterated that all Ministries/Departments should strictly adhere to the guidelines laid down in O.M. No. 28034/7/86-Estt.(A) dated 3.4.86 while deciding on the requests for posting of husband and wife at the same station and should ensure that such posting is invariably done, especially till their children are 10 years of age, if posts at the appropriate level exist in the organization at the same station and if no administrative problems are expected to result as a consequence.

3. It is further clarified that even cases where only the wife is a government servant, the concession elaborated in para 2 of this O.M. would be admissible to the government servant.

4. These instructions would be applicable only to posts within the same department and would not apply on appointment under the Central Staffing Scheme.

- 16 -

5. A copy of this Department's OM No. 28034/7/86-Estt.(A) dated 3.4.86 is enclosed for ready reference and guidance.

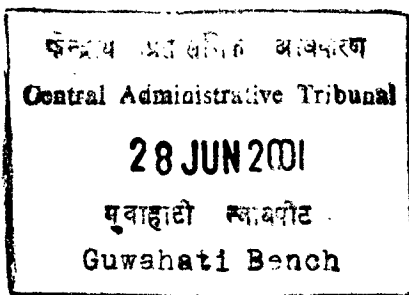
29

6. Hindi version of the OM is enclosed.

Sd/- Illegible  
(Harinder Singh)  
Joint Secretary to the Govt. of India  
Tel. No. 301 1276

To

1. All Ministries/Departments of the Government of India.
2. Department of Women & Child Development.
3. The National Commission for Women, 4, Deendayal Upadhyay Marg, ITO, New Delhi.



30  
Filed by: Kendriya  
Vidyalaya Sangathan  
Liveog: P. Barua  
Advocate  
25/06/2001

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:GUWAHATI BENCH:  
AT GUWAHATI

ORIGINAL APPLICATION NO.135/2001

Sri Jaydev Barman

...applicant

-vs-

Union of India & ors

....Respondents

The respondents No.2,3,4 & 5  
above named begs to file their  
written statements as follows -

1. That all the averments and submissions 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 appears from the records of the case.

2. That with regard to statements made in paragraph 4.1 of the application the answering respondents have no comments.

3. That with regard to statements made in paragraph 4.2 of the application the answering respondents beg to state that the applicant Sri Jaydev Barman worked as the upper Division Clerk(inshort referred to as UDC) in Kendriya vidyalaya,Tengavalley till March, 31,2001. Consequent upon his transfer to his

contd...2

31  
4  
p new place of posting at Kendriya Vidyalaya, Kimin vide letter No.10-4/2000-KVS(GM)10454-58 dtd 20/21.3.2001 he was relieved on March,31,2001.

Copy of transfer order dtd 20/21.3.2001 ,  
relieving order dtd 31.3.2001 and last  
pay certificate is annexed herewith and  
marked as Annexure-A,B, and C respectively.

4. That with regard to statements made in paragraph 4.3 of the application the answering respondents beg to state that the applicant joined as UDC at Kendriya Vidyalaya, Tengavalley on June 30th,1990 on promotion.

5. That with regard to statements made in paragraph 4.4 of the application the answering respondents beg to state that the statements ~~that~~ the applicant was misbehaved by the Principal is not correct. The allegations that contractual teachers were allotted the Kendriya vidyalaya Sangathan(hereinafter in short referred to as KVS)quarters and that the rent is being collected from them is also incorrect and misleading. As per monthly occupation/vacation report, there is no allotment to any contractual teacher. Hence there is no question of payment of monthly rent . Further it is pertinent to mention that there is no rent for Kendriya Vidyalaya Tengavalley quarter under special order of the higher authorities.

The contractual appointments are made by the Vidyalaya appointment committee constituted by the chairman vidyalaya Management committee. The quoted contractual appointment of Ms Jatinder Kaur Bansal PRT was also made by the then vidyalaya appointment committee on 21.9.98 that is prior to joining of the (contd.....)

principal Sri Sandhu on November, 1998. If at all, it was relevant or in the domain of the applicant, he must have informed the then Vidyalaya Appointment Committee, the then Principal, KVS authorities of which there is no official record as should have been maintained by the applicant, being the in charge of clerical office. Thus the applicant has concocted the stories to misinform the Hon'ble Court with dubious intentions which do not juxtapose the matter of transfer. The Assistant Commissioner, KVS being the competent authority can transfer any staff in his jurisdiction to any place any time in public interest as per KVS transfer guidelines. The applicant Sri Jaydev Barman has been transferred on public interest with all transfer guidelines.

Copy of occupation/vacation  
report for the year 1999 is  
annexed herewith and marked as  
Annexure-D.

6. That with regard to statements made in paragraph 4.5 of the application the answering respondents beg to state that applicant was handed over to the copy of the transfer orders on 31.3.2001 (am) vide kendriya vidyalaya Tengavalley office order No.45 issued on 31.3.2001. The applicant Sri Jaydev Barman UDC was instructed to hand over his office charge to Sri K K De Dubey IDC. He was also handed over the relieving order vide F.25/KVTV/2000-01/730-733 dtd. 31.3.2001.

contd...



-4-

7. That with regard to statements made in paragraph 4.6 and 4.7 of the application the answering respondents beg to state that there is no provision in Kendriya vidyalaya Sangathan policy to post or an substitute /reliever immediately.

8. That with regard to statements made in paragraph 4.8 of the application the answering respondents beg to state that the applicant sri Jaydev Barman received the formal relieving order vide F.25/KVTV/2000-01/730-733 dtd. 31.3.2001 the copy of the same relieving order was also forwarded to (a) the Principal, Kendriya Vidyalaya, Kimin which is the new place of posting of the applicant, (b) the Deputy Commissioner (Admn) KVS New Delhi (c) the Assistant commissioner KVS, Guwahati Region Guwahati in compliance to order No.10-4/2000-KVS(GR) 10454 -58 dtd 20.3.2001.

Further the applicant got his application for retention of MES quarter for eight months forwarded by the Principal. The applicant visited the office of the Principal on April, 9, 2001. with his joining report that he may be allowed to join his duty after the admittance of his application in the Hon'ble Court on April 6, 2001. The applicant also requested the chairman, Kendriya vidyalaya, Tengavalley vide his registered letter dated May 1, 2001 to allow him to join his duty.

contd...

-5-

Therefore, it is clearly seen that the submission of the applicant he had not received the relieving order is not correct and is made with the intention of misleading the Hon'ble Court.

9. That this application is not made bonafide and for the ends of justice.

10. That under the facts and circumstances, it is respectfully prayed that the Hon'ble Tribunal may be pleased to dismiss the application with costs.

-VERIFICATION-

I, Shri D K Saini, son of Shri C L Saini, aged about 51 years presently working as the Assistant Commissioner, Kendriya vidyalaya Sangathan, Maligaon, Guwahati Region do hereby verify that the statements made in paragraphs 1, 2, 4, 7, 9 and 10 are true to my knowledge and those made in paragraphs 3, 5, 6, 8 are based on records which I believe to be true.

AND I sign this verification on this the 25th day of June, 2001 at Guwahati.

Place : Guwahati

Date : 25/06/2001

D K Saini  
DEPONENT

केन्द्रीय विद्यालय संगठन  
KENDRIYA VIDYALAYA SANGATHAN

क्षेत्रीय कार्यालय Regional Office  
मालीगाँव चारियाली Maligaon Chariali  
गुवाहाटी : 781 012 Guwahati : 781 012

Regd. Post

पत्रांक :

No. F : 10-4/2001-KVS(GR)/10456-58

दिनांक :

Dated 20.03.2001

21.

TRANSFER ORDER

Mr. Jaydev Barman, UEC, Kendriya Vidyalaya, Tengavalley is hereby transferred to Kendriya Vidyalaya, Kimin in Public Interest with immediate effect.

( D. K. SAINI )  
ASSISTANT COMMISSIONER

Copy to :-

1. Mr. Jaydev Barman, UDC, Kendriya Vidyalaya, Tengavalley.

2. Principal, Kendriya Vidyalaya, Tengavalley/Kimin. Mr. Barman, should be relieved immediately. He stands relieved from the Vidyalaya w.e.f. the date of receipt of this order. Relieving order may also be issued accordingly. It is the personal responsibility of the Principal to inform this office immediately regarding relieving/joining of the teacher. Any lapse/failure on the part of the Principal in this regard would be viewed seriously.

3. Dy. Commissioner(Admn.) KVS(Hqrs) New Delhi.

4. Dealing hand (Court case).

Assistant Commissioner

W.K.K. Dubey  
UDC

Relieved Mr. Jaydev Barman UDC

immediately  
today on 31.3.01 (AN)  
and take the charge  
from him

Handover the individual  
copy

20.3.2001

## आदेश पुस्तक/ORDER BOOK

37

दिनांक  
Dateआदेश  
ORDER

45

अध्यापक के हस्ताक्षर  
Signature of Teacher

In Strict Compliance  
to letter No. F10-4/2001-  
KVS(GR)/10454-58 dt.  
20/21. 3. 2001, SR Jaydev  
Barman, UDC stands  
relieved immediately  
today on 31.3.2001.  
He is instructed to hand  
over his charge to SR  
KK Dubey LDC before  
1.00 pm today positively.

1. SR Jaydev Barman UDC
2. SR KR Dubey LDC

R. Sandhu  
31.3.01

San  
31/3/2001  
31/03/2001

**KENDRIYA VIDYALAYA TENGA VALLEY**  
DIST. WEST KAMENG (ARUNACHAL PRADESH) 790115

Phone : 03782 - 73368, Army : 510

केन्द्रीय विद्यालय टेंगा वैली  
जनपद-पश्चिमी कामेंग (अरुणाचल प्रदेश) 790115

Dated 31.03.2001.

Ref. No. F.25/KVIV/2000 - 01/730 - 733

**RELIEVING ORDER**

Mr. Jaydev Barman, UDC of this vidyalaya is relieved from his duties w.e.f. 31.03.2001 (Afternoon) to join Kendriya Vidyalaya Kimin vide K.V.S.(GR) letter No. F.10-4/2001-KVS(GR)/10254 & 53 dated 20/21.03.2001.

He is entitled for TTA as per KVS instructions. His service book & personal file will be sent separately.

To

Mr. Jaydev Barman,  
U.D.C.  
K.V. Tenga Valley.

(G.S. Sandhu)

**PRINCIPAL**

G. S. Sandhu

Principal  
Kendriya Vidyalaya,  
Tenga Valley,  
ARUNACHAL

Copy to :

1.

The Principal, Kendriya Vidyalaya Kimin for information.

2.

The Deputy Commissioner, (Admn) K.V.S. New Delhi for information.

3.

The Asstt. Commissioner, K.V.S. Dibrugarh Region, Dibrugarh for information.

(G.S. Sandhu)

G. S. Sandhu

Principal  
Kendriya Vidyalaya,  
Tenga Valley,  
ARUNACHAL

# केन्द्रीय विद्यालय KENDRIYA VIDYALAYA

CS-37

Tenga Valley (Arunachal Pradesh)

## LAST PAY CERTIFICATE

(To be used in case on-transfer or leave of deputationsits)

1. Last pay certificate of Mr. Jaydev Barman (Name)  
H.D.C. (Designation of the K.V. Employee)

Proceeding on transfer/ F.10-4/2001-KVS(GR)/10454 - 58 dt.  
20/21.03.2001 from K.V. Tenga Valley to K.V. Kimin  
 Leave: To

2. He has been paid upto 31st March 2001 at the following rates :-

Rate

Substantive Pay	Basic Pay	:	Rs. 4700/-
Officiating Pay	D.A.	:	Rs. 1927/-
Dearness Allowance	S.C.A.	:	Rs. 550/-
House Rent Allowance	T.A.	:	Rs. 75/-
City (Compensatory) Allowance		:	
Hill Compensatory Allowance		:	
Deductions		:	
Income Tax		:	
C.P.F. Subscription	G.P.F.	:	Rs. 600/-
C.P.F. Advance	G.I.S.	:	Rs. 30/-
	Total	:	Rs. 7327/-

3. (a) His General Provident Fund account No. 17070

maintained by Accountant General K.V.S. Guwahati Region, Guwahati  
 (for deputationists)

to whom credits have to be passed on

(b) He has apted for the pay of the C.P.F./Pension Scheme. His rate of subscription of C.P.F. is  
 Rs. 600/- p.m. His C.P.F. Account No. 17070 is being transferred.

4. He made over charges of H.D.C.  
 on after noon of 31.03.2001

5. Recoveries are to be made from the pay of the employee as detailed on the reverse.

6. He has been paid leave salary as detailed below. Deduction have been made as noted on the reverse.

From	to	Period	Rate	Amount	
From	to	Rs.			a month
From	to	Rs.			a month
From	to	Rs.			a month

7. He is entitled to draw the following-

Period

Pay from 01.04.2001 onwards

8. He is entitled joining time for as per KVS rules days/He is not entitled in joining time vide letter No. as per KVS rules

9. The details of the Income Tax recovered from his pay up to the date from the beginning to the current year are noted on the reverse.

10. He has availed 259 days of Casual Leave.

11. His Service Book is being sent separately.

12. Total No. of E.L. in his credit 259 days.  
 Date 31.03.2001

G. S. Sandhu  
 Principal  
 Kendriya Vidyalaya  
 Kendriya Vidyalaya,  
 Tenga Valley,  
 ARUNACHAL

KENDRIYA VIDYALAYA TENGGA VALLEY

KVIV/99/2000/53-55

Dated : 1.5.99

OCCUPATION/VACATION REPORT FOR THE MONTH OF FEBRUARY/MARCH/APRIL 1999.The Garrison Engineer,  
859 EWS, C/O 99 AFO

Sl.No.	Name & Designation	Paying Auth.	Quarter No.	Date of Occupation	Date of Vacation	Remarks
1.	Mr. M.K.Pandey, M.Tr.	K.V.S.	P/Q20/A	10.2.99	30.4.99	Chindit Tsp.
2.	Mr. Dinkar, PRT	-de-	P/Q20/GH	-de-	-de-	-de-
3.	Mr. S.K.Singh, TGT	-de-	P/Q20/D	-de-	-de-	-de-
4.	Mr. D.K.Mishra, TGT	-de-	P/Q20/E	-de-	-de-	-de-
5.	Mr. V.Jain Dillas Meen, PGT	-de-	P/Q20/FG	-de-	-de-	-de-
6.	Mr. J.Barmar, UDC	-de-	P/Q21/A	1.2.99	-de-	-de-
7.	Mr. Abdul Razak, PGT	-de-	P/Q20/G	10.2.99	-de-	-de-
8.	Mr. G.S.Sandhu, Principal	-de-	Prin. Qtr.	1.2.99	30.4.99	School Camp
9.	Mr. S.P.Yadav, Gr'D	-de-	B - 1	-de-	-de-	-de-
10.	Mr. Kage Tama, Gr'D	-de-	B - 4	-de-	-de-	-de-
11.	Mr. Umesh Ram, Gr'D	-de-	B - 5	-de-	-de-	-de-
12.	Mr. Anil Kr.Yadav, Gr'D	-de-	B - 6	-de-	-de-	-de-
13.	Mr. R.C.Das, Lab.Attd.	-de-	B - 8	10.2.99	-de-	-de-
14.	Mr. O.P.Pandey, PGT	-de-	C - 1	-de-	-de-	-de-
15.	Mr. Santosh Roy Thakur, SUFW	-de-	C - 2	-de-	-de-	-de-
16.	Mr. Shikha Srivastava, Lib.	-de-	C - 3	26.3.99	-de-	-de-
17.	Mr. K.S.Yadav, PRT	-de-	C - 4	10.2.99	-de-	-de-
18.	Mr. A.Periyasamy, PGT	-de-	C - 5	-de-	-de-	-de-
19.	Mr. Dinosh Kumar, TGT	-de-	C - 6	-de-	-de-	-de-
20.	Mr. P.Selvamani, PGT	-de-	C - 7	-de-	-de-	-de-
21.	Mr. Raj Kumari, PRT	-de-	C - 8	-de-	-de-	-de-
22.	Mr. Bharat Ram, PRT	-de-	C - 9	-de-	-de-	-de-
23.	Mr. K.K.Dubey, LDC	-de-	C - 10	1.2.99	30.4.99	-de-

NOTE : Quarter No. A - 1 to A - 8, B - 3, B - 7 &amp; are lying vacant.

Copy to:-

1. The Maintenance Cell, Chindit Tsp.
2. The Adm. Comdt. Stn. HQ Tenga.

(G.S.Sandhu)  
**PRINCIPAL**  
 G. S. Sandhu

Principal  
 Kendriya Vidyalaya,  
 Tenga Valley,  
 ARUNACHAL PRADESH



KENDRIYA

VIDYA LAYA

TENGGA

VALLEY

P.34/KVT/99-2000/203-05

Dated : 31st July 1999

## OCCUPATION/VACATION REPORT FOR THE MONTH OF MAY/JUNE/JULY 1999

The Garrison Engineer,  
559 EWS, C/O 99 APO.

Sl. No.	Name & Designation	Paying Auth.	Quarter No.	Date of Occupation	Date of Vacation	Location
1.	Mr. M.K. Pandey, M.Tr.	K.V.S.	P/Q/20/A	1.5.99	31.7.99	Chindit Top
2.	Mr. S.K. Singh, TGT	-do-	P/Q/20/D	-do-	-do-	-do-
3.	Mr. D.K. Mishra, TGT	-do-	P/Q/20/E	-do-	-do-	-do-
4.	Mr. V. Ugin Dallas leen, PGT	-do-	P/Q/20/G	-do-	-do-	-do-
5.	Mr. Dinkar, PRT	-do-	P/Q/20/H	-do-	-do-	-do-
6.	Mr. J. Barman, UDC	-do-	P/Q/21/A	-do-	-do-	-do-
7.	Mr. Abdul Razak, PGT	-do-	P/Q/10/G	-do-	-do-	-do-
8.	Mr. Abdul Razak, PGT	-do-	P/Q/20/G	-do-	31.7.99	-do-
9.	Mr. G.S. Sandhu, Principal	-do-	Principal Qtr.	1.5.99	31.7.99	School Campus
10.	Mr. S.P. Yadav, Gr'D	-do-	B - 1	-do-	31.5.99	-do-
11.	Mr. Kago Toma, Gr'D	-do-	B - 4	-do-	31.7.99	-do-
12.	Mr. Umesh Ram, Gr'D	-do-	B - 5	2.7.99	31.7.99	-do-
13.	Mr. Anil Kr. Yadav, Gr'D	-do-	B - 6	1.5.99	31.7.99	-do-
14.	Mr. H.C. Das, Lab. Attd.	-do-	B - 8	-do-	-do-	-do-
15.	Mr. O.P. Pandey, TGT	-do-	C - 1	-do-	-do-	-do-
16.	Mr. Santosh Roy Thakur, S.I.P.	-do-	C - 2	-do-	-do-	-do-
17.	Ms. Shikha Srivastava, Lib.	-do-	C - 3	-do-	-do-	-do-
18.	Mr. K.S. Yadav, PRT	-do-	C - 4	-do-	25.6.99	-do-
19.	Mr. A. Periyasamy, PGT	-do-	C - 5	-do-	31.7.99	-do-
20.	Mr. Binash Kumar, TGT	-do-	C - 6	-do-	-do-	-do-
21.	Mr. P. Selvamani, PGT	-do-	C - 7	-do-	-do-	-do-
22.	Mrs. Raj Kumari, PRT	-do-	C - 8	-do-	-do-	-do-
23.	Mr. Bharat Ram, PRT	-do-	C - 9	-do-	-do-	-do-
24.	Mr. K.K. Dubey, LDC	-do-	C - 10	11.6.99	31.7.99	-do-
25.	Miss. Anj. Amanda Shullai, PRT	-do-	A - 2	31.5.99	31.7.99	-do-
26.	Mr. S. Ramakrishnana, PRT	-do-	A - 5	-do-	-do-	-do-

NOTE : Quarter No. A-1, 3, 4, 6, 7, 8, &amp; B-2, 3, 7 are lying vacant.

Copy to:

- The Maintenance Cell, Chindit Top.
- The Adm. Comdt. Stn. Hq. Tengga.

G.S. Sandhu  
PRINCIPALG.S. Sandhu  
Principal  
Kendriya Vidyalaya,  
Tengga Valley,  
ARUNACHAL

KENDRIYA VIDYALAYA TANGA VALLEY

P.32/KVTV/99-2000/266-68

Dated : 07.09.1999

OCCUPATION/VACATION REPORT FOR THE MONTH OF AUGUST 1999.

The Garrison Engineer,  
859 HWS, C/O 99 APO.

Sl.No.	Name & Designation	Paying Auth.	Quarter No.	Date of Occupation	Date of Vacation	Location
1.	Mr. M.K.Pandey, Music Tr.	K.V. S.	P/Q/20/A	01.08.99	31.08.99	Chindit Top
2.	Mr. J.Barman, UDC	-do-	P/Q/20/B	-do-	-do-	-do-
3.	Mr. Abdul Razak, PGT	-do-	P/Q/20/C	-do-	-do-	-do-
4.	Mr. S.K.Singh, TGT	-do-	P/Q/20/D	-do-	-do-	-do-
5.	Mr. D.K.Mishra, TGT	-do-	P/Q/20/E	-do-	-do-	-do-
6.	Mr. V.Ugin Dallas Ison, PGT	-do-	P/Q/20/G	-do-	-do-	-do-
7.	Mr. Dinkar, PRT	-do-	P/Q/20/H	-do-	-do-	-do-
8.	Mr. G.S.Sandhu, Principal	-do-	Principal, Qtr.	30.08.99	31.08.99	School Campus.
9.	Mr. S.P.Yadav, Gr'D	-do-	B - 1	01.08.99	31.08.99	-do-
10.	Mr. Kago Tama, Gr'D	-do-	B - 4	-do-	-do-	-do-
11.	Mr. Umesh Ram, Gr'D	-do-	B - 5	-do-	-do-	-do-
12.	Mr. Anil Kr. Yadav, Gr'D	-do-	B - 6	-do-	-do-	-do-
13.	Mr. R.C.Das, Lab. Attd.	-do-	B - 8	-do-	-do-	-do-
14.	Mr. O.P.Pandey, PGT	-do-	C - 1	-do-	-do-	-do-
15.	Mr. Santosh Roy Thakur, SUPW	-do-	C - 2	-do-	-do-	-do-
16.	Mrs. Amy Amanda, PRT	-do-	C - 3	-do-	-do-	-do-
17.	Mr. K.S.Yadav, PRT	-do-	C - 4	-do-	-do-	-do-
18.	Mr. A.Puriyasamy, PGT	-do-	C - 5	-do-	-do-	-do-
19.	Mr. Dinesh Kumar, TGT	-do-	C - 6	-do-	-do-	-do-
20.	Mr. P.Selvamani, PGT	-do-	C - 7	-do-	-do-	-do-
21.	Mrs. Raj Kumari, PRT	-do-	C - 8	-do-	-do-	-do-
22.	Mr. Bharat Ram, PRT	-do-	C - 9	-do-	-do-	-do-
23.	Mr. K.K.Dubey, LDC	-do-	C - 10	-do-	-do-	-do-
24.	Mr. S.Ramakrishana, PRT	-do-	A - 5	-do-	-do-	-do-

NOTE : Quarter No. A - 1, A - 2, A - 3, A - 4, A - 6, A - 7, A - 8, B - 2, B - 3, B - 7 are lying Vacant

Copy to:

1. The Maintenance Cell, Chindit Top.

2. The Adm. Comd. Stn. HQ Tenga.

(G.S.Sandhu)  
Principal

G. S. Sandhu  
Principal  
Kendriya Vidyalaya,  
Tanga Valley,  
ARUNACHAL

## KENDRIYA VIDYALAYA TENGGA VALLEY

No. 34/KUTV/00-2000/

Dated : 30.12.99

OCCUPATION / VACATION REPORT FOR THE MONTH OF SEPTEMBER & OCTOBER 1999.The Garrison Engineer,  
HQ Hqs, C/O 99 AGO.

Sl.No.	Name & Designation	Paying Auth	Quarter No.	Date of Occupation	Date of Vacation	Location
1.	Mr. M.K.Pandey, Music Tr.	K.V.S.	P/O/20/A	01.09.99	31.10.99	Chindit Top
2.	Mr. J.Barman, UDC	-do-	P/O/20/B	-do-	-do-	-do-
3.	Mr. Abdul Razak, FGT	-do-	P/O/20/C	-do-	-do-	-do-
4.	Mr. S.K.Singh, TGT	-do-	P/O/20/D	-do-	-do-	-do-
5.	Mr. D.K.Mishra, TGT	-do-	P/O/20/E	-do-	-do-	-do-
6.	Mr. V.Holm Dallas Icen	-do-	P/O/20/G	-do-	-do-	-do-
7.	Mr. Hinker, PRT	-do-	P/O/20/H	-do-	-do-	-do-
8.	Mr. G.S.Sandhu, Principal	-do-	Principal Ctr.	-do-	-do-	School Campus
9.	Mr. S.D.Yadav, Gr'D	-do-	B - 1	-do-	-do-	-do-
10.	Mr. Kago Tama, Gr'D	-do-	B - 4	-do-	-do-	-do-
11.	Mr. Magesh Rao, Gr'D	-do-	B - 5	-do-	-do-	-do-
12.	Mr. A.K.Yadav, Gr'D	-do-	B - 6	-do-	-do-	-do-
13.	Mr. R.C.Das, Lab. Attd.	-do-	B - 8	-do-	-do-	-do-
14.	Mr. O.P.Pandey, FGT	-do-	C - 1	-do-	-do-	-do-
15.	Mr. Santosh Ray Thakur	-do-	C - 2	-do-	-do-	-do-
16.	Miss. Amy Amanda Shullai PRT	-do-	C - 3	-do-	-do-	-do-
17.	Mr. K.S.Yadav, PRT	-do-	C - 4	-do-	-do-	-do-
18.	Mr. A.Teriyasamy, FGT	-do-	C - 5	-do-	-do-	-do-
19.	Mr. Dinesh Kumar, TGT	-do-	C - 6	-do-	-do-	-do-
20.	Mr. P.Selvarani, FGT	-do-	C - 7	-do-	-do-	-do-
21.	Ms. Bai Kumari, PRT	-do-	C - 8	-do-	-do-	-do-
22.	Mr. Bharat Rao, PRT	-do-	C - 9	-do-	-do-	-do-
23.	Mr. P.K.Dubey, LDC	-do-	C - 10	-do-	-do-	-do-
24.	Mr. S.Ramakrishnan, PRT	-do-	A - 5	-do-	-do-	-do-

NOTE : Quarter No. A - 1, A - 2, A - 3, A - 4, A - 6, A - 7, A - 8, B - 2, B - 3, B - 7 are lying vacant.

Copy to:

1. The Maintenance Cell, Chindit Top.
2. The Adm. Comdt. Stn.HQ Tenga.

(G.S.Sandhu)  
PRINCIPALG. S. Sandhu  
Principal  
Kendriya Vidyalaya,  
Tenga-Valley,  
ARUNACHAL

KENDRIYA VIDYALAYA TENGGA VALLEY

K.V.V./VTV/90-2000/

Dated : 31.12.99

REGULATION/VACATION REPORT FOR THE MONTH OF NOVEMBER & DECEMBER 1999.The Garrison Engineer,  
SSO EWS, C/O 90 APO,

Sr.No.	Name & Designation	Paying Auth	Quarter No.	Date of Occupation	Date of Vacation	Location
1.	Mr. M.K.Pandey, Music Tr.	K.V.S.	F/O/20/A	01.11.99	22.12.99	Chindit Tr.
2.	Mr. J.Barmar, UDC	-do-	F/O/20/B	01.11.99	31.12.99	-do-
3.	Mr. Abdul Razak, PGT	-do-	F/O/20/C	01.11.99	22.12.99	-do-
4.	Mr. S.V.Singh, TGT	-do-	F/O/20/D	01.11.99	31.12.99	-do-
5.	Mr. D.K.Mishra, TGT	-do-	F/O/20/E	01.11.99	31.12.99	-do-
6.	Mr. V.Moin Dallas Iken PGT	-do-	F/O/20/G	01.11.99	11.11.99	-do-
7.	Mr. Dinkar, PRT	-do-	F/O/20/H	01.11.99	22.12.99	-do-
8.	Mr. G.S.Sandhu, Principal	-do-	Principal Qtr.	01.11.99	31.12.99	School Camp
9.	Mr. A.Yadav, PRT	-do-	A - 1	01.11.99	10.12.99	-do-
10.	Mr. S.Ramakrishnan, PRT	-do-	A - 5	01.11.99	10.12.99	-do-
11.	Mr. S.D.Yadav, Cr'D	-do-	B - 1	01.11.99	31.12.99	-do-
12.	Mr. Kago Tama, Cr'D	-do-	B - 2 & 4	-do-	-do-	-do-
13.	Mr. Umesh Ram, Cr'D	-do-	B - 5	-do-	-do-	-do-
14.	Mr. A.K.Yadav, Cr'D	-do-	B - 6	-do-	-do-	-do-
15.	Mr. R.C.Das, Lab. Attnd.	-do-	B - 8	-do-	26.12.99	-do-
16.	Mr. G.D.Pandey, TGT	-do-	C - 1	-do-	10.12.99	-do-
17.	Mr. A.Yadav, PRT	-do-	C - 1	11.12.99	22.12.99	-do-
18.	Mr. Santosh Roy Thakur, SJPW	-do-	C - 2	31.11.99	10.12.99	-do-
19.	Mr. G.D.Pandey, TGT	-do-	C - 2	11.12.99	22.12.99	-do-
20.	Miss. Amy Amanda Shullai, PRT	-do-	C - 3	01.11.99	22.12.99	-do-
21.	Mr. K.S.Yadav, PRT	-do-	C - 4	-do-	-do-	-do-
22.	Mr. A.Periyasamy, PGT	-do-	C - 5	-do-	-do-	-do-
23.	Mr. Dinesh Kumar, TGT	-do-	C - 6	-do-	16.11.99	-do-
24.	Mr. S.Ramakrishnan, PRT	-do-	C - 6	11.12.99	22.12.99	-do-
25.	Mr. P.Selvarani, PGT	-do-	C - 7	01.11.99	22.12.99	-do-
26.	Mrs. Raj Kumari, PRT	-do-	C - 8	01.11.99	31.12.99	-do-
27.	Mr. Bharat Ram, PRT	-do-	C - 9	01.11.99	22.12.99	-do-
28.	Mr. K.K.Tubey, IDC	-do-	C - 10	01.11.99	31.12.99	-do-

NOTE : Quarter No. A - 1 to A - 8, B - 2, B - 3 &amp; B - 7 are lying Vacant.

Copy to:

1. The Maintenance Cell, Chindit Tr.
2. The Adm. Comdt. Stn. Hq Tenga.

(G.S.Sandhu)  
PRINCIPALG. S. Sandhu  
Principal  
Kendriya Vidyalaya,  
Tenga Valley,  
ARUNACHAL PRADESH

Dated : 06.12.1999

IV/99/490-92

OCCUPATION/VACATION REPORT FOR THE MONTH OF DECEMBER '98 & JANUARY '1999

The Garrison Engineer,  
669 EWS, C/ 99 APC.

S.No.	Name & Designation	Paying Auth	Quarter No.	Date of Occupation	Date of Vacation	Locat.
1.	Mr. P.K.Pandey, M.Tr.	K.V.S.	P/Q20/A	01.12.98	22.12.98	Chindit
2.	Mr. Binkar	-do-	I/Q20/C	-do-	-do-	-do-
3.	Mr. S.K.Singh, TGT	-do-	P/Q20/D	-do-	-do-	-do-
4.	Mr. S.K.Mishra, TGT	-do-	I/Q20/E	-do-	31.1.99	-do-
5.	Mr. V.Moht Dellar Jeon, TGT	-do-	P/Q20/F	-do-	22.12.98	-do-
6.	Mr. J.Barmar, UDC	-do-	I/Q21/A	-do-	31.1.99	-do-
7.	Mr. Abdul Razak, TGT	-do-	P/Q10/G	-do-	22.12.98	-do-
8.	Mr. G.S.Sandhu, Principal	-do-	Prl.Qtr.	-do-	23.12.98	School
9.	Mr. S.P.Yadav, Gr'D'	-do-	B - 1	-do-	31.1.99	-do-
10.	Mr. Rago Tama, Gr'D'	-do-	D - 4	-do-	-do-	-do-
11.	Mr. Umesh Ram, Gr'D'	-do-	B - 5	-do-	-do-	-do-
12.	Mr. Anil Kumar Yadav, Gr'D'	-do-	B - 6	-do-	-do-	-do-
13.	Mr. L.C.Das, Lab.Attd.	-do-	B - 2	01.12.98	22.12.98	-do-
14.	Mr. K.K.Dubey, LDC	-do-	B - 8	-do-	31.12.98	-do-
15.	Mr. G.P.Pandey, TGT	-do-	C - 1	-do-	22.12.98	-do-
16.	Mr. Santosh Roy Thakur, SUFW	-do-	C - 2	-do-	-do-	-do-
17.	Mr. P.S.Yadav, PRT	-do-	C - 4	-do-	-do-	-do-
18.	Mr. S.Periyasamy, TGT	-do-	C - 5	-do-	-do-	-do-
19.	Mr. Umesh Kumar, TGT	-do-	C - 6	-do-	-do-	-do-
20.	Mr. P.Selvamani, TGT	-do-	C - 7	-do-	-do-	-do-
21.	Ms. Raj Kumari, PRT	-do-	C - 8	-do-	-do-	-do-
22.	Mr. Charat Ram, PRT	-do-	C - 9	-do-	-do-	-do-
23.	Mr. K.K.Dubey, LDC	-do-	C - 10	XXXXX 1.1.99	31.1.99	-do-

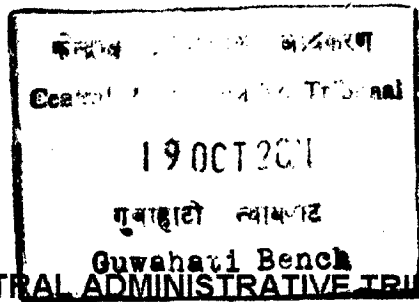
NOTE : Quarter No. A - 1 to A - 8 , B - 3, B - 8 , & C - 3 are lying vacant.

Copy to:-

- 1. Maintenance Cell, Chindit Twp.
- 2. Adm. Coord. th. ID. Tenga.

( G.S.Sandhu )  
Principal,  
Kendriya Vidyalaya,  
Tenga Valley,  
ARUNACHAL

*[Handwritten signature]*



O.A.135/2001

IN THE MATTER OF:

Sri Jaydev Barman

.....Applicant

Vs.

Union of India & Others

.....Respondents

IN THE MATTER OF:

Rejoinder submitted by the applicant in reply of the written statement submitted by the respondents.

The above named applicant-

Most Respectfully begs to state as under :

1. That the applicant has gone through the written statement and has understood the contents thereof.
2. That in reply to the statements made in paragraphs 3 and 4 of the written statement, the applicant begs to state that the applicant was transferred on promotion from Kendriya Vidyalaya No.2, Misamari to Kendriya Vidyalaya, Tenga valley where he joined as Upper Division Clerk (U.D.C.)

Filed by the applicant  
through advocate Sri  
G. R. Chakravarty on  
19.10.2001  
[Signature]

in the month of July, 1990 and served in Kendriya Vidyalaya, Tenga valley till he was compelled to hand his charges on 31.3.2001 following his transfer from Tenga Valley to Kendriya Vidyalaya, Kimin.

3. That the applicant categorically denies the statements made in paragraph 5 of the written statement and begs to submit that it is only after the joining of Sri G.S. Sandhu as Principal, Kendriya Vidyalaya, Tenga Valley in November, 1998, that the applicant started facing troubles since the Principal started misbehaving with the applicant on flimsy ground seemingly because of the fact that the applicant insisted on acting fairly and as per law in different occasions.

It is a fact that the Principal Sri Sandhu used to collect quarter rents from contractual and part-time teachers illegally and even issued notice to such teachers for payment of their quarter rents to Dr. O.P. Pandey, P.G.T. (Hindi) and the rents so collected were not deposited with the appropriate authority, thus violating the Govt. rules which would be evident from notice dated 23.4.1999 whereby Sri G.S. Sandhu, Principal, directed to all the contractual basis teachers and part-time teachers to pay the monthly rent of Govt. accommodation before 5th of every months to Dr. O.P. Pandey, P.G.T. (Hindi) In Charge accommodation. Although the rents were collected from the aforesaid teachers every month but the same were never deposited either with the K.V.s authority or M.E.S. authority.

The contractual appointment of Mrs. Jatinder Kaur Bansal and Sri Birendra Kr. Singh illustrated in the O.A. was not in

accordance with the rules of the KVS and it was not in the domain of the applicant to cure such irregularities which he duly brought to the notice of the Principal.

The applicant has not disputed the power of the Asstt. commissioner for transferring the staff under his jurisdiction but the manner in which the applicant was transferred clearly speaks of the mala fide and calculated conspiracy of the respondents which is writ large in the face of the impugned order *dt. 20/21.3.2001*

~~Dated 2001~~. It is categorically stated that the over aged teachers have been appointed by Sri G.S.Sandhu, Principal, Kendriya Vidyalaya, Tenga Valley, on extraneous consideration and the applicant urged to produce the copy of the same before the Hon'ble Tribunal for perusal.

A copy of the Notice dated 23.4.1999 is annexed hereto and the same is marked as Annexure-A for perusal of the Hon'ble Tribunal.

4. That in reply to paragraph 6 and 7 of the written statement, the applicant begs to state that the relevant transfer order which was handed over to the applicant on 31.3.2001 was actually issued on 20/21.3.2001. The respondent No.4 handed over the transfer order on 31.3.2001 and also forced the applicant to sign the charge report pertaining to handing over of charges to Sri K.K. Dubey, LDC instantly on 31.3.2001 without giving him any time although there was no urgency nor any person was posted in his place as his reliever. This is a clear departure from the usual procedure of transfer which amply proves a pre planned conspiracy of the respondents for transferring the applicant.

This apart, the applicant was transferred on the ground of public interest which was not a fact at all. The Respondents also violated the



professed policy of the Government which provides for the posting of husband and wife in the same station. The applicant was transferred from Tenga Valley although his wife was working at Tenga Valley under the State of Arunachal Pradesh and that they have a baby of four and half years age.

5. That the applicant categorically denies the statements made in paragraph 8 of the written statement and begs to submit that no formal relieving order as stated in the written statement was received by the applicant but he was forced by the respondent no.4 to sign the charge report instantly on 31.3.2001 which was kept ready by the respondents in a planned manner and the same was got signed by the applicant forcibly without giving any time. The applicant thereafter filed an O.A. before the Hon'ble Central Administrative Tribunal (CAT), Guwahati Bench, Guwahati and reported to the Respondent No.4 for joining his duties at K.V., Tenga Valley i.e. in his existing post which he was not allowed.
6. That the applicant denies the contentions made in paragraphs 9 and 10 of the written statement and reaffirms that the application is made bona fide and the ends of justice and that in the facts and circumstances stated above, the application deserves to be allowed with costs.

VERIFICATION

I, Sri Jaydev Barman, Son of late Madhav Barman, aged about 40 years, working as Upper Division Clerk in the Kendriya Vidyalaya, Tenga Valley, do hereby verify and declare that the statements made in paragraphs 1 to 4 and 6 to 12 are true to my knowledge and those made in paragraph 5 are the legal advice which I believe to be true and I have not suppressed any material facts.

I, sign this verification on this the 16th day of October, 2001.

Jaydev Barman.

NOTICE

Dated : 23th April 1999

The following Contractual basis teachers & Part time teachers will pay the amount written against their names regarding accomodation before 5th of every month to Dr. O.P.Pandey P.G.T.(Hindi) , I/C Accomodation.

( G.S.Sandhu )

PRINCIPAL

1. Mrs. L. Sanatomhi Devi, PGT (Eco) Rs. 300/= *23/4/99*  
( Contractual basis )
2. Mr. N. Ansari, PGT (PCM) Rs. 300/= *23/4/99*  
( Contractual basis )
3. Mr. M.A. Bharbhuiya, TGT (PCM) Rs. 300/= *23/4/99*  
( Contractual basis )
4. Mr. R.N.S. Yadav, PHT Rs. 300/= *23/4/99*  
( Contractual basis )
5. Mr. V.K. Singh, PHT Rs. 300/= *23/4/99*  
( Contractual basis )
6. Mr. Jogot Dewri, PHT Rs. 300/= *23/4/99*  
( Contractual basis )
7. Mr. S.I. Biswas, PHT Rs. 300/= *23/4/99*  
( Contractual basis )
8. Mr. Arun Kumar Aman, Part Time Rs. 75/=
9. Mr. Ashok Limbu, Part Time Rs. 75/=

1, 3, 4, 6, 7  
Attested  
Principal  
Tengavalli