

(SEE RULE - 4)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI

ORDER SHEET

Original Application No : _____
Misc. Petition No. _____
Contempt Petition No. 59 / 02 in O.A 396/01
Review Application No. _____

Applicant(s): Clement Shangma

- Vs. -

Respondent(s): H.O.I Jams

Advocate for the Applicant(s): Adil Ahmed

Advocate for the Respondent(s): CASE. A. Sarma, Mrs. B. Dutta, Mr. P. Pelli
→ B.C. Pathak for Dept. 2. to Report No. 3.

Notes of the Registry	Date	Order of the Tribunal
<p>This Contempt petition has been filed by the counsel for the petitioner praying for initiation of a proceeding for Contempt of Court for wilful and deliberate violation of the order of this Hon'ble Tribunal dated 16.8.02 passed in O.A. 396/2001</p> <p>laid before the Hon'ble Court for further orders.</p> <p><u>Mr. Seethan Sharma</u></p> <p><u>AN</u></p> <p><u>Stds. Received. Notice prepared and sent to D/s for filing the Respondent No. 1 to 3 by Regd. A.D.</u></p> <p><u>12/12/02</u></p> <p><u>D/N. 3271 to 3273</u></p> <p><u>Dtd. 4/12/02</u></p>	<p>21.11.02</p> <p>mb</p> <p>23.12.02</p>	<p>Heard Mr. A. Ahmed, learned counsel for the applicant.</p> <p>Issue notice to show cause as to why the contempt proceedings shall not be initiated.</p> <p>List on 23.12.2002 for orders.</p> <p><u>IC Ushahay</u> Member</p> <p><u>Vice-Chairman</u></p> <p><u>Mr. B.C. Pathak, learned Addl. C.G.S.C. appearing on behalf of the respondent Nos. 1 and 2 stated that part of the order is complied and relevant</u></p>

23.12.02

Mr. B.C. Pathak, learned Addl. C.G.S.C. appearing on behalf of the respondent Nos. 1 and 2 stated that the part of the order was complied with and relevant steps are being taken to comply with the other parts. Mr. A. Sarma, learned Sr. Advocate assisted by Mrs. B. Dutta entered appearance on behalf of the respondent No. 3. Mrs. B. Dutta, stated that the respondent is filing written statement and for that purpose sought for some time.

List on 13.2.2003 for orders.

K. C. Sharma

Member

[Signature]

Vice-Chairman

mb

13.2.2003

Heard Mr. A. Ahmed, learned counsel for the applicant and also Mr. B. C. Pathak, learned Addl. C.G.S.C. who has appeared on behalf of the respondent Nos. 1 and 2, and Mrs. B. Dutta, learned Govt. Advocate for the State of Meghalaya who has appeared on behalf of the respondent No. 3. Mr. B.C. Pathak, learned Addl. C.G.S.C. stated that the order is duly complied with and in course of the day he is filing the reply. Reply has been submitted by the respondent No. 3.

Put up the matter again on 17.2.2003 for further orders.

[Signature]

Vice-Chairman

mb

13.2.03

An affidavit

in opposition on 1.2.23
behalf of respondent No. 3
has been filed.

[Signature]

17.2.2003 Present : The Hon'ble Mr. Justice D.
N. Chowdhury, Vice-Chairman
The Hon'ble Mr. S. Biswas,
Administrative Member.

Heard Mr. A. Ahmed, learned
counsel for the applicant and also Mr.
B.C. Pathak, learned Addl. C.G.S.C. for
the respondent Nos. 1 and 2, Mrs. B.
Dutta, learned Govt. Advocate for the
State of Meghalaya for the respondent
No.3.

Perused the reply submitted
by the respondents. On perusal of the
pleadings, we find that the order of
the Tribunal is duly complied with.
Therefore, question of continuance of
the proceeding doesnot arise. The ~~contingent~~
proceeding ~~is~~ is accordingly closed.

S. Biswas
Member

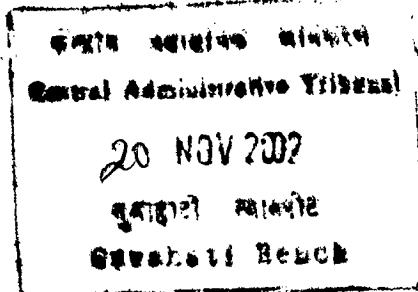
[Signature]
Vice-Chairman

mb

6.3.2003

Copy of the order
has been sent to the
office for issuing
the same to the L/Adm
for the parties.

tel



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

Filed by
Shri Clement Shangma
petitioner
Through
(Abi-
Anwar)
Advocate

Contempt Petition No. 59 /2002

In O.A.No.396/2001

In the matter of:

An application under Section 17 of the Administrative Tribunals Act, 1985 for initiation of a Proceeding for Contempt of Court for wilful and deliberate violation of the order of this Hon'ble Tribunal dated 16.8.2002 passed in Original Application No.396 of 2001;

- AND -

In the matter of:

Shri Clement Shangma,
Retd. Youth Coordinator,
Nehru Yuba Kendra, Tura,
Meghalaya - 794002.

.....Petitioner

- Versus -

1. The Secretary to the Government of India,
Ministry of Human Resources Development,
(Department of Youth Affairs & Sports),
New Delhi.
2. The Director General,
Nehru Yuba Kendra Sangathan,
(Department of Youth Affairs & Sports),
Ministry of Human Resources Development,
Indira Gandhi Indoor Stadium,
New Delhi-110002.
3. The Chief Secretary,
Government of Meghalaya,
Shillong.

Contemners/Respondents


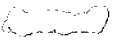
The humble petition of the petitioner above named-

Most respectfully sheweth:-

1. That the petitioner/applicant approached this HonR'ble Tribunal in O.A.No.396/2001 challenging the action of the respondents for non-payment of his Pension, Leave Salary, Gratuity and other pensionary benefits.

2. That the said case was duly contested by the contemners/respondents. However, after hearing the parties, this Hon'ble Tribunal was pleased to allow the application vide its order dated 16.8.2002 directing the contemners/respondents to pay the petitioner/applicant all his pensionary benefits and also to pay interest as per rules on the amount from the due date of pensionary benefits.

A copy of the aforesaid order dated 16.8.2002 passed in O.A.No.396/2001 is annexed herewith as Annexure-'A'.

3. That after passing the aforesaid order dated 16.8.2002 the petitioner/applicant obtained a copy of the same and submitted an application to the contemners  praying for release of his dues. The applicant also annexed a copy of the order dated 16.8.2002 passed in O.A.No.396/2001 alongwith ~~the~~ said application . But the contemners did not take/initiate any action on the same in clear violation of the order of this Hon'ble

Tribunal.

4. It is mentioned here that your applicant begs to state that for the last ten years he has taken loans from his relatives and friends to maintain his family. The situation has now further deteriorated due to the non-payment of the loans taken by the applicant earlier and nobody is willing to extend any further monetary help to him. Day by day, it is becoming very difficult for the applicant and his family members to survive due to acute financial hardships.

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

6. That in view of the facts and circumstances, the petitioner submits that the contemnors have deliberately and wilfully violated the order of this Hon'ble Tribunal and thereby have made themselves liable to be prosecuted for Contempt of Court. The Hon'ble Tribunal may, therefore, be pleased to draw up a proceeding for Contempt of Court against the contemnors and punish them accordingly for ends of justice.

7. That this application is made bonafide and in the interest of justice.

In the premises aforesaid it is thus humbly prayed that your Lordships would be pleased to admit this petition, issue notice upon the Contemners and draw up proceeding for Contempt of Court against themf or wilfully and deliberately violating the order of this Hon'ble Tribunal dated 16.8.2002 passed in O.A.No.396/2001.

- AND -

Cause or causes being shown and upon hearing the parties be pleased to punish the Contemners as per provision of law;

- AND -

Pending hearing of this petition be further pleased to direct the Contemners to appear personally before this Hon'ble Tribunal on each date of posting of the case.

And for this, the petitioner shall ever pray.

DRAFT CHARGE

Affidavit.....

Draft Charge

Laid down before this Hon'ble Tribunal for wilful non-compliance of Judgment and Order dated 16.8.2001 passed in O.A.No.396/2001. Therefore, the Hon'ble Tribunal would be pleased to impose penalty upon the alleged contemners for non-compliance of the Judgment and Order dated 16.8.2002 in O.A. No.396/2001 and further be pleased to pass any other order/orders as deem fit and proper.

- 6 -

A F F I D A V I T

I, Shri Clement Shangma, Retired Youth Coordinator, Nehru Yuba Kendra, Tura, West Garo Hills, Meghalaya-794002 do hereby solemnly affirm and say as follows:-

1. That I am the petitioner in the instant petition and as such conversant with the facts and circumstances thereof.
2. That the statements made in this affidavit and in paragraphs 1, 2, 3, 4, ~~5~~ ~~6~~ ~~7~~ of the ⁴ accompanying petition are true to my knowledge and the rest are my humble submissions before this Hon'ble Tribunal.

And I sign this, on this 18th day of November 2001 at Guwahati.

Clement Shangma

Deponent

Identified by:

(Adil Ahmed)

Advocate

Solemnly affirmed before me by the Deponent who is identified by Mr. Adil Ahmed, Advocate

Kishore
Advocate.

- 7 -

ANNEXURE - A 10

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 396/2001.

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

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

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

. . . . Applicant.

By Advocate Mr. Atul Ahmed.

- VERBUM -

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

O R D E R

SHARMA K.K. (ADMN. MEMBER) :

This is an application under section 19 of the Administrative Tribunals Act, 1985 praying for ^Unon-payment of pensionary benefits due to the applicant w.e.f. 31.12.1990. The applicant has claimed interest @ 18% on the amount due to him.

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

Contd./2

16/8/02
Atul
Advocate

- 8 -

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

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

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

The application is treated as allowed.

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

Sd/MEMBER (ADMIN)

Attended
J.L. —
Advocate

(10)

Filed by: *[Signature]*
(B. C. Pathak) 13/2/03
Addl. Central Govt. Standing Counsel
Central Administrative Tribunal
Guwahati Bench : Guwahati

13 FEB
[Signature]
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

CONTEMPT PETITION NO. 59/2002
IN O.A. NO. 396/2001

Shri Clement Shangma

... Petitioner

-Vs-

Secretary to the Govt. of India,
Ministry of Human Resource Development,
Department of Youth Affairs & Sports, New Delhi
& Another

... Respondents

(Affidavit-in- reply to the C.P. No. 59/2002 filed by the respondents no. 1 and 2).

I, Shri *Narain Chandra Toshi* son of *Sri G. D. Toshi*
, aged about *55* years, at present working as *Zonal Director*
in the office of the *Nehru Yuva Kendra Sangathan*
Guwahati, being competent and duly authorized, do hereby
solemnly affirm and state as follows :

1. That the copies of the above noted C.P. No. 59/2002 (hereinafter referred to as the "petition") have been served on the respondents. The respondents have gone through the same and understood the contents thereof.
2. That it is being a matter of contempt and certain draft charges alleging violation of court's order and also to impose punishment for such violation have been framed, the petitioner should have named the respondents in the petition. But, instead of doing so he has implicated the answering respondents by their offices and not by personal names.

Therefore, the petition suffers from legal defect as required under rule 5(i)(a)(ii) of the CAT(Contempt of Courts) Rules,1992 and is liable to be dismissed.

3. That the statements which are not specifically admitted by the respondents, are hereby denied.

4. That with regard to the statements made in paragraphs 1 and 2 of the petition, the answering respondents state that on receipt of the copy of the order dated 16.8.2002 passed in O.A. No. 396/2001, the respondents took up the matter at the appropriate level through different channels including the Youth Co-ordinator, Nehru Yuba Kendra, Tura (Meghalaya). On receipt of the said order passed by the tribunal, the competent authority immediately took steps and send the Pension Papers (Forms) and No Dues Certificates to be filled and completed by the petitioner/applicant for settlement of his pension matter. This was done vide letter no. NYKS/PERS:Emp./07-1643/02 dated 19.12.2002.

A copy of the said letter dated 19.12.2002 is annexed as Annexure-R1.

5. That as a first step and having no other alternative in absence of full information and claims paper for pension from the petitioner, the respondents considered the case of the petitioner and accorded sanction for provisional pension from the month of November,2002 pending settlement of the pension case of the petitioner. On the basis of the material available with the respondents, the respondents are paying a monthly provisional pension of Rs. 3242/- per month to the petitioner w.e.f. November,2002 onwards. This was done vide letter dated 20.12.2002 by which the first demand draft showing the payment of provisional pension to the petitioner was communicated.

The Pension Papers (Forms) were formally communicated to the petitioner by the competent authority vide letter no. NYKS/PERS:PEN./07-1643/2002 dated 19.12.2002. On the receipt of the said required Forms/Pension Papers the petitioner could fill up the same only by 7.1.2003. At the initiation of the local authority only the said Pension Papers could be collected from the petitioner which were also not completely filled up/answered as required by the department. However, the local authority arranged to forward the same through proper channel on the same day. This was done vide letter no. NYKT/Admn/38/2001-2002/652 dated 7.1.2003. Then the authority at Guwahati on receipt of the said documents from the local authority, immediately forwarded the same to the competent authority on 13.1.2003.

In view of the above facts and the circumstances, the settlement of the pension of the petitioner is under active consideration. But it is pertinent to mention here that the fact of submission of incomplete form submitted by the petitioner has already been brought to the notice of the petitioner by the letter dated 13th January, 2003 itself as the copy of the said letter was duly endorsed to the petitioner. Therefore, it is the petitioner, who will help the department in settling the matter with his personal assistance and also filling up the forms completely as per requirements. Any delay attributable shall not be for the respondents rather, it would be for the non-action of the petitioner.

The copies of the letter dated 20.12.2002 along with the photocopy of the Demand Draft, letter dt. 19.12.2002, 7.1.2003 alongwith Pension Papers and the letter dated 13.1.2003 are annexed as Annexure- R2 (series) and R3 (Series).

6. That with regard to the statements made in paragraphs 3, 4, 5 of the petition I say that in view of the above facts and circumstances of the

matter and more particularly for non-furnishing of the records by the earlier employer, i.e. the Government of Meghalaya, the matter was delayed despite the goodwill and sincerity of the answering respondents. I, therefore, respectfully submit that the allegations made in this paragraphs are not factually correct.

7. That with regard to the statements made in paragraphs 6,7 and the prayer portion of the petition, I say that the answering respondents are discharging their duties as per provisions of law and they have taken all the possible steps as quickly as possible in settling the matter of the petitioner. However, it is now explicit on records that the petitioner himself has taken sufficient time in completing and submitting the forms at the persuasion of the respondents. In spite of all this fact, the petitioner has once again let some lacuna in filling up the forms and which are yet to be corrected and filled up. In spite of getting the notice of such defect in the pension papers submitted by the petitioner, the petitioner is now sitting upon the matter and not taking any steps up till now since 13th January, 2003. However, the respondents are hopeful that the petitioner will come forward in helping the department for settlement of his pension claims. Under this circumstances, there is apparently and clearly on evidence that the order passed by the Hon'ble Tribunal has not been violated or disregarded in any form or manner as alleged by the petitioner. Therefore, the contempt petition is untenable in the eye of law and is liable to be dismissed.

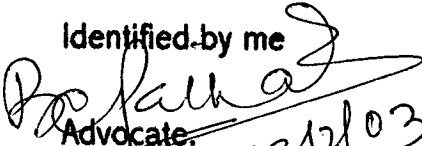
8. That I also respectfully submit that in case this Hon'ble Tribunal comes to a finding and holds that the answering respondents are otherwise liable for contempt of courts; in that case, I hereby seek unqualified apology to this Hon'ble Tribunal and to exonerate the answering respondents under the facts and circumstances of the case.

9. That the Hon'ble Supreme Court in a plethora of decisions has held that a casual, bonafide action shall not amount to willful disobedience to

constitute contempt of court. In the instant case if there was any delay, that was nothing but some action which is casual and bonafide in nature. As indicated hereinabove, rather it is the petitioner who is not coming to put up his claim in a perfect and complete manner with the information available with him and the delay, if any, is being caused by him only. In this connection, however, I respectfully submit that the answering respondents have complied with the order passed by this Hon'ble Tribunal as warranted by the facts and circumstances of the case. The order would be fully and finally complied with as and when the petitioner co-operate and co-ordinate with the answering respondents in settling the matter by furnishing all the information as required by the forms/Pensions Papers.

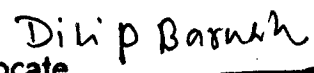
10. That the statements made in paragraphs 1,2,3,6,7,8 and 9 are true to my knowledge and believe, those made in paragraphs 4 and 5 being matter or records, are true to my information derived therefrom and the rest are my humble submission before this Hon'ble Tribunal. I have not suppressed any material fact.

And I this affidavit on this 13th day of February, 2003 at Guwahati.

Identified by me

Advocate.
13/2/03


Deponent.

Solemnly affirmed and signed before me by the deponent, who is identified by Sri B. C. Pathak advocate, on this 13th day of February, 2003 at Guwahati.


Magistrate/Advocate.
13/2/03



नेहरू युवा केन्द्र संगठन

NEHRU YUVA KENDRA SANGATHAN

स्वायत्तशासी संस्था an Autonomous Body under the
युवा कार्यक्रम एवं खेल मंत्रालय Ministry of Youth Affairs & Sports
भारत सरकार Government of India

Ref: NYKS/PERS:Emp./07-1643/02

REGD.

Date: 19-12-02

The Zonal Director
Nehru Yuva Kendra Sangathan
Guwahati (Assam)

Sub:- Form of Pension Papers and No Dues Certificates of Shri Clement Sangma,
Ex. YC. NYK, Tura- reg.

Sir,

I am forwarding here with the form of Pension Papers and No Dues Certificates of Shri Clement Sangma. Ex. YC. NYK. Tura which is to be filled up by the Shri Clement Sangma and returned to NYKS. HQ, New Delhi through proper channel immediately for further necessary action please.

Yours faithfully

(Alwan Masih)

Deputy Director (Personnel)

CC:

- PS to DG, NYKS, New Delhi
- PS to ED, NYKS, New Delhi
- Director (FB&A), NYKS, HQ, New Delhi
- Youth Coordinator, NYK, Tura
- Shri Clement Sangma S/o Sh. Aron Sangma. Proper Chamari. P.O Chandmari. Tura, West Garo Hills Meghalaya. 794002
- Office Order/Personal File. ✓

Code

Bank

S-302-Tura 7332

-7-

ANNEXURE : R2

(16)
(Series) 19

नेहरू युवा केन्द्र संगम NEHRU YUVA KEMENRA SANGAM

स्वायत्तशासी संस्था an Autonomous Body under the
युवा कार्यक्रम एवं खेल मंत्रालय Ministry of Youth Affairs & Sports
भारत सरकार Government of India

Ref NYKS Pers comp 02-169192

Dated 16/12/02

To
The Zonal Director
NYKS, Guwahati

Subj. Compliance of order by the Hon'ble C.A. Guwahati Bench of the High Court
no 59/2002 in O.A no 399/2001 dated 16/ Aug 02 169192

Sir,

With reference to the subject cited above kindly note that, in compliance of the order dated 16th Aug 02 issued by the Hon'ble C.A. Guwahati Bench, the competent authority has approved the Provisional Pension for Sh Clement Sangma retired Youth Coordinator, NYK-Tura, Meghalaya.

The Provisional Pension for the month of November 2002 has already been released to Sh Sangma by DD no 706503 dated 20th Dec'02 for Rs. 3112. Copy of this letter and D/draft are attached with this letter.

However, the pay as per Pay Commission recommendation and other retirement benefits will be determined after gathering of required information. The process in this regard has already been initiated by this office.

This is for your kind information and necessary action please.

Thanking you.

Yours sincerely,

Atman Mishra

De Director (Personnel)

Copy to: PS to DG
PS to ED
Director (F. B & A)
Zonal Director, NYKS-Guwahati
Sh Clement Sangma, Tura, Meghalaya
Personal file/Office order file



नेहरू युवा केन्द्र संगठन

NEHRU YUVA KENDRA SANGATHAN

स्वायत्तशासी संस्था an Autonomous Body under the
युवा कार्यक्रम एवं खेल मंत्रालय Ministry of Youth Affairs & Sports
भारत सरकार Government of India

By Regd. Post

Ref. Accnts/Pension/

December 20, 2002

To
Sh Clement Sangma
S/o Sh Aron Sangma
Proper Chamrai
P.O- Chamrai
Tura, West Garo Hills
Meghalaya 794 002

Re: Release of Provisional Pension for the month of Nov'02

Sir,

Enclosed please find herewith DD no 766563 dated 20th Dec'02 for Rs 3242 -
favouring you towards release of Provisional pension for the month of Nov'02
The break up of this amount is stated below -

Pension (Provisional)	2067.00
Dearness Relief @ 52% of Pension)	1175.00
Medical	100.00
Total(Rs)	3242.00

Acknowledgment of this payment may kindly be sent to this office

Thanking you.

Yours sincerely

Atish Ganguly
Asst. Accounts Officer

Encl: DD no 766563 for Rs 3242 -

Copy to : Zonal Director, NYKS-Guwahati
Dy Director (Per), NYKS, New Delhi

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नेहरू युवा केन्द्र संगठन
NEHRU YUVA KENDRA SANGATHAN (Series)
स्वायत्तशासी संस्था an Autonomous Body under the
युवा कार्यक्रम एवं खेल मंत्रालय Ministry of Youth Affairs & Sports
भारत सरकार Government of India

Ref. No NYKS/ PERS: PEN./ 07-1643-/2002

Date: 19.12.2002

MEMORANDUM

In Connection with the preparation of his/ her pension papers, the following forms are forwarded to Sh. Clement Shangha for completion and return to Admin Section at an early date.

1. Form 3 for details of family (4 copies)
2. Form 5 (4 copies)
3. Nomination for non- contributory family pension (4 copies)
4. Nomination for D.C.R. Gratuity (4 copies)
5. Application for drawl of pension through Public Sector Banks (4 copies)
6. Application for commutation of pension (4 copies)
7. 4 copies of Passport size photograph (self & wife/ husband together)- duly attested
8. Particulars of Height & Mark of Identification (Duly attested)
9. Specimen Signatures (3 Times/ 3 copies) (duly attested)

(Alwan Masih) 19/12/2002
Deputy Director (Pers.)

Sh. Clement Shangha

Ex. Y.C.

Nyks-Tura

-11-

20

नेहरू युवा केन्द्र संगठन

NEHRU YUVA KENDRA SANGATHAN

West Garo Hills District

Office of the District Youth Coordinator, Tura.



An Autonomous Body under the
Ministry of Youth Affairs & Sports
Government of India
Kendra Code : 5402

तेशारी संस्था
असम प्रदेश युवा केंद्र संगठन
गुवाहाटी

NYKT/ADMN/38/2001-2002/652

Dated at Tura, the 7th January 2003

To
The Zonal Director
Nehru Yuva Kendra Sangathan,
Dispur, Guwahati- 6

Subj:-Form of Pension papers and no due Certificates of Shri Clement Sangma,
Ex- YC. NYK, Tura- Reg.

Sir,

As per instruction, I have personally gone and collected all required informations regarding the above mentioned subject and the same in four copies is forwarded to you for favour of your kind necessary action.

Some of the clauses in the form are not fill-in by Shri C. Sangma as the reasons thereof are given by himself in written allongwith his signature. Shri C. Sangma has already received his first provisional pension.

Thanking you

Yours faithfully

(Dr. Salam D. Singh)
District Youth Co-ordinator,
Nehru Yuva Kendra, Tura

Copy to: 1. Sri Alwan Masih,
Dy. Director(Personnel)
for favour of informa-
tion

Nehru Yuva Kendra Sangathan
Guwahati Zone.

Receipt. No. 1756
Date 9/1/03

istrict Office : Balading (Near MIDC Office) Tura - 794001 Ph.: 03651-22625
onal Office : Mathura - Dwarka Path, Mathura Nagar, Dispur, Guwahati - 781006 Ph.: 0361-332987
ad Office : East Plaza, Indira Gandhi Indoor Stadium, New Delhi - 110002 Tel. - 3379703.

(21)

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Details of Family

of the Government servant SHRI CLEMENT SHANGMA
 Designation EX - YOUTH COORDINATOR, NEURO YUVA KENDRA, TURA
 Date of birth 1st DECEMBER, 1932
 Date of appointment 1st JUNE, 1973
 Details of the members of my family as on Wife & Five Sons.

Sl. No.	Name of the members of family*	Date of birth	Relationship with the Officer	Initials of the Head of Office	Remarks
---------	--------------------------------	---------------	-------------------------------	--------------------------------	---------

1.	2.	3.	4.	5.	6.
----	----	----	----	----	----

1.	Smt. Merilla N. Sangma	12.5.1956	Wife		
2.	Shri. Ranke Owen Sangma	4.9.1972	Son		
3.	Shri. Rangku Ori S Sangma	3.11.1974	"		
4.	Shri. Kangku Oliver Sangma	21.10.1979	"		
5.	Shri. Tangku Oriem Sangma	3.12.1986	"		
6.	Shri. Cuingku Demand	1.8.1982	"		
7.					
8.					
9.					
10.					

I hereby undertake to keep the above particulars up-to-date by notifying to the Head of Office any addition or alteration.

C. Sangma

Place TURA
 Dated the 7th Jan 2003.

Signature of Government servant

* Family for this purpose means family as defined in Clause (b) of sub-rule (14) of Rule 54 of the C.C.S. (Pension) Rule, 1972.

Note:- Wife and husband shall include respectively judicially separated wife and husband.

Particulars to be obtained by the Head of Office from the retiring Government servant eight months before the date of his retirement.

Name : SRI CLEMENT SHANGMA

(a) Date of birth : 1st DECEMBER, 1932

(b) Date of retirement : 31st DECEMBER, 1991

1. Two specimen signatures (to be furnished in a separate sheet) duly attested by a gazetted Government servant.
2. Three copies of passport size photo.
3. Photograph with wife or husband (To be attested by the Head of Office).
4. Two slips showing the particulars of height and
4. Personal identification marks duly attested by a gazetted Government servant.
6. Present address: PROPER CHANDMARI, P.O. Lower Chandmari, Tura, West Garo Hills, Meghalaya - 794 602.
7. 5. Address after retirement As Above
8. Name of the Treasury or the Branch of Public Sector Bank or the pay and Accounts Office through which the pension is to be drawn. STATE BANK OF INDIA CHANDMARI TURA BRANCH. CODE No. 07332.
9. 6. Details of the family in Form 3. My - ACCOUNTS No. - 01190015197.

Place TURA
Dated the 7th JAN. 2003.

Signature C. Shangma
Designation Ex-Officio, Tura, NYK, TURA

Ministry/Department/Office
Ministry of Youth Affairs & Sports,
MEERUT, UTTAR PRADESH

1. Two slips each bearing the left hand thumb and finger impressions duly attested may be furnished by a person who is not literate enough to sign his name. If such a Government servant on account of physical disability is unable to give left hand thumb and finger impressions he may give thumb and finger impressions of the right hand. Where a Government servant has lost both the hands, he may give his toe impressions. Impressions should be duly attested by a gazetted Government servant

FORM FOR ASSESSING PENSION AND GRATUITY

22
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PART - I

1. Name of the Government Servant : SURE CLEMENT SHANGMA.
2. Father's name (and also husband's name in the case of female Govt. Servant) : LT. AARLEN N. SHANGMA.
3. Date of birth (by Christian era) : 1st DECEMBER, 1932.
4. Religion : CHRISTIANITY.
5. Permanent residential address showing village, town, district and State. : PROPER CHANDMART, P.O. L. CHANDMART, TURA, WEST GARO HILLS, MEGHALAYA - 791102.
6. Present or last appointment including name of the establishment : YOUTH COORDINATOR, HENRA VIVA KENDRA TURA, WEST GARO HILLS, MEGHALAYA
(i) Substantive ✓ Meghalaya State Service - 1st May, 1971 - as Post Relief & Rehabilitation Officer.
(ii) Officiating, if any, Govt. of India Service - 1st JUNE, 1973 as Y.C. NYK. TURA
7. Date of beginning of service : 1st JUNE, 1973 as Y.C. NYK. TURA
8. Date of ending of service : SUPERANNUATION - on 31st December, 1990.
9. (i) Total period of military service for which pension or gratuity was sanctioned. : _____
(ii) Amount and nature of any pension/gratuity received for the military service. : _____
10. Amount and nature of any pension/gratuity received for the military service. : _____
11. Government under which service has been rendered in order of employment. : _____

Year

Month

Day

(12) Class of pension applicable. _____

- (13) Date on which action initiated to:-
- (i) obtain the 'No Demand Certificate' from the Directorate of Estates as provided in Rule 57. _____
- (ii) assess the service and emoluments from the qualifying for pension as provided in Rule 59; and _____
- (iii) assess the Government dues other than the dues relating to the allotment of Govt. accommodation as provided in Rule 73 (1) _____

(11)

Details of omission, imperfections, or deficiencies in the service book which have been ignored under the rule 59(1) (b)

15. Total length of qualifying service (for the purpose of adding towards broken periods, a month is reckoned as thirty days). From 1st June 1977 to 31st Dec. 1990.

16. Periods of non-qualifying service

(i) Interruption in service condoned under Rule 28. Nil

(ii) Extraordinary leave not qualifying for pension. Nil

(iii) Period of Suspension not treated as qualifying. Nil

(iv) Any other service not treated as qualifying. Nil

Total :

17. Emoluments reckoning for gratuity.

Basic Pay Rs. _____

Stagnation Inc Rs. _____

D.P Rs. _____

Total _____

18. Average emoluments _____

Emoluments drawn during the last ten months of service

Post held	From	To	Pay	Personal or Spl. Pay
-----------	------	----	-----	----------------------

in a case where the last ten months include some period not to be reckoned for calculating average emoluments an equal period backward has to be taken for calculating average emoluments.

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(ii) The calculation of average emoluments should be based on actual number of days contained in each month.

19. Date on which Form 5 has been obtained 7th January, 2003.
from the Government servant (to be
obtained eight months before the
retirement of Govt. Servant).

(20) (i) Proposed pension. _____
(ii) Proposed graded relief. _____

(21) Proposed death-cum-retirement gratuity. _____

22. Date from which pension is to commence. Rev^d 1st January 1991

(23) Proposed amount of provisional pension. _____

if departmental or judicial proceedings
is instituted against the Government
servant before retirement.

24. Details of Government dues
recoverable out of gratuity:-

(i) Licence fee for the allotment
of Govt. accommodation (see sub-rule) Nil
(2), (3) and (4) of rule 72.

(ii) dues referred to in rule 73. Nil

25. Whether nomination made for

(i) Death-cum-retirement gratuity Not done as yet.
(ii) Family Pension 1950, if applicable. _____

(26) Whether Family Pension 1964 applies to the Government
servant and if so:-

(i) emoluments reckoning for the
family pension. _____

(ii) the amount of the family pension
becoming payable to the family of
the Govt. servant, if death takes
place after retirement.

(a) before attaining the age of 65 years - Rs. _____

(b) after attaining the age of 65 years. - Rs. _____

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(iii) Complete and up-to-date details of the family as given in Form 3 :-

S.No	Name of the member of the family	Date of birth	Relationship with the Govt. Servant
1.	2.	3.	4.
1.	Smt. Merilla N. Sangma	12th May, 1951	Wife
2.	Shri Rankeiwen Sangma	9th Sep. 1972	Son
3.	Shri Rangku Oris Sangma	3rd May, 1974	Son
4.	Shri Kangku Oliver Sangma	21st Oct. 1979	Son
5.	Shri Tangku Oris Sangma	3rd Dec. 1980	Son
6.	Shri Chingku Osmura Sangma	1st August 1982	Son

27. Height 161 1/2 cm (53 1/2 inches)
28. Identification marks 1. Scar on top of right Fore Head
2. Scar on Left corner of Left Eye-lid.
29. Place of payment of pension STATE BANK OF INDIA
(Treasury, Sub-Treasury or Branch CHINDIMARZI TURA BRANCH (07332) of Public Sector Bank or the pay and Accounts Office).
30. Head of Accounts to which pension and gratuity are debitable. _____

Signature of the
Head of Office

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-18-
FORM OF APPLICATION FOR COMMUTATION OF PENSION AFTER MEDICAL
EXAMINATION BY AN APPLICANT REFERRED TO IN RULE 18 OF
CENTRAL CIVIL SERVICES (COMMUNICATION OF PENSION) RULES, 1981

[See Rules 5(2), 9(3), 13(2), 14(2), 19, 20(1), (2) and (3),
21(1) and 25(2)]

(To be submitted in duplicate)

To

The _____

SPACE FOR
PHOTOGRAPH

(Here indicate the designation
and full address of the Head
of Office)

Subject :- Commutation of pension after medical examination.

Sir,

I desire to commute a fraction of my pension in accordance with the provisions of the Central Civil Services (Commutation of Pension) Rules, 1981. An attested copy of my photograph is pasted on the application and an unattested copy is enclosed. The necessary particulars are furnished below:-

1. Name (in Block Letters) _____
2. Father's name _____
(also husband's name in the case of a female Government servant)
3. Designation _____
4. Name of Office/Department/Ministry _____
in which employed
5. Date of birth (by Christian era) _____
6. Date of retirement _____
7. Class of pension on which retired [see Chapter V
of the Central Civil Services (Pension) Rules, 1972]
8. Amount of pension authorised. [Indicate the amount Rs. _____
of provisional pension if full pension not authorised]
9. *Fraction of pension proposed to be commuted Rs. _____

Designation of the Accounts Officer who authorised
the pension and the number and date of Pension
Payment Order.

- 281 31
11. **Disbursing authority for payment of pension-
- (a) Treasury/Sub-Treasury (Name and complete address of the Treasury/Sub-Treasury to be indicated) _____
- (b) (i) Branch of the Nationalised Bank with complete postal address _____
- (ii) Bank Account No. to which monthly pension is being credited each month _____
- (c) Accounts Office of the _____
Ministry/Department Office
12. Approximate date from which commutation is desired to have effect _____
13. The amount of pension already commuted, if any _____
14. Preference for station where medical examination is desired to take place _____

Commutation not required

[Signature]
Signature

(Postal Address)

Place :

Date :

* The applicant should indicate the fraction of the amount of monthly pension (subject to a maximum of one-third thereof) which he desires to commute and not the amount in rupees.

** Score out which is not applicable.

NOTE:- The payment of commuted value of pension shall be made through the disbursing authority from which pension is being drawn. It is not open to an applicant to draw the commuted value of pension from a disbursing authority other than the authority from which pension is being drawn.

[See Rules 5(2), 12, 13(3), 14(1) and 15(3)]

Form of Application for Commutation of a Fraction of Pension without Medical Examination when applicant desires that the payment of the commuted value of Pension should be authorised through the Pension payment order.

(To be submitted in duplicate at least three months before the date of retirement).

PART I

The _____

(Here indicate the designation and full address of the Head of Office)

Subject : Commutation of pension without medical examination.

Sir,

I desire to commute a fraction of my pension in accordance with the provisions of the Central Civil Services (Commutation of Pension) Rules, 1981. The necessary particulars are furnished below:-

1. Name (in Block letters). _____
2. Father's name (and also husband's name _____
in the case of a female Govt. Servant).
3. Designation _____
4. Name of Office/Deptt./Ministry in which employed _____
5. Date of Birth (by Christian era) _____
6. Date of retirement on superannuation or
on the expiry of extension in service
granted under FR 56(d) _____
7. Fraction of superannuation pension proposed
to be commuted _____
Rs. _____
8. Disbursing authority from which pension is
to be drawn after retirement _____

- (a) Treasury/Sub-Treasury (Name and Complete address of the Treasury/Sub-Treasury to be indicated).
- (b) (i) Branch of the nominated nationalised bank with complete postal address.
(ii) Bank Account No. to which monthly pension is to be credited each month.
- (c) Account Office of the Ministry/Department/Office.

H. K. K. K.

Signature

Ex-Youth Coordinator

NEERU VUVA KENDRA, TURA

WEST GATE HILL, Meghalaya

(Present Postal address)

(Postal address after retirement)

Place :

Date :

NO DEMAND CERTIFICATE

No dues from Recruit Dept., Kendra and Zonal Director

Name Clement Sanyal Father's Name LT. AIRCH. S. Sanyal
Designation & Station Zonal Officer & Motor, N.Y.K. Toru
Date of termination & Pension 31st Dec, 1990
Last Date of pay drawn X vide Bill No. X
Date X

The employee was on LWP from X to X

DETAILS OF DEBIT RECOVERABLE FROM DERO/SC TO BE

1. Ser. No. SLN. X Vacated on X
2. Final Electric Bill for Rs. X
3. Cycle/Fan/Festival/Scooter and other Advance Rs. X
4. Cost of medical cards/Store debits Rs. X
5. T & P/Any other debits Rs. X
6. With held amount on account of X
7. Over payments of wages Rs. X
8. House Building Advance Rs. X
9. Any other dues recoverable Rs. X Total Rs. X

Certified that there are no other debits against him as per this office record. Further any amount of debits recoverable as per accounts record may kindly be added.

checked

(With date and signature stamp)
Name N.C. Joshi

Designation Zonal Director
N.Y.K. Toru

CHIEF Zonal Kendra
CHIEF

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CALCULATION SHEET
(Important document to be preserved carefully)

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Name of the Deptt. NEHRU YUVA KENDRA SANGATHAN

1. Name of the pensioner CLEMENT SHANGMA
2. Designation YOUTH COORDINATOR; NEHRU YUVA KENDRA, TURGA
3. Date of birth 1st DECEMBER, 1932. WEST GARO HILLS, MEGHALAYA
4. Date of entry in the Govt. Service 1st JUNE, 1943.
5. Date of retirement 31st DECEMBER, 1990.
6. Length of qualifying service from - 1.6.1971 - to - 31st DECEMBER, 1990.
reckoned for pension/gratuity (as indicated in PPO)
7. Emoluments drawn during No Emoluments have been drawn prior to Pension.
the last 10 months

8. (1) Average emoluments for _____
pension (as indicated in PPO)
 - (2) Pension, admissible _____
- Calculations to be shown as follows :

2

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8. A. Whether opted for commutation
of pension : (Yes/No) No.

9. (1) Emoluments for gratuity
(as indicated in PPO)
- (2) Retirement gratuity admissible
Calculation to be shown as follows:-

10. (1) Emoluments for Family Pension
(as indicated in PPO)
- (2) Family Pension admissible
Calculations to be shown as follows:

- * (a) Ord. Family Pension:
- * (b) Enhanced Family Pension :

11. PPO NO _____
Place _____
Date _____

Head of Office ..

Place _____
Date _____

Countersigned

Sr. Accounts Officer
NYKS, New Delhi.

Application for drawal of pension through public
sector banks in terms of Ministry of Finance
(Department of Economic Affairs) Office Memorandum
No. F.10(23) - B-B(TR)/76 dated 11th June, 1976.

To _____

The DIRECTOR GENERAL,
NEHRU YUVA KENDRA SANGATHAN,
Ministry of Youth Affairs & Sports,
Govt. of INDIA. INDIRA GANDHI INDOOR Stadium,
NEW DELHI - 110002.

Sir,

I opt to draw my pension through public sector bank and give below necessary particulars to enable you to make arrangements in this regard.

1. Particulars of pensioner:

- (a) Name SHRI CLEMENT SHANGMA
- (b) Pension Payment Order No. _____
- (c) Present Address PRIPER CHANDMART ; P.O. L. CHANDMART ; TURA
WEST GARO HILLS, MEGHALAYA - 794002.

2. Particulars of Public Sector Bank :

- (a) Name: CLEMENT SHANGMA
- (b) Branch where payment bank STATE BANK OF INDIA
desired CHANDMART TURA BRANCH
- (c) Code of the Bank CODE No. - 07332.

- 3. Pensioner's Saving Bank Account No. 01190015197
number at the branch to which
pension is to be credited.

Yours faithfully,

C. Shangma
Pensioner.

Pensioner's specimen signature

C. Shangma ; *C. Shangma*
C. Shangma ; *C. Shangma*

Place : TURA

Date : 7th JANUARY, 2003

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Forwarded to the Manager/Agent _____
(Link branch of public sector bank)

The disburser's half/both halves of Shri _____
bearing pension payment order No. _____
is/are sent herewith.

The pensioner has been paid pension for the period upto the month
_____. Pension due from the month of
_____ is to be arranged by the bank.

Not to be used

Treasury Officer
(with his seal)

Station _____

Date _____

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A

Nomination for Death-cum-Retirement Gratuity

When the Government Servant has a family and wished to nominate one member, or more than one member, thereof.

I Shri CLEMENT SHANGMA hereby nominate the person/persons mentioned below who is/are member(s) of my family, and confer on him/them the right to receive, to the extent specified below, any gratuity and payment of which may be authorised by the Central Government in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death:-

Original nominee (s)				Alternative nominee (s)	
Names and addresses of nominee/ nominees	Relationship with Govt. Servant	Age	Amt. or share of son or gra-tuity payable to each %	Name, address & age of the persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the Govt. Servant or the nominee dying after the death of the Govt. Servant but before receiving payment of gratuity.	Amt. or share of gratuity payable to each %
1. Smti. MERILLA N. SANGMA	Wife	12.5.1956	Born on 12.5.1956		
2.					
3.					
4.					
5.					
6.					

2. Smti MERILLA N. SANGMA; Wife Born on 12.5.1956. Full Admissibility. X X

% This column should be filled in so as to cover the whole amount of the gratuity.
 %% The amount/Share of the gratuity shown in this column should cover the whole amount/share payable to the original nominee(s)

36 39

This nomination supersedes the nomination made by me earlier which stands cancelled.

NOTE :- (i) The Government servant shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.
(ii) Strike out which is not applicable.

Dated this _____ day of _____ 199 at _____

Witnesses to signature :

1. _____

2. _____

Signature of Head of Office

(To be filled in by the Head of Office)

Nomination by Shri CLEMENT SHANGMA

Designation EX-YOUTH COORDINATOR

Office NEHRU YUYA KENDRA, TURU
WEST GARO HILLS, MEGHALAYA.

Signature of Head of Office

Date _____

Designation _____

PART II

(ACKNOWLEDGEMENT)

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Received from Shri/Smt/Kumari CLEMENT SHANGMA (name)
(designation)
 application in Part I of the Form I-A for commutation of a
 fraction of pension without medical examination.

Signature
 Head of Office

Place :

Dated :

NOTE : If the application has been received by the Head of Office before the date of retirement on Superannuation, this acknowledgement should be detached from the Form and handed over to the applicant. If the form has been received by post, it has to be acknowledged on the same day and the acknowledgement sent under registered cover to the applicant. In case it is received after the specified date, it should be accepted only if it has been put into the post on or before that date subject to the production of evidence to that effect by the applicant.

PART III

Forwarded to the Accounts Officer
 (here indicate the address and designation) _____

with the remarks that

- (i) the particulars furnished by the applicant in Part I have been verified and are correct;
- (ii) the applicant is eligible to get a fraction of his pension commuted without medical examination;
- (iii) the commuted value of pension determined with reference to the Table applicable at present comes to Rs. _____ and _____

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(iv) the amount of residuary pension and commutation will be Rs. _____

2. The pension papers of the applicant completed in all respects were forwarded under this Ministry/Department/Office Letter No. _____ dated _____. It is requested that the payment of commuted value of pension may be authorised through the Pension Payment Order which may be issued one month before the retirement of the applicant.

3. The receipt of Part I of this form has been acknowledged in Part II which has been forwarded separately to the applicant on _____

4. The commuted value of pension is debitable to Head of Account.

Signature
Head of Office

Place :

Date :

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2

SECTION I

1. Total period of qualifying service, From: 1st JUNE, 1973
which has been accepted for the grant of superannuation or retiring or invalid or compensation or compulsory retirement pension and gratuity, with reasons for disallowance, if any (other than disallowance indicated in Part I of this Form). To. 31st DECEMBER 1990.
2. Amount of Superannuation or retiring or invalid or compensation or compulsory retirement pension or gratuity that has been admitted.
3. The date from which superannuation or retiring or invalid or compensation or compulsory retirement pension or gratuity is admissible... 1st JANUARY 1991.
4. Head of Account to which superannuation or retiring or invalid or compensation or compulsory retirement pension or gratuity is chargeable.....
5. The amount of the Family Pension, 1964, becoming payable to the entitled members of the family in the event of death of the Government servant after retirement.....

SECTION II

1. Name of the Govt. servant. SHRI CLEMENT SHANGMA
2. Class of Pension or gratuity. _____
3. Amount of pension authorised. _____
4. Amount of gratuity authorised. _____
5. Date of commencement of pension. 1st JANUARY 1991

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⑥. Amount of family pension in the event of death after retirement:-

- (i) if death takes place before 65 years of age, or
- (ii) if death takes place after 65 years of age.

⑦. The amount of grade relief admissible on pension. _____

8. The Government dues recoverable out of gratuity before authorising its payment. Nil

⑨. The amount of cash deposit of the amount of gratuity held over for adjustment of unassessed Government dues. _____

10. Date on which the pension papers received by the Accounts Officer. _____

CERTIFICATE UNDER FINANCE DEPARTMENT
LETTER NO. F1-1013-6654/F, Dated 30th May, 1951.

Should any amount whether due to excess or overdrawal of pay allowances or unrefunded balances of advances of pay, travelling allowance on tour, travelling allowances on transfer Motor Car or Cycle, House building, etc; or dues on account of House rent or otherwise outstanding for recovery of any amount from me, I shall be called upon to pay.

NO DUES OUTSTANDING.

Lo Mangru
Ex-Youth Coordinator; NYK. TURA.
Signature of the retiring
Government servant
Designation and Department / Office

(This declaration should be attested by a Gazetted Government servant)

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Declaration from the Pensioner regarding non-receipt
of any pension of gratuity

I hereby declare that I have neither applied for nor received any pension of gratuity in respect of any portion of the service included in this application and in respect of which pension or gratuity is claimed herein nor shall I submit any application hereinafter without quoting a reference and to the orders which may be passed thereon.

Have received Provisional Pension for the month of Nov. 2002 only.

Shangma

Signature of the Govt. Servant
Ex-Youth Coordinator, NYK, TUNA.

I hereby personally testify to the best of my knowledge and belief as way of clarification, regarding the non-entry of certain Sl.Nos. in Pension Form -7, as per Sl.No. specified and clarifications given against each . as follows :-

Pension Form - 7.

Class of Pension.

Sl.Nos. 12 & 13. . . Fixation vide Revised Pay Scale rules have not been settled in my favour up till date, therefore classification cannot be specified.

Emoluments of Grat.

Sl.No. 17 & 18. . . Emoluments of gratuity can only be calculated after Ministry & Department has granted Pay Fixation to me vide the Revised Pay Scale rules.

Sl.No. 20, 21 & 23. . . This can be calculated only after Fixation vide Revised Pay Scale rules has been granted to me by the Department and Ministry.
and 26.

Part -II Section -I.

Sl.No. 2, 3, & 4. . . Can be calculated by the Department after fixation of my Pay Scale vide Revised Pay Scale Rules, has been granted.

Sl.No. 6, 7, & 9. . . Pensioner still living.
To be calculated by the Department after Pay Fixation vide Revision has been granted.

Application for drawal of Pension.

Sl.No. 1. (b) . . . To be filled up by the Department after Fixation vide Revision has been granted.

Clement Shangma 7/1/03.
(Clement Shangma)
Ex-Youth Coordinator,
Nehru Yuva Kendra, Tura,
West Garo Hills, Meghalaya.
- 794002 .

Specimen Signature of Shri Clement Shangma,
Ex-Youth Coordinator,
Nehru Yuva Kendra, Tura,
West Garo Hills, Meghalaya,

Specimen Signature:-

1. *Clement Shangma*

2. *Clement Shangma*

Signature Attested :-

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I hereby personally testify to the best of my knowledge and belief as way of clarification, regarding the non-entry of certain Sl.Nos. in Pension Form -7, as per Sl.No. specified and clarifications given against each . as follows :-

Pension Form - 7.

Class of Pension.

Sl.Nos. 12 & 13. .

Fixation vide Revised Pay Scale rules have not been settled in my favour up till date, therefore classification cannot be specified.

Emoluments of Grat.

Sl.No. 17 & 18. .

Emoluments of gratuity can only be calculated after Ministry & Department has granted Pay Fixation to me vide the Revised Pay Scale rules.

Sl.No. 20, 21 & 23. .
and 26.

This can be calculated only after Fixation vide Revised Pay Scale rules has been granted to me by the Department and Ministry.

Part -II Section -I.

Sl.No. 2, 3, & 4. .

Can be calculated by the Department after fixation of my Pay Scale vide Revised Pay Scale Rules, has been granted.

Sl.No. 6, 7, & 9. .

Pensioner still living.
To be calculated by the Department after Pay Fixation vide Revision has been granted.

Application for drawal of Pension.

Sl.No. 1. (b) . . .

To be filled up by the Department after Fixation vide Revision has been granted.

Clement Shangma 7/1/03
(Clement Shangma)
Ex-Youth Coordinator,
Nehru Yuva Kendra, Tura,
West Garo Hills, Meghalaya.
- 794002 .

Specimen Signature of Shri Clement Shangma,
Ex-Youth Coordinator,
Nehru Yuva Kendra, Tura,
West Garo Hills, Meghalaya,

Specimen Signatures:-

1. *Clement Shangma*

2. *Clement Shangma*

Signature Attested :-



नेहरू युवा केन्द्र संगठन NEHRU YUVA KENDRA SANGATHAN

Tel : 0361-561287
Fax : 0361-561287

Handwritten signature/initials

स्वायत्तसंस्था संस्था
युवा कर्मचारी एवं सेवा विभाग
मानव संसाधन विकास विभाग
भारत सरकार
मंडल कार्यालय : मथुरा-द्वाराका पथ, मथुरा नगर
दिसपुर, असम-781006

an Autonomous Body of the
Department of Youth Affairs & Sports,
Ministry of Human Resource Development,
Government of India
Zonal Office : Mathura-Dwaraka Path, Mathuranagar
Dispur, Assam-781006

NYKS/(Gua)/Per/ 575

January 13, 2003

TO:

The Deputy Director (Personal)
Nehru Yuva Kendra Sangathan
New Delhi

Subject: Form of pension papers reg

Ref: Yours letter no. NYKS-PERS: PEN/07-1643/2002 dtd. 12-12-2002

Sir:

With reference to the above, we have collected all required information as asked for from Sh. Clement Sangma through DYC, NYK Tura vide his letter no NYK/ADMIN/38/2001-2002/652 and forwarded to you for further necessary action.

Some of the clauses in the form are not fill-in by Shri C. Sangma as the reasons thereof are given by himself in written alongwith his signature.

Thank you,

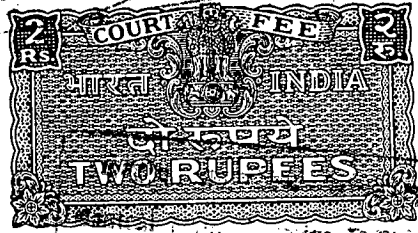
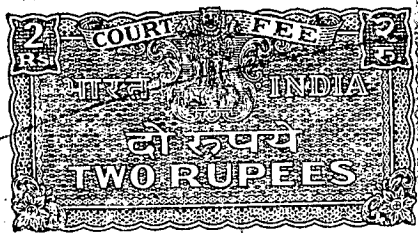
Yours faithfully,

Handwritten signature of N. C. Joshi

Zonal Director, Guwahati/Imphal

Encl: All pension papers
one set & original & 3 sets
in dupl. recd.

CC: RC, Shillong for information
DYC, Tura for information
Sh. C. Sangma, Ex- YC, NYK, Tura



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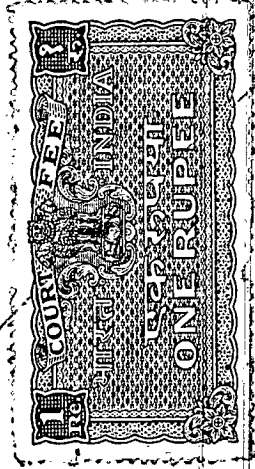
Filed by Jamin Tayeng
Respondent No. 3
Through Bonga Dulla
Advocate

13.2.03

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI BENCH
GUWAHATI.

FEB 2003

TRIAL FEE



In the matter of :

Contempt Petition No. 59/2002
in
OA No. 396 of 2001
Sri Clement Sangma.

.... Petitioner.

-Vs-

The Secretary to the Government of India,
Ministry of Human Resources Development,
(Department of Youth Affairs & Sports),
New Delhi & Ors.

.... Contemners/
Respondents.

AN AFFIDAVIT-IN-OPPOSITION ON BEHALF
OF RESPONDENT NO.3-

I, Jamin Tayeng, son of late B. Tayeng,
aged about 59 years, by occupation Government Service,
residing at Shillong, do hereby solemnly affirm and say
as follows :

1. That I am the Chief Secretary to the Government
of Meghalaya- since I assumed charge as Chief Secretary on
21.12.2001. I have acquainted myself with the facts and
circumstances of the instant case.

2. That I have received a copy of the Contempt
Petition No. 59 of 2002 (hereinafter called the Petition)
and having perused the same I have understood the contents
thereof.

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2.

3. That I deny the statements and submissions made in various paragraphs of the Petition save and except those which may be specifically admitted herein in this affidavit.

4. That with regard to the statements made in paragraphs 2 and 3 of the Petition the deponent states that as is evident from the Office Order dated 31.12.1990 (Annexure-H to the Original Application No.396 of 2001) the petitioner retired from Central Government Service w.e.f. 31.12.1990 after disposal of the Special Leave Petition by the Hon'ble Supreme Court whereby the prayer of similarly situated employees of the Welfare Association of the Youth Coordinator of the Nehru Yauva Kendra, for being absorbed as Central Government employees was finally granted by the Hon'ble Supreme Court as stated by the petitioner in paragraph 4.6 of the Original Application No.396 of 2001 before this Hon'ble Tribunal. However, to the extent necessary in this regard, all efforts have been made on behalf of the Government of Meghalaya to ensure speedy payment of the petitioner's pension and pensionary benefits.

5. That in this connection it may be stated that the petitioner, Clement Sangma had been for some time in Government of Meghalaya Service long before he was absorbed as Central Government employee. However, a letter dated 1.11.2001 was addressed by the Commissioner

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3.

and Secretary to the Government of Meghalaya, Department of Sports & Youth Affairs to the Accountant General, Meghalaya, who was requested to furnish all relevant documents concerning the petitioner, to the Government of India, Ministry of Human Resource Development Department.

6. That in response to the aforesaid letter dated 1.11.2001 addressed by the Commissioner and Secretary, Department of Sports and Youth Affairs, the Accountant General requested the Government to furnish certain details with regard to the petitioner's service which were duly forwarded by the Government of Meghalaya on 10.12.2002.

7. That the statements made in paragraph 4 of the Petition are not admitted and are hereby denied.

8. That the submissions made in paragraphs 5 and 6 of the Petition are denied and the said submissions are not correct~~x~~ as alleged or otherwise in so far as the deponent is concerned.

9. That it is submitted that all necessary efforts to ensure speedy settlement of the petitioner's pension were made on behalf of the Government of Meghalaya as soon as the matter came to the notice of the Government and there is no disobedience, wilful or otherwise nor any violation of any order of this Hon'ble Tribunal by the deponent or by any Officer of the Government of Meghalaya.

4.

10. That it is ~~per~~ respectfully submitted that under the facts and circumstances stated hereinabove, this Hon'ble Tribunal may be pleased to drop the Contempt Proceedings against the Deponent.

11. That the statements made in paragraphs 1,2,3, 8 & 11 are true to my knowledge, those made in paragraphs 4,5,6 & 7 being matters of record are true to my information derived therefrom which I believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

And I sign this affidavit on this the 10th day of February, 2003 at Guwahati.

Identified by

Binoya Dutta
Advocate.

10.2.03

Joanin Jayeng
DEPONENT

Solemnly affirmed and declared before me by the deponent who is identified by Smti. Binoya Dutta, ~~an~~ Advocate, on this the 10th day of February, 2003 at Guwahati.



10.02.03
MAGISTRATE, 1st Class.
GUWAHATI