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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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COA/T.A No. 371/2002

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SECTION OFFICER (Judl.)

(SEE RULE - 4)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI

ORDER SHEET

Original Application No : 371/02
Misc. Petition No. _____
Contempt Petition No. _____
Review Application No. _____

Applicant(s): R.K. Mili

- Vs. -

Respondent(s): H.O. I Tamm

Advocate for the Applicant(s): B.K. Sharma, S. Sarma, S. Das

Advocate for the Respondent(s): Case AK Chandhury
Miss U. Das

Notes of the Registry	Date	Order of the Tribunal
<p>This is application in form C. F. for Rs. 50/- deposited vide IP 1/30 of 4.5.82 Dated 30.10.02</p> <p><i>Dr. Registrar</i> <i>JS</i> <i>25/11/02</i></p> <p><i>See. Talim Notice prepared and sent to D/S for ems. the Respondent No. 1 to 4 by Regd. A/D</i> <i>20/12</i> <i>D/No 3424/27 dtd 20/12/02</i></p> <p>No written statement has been filed</p> <p><i>31.03</i></p>	<p>10.12.2002</p> <p>mb</p> <p>2-1-2003</p> <p>6.1.03</p>	<p>Heard Mr. S.Sarma, learned counsel for the applicant and also Mr. A.K. Choudhury, learned Addl. C.G.S.C. for the respondents.</p> <p>Issue notice of motion. Return- able by three weeks.</p> <p>List on 2.1.2003 for admission.</p> <p><i>IC Ushah</i> Member</p> <p>Due to vacation, the case is self-normal to 6.1.2003 for admission.</p> <p><i>mb</i> <i>Ak</i></p> <p>The facts emerged from the appli- cation precipitate that the only controversy as to whether the applica- nt had given his option for Divisio- nal Accountant/Auditor/Junior Acctt./ UDC or his preference for the post of Sub Inspector over and above the earlier posts and also if the</p>

2

6.1.03

applicant in the peculiar facts has a right to claim the above post. The learned counsel for the respondents seeks time to get the necessary instruction in this regard and file a reply.

Allowed as prayed for. Reply be filed within four weeks. It is further directed that the respondents shall produce the original application form submitted to the SSC, copy of which is available at Annexure-1, on the next date for perusal of the Tribunal.

List on 4.2.03 for admission.

Member

Chairman

pg

4.2.2003

Put up again on 5.3.2003 to enable the respondents to file reply, if any.

Member

Vice-Chairman

mb

5.3.2003. Court did not sit today. The case is adjourned to 18/3/2003.

Adm
for

10.3.03

18.3.2003

Admit. perused the pleadings. The respondents submitted their written statements. No fresh notices need to be issued on the respondents.

The matter may now be listed for hearing. The applicant may file rejoinder within three weeks from today. List the matter for hearing on 22.4.2003.

Vice-Chairman

bb

22.4. Court did not sit today. The case is adjourned to 28/5/2003.

Adm
for

No. reply has been filed

3.2.03

25.2.03

W/S submitted

by the Respondent No. 4.

W/S submitted

by the Respondent No. 1, 2 & 3.

No. rejoinder has been filed

27.5.03

28.5.2003 Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman.
The Hon'ble Mr. S.K. Hajra, Administrative Member.

Mr. A.K. Choudhury, learned Addl. C.G.S.C. appearing on behalf of the respondents stated that he is yet to get holding the records. Accordingly, prayed for short adjournment. The case is accordingly adjourned. List again on 19.6.2003 for hearing. In the meantime, the learned counsel for the respondents shall take steps for get holding the records.

Member

Vice-Chairman

mb

19.6.2003 Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman.
The Hon'ble Mr. R.K. Upadhyaya, Member (A).

On the prayer of Miss U. Das, learned counsel for the applicant the case is adjourned. Mr. A.K. Choudhury, learned Addl. C.G.S.C. for the respondents has no objection.

List again on 17.7.2003 for hearing.

Member

Vice-Chairman

mb

17.7. Heard & post. List again on 18.7.2003.

18.7.2003 Present: The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman
The Hon'ble Mr. N.D. Dayal, Administrative Member.

Put up again for hearing on 30.7.2003.

2003.

Member

Vice-Chairman

The following documents were produced by the Addl. C.G.S.C. at the time of hearing & sent along with the case file.

1) letter no - F/W/SSCG-A-11011/92/-
2wl/1448 dtd 17.10.2001

2) letter no - 11/1/2001 - C.III G.O. 9. SCC,
New Delhi dtd 1/4/2002.

3) Photo Copy of the Application Form
A.K. 22/11/99.

30.7.2003

Since the Bench is not continuing the matter is released from part heard.

On the prayer of Mr. S. Sarma, learned counsel for the applicant the case is adjourned. Put up again on 25.8.2003 for hearing.

30.7.03

By Order

Member

Vice-Chairman

mb

Wks has been filed.

25.8.2003 Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman.

The Hon'ble Mr. K.V. Prahaladan Administrative Member.

On the prayer of Ms. U. Das, learned counsel on behalf of Mr. S. Sarma, learned counsel for the applicant the case is adjourned. List again on 15.9.2003 for hearing.

Member

Vice-Chairman

mb

15.9.2003 No Division Bench is sitting. List again on 3.11.2003 for hearing.

Member

mb

3.11.03 NO Bench today.
Adj'd to 27-11-03.

27.11.03 NO Bench today.
Adj'd to 11.12.03.

870
la.

26.12.2003

Present: The Hon'ble Mr. Justice B. Panigrahi, Vice-Chairman

The Hon'ble Mr. K. V. Prahladan, Member (A).

Heard learned counsel for the parties
Judgment delivered in open Court, kept
in separate sheets.

The application is dismissed in terms
of the order.

*Received copy
HH Chandra 5/1/04*

18.1.04

K. V. Prahladan
Member

bb

B
Vice-Chairman

*copy of the judgment
has been sent to the
office for issuing
the same to the applicant
by post.*

KE

*Received back
the original records
HH Chandra
Adal G 50
20/1/04*

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A./RXX.No. 1111 371 of 2002.

DATE OF DECISION 26.12.2003.

.....Rup .Kumar .Mili.....APPLICANT(S).

.....Mr.S.Sarma, Mr..S.Das. & Ms.. U.Das.....ADVOCATE FOR THE
APPLICANT(S).

-VERSUS-

.....Union.of India & Others.....RESPONDENT(S)

.....Mr.A.K.Chaudhuri, Addl.C.G.S.C.....ADVOCATE FOR THE
RESPONDENT(S).

THE HON'BLE MR. JUSTICE B. PANIGRAHI, VICE CHAIRMAN.

THE HON'BLE MR. K.V.PRAHLADAN, ADMINISTRATIVE MEMBER.

1. Whether Reporters of local papers may be allowed to see the judgment ?
 2. To be referred to the Reporter or not?
 3. Whether their Lordships wish to see the fair copy of the Judgment ?
 4. Whether the judgment is to be circulated to the other Benches ?
- Judgment delivered by Hon'ble ~~Member~~ Vice-Chairman.

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CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 371 of 2002.

Date of Order : This, the 26th Day of December, 2003.

THE HON'BLE MR. JUSTICE B. PANIGRAHI, VICE CHAIRMAN.

THE HON'BLE MR. K.V.PRAHLADAN, ADMINISTRATIVE MEMBER.

Rup Kumar Mili
S/O Sri Dharmeswar Mili
201, Meghamaller House
Basisthapur Lane No.03
Beltola, Guwahati
Assam.

. Applicant.

By Advocates Mr.S.Sarma, Mr.S.Das & Ms.U.Das.

- Versus -

1. Union of India
Represented by the Secretary
to the Government of India
Ministry of Home Affairs
New Delhi - 1.

2. The Secretary
Staff Selection Commission
Lodhi Road, New Delhi.

3. Regional Director
Staff Selection Commission
Rukmini Nagar, Guwahati-6.

4. The Directorate General
Central Industrial Security Forces
13-CGO's Complex, Lodhi Road
New Delhi-3.

. Respondents.

By Mr.A.K.Chaudhuri, Addl.C.G.S.C.

ORDER (ORAL)

PANIGRAHI, J.(V.C):

There was a combined written test for various posts of different Departments. The applicant was one of the candidates in the aforesaid test held in the year 1999 by the Staff Selection Commission. It is claimed by the applicant that in the application he has filled in by expressing his option first to join as Divisional Accountant, next as Sub-Inspector in the Central Industrial Security Force (CISF). He was found qualified and accordingly he joined as Sub-Inspector in C.I.S.F. under Home Ministry on


3.2.2002 at Hekimpet in Andhra Pradesh. The applicant thereafter made a representation that he ought to have been accommodated as a Divisional Accountant, but instead the authorities have wrongly placed his service under the Home Ministry and pursuant to which an offer of appointment as Sub-Inspector was issued to him.

2. In this background the entire facts situation lies in a narrow campus as to whether the applicant can be permitted to join as Divisional Accountant as he claimed as his first option. Mr.A.K.Chaudhuri, learned Addl.C.G.S.C. appearing for the respondents, has submitted that there was no compulsion for the applicant to join as Sub-Inspector in C.I.S.F. rather he should have pointed out at the relevant time that instead of giving appointment in C.I.S.F. he should be considered for the post of Divisional Accountant. Had such representation come from the applicant at that point of time the authorities could have considered his grievances and accordingly they could have placed him as Divisional Accountant. There would be administrative dislocation if the applicant is allowed to join as Divisional Accountant.

3. We have carefully examined the different contentions raised by Mr.S.Sarma, learned counsel appearing for the applicant. It is found that the applicant had executed a Bond assuring C.I.S.F. to serve at least for a period of ten years. The post of Sub-Inspector, C.I.S.F. and also Divisional Accountant in Meghalaya Zone are under two different Ministry and Directorate. If the applicant is allowed to change over from one Directorate to the other Department enormous administrative problems might arise, therefore, in our view, the respondents were justified in rejecting the applicant's claim to be absorbed as a Divisional Accountant. Added to it, there was no reason as to why the applicant joined as Sub-Inspector, C.I.S.F.

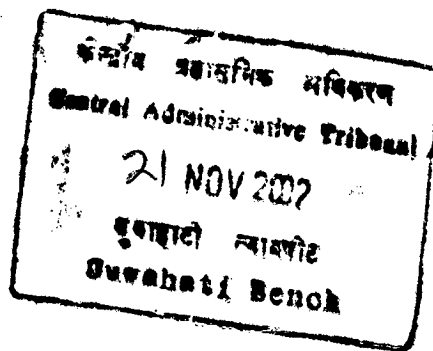
notwithstanding the fact that he gave his preference to join as Divisional Accountant. Considering the applicant's case in any angle, we find that the applicant cannot be permitted to join as Divisional Accountant even though he has exercised preference over the Sub-Inspector, C.I.S.F.

With the above observations the application is dismissed.


(K.V.PRAHLADAN)
ADMINISTRATIVE MEMBER


(B.PANIGRAHI)
VICE CHAIRMAN

bb



THE CENTRAL ADMINISTRATIVE TRIBUNAL::GUWAHATI BENCH
GUWAHATI

O.A. No. 371 of 2002

Rup Kumar Mili

... Applicant

- Versus -

Union of India & Ors.

.... Respondents

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Filed by :

Advocate

Asha Das

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Filed by
the Applicant through
Alsha Das,
Advocate
18/11/02

THE CENTRAL ADMINISTRATIVE TRIBUNAL::GUWAHATI BENCH
GUWAHATI

(Application under Section 19 of the Central
Administration Tribunal Act, 1985)

O.A. No. 371 of 2002

BETWEEN

Rup Kumar Mili,
son of Sri Dharmeswar Mili
201, Meghamaller House,
Basisthapur Lane No. 03,
Beltola, Guwahati, Assam

.... Applicant.

- AND -

1. Union of India, represented by the
Secretary to the Government of India,
Ministry of Home Affairs, Department
Home, New Delhi-1.

2. The Secretary, Staff Selection
Commission, Lodhi Road, New Delhi.

3. Regional Director, Staff Selection
Commission, Rukmini Nagar, Guwahati-6.

4. The Directorate General, Central
Industrial Security Forces, 13-CGO's
Complex, Lodhi Road, New Delhi-3.

.... Respondents

DETAILS OF APPLICATION

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

The present application under Section 19 of the
Administrative Tribunal Act, 1985 is being filed by the
Applicant, who is aggrieved by the fact that although
the Applicant had clearly indicated as his first
preference the post of Divisional Accountant and
initially nominated for the same, he was appointed for
the post of Sub-Inspector in CPD in Central Industrial

2 Mili

Security Force (hereinafter referred to as "CISF") after coming out successful in the Combined Main (Graduate Level) Examination, 1999 of SSC. The application is being also filed against the office order F.NO. SSCG-A-11011/85/2000/Nom/Vol.III1959 dated 28.5.2002 issued by the Regional Director (NER), SSC.

2. JURISDICTION OF THE TRIBUNAL :

The applicant declares that the subject matter in respect of which the application is made is within the jurisdiction of this Hon'ble Tribunal.

3. LIMITATION :

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

4. FACTS OF THE CASE :

4.1 That the Applicant is a citizen of India and as such he is entitled to all the rights protections and privileges as guaranteed by the Constitution of India.

4.2 That the Applicant states that he appeared in the Combined Main (Graduate Level) Examination 1999 of Staff Selection Commission bearing Roll No. 421/3476 and Ticket No. 000617 for both Scheme 'A' and Scheme 'B' while scheme 'A' contained papers of English Language comprehension, Communication skill & Writing ability, Arithmetic and General Studies meant for qualification for the posts of Asstts. Grade/Inspector

of CE/IT etc./SI's in CPOs while Scheme 'B' contained papers of General English, General Studies and Arithmetic to be qualified for the posts of Divisional Accountant/Auditor Junior Accountant and CACs. The Applicant having appeared in the examinations for both the schemes came out successful. In the application format the Applicant clearly indicated his choice of preference where he mentioned Divisional Accountant at Serial No. 9 and Sub Inspector of CISF at serial No. 15 respectively.

Copies of the Applicant's duly filled up form in the prescribed format is annexed herewith as Annexure-1.

4.3 That the Applicant states that he got the results of the said examination declared in website <http://results.nic.in/ssc/cmgl/99/nlucele.asp> provided by Staff Selection Commission where his rank was shown as SLA/15/00028 and was recommended for Divisional Accountant for posting at Meghalaya.

A copy of the print out concerning the Applicant's result declared in website is annexed as Annexure-2.

4.4 That the Applicant states that on 20.12.2001 he received a letter from Directorate General, CISF (Ministry of Home affairs) by a letter No. E-32017(1/101)rectt/16/11 asking him to appear in medical test on 15.1.2002 at NISA, Hekimpet in Andhra Pradesh so as to appoint him for the post of Sub Inspector in

Rmt

CISF.

The copy of the said letter of recruitment appointing the applicant for the post of Sub-Inspector dated 20.12.2001 is not available at present and craves leave of the Hon'ble Tribunal to produce the same at the time of hearing.

4.5 That the Applicant states that being aggrieved for considering him for the post of Sub Inspector in CISF instead of Divisional Accountant under Scheme 'B' which was his first choice of preference, he submitted a representation making his grievances citing all his difficulties to join in the said post particularly some family problems including health problem of his aged parents. Moreover, the nature of job of in semi emergency duty and situation like posting at a distance place far away from his family may not serve him with an opportunity to look after his ailing parents and instead requested to nominate and consider him for the post under Scheme 'B' for which he was initially recommended.

A copy of the said representation dated 31.12.2001 is annexed herewith as Annexure-3.

4.6 That the Applicant states that he submitted another representation making his grievances but eventually joined for the post of Sub-inspector in CISF on 3.2.2002 only with an expectation that the authority will appoint him to the post of Divisional Accountant for posting at Meghalaya considering the fact that his first choice of preference was for the post of

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Divisional Accountant and moreover his inability to stay far away from his ailing parents. It was also prayed before the Regional Director SSC (NER) to issue necessary appointment cum posting letter facilitating him to join as Divisional Accountant.

A copy of the said representation dated 1.4.2002 is annexed herewith as Annexure-4.

4.7 That the Applicant states that on repeated request, the office of the Regional Director, Staff Selection Commission (NER) advised him to take back his record file from CISF, NISA, Hekimpet. Accordingly, when the Applicant approached the CISF office at Hekimpet to get back the file, the later agreed to send back the file only, if a written calling back letter is send from the office of the Regional Director, Staff Selection Commission (NER).

A copy of the representation dated 22.4.2002 submitted by the father of the Applicant is annexed herewith as Annexure-5.

4.8 That the Applicant states that the office of the SSC (NER) by a letter No. F.No.SSCG.A-11011/92/2001/Nom. dated 23.4.2002 finally forwarded the representation of the Applicant to the office of the CISF, New Delhi for necessary action in regards to the fact that the Applicant was originally recommended for the post of Divisional Accountant for posting at Meghalaya.

A copy of the said letter dated 23.4.2002 issued by the Regional Director (SSC) is annexed

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herewith as Annexure-6.

4.9 That the Applicant states that pursuant to the letter of the Regional Director, SSC (Annexure-6), the office of the Directorate General CISF, New Delhi by a letter No. E-32017(1)/01/Rectt/052 dated 9.5.2002 issued by its Asstt Inspector General stated that as the Applicant has already joined in the post of Sub Inspector/GD in their organisation on 3.2.2002 and undergoing basic training at Training Institution, NISA, Hyderabad the dossier of the Applicant is required to be retained by his present employer and hence they are not in a position to return back the dossier of the Applicant.

A copy of the said letter issued by Asstt. Inspector General, CISF dated 9.5.2002 is annexed herewith as Annexure-7.

4.10 That the Applicant states that he was surprised to come across a letter No. F.No.SSCG.A-11011/85/2000/Nom/Vol.III/959 issued by Regional Director (NER) SSC informing the Applicant that on the basis of the combined examination, the Applicant was selected both for appointment to the post of Sub Inspector in CISF and also for the post of Divisional Accountant in the Meghalaya Zone. But as the Applicant has indicated as per para 9 of the notice of the examination, his first choice of preference for the post of Sub Inspector in CISF, his selection for the post of Divisional Accountant stands automatically cancelled.

RMK

A copy of the said letter dated F.No.SSCG.A-11011/85/2000/Nom/Vol.III 959 dated 27.5.2002 is annexed herewith as Annexure-8.

4.11 That the Applicant states that pursuant to the letter dated 27.5.2002 (Annexure-8) the Applicant submitted another representation before the SSC(NER), Gauhati clarifying the fact that his first choice of preference was Divisional Accountant/Auditor/Junior Acctts/VDCs etc., which he had clearly mentioned in the prescribed format at serial No. 9 while for Sub Inspector in CISF he indicated his preference at serial No. 15. The applicant further prayed before the authority to consider his case in view of the fact that he is the only son of his ailing parents and preferred for the post of Divisional Accountant at Meghalaya Zone, which would also give him an opportunity to discharge his twin duties both as an employee and son.

A copy of the said representation dated 20.6.2002 is annexed as Annexure-9.

4.12 That the Applicant states that as nothing concrete took place to settle his case, his father submitted another representation by a letter dated 16.7.2002 stating that the Applicant is badly needed by his ailing parents. Further, stating that the nature of job in CISF would require the absence of the Applicant away from his parents. In view of the facts and circumstances, it was further prayed before the authority to arrange necessary joining order so as

RMili

enable his son to join in the post of Divisional Accountant in Meghalaya as originally recommended by the Staff Selection Commission.

A copy of the said representation dated 16.7.2002 is annexed herewith as Annexure-10.

4.13 That the Applicant states that as a result of such representation made before the Respondents, he received a letter No. E-32017(1)/01/Rectt//1429 dated 23.7.02 issued from the office of the CISF, New Delhi and addressed to the Regional Director (NER), SSC wherein it was stated that the entire action on the representations of the Applicant should be solved by the office of Staff Selection Commission only and also pointing out the fact that the Applicant's selection for the post of Divisional Accountant has already been cancelled by the SSC through its Annexure-8 letter. Accordingly, the office of the CISF in view of the above facts requested the office of the SSC to consider the case of the Applicant sympathetically and dispose of the appeal petition of the Applicant from its end.

A copy of the said letter dated 23.7.2002 is annexed herewith as Annexure-11.

4.14 That the Applicant submits that after the said developments, when nothing favourable came out from the Respondents, he has no other options left but to come before Your Lordships to solve his grievances.

4.15 That the Applicant submits that although he should have been appointed in the post of his first choice of

preference as recommended by the Commission in the examination results, he joined for the post of Sub Inspector in CISF only with an apprehension that he may forfeit both the post, in case he is unable to join in the post in due course of time.

4.16 That the Applicant submits that he has been legitimately expecting that the Authority will realise their mistakes and take necessary steps to arrange necessary orders to enable him to him in the post of Divisional Accountant at Meghalaya as recommended earlier.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS :

5.1 For that the Respondents have acted contrary to settled proposition of law and prima facie their action/inaction is not sustainable in the eye of law.

5.2 For that the action on the part of the Respondents in not considering the Applicant to his first choice of preference i.e. Divisional Accountant, although being recommended by the Commission, is illegal and arbitrary and liable to be set aside and quashed.

5.3 For that the impugned order dated 27.5.2002 (Annexure-8) is not sustainable as the Applicant had clearly indicated his choice of preference i.e. Divisional Accountant at Serial No. 9 and Sub Inspector of CISF at serial No. 15 (mere perusal of the Applicant duly filled up form in the prescribed format Annexure-1) will verify the matter. Hence, the Respondent is duty bound to appoint the Applicant in his preferred

Rule

post of Divisional Accountant by setting aside the impugned order.

5.4 For in any view of the matter the action/inaction on the part of the Respondents are not sustainable in the eye of law and same are liable to be set aside and quashed.

The Applicant craves leave of this Hon'ble Tribunal to advance more grounds both legal as well as factual at the time of hearing of the case.

6. DETAILS OF REMEDIES EXHAUSTED :

The applicant declares that they have no other alternative and efficacious remedy except by way of filing this application. He is seeking urgent and immediate relief.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING BEFORE ANY OTHER COURT :

The applicant further declares that no other application, writ petition or suit in respect of the subject matter of the instant application is filed before any other Court, Authority or any other Bench of the Hon'ble Tribunal nor any such application, writ petition or suit is pending before any of them.

8. RELIEFS SOUGHT FOR :

Under the facts and circumstances stated above, the applicants pray that this application be admitted, records be called for and notice be issued to the

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respondents to show cause as to why the reliefs sought for in this application should not be granted and upon hearing the parties and on perusal of the records, be pleased to grant the following reliefs :

8.1 To set aside and quash the Annexure-B order dated 27.5.2002.

8.2 To direct the Respondents to send back the record file of the Applicant from CISF, Hekimpet, Hyderabad and to pass necessary order appointing him in the post of Divisional Accountant in Meghalaya Zone as recommended earlier.

8.3 Cost of the application.

8.4 Any other relief/reliefs to which the Applicant is entitled to under the facts and circumstances of the case and as may deemed fit and proper considering the facts and circumstances of the case.

9. INTERIM ORDER PRAYED FOR :

During the pendency of the OA the Applicant prays for an interim order directing the Respondents to keep one post of Divisional Accountant vacant.

10.....

The application is filed through Advocate.

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

i) I.P.O. No. : 76 575832
ii) Date : 30/10/02
iii) Payable at : Guwahati.

12. LIST OF ENCLOSURES :

As stated in the Index.

Rmili

VERIFICATION

I Shri Rup Kumar Mili, aged about ___ years, son of Dharmeswar Mili, resident of 201 Meghamaller House, Basisthapur Lane No. 03, Beltola, Guwahati, do hereby solemnly affirm and verify that I am the applicant in this instant application and conversant with the facts and circumstances of the case. I am competent to verify this case and the statements made in paragraphs 2, 3, 4, 4.14 - 4.16 & 5 to 12, are true to my knowledge ; those made in paragraphs 1, 4.2 - 4.13 are true to my information derived from records and the rests are my humble submissions before this Hon'ble Tribunal.

And I sign this verification on this the 18th day of November 2002.

Rup Kumar Mili



STAFF SELECTION COMMISSION

APPLICATION FORM

CRFS

(Format & Size Must be exactly as printed in Advertisement)

 Cancelled with
 stamp half
 & half on

Name of Examination/Recruitment

COMBINED MAIN, (GRADUATE LEVEL) EXAMINATION, 1999

 2. Centre of
 Examination

DISPUR (GUWAHATI)

 1. Indicate your Roll Number as allotted in the
 Combined Preliminary (Graduate level)
 Examination, 1999.

ROLL NO. 421/3476



3. Mode of payment

4. Details of IPO N. A.

CRFS	-	Sr No.	Numbers/Denomination	Amount	Name of post Office with address
IPOs	-	1.			
Fees Exempted	✓	2.			
Other mode will be rejected	-	3.			
			Total		

5. Name (As recorded in Matriculation certificate)

R U P K U M A R M I L I

6. Address

 C/O M I G A M P E G O O 2 0 1
 M E G H M A L L A R H O U S E
 B A S I S T T E C H N I C I A N
 B E L T O L A PIN 7 8 1 0 2 8

7. Father's Name (As recorded in Matriculation certificate)

D H A R M E S W A R M I L I

8. Date of Birth

 (as recorded in Matriculation or equivalent certificate.
 Copy of Certificate to be attached)

Date Month Year

0 1 0 3 1 9 7 6

9. Age as on 1-08-1999

 2 3 0 5 0 0
 Year Month(s) Day(s)

 Attested
 [Signature]
 Advocate.

Are you seeking age relaxation?
If yes, indicate Para & Sub-Para of the Notice under which age relaxation is sought by you.

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Educational Qualification

Grad.	P. Grad.
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Male	Female
<input checked="" type="checkbox"/>	<input type="checkbox"/>

12. Do you possess Degree of a recognised University as on 1.8.1999
(If yes, attach certificate)

13. Sex

14. Community/Category

	GC	SC	ST	OBC
(a)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(b)

	OH	HH	XS
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15. a) Are you seeking reservation as SC/ST/Exs/OBC/OH/HH?
(If Yes, certificate to be attached)

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

b) If Yes, for Scheduled caste, write-1
for Scheduled Tribe, write-2
for Other Backward Classes write-3

c) Are you also covered under the following categories.
for Ex-servicemen write-4
for Orthopaedically Handcapped write-5
for Hearing Handcapped write-6

16. i) Are you a Govt. Employee seeking age relaxation as a Departmental candidate.
If Yes Write-1
If No Write-2

ii) In case you are a Departmental Candidate, State full particulars viz., Ministry/Deptt./ Office with address where working.

iii) Date from which working?

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Date		Month		Year	

N.B : Departmental Candidates are required to attach prescribed Certificate from their offices.

7. Indicate in the box your order of preference to the following posts. (write 1, 2, 3 & so on as per your own preference)

- Sub Inspectors In CBI
- Grade IV (Assistant) of General Cadre of Indian Foreign Service (B)
- Grade II (Cypher Assistant) of General Cadre of Indian Foreign Service Branch (D)
- Assistant Grade of Railway Board Secretariat Services.
- Assistant Grade of Central Secretariat Services
- Assistant Grade of Armed Forces Head Quarters Civil Services.
- Posts of Assistant in other departmental Organisation and Attached offices of the Govt. of India not participating in IFS(B)/Railway Board Secretariat Service/Central Secretariat Service/Armed Forces Head quarters Civil Services.

Accepted
10 am
Advocate

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- 7 Preventive Officers (Ordinary Grade) in Custom House of Mumbai, Calcutta, Goa, Cochin, Chennai and Vishakapatnam.
- 8 Examiner (Ordinary Grade) in Custom House of Mumbai, Calcutta, Goa, Cochin, Chennai and Vishakapatnam.
- 2 Inspectors of Central Excise in different Collectorates of Central Excise.
- 1 Inspectors of Income Tax in different charges of the Commissioner of Income Tax.
- 3 Assistant Enforcement Officer in Directorate of Enforcement (FERA)
- 17 Sub Inspectors/Platoon Commanders in Border Security Forces.
- 18 Sub Inspectors in Indo-Tibetan Border Forces.
- 16 Sub Inspectors in Central Reserve Police Force.
- 15 Sub Inspectors in Central Industrial Security Force.
- 9 Divisional Accountants ✓
- 10 Auditors/Junior Accountants/UDCs.

Note : If a candidate is allotted his preference according to his merit he will not be considered for his other preferences.

18. Indicate your option to answer papers of Communication Skill and Writing Ability (for the posts of Assistants only)

☒ English

☐ Hindi

19. Citizenship write

1. If a citizen of India
2. If a subject of Nepal
3. If a subject of Bhutan
4. If a Tibetan Refugee who came over to India before 1st January, 1962 with the intention of permanently settling in India or

☐ 1

5. A person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda the United Republic of Tanzania (Formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia, Vietnam, Kuwait & Iraq (Please see para 12 of the Notice).

20. Whether debarred in any earlier examination by SSC. NO
- If Yes, Give

(a) Name of Exam.

(b) Roll Number

DECLARATION

I hereby declare that all statements made in this application are true, complete and correct to the best of my knowledge and belief. I understand that in the event of any information being found false or incorrect or ineligibility being detected before or after the examination, my candidature/appointment is liable to be cancelled.

I have not submitted any other application for this examination. I am aware that if I contravene this rule, my application will be rejected summarily by this commission.

I have read the provisions in the Notice of the examination carefully and I hereby undertake to abide by them.

I further declare that I fulfil all the conditions of eligibility regarding age limits, educational qualifications etc. prescribed for admission to the examination. I have enclosed attested copies of certificates in support of my claim for Educational Qualifications, age, category (SC/ST/EXS/OBC/OH/HH) and age relaxation.

I also declare that I have been debarred/not been debarred by SSC and have never been convicted by any court of law. (Delete which is not applicable).

Place : Guwahati
Date : 22/11/99

Rup Kumar Mili
Signature of Applicant*
*Application not Signed by the candidate will be rejected.

Attested
Advocate.



Combined Main (Graduate Level) Exam, 1999
(Div. Accountant/Auditors/UDCs etc.)
Final Result

Roll Number: 4213476

RECOMMENDED FOR APPOINTMENT

Name	RUP KUMAR MILI
Category	ST
Rank	SLA\15\00028
Posting	MEGHALAYA
Remark	RECOMMENDED FOR DIVISIONAL ACCOUNTANTS

Search Another

All results declared in this web site are provided by Staff Selection Commission.
The result is provisional subject to verification of particulars of the candidate especially their category status.

<http://results.nic.in/ssc/cmgl99fnludc.asp>

09/04/02

Attected
W.Dan
Advocate.

C. K. Mili

To
The Regional Director,
Staff Selection Commission (NER),
P.O. Assam Sachivalaya,
Rukmini Nagar, Guwahati 781006.

Dated: 31/12/01

Subject: Preference for nomination / selection in the Post under Scheme "B" regarded.

Sir,

With reference to above, it is to inform you that I had appeared in SSC, Combined (Graduate Level) Examination, 1999 and declared qualified for appointment in scheme B post. Thereafter, I was called for physical and medical screening test and also interview for the post CPO under Scheme "A". Now I have been asked by Directorate General, Central Industrial Security Force, (Ministry of Home Affairs) letter No. - E- 32017(1/101)/rectt/16/11 dated 20/12/2001 (photocopy enclosed for ready reference) asking me to appear in medical test on 15/01/2002 at NISA, Hekimpet, Hyderabad (A. P.). That sir, I have some difficulties to join the post for which I have been selected. Secondly, I have some family troubles specially health problem of my old aged parents for which I have been the only son needed to take care of them. The nature of job of semi emergency duty and situation like posting at distance place may not provide opportunity to serve my ailing parents.

In this regard, it is to inform you that I am interested to the post under Scheme "B" (Div. Acctt./Auditor/Junior Acctt. /UDCs) for which I was given priority and provincially qualified against the post. I am really interested for the Post under Scheme "B" and needed to be nominated. It is therefore requested kindly to consider my case and nominate for the service under Scheme "B" as per priority indicated in the application form.

Thanking you

Yours faithfully

Rup Kumar Mili
(Rup Kumar Mili)
C/O Migam K.K. Pegoo
Meghamallai House
Basisthapur Lane No.-3
Beltola, Guwahati-781028 (ASSAM)

Name of the Exam: Combined (Graduate Level) Examination 1999

Roll No. : 421/3476

Enclosure : Photocopy of letter of recruitment of Sub Inspector-1999 Examination
Dated 20/12/01

Attested
[Signature]
Advocate.

To
The Regional Director,
Staff Selection Commission (NER),
P.O. Assam Sachivalaya,
Rukmini Nagar, Guwahati 781006

Dated: 17/4/2002

Subject: Request for arranging issue of Appointment letter facilitating to Shri Rup Kumar Mili for joining as Divisional Accountants, regarding;

Sir,

With reference to the subject above, I am to inform you that as per final result of Staff Selection Commission declared in Web site (<http://results.nic.in/ssc/cmgl99fnludc.asp>) my son, Rup Kumar Mili Roll No 4213476 of Combined Main (Graduate Level) Examination, 1999 [for the post under Scheme "B" (Div.Accts./Auditor/Junior Acctt. /UDCs)] has been recommended for appointment with posting under Meghalaya. But no letter of appointment and posting has yet been received for joining in recommended post.

In this regard, may I refer the written representation of my son dated 31/12/2001 (copy enclosed for ready reference) submitted to you for your sympathetic necessary action. It is fact that I am a non pensionier retired person and have been suffering from numbers of chronic old aged diseases. My wife has also been suffering from some ailments and in need of help from my only son Rup Kumar Mili at this old age.

It is, therefore, requested kindly to extend help by arranging issue of appointment cum posting letter facilitating my son to join in the recommended post at the earliest convenience, please.

Thanking you



Yours faithfully,

(Dhameswar Mili, Ex. Serviceman)
Father of Rup Kumar Mili
C/O Migam K.K. Pegoo
201, Meghamallar House
Basisthapur Lane No.-3
Beltola, Guwahati-781028 (ASSAM)

Name of the Exam: Combined (Graduate Level) Examination 1999

Roll No. 4213476

Enclosure : Photocopy of final result of Staff Selection Commission in internet
Copy of written representation of my son dated 31/12/2001

Attested

Advocate.

19 -

To
The Regional Director,
Staff Selection Commission (NER),
P.O. Assam Sachivalaya,
Rukmini Nagar, Guwahati 781006.

Dated: 22/4/2002

Subject: Request for calling back of Record File of Shri Rup Kumar Mili, stated sent to the Directorate General, CISF, NISA, Hekimpet, Hyderabad-78 (Andhra Pradesh) from R.S.S.C. Office, Guwahati-781006, regarding;

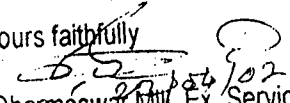
Sir,

With reference to the above, it is to inform you that on advice of your office, for taking back of Record File of Shri Rup Kumar Mili, from CISF, NISA, we tried to get back the file from CISF office, NISA, Hekimpet, Hyderabad-78 (Andhra Pradesh). On approach, the CISF authority has agreed to send back the said record file of my son immediately on receipt of written calling back letter from your office. In this regard I may refer to the representation of my son Shri Rup Kumar Mili, dated 31/12/2001 and my letter dated 17/4/2002 enclosing a photo copy of earlier letter requesting you for doing needful in the case.

So, I am requesting kindly to arrange calling back of Record File of Shri Rup Kumar Mili, from the CISF authority under whose address the said file was sent from your office, please.

Thanking you

Yours faithfully


(Dharmeswar Mili, Ex. Serviceman)
Father of Rup Kumar Mili
C/O Migam K.K. Pegoo
201, Meghamallar House
Basisthapur Lane No.-3
Beltola, Guwahati-781028 (ASSAM)

Attested
Wan
Advocate.



भारत सरकार

कर्मचारी चयन आयोग

क्षेत्रीय कार्यालय (उ. प. क्षेत्र)

रुकमिनी नगर

ए. अ. असम सचिवालय

गुवाहाटी-781006

GOVERNMENT OF INDIA

STAFF SELECTION COMMISSION

REGIONAL OFFICE (NER)

RUKMINI NAGAR

P. O. ASSAM SACHIVALAYA

GUWAHATI-781006

Dated:- 23.04.2002.

TELEPHONE 224779

FAX NO 0361-224779

TELEGRAPHIC ADDRESS STASELCOM

TELEPHONE 224779

FAX NO 0361-224779

TELEGRAPHIC ADDRESS STASELCOM

F.No.SSCG.A-11011/92/2001/Nom.

To

Dr.S.B.Singh,
D.I.G(Pers),
Central Industrial Security Force,
Block No.13, CGO Complex,
Lodhi Road, New Delhi-110 003.

Sub:- Combined Main(Graduate Level) Examination, 1999 - Nomination
of candidates recommended for appointment - regarding.

Sir,

With reference to the above subject I am to forward herewith
the representation received from Shri Dharmeswar Mili, father of
Shri Rup Kumar Mili for your needful action please.

Yours Faithfully,

Encl:As above.

(S.Bhattacharjee) IAS
Regional Director(NER)

Copy to:-

- ✓ 1. Shri Rup Kumar Mili, S/o Shri Dharmeswar Mili, C/o Migam
K.K.Pegoo, 201, Meghamalliar House, Basisthapur Lane No.3,
Beltola, Guwahati-781028 for information. Copies of his
representation is also enclosed herewith.
2. Shri I.S.Thakur, Deputy Secretary(Conf.), Staff Selection
Commission, Block No.12, CGO Complex, Lodhi Road, New Delhi
-110003. This has a reference to this office letter No.
SSCG.A-11011/85/2000/Nom/Vol.II/670, dated 10.04.2002.
Copies of representation received from Shri Rup Kumar Mili
are sent herewith for his further instruction please.

Regional Director(NER)

Attested

WAA
Advocate.

23.4.02

Directorate General
Central Industrial Security Force
(Ministry of Home Affairs)

13-CGO's Complex,
Lodhi Road, New Delhi-03

No.E-32017 (1)/01/Rectt/ 852

Dated: 07/8 May, 2002

To

Shri S. Bhattacharjee, IAS
Regional Director (NER)
Staff Selection Commission
Rukmini Nagar, PO: Assam Sachvalaya
Guwahati (Assam) - 781006.

Subject : Combined Main (Graduate Level) Examination-1999 :
Candidate recommended for appointment.

Reference your letter No. SSCG.A-11011/92/2001/Nom/816 dated 23rd April 2002 under which representation of Sh. Dharmeswar Milli. F/O of Roll No. 4213476 Rup Kumar Milli requesting to call back the dossier of the candidate has been received.

2. It is mentioned that Roll No. 4213476 Shri Rup Kumar Milli S/O Shri Dharmeswar Milli has already joined the post of Sub Inspector/GD in this Organisation on 03.02.2002 and presently undergoing Basic Training at our training Institution NISA Hyderabad. Dossier of the above Candidate is required to be retained by his present employer. Hence , we are not in position to return the dossiers of SI/UT Rup Kumar Milli as requested by his father.

(D.S.Rawat)

Asstt. Inspector General/Rect

Copy to :

1. Sh. Dharmeswar Milli ✓
C/O Shri Migam K.K. Pegoo
201 Meghamallar House Basisthapur
Lane No. 3 Beltola, Guwahati
Assam (781028)

: for information.

2. Shri IS Thakur, Dy. Sec.
SSC Block No. 13 New Delhi.

: for information only.

Attested

Advocate.

By Registered Post

दुरभाष : 224779.

फैक्स : 0361-224779

तारपता : स्टसलकम.

TELEPHONE : 224779.

FAX NO. 0361-224779

TELEGRAPHIC ADDRESS : STASELCOM

F.No.SSCG.A-11011/83/2000/Nom/

Vol.III/959

भारत सरकार

कर्मचारी चयन आयोग

क्षेत्रीय कार्यालय (उ. पु. क्षे.)

रुकमीनि नगर

पो. अ. असम सचिवालय

गुवाहाटी-781006

GOVERNMENT OF INDIA
STAFF SELECTION COMMISSION
REGIONAL OFFICE (NER)
RUKMINI NAGAR
P.O. ASSAM SACHIVALAYA
GUWAHATI-781 006

Dated:- 27.05.2002.

Sub:- Combined Main(Graduate Level) Examination, 1999.

With reference to his application for the subject examination, Shri Rup Kumar Mili, Roll No.4213476 is informed that on the basis of the final result of the said examination he has been selected for appointment to the post of Sub-Inspector in C.I.S.F. and also for the post of Divisional Accountant in the Meghalaya Zone. As per para 9 of the notice of the examination published in the employment news dated 30th October-05th November, 1999 "once the candidate has been given first available preference he will not be considered for other options" in other words a candidate will be nominated for one service only. As Shri Rup Kumar Mili has indicated his preference for the post of Sub-Inspector in CPOs over that of the post of Divisional Accountant, he has been nominated to the post of S.I. in CPO in C.I.S.F. Keeping in view para 9 of the notice of the subject examination his selection of the post of Divisional Accountant stands automatically cancelled.

(S.Bhattacharjee) IAS
Regional Director(NER)

26.5.02

Shri Rup Kumar Mili,
S/o Shri Dharmeswar Mili,
C/o Migam K.K.Pegoo,
201, Meghamallar House,
Basisthapur Lane No.3,
Beltola, Guwahati-781028(Assam).

Copy to:-

1. The Secretary, Staff Selection Commission, Block No.12, CGO Complex, Lodhi Road, New Delhi-110003.
2. Shri D.S.Rawat, Asstt. Inspector General/Rect., Directorate General Central Industrial Security Force, Block No.13, CGO Complex, Lodhi Road, New Delhi-110003.
3. For File No.SSCG.A-11011/92/2001/Nom.

(S.Bhattacharjee) IAS
Regional Director(NER)

Attested

Advocate.

23

ANNEXURE-9

To
Regional Director,
Government of India,
Staff Selection Commission
Regional Office (NER),
P.O. Assam Sachivalaya,
Rukmini Nagar, Guwahati 781006.

Dated: 20/06/2002

Subject: Combined Main (Graduate Level) Examination, 1999
Ref: Your letter F. No. SSCG. A-11011 / 85 / 2000 / Nom / Vol.iii / 959.

Sir,

With reference to your letter on the subject cited above I with due permission, I would like to invite your attention to my written representation dated 31.12.2001. before joining in S.I. CISF training with request to allow me to avail joining in service if the commission SSC. recommended my name for the post under Scheme "B" (Div.Acctts./ Auditor / Junior Acctts. / UDCs)] etc. in later date.

Regarding preference of posts, it is for your kind information that the S.I. No. of preference were S.I. CISF 15th and Div.Acctts./ Auditor / Junior Acctts. / UDCs. etc. in 9th. As I already made you known that the nature of job of S.I. CISF is not my choice job which debarring me from nursing my old aged ailing parents. So, I prefer Divisional Accountant post as my best choice to discharge my twin duties and responsibilities as an employee and as an only son of my ailing parents who are in badly need of my service at this old stage of life.

It is therefore, humbly appealed your good self to reconsider my case especially on humanitarian ground and extend your generous help in discharging of my twin duties by joining in civilian job like Divisional Accountants as recommended by commission SSC. Please.

Yours faithfully

(Rup Kumar Mili)
S.I.(Trainee), 21st batch, CISF, NISA
C/O Migam K.K. Pegoo
201, Meghamallar House
Basisthapur Lane No.-3
Bellola, Guwahati-781028 (ASSAM)

Copy to:

1. The Secretary, Staff Selection Commission Block No-12,
CGO Complex, Lodhi Road, New Delhi-110003
2. Shri D. S. Rawat Asstt. Inspector General / Rect.,
Directorate General Central Industrial Security Force,
Block No. 13, CGO Complex, Lodhi Road, New Delhi-110003.

For information and kind
sympathetic action, Please.

Rup Kumar Mili

(Rup Kumar Mili)
S.I.(Trainee), 21st batch, CISF, NISA

Attended

W.D.

Advocate.

To
The Regional Director,
Government of India,
Staff Selection Commission (NER),
P.O. Assam Sachivalaya,
Rukmini Nagar, Guwahati 781006.

Dated: 16 / 07 / 2002


Subject: Combined Main (Graduate Level) Examination, 1999

Ref: Rup Kumar Mili's letters dated 31/12/2001 and 20/6/2002.

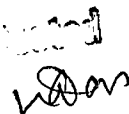
Sir,
With reference to the subject above, may I approach & seek your generous help at my ailing old age of 68 years as my wife and myself are in badly need of physical presence of our only son Shri Rup Kumar Mili frequently at this stage. As you know, the nature of job of S.I. CISF is quite different from civilian job like Divisional Accountant. A photocopy of his original application form is enclosed for your ready reference and action.

It is, therefore, fervently requested your kindness to extend your generous help to me and my wife arranging issue of joining order as Divisional Accountant as recommended by Commission for the act of which we will ever grateful to you.

Yours faithfully


(Dharmeswar Mili, Ex. Serviceman)

Father of Rup Kumar Mili
C/O Migam K.K. Pegoo
201, Meghamallar House
Basisthapur Lane No.-3
Beltola, Guwahati-781028
(ASSAM)


Advocate

- 25 -

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ANNEXURE - 11

Directorate General
Central Industrial Security Force
(Ministry of Home Affairs)

13-CGO's Complex,
Lodhi Road, New Delhi-03

No.E-32017(1)/01/Rectt/1429

Dated: July, 2002

To

Shri S. Bhattacharjee, IAS
Regional Director (NER)
SSC Rukmini Nagar, PO: Assam
Sachivalaya, Guwahati (Assam)
Pin- 731 006.

Subject: Combined Main(Graduate Level) Examination – 1999.

Sir,

Please refer to your letter No. SSCG.A-11011/92/2001/Nom. dated 16th July 2002 under which another representation of Shri Dharmeswar Mili Father of Roll No. 4213476 Shri Rup Kumar Mili has been received through fax message.

2. Shri Dharmeswar Mili in his representation has requested to arrange for issue of joining order of his son Rup Kumar Mili as Divisional Accountant as recommended by the Commission. But on going through the appeal petition, it reveals that entire action on his request is required by your department. It is further mentioned that his selection for the post of Divisional Accountant has already been cancelled vide your letter No. SSCG.A-11011/85/2000/Nom/Vol.III/961 dated 27.05.2002 addressed to the applicant with a copy to this office alongwith others. However, on receipt of the said cancellation order, Shri Rup Kumar Mili presently undergoing basic training at NISA Hyd. was also informed the actual position about this cancellation order vide this Directorate letter No.E-32017(1)/01/Rectt/1157 dated 5.6.2002 (copy attached for ready reference).

3. In view of the above, it is therefore requested to please dispose of the appeal petition of Shri Dharmeswar Mili at your end.

Yours faithfully,

(D.S.Rawat)

Asstt. Inspector General/Rectt

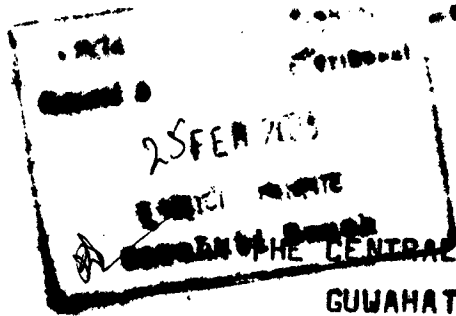
Encl : As above

Copy to:-

1. Shri Dharmeswar Mili F/O Rup Kumar Mili : for information only.
C/O Shri Migan K.K. Pegoo
201, Meghamallar House
Basisthapur Lane No. 03
Beltola Guwahati (Assam) – 781 028.

Advocate

Advocate.



GUWAHATI BENCH::GUWAHATI

In the matter of :-

O.A. No.371 of 2002

Shri Rup Kumar Mili ~~2002~~.

... Applicants

-vs-

Union of India & Ore.

.. Respondents

Written statements for and on behalf of
Respondents No.4.

I, B.N. Bhattacharya, Group Commandant, Office of the Group Commandant, Central Industrial Security Force, CISF Group Head quarter-11, MRD Road, Bamunimaidan, Guwahati, do hereby solemnly affirm and say as follows :-

1. That I am the Group Commandant, Central Industrial Security Force,,Guwahati and as such acquainted with the facts and circumstances of the case. I have gone through a copy of the application and have understood the contents thereof. Save and except whatever is specifically admitted in this written statement, the other contentions and statements may be deemed to have been denied and the applicants should be put to strict proof of whatever they claim to the contrary. I am authorised and competent to file this written statement on behalf of all the respondents.4.

2.

That the Respondent beg to state the brief history of the case as follows :-

1) That the applicant was selected for the post of Sub-Inspector/Executive in CISF by SSC through Combined Main (Graduate level) examination, 1999. Accordingly, he was issued with call up letter No.E-32817/(1)/01/Rectt/1611, dtd.20-12-2001 with direction to report to Director CISF NISA Hyderabad on 15-1-2002 for Medical examination and to join basic training on 4-2-02, if found medically fit. On medical examination he was found fit for the post of Sub-Inspector/Executive in CISF and

Contd...p/2-

was issued with offer of appointment by the Director CISF NISA Hyderabad to join basic training wef 4-2-02. He had accepted the offer of appointment and joined basic training for the post of Sub-Inspector/Executive in CISF w.e.f. 3-2-2002 (FN).

ii) That on 29-4-2002, this Directorate received letter No.SSCG/A-11011/92/2001/Nom/1816,dtd.23-4-02 from Sri S.Bhattacharjee Regional Director SSC (NER), SSC Guwahati under which representation of Sri Dharmeshwar Mili father of Rup Kumar Mili, addressed to the Regional Director SSC Guwahati, was forwarded for needful action. As per representation of Sri Dharmeshwar Mili his son was earlier recommended by SSC for the post of Divisional Accountant under Scheme-B, but later on he was selected for the post of Sub-Inspector/Executive in CISF under Scheme-A. Hence, it was requested by him to Regional Director SSC Guwahati to call back his son's dossier from CISF and to offer him post of the Divisional Accountant under Scheme-B.

iii) That the matter was examined at this Directorate and it was found that Shri Rup Kumar Mili has voluntarily accepted the offer of appointment for the post of Sub-Inspector/Executive in CISF and reported for Medical examination at NISA Hyderabad on due date as per this Directorate's call up letter dated 20-12-01. Further, on being declared medically fit at NISA Hyderabad on 15-1-02 he reported to the Director CISF NISA Hyderabad on 3-2-02 for basic training. It was also seen that Sri Rup Kumar Mili had executed bond as per CISF Rules to serve the CISF for atleast 10 years or to pay three months pay or training charges whichever is higher. He was also being imparted training from 3-2-02 continuously. Hence, he was treated a bonafide member of the Force since 3-2-02 and thus his dossier was supposed to be retained by CISF. Accordingly, Sri S. Bhattacharjee, Regional Director, SSC Guwahati was informed vide this Directorate letter No.E-32017/(1)/Rectt/-852,dtd.7/8-5-2002 that the CISF is not in a position to return his dossier at this belated stage.

iv) That on 24-5-02 this Directorate received application dated 15-5-02 from Sri Rup Kumar Mili for sending back his dossier to SSC Guwahati. In the meantime this Directorate also received letter No.SSCG/A.11011/85/2000/Nom/Vol-III/961,dtd.27-5-2002 from Regional Director, Guwahati wherein it was mentioned that as per choice of preference filled by the candidate in his SSC form, he was selected for the post of Sub-Inspector/Executive in CISF and his

selection for the post of Divisional Accountant stands automatically cancelled. However, his request vide application dated 15-5-02 was considered by the competent authority and it was decided that he may resign from the post of Sub-Inspector/Executive and may quit the CISF on payment of training charges or three months pay whichever is higher vide letter No.E-32017/(1)/01/Rectt/1157, dtd.5-6-02. Thereafter, this Directorate again received fax No.SSCG/A-11011/92/2001/Non dated 16-7-02 from SSC Guwahati under which representation dated 16-4-02 of Shri Dharmeshwar Mili addressed to the Regional Director, SSC Guwahati was sent to this Hqrs. for needful action. The matter was examined against and it was informed to Sri S. Bhattacharjee, Regional Director, SSC Guwahati that SSC has already cancelled the selection of Sri Rup Kumar Mili for the post of Divisional Accountant vide letter dated 27-5-02. Moreover, Shri Rup Kumar Mili was undergoing basic training for the post of Sub-Inspector/Executive since 3-2-02 being a bonafide member of the Force. Hence, it was requested to Regional Director Guwahati vide letter No.E-32017/(1)/01/Rectt/1429, dtd.23-7-02 to dispose of the appeal petition of Sri Dharmeshwar Mili.

3. That with regard to the statements made in paragraph 1 of the application, the respondents beg to state that the applicant was selected for the post of Sub-Inspector/Executive in CISF by the SSC through Combined Main (Graduate level) examination, 1999.
4. That the respondents have no comments to the statements made in paragraph 2, 3, 4 and 4.1 of the application, these being matters of record.
5. That with regard to the statements made in paragraph 4.2 of the application, the respondents beg to state that as per fact on record. However, it has been clarified by the Regional Director, SSC Guwahati vide letter No.SSCG/A-11017/85/2000/Non/Vol-III/961, dtd.27-5-2002 that Sri Rup Kumar Mili had indicated his choice of preference for the post of Sub-Inspector in CPDs over the post of Divisional Accountant. Hence, he was nominated for the post of Sub-Inspector/Executive in CISF as per his choice.
6. That the respondents have no comments to the statements made in paragraph 4.3 of the application, these being matters of record.

7. That with regard to the statements made in paragraph 4.4 of the application, the respondents beg to state that on receipt of dossiers of selected candidates from different Regionals Director, SSC, the petitioner was issued with call up letter No. (1611) dtd. 20-12-01 to report to Director CISF NISA Hyderabad by 15-1-02 for medical examination.
8. That the respondents have no comments to the statements made in paragraphs 4.5, 4.6 and 4.7 of the application, these being matters of record.
9. That with regard to the statements made in paragraph 4.8 of the application, the respondents beg to state that the position to this effect has already been expressed elaborately in the brief history of the case.
10. That with regard to the statements made in paragraph 4.9 of the application, the respondents beg to state that since the petitioner had accepted the offer of appointment of CISF for the post of Sub-Inspector/Executive and joined CISF as Sub-Inspector/Executive on 3-2-02 his dossier was/is supposed to be retained by the CISF being a bonafide member of the Force.
11. That with regard to the statements made in paragraph 4.10 of the application, the respondents beg to state that as per Regional Director SSC Guwahati letter dated 27-5-02 the petitioner was selected for the post of Sub-Inspector/Executive in CISF as per his choice of preference.
12. That the respondents have no comments to the statements made in paragraph 4.11 of the application, these being matters of record.
13. That with regard to the statements made in paragraph 4.12 and 4.13 of the application, the respondents beg to state that in response to representation dated 16-7-02 of petitioners father received vide Regional Director Guwahati fax dated 16-7-02, the Regional Director SSC Guwahati was informed vide this Directorate letter No. (1429) dated 23-7-02 to dispose of appeal petition of petitioners father as the subject matter was exclusively related to SSC.
14. That the respondents have no comments to the statements made in paragraphs 4.14, 4.15, 4.16, 5, 6, 7, 8, 8.1 of the application.

15. That with regard to the statements made in paragraph 8.2 of the application, the respondents beg to state that it has already been clarified to the Regional Director SSC Guwahati that CISF is not in a position to return the dossier of Rup Kumar Mili as he is serving as a bonafide member of the Force since 3-2-02, Simultaneously it was also informed to NISA Hyderabad that if the petitioner wants to leave CISF, he may resign from service on payment of training charges or three months pay whichever is higher.

16. That the respondents have no comments to the statements made in paragraph 8.3, 8.4 and 9 of the application.

17. That the applicant is not entitled to any relief sought for in the application and the same is liable to be dismissed with costs.

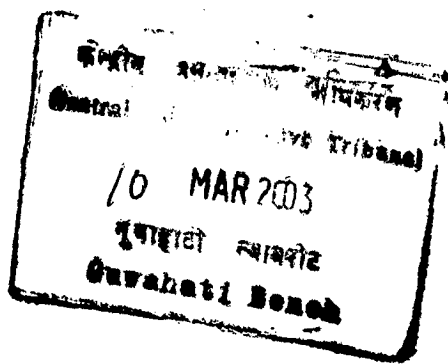
V E R I F I C A T I O N

I, B.N. Bhattacharya, Group Commandant, Office of the Group Commandant, Central Industrial Security Force, Guwahati-21 being duly authorised and competent to sign this verification do hereby solemnly affirm and state that the statements made in paragraphs 1, 9, 14 & 16 of the application are true to my knowledge and belief, those made in paragraphs 2-8, 10-13 & 15 being matter of record are true to my information derived there from and those made in the rest are humble submission before the Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this the 24th day of Feb. 2003 at Guwahati.

Barendra Nath Bhattacharya.

Deponent



CENTRAL
IN THE ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :: GUWAHATI

Filed by:-

Union of India + Ors
- Respondents

Through:-

Pratap Kumar Choudhary

10/3/03
Shankar Choudhary

In the matter of :

O. A. No. 371 of 2002

Shri Rup Kumar Mili

..... Applicants

- Versus -

Union of India Ors.

..... Respondent

Written statements for and on behalf of Respondents Nos. 1, 2 and 3.

I, Santanu Bhattacharjee, IAS, Regional Director (NER), Staff Selection Commission, Govt. of India, Guwahati, do hereby solemnly affirm and say as follows :-

1) That, I am the Regional Director (NER), Staff Selection Commission, Govt. of India, Guwahati and as such acquainted with the facts and circumstances of the case. I have gone through a copy of the application and have understood the contents thereof. Save and except whatever is specifically admitted in this written statements the other contentions and statements may be deemed to have been denied and the applicants should be put to strict proof of what ever they claim to the contrary. I am authorised competent to file this written statements on behalf of all the respondents.

2) That, with regard to the statements made in paragraph- 1 of the application, the respondents beg to stage that the applicant was first selected for the post of Sub- Inspector on merit basis and, therefore he was nominated for appointment to the post of Sub-Inspector in CISF. His representation for appointment in the post of Divisional Accountant was not considered in view of para-9 of the examination notice, published in the employment news dated 30th - 5th November, 1999. The relevant part for which reads as follows:-

“ Once the candidate has been given first available preference he will not be consider for the other options. However, Commission reserves the right to nominate the candidate to any post basis on his merit position.”

cont.. p/2.

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(2)

- 3) That, the respondents have no comments to the statements made in paragraph 2,3, 4.1, 4.2, 4.3, 4.4 and 4.5 of the applications.
- 4) That, with regard to the statements made in paragraph 4.6 and 4.7 of the application, the respondents beg to state that as the applicant joined the post of Sub-Inspector in CISF on 03.02.2002 consideration of his case for appointment for the post of Divisional Accountant does not arise. It may be mentioned that final selection of candidates for nomination to the post of Sub-Inspector to various Central Govt. Police Organisation was finalised on 05-10-2001 vide Commission letter No. 11/5/2001.C-III dated 05.10.2001 whereas final result for nomination of the candidate for the post of Divisional Accountant was finalised on 01.04.2002 vide commission letter No. 11/1/2001.C-III, dated 01.04.2002 which was much later than the date of joining the post of Sub-Inspector by the applicant.
- 5) That, the respondents have no comments to the statements made in paragraph 4.8, 4.9 and 4.10 of the application.
- 6) That, with regard to the statements made in paragraph 4.11,4.12 to 4.16 of the application, the respondents beg to state that as the applicant joined the post of Sub-Inspector consideration of his request for nomination his candidature for the post of Divisional Accountant does not arise unless he refused to accept the earlier offer.
- 7) That with regard to the statements made in paragraph 5.2,5.3,5.4 of the application, the respondents beg to state that the nomination of the candidate for the post of Sub-Inspector the applicant joining that post was taken place much earlier to the release of final list for the nomination of the candidates for the post of Divisional Accountant. The request of the applicant for appointment to the post of Divisional Accountant could have been considered provided he had refused to join the post of Sub-Inspector at his own risk.
- 8) That, The respondents have no comments to the statements made in paragraphs 6, 7, 8, 8.1, 8.2, 8.3, 8.4, 9, 10, 11, and 12 of the application.

(3)

- 9) That, the applicant is not entitled to any relief sought for the application and the same is liable to be dismissed with costs.

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

I, Santanu Bhattacharjee, IAS, Regional Director (NER), Staff Selection Commission, Govt. of India, Guwahati, being duly authorised and competent to sign this verification do hereby solemnly affirm and state that the statements made in paragraphs 1, 3, 5 + 8 of the application are true to my knowledge and belief, these made in paragraphs 2, 4, 6 + 7 being matter of record are true to my information derived there from and these made in the rest are humble submission before the Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this the 03rd day of March 2003.

DEPONENT

(SANTANU BHATTACHARJEE) IAS,
Regional Director (NER),
Staff Selection Commission,
Guwahati- 781006
(Santanu Bhattacharjee) IAS
Regional Director (NER),
Staff Selection Commission
Govt. of India
Guwahati