

( SEE RULE - 4 )

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI

ORDER SHEET

Original Application No : \_\_\_\_\_  
Misc. Petition No. \_\_\_\_\_  
Contempt Petition No. \_\_\_\_\_  
Review Application No. \_\_\_\_\_

1/2003 in O.A. 153/2002

Applicant(s): Anek Ram Sankhyan

- Vs. -

Respondent(s): Union of India & Ors.

Advocate for the Applicant(s): In Personam

Advocate for the Respondent(s): A. K. Choudhury, Addl. C.G.S.C.

| Notes of the Registry  | Date       | Order of the Tribunal  |
|--|------------|--|
| <p>An application has been filed by the applicant for Review of Judgment and order dated 13.12.2002 passed by this Hon'ble Tribunal in O.A.No 153/2002. The Review application is not in proper format.</p> <p>Laid before the Hon'ble Court for further orders.</p> | 31.01.2003 | <p>This is an application seeking for review or modification of the order dated 22.11.2002 passed in O.A. No.153/2002. Mr. A.R.Sankhyan appearing in person stated that though the application was made for review, infact, he is more concerned as to the likely effect on his reputation as a scientist by some of the observation made. Mr. Sankhyan, pointed out to the statement recorded in para-3 of the judgment and stated that the aforesaid statement cast upon the credibility of the applicant as an Anthropologist. Mr. Sankhyan, stated that an international journal on the subject had duly reflected his profession but the same was sought to be suppressed by the respondents.</p> |

Section Officer



I have heard Mr. Sankhyan, the applicant in person and also Mr. A.K. Choudhury, learned Addl. C.G.S.C. for the respondents at length. On perusal of the application and upon hearing the applicant and learned counsel for the respondents, I do not find

Contd/-

Contd/-  
31.01.2003

any aspersion casting the credibility of the applicant. The Tribunal only adverted on the contentions raised by the parties in para-3 of the judgment. The subject matter in the O.A. was as to validity of the transfer order. None of the statement recorded in the judgment can be stated to be a reflection on the credibility of the applicant as a scientist, nor this Tribunal made any endeavour to pass any judgment as to his capacity in the field of palaeoanthropology. In fine the Bench only declined to issue any specific direction on the posting of the applicant at a particular station, leaving the matter open to the administration to pass appropriate order as per law.

Subject to the observation made above, the application stands dismissed. No order as to costs.

  
Vice-Chairman

6.3.2003  
Copy of the order  
has been sent to  
the D/See. for issuing  
the same to applicant  
by post.

mb

Notes of the Registry

Date

Order in the Tribunal

20.3.03

Mr. A. R. Sankhyam had filed an application in this Registry which was registered as O.A. 153/02 and the same was disposed of on 22.11.02. The applicant again filed a Review petition on 7.1.03 which was registered as R.A. 1/03. The Review petition was dismissed on 31.1.03 by this Hon'ble Court and the order communicated to the applicant by Registered post on 6.2.03.

The applicant again sent a petition to this registry by speed post for Re-prayer of the Review or the judgement.

The matter is laid before the Hon'ble V.C. for necessary order.

W.M.  
20/3/03  
S.G.(S)

20/3/03

Dy-Registrar:

The above Review application may kindly be returned to the applicant as he was already tried R.A 1/03 and also dismissed on 31.1.03.  
Submitted for kind perusal and orders.

D.K. W.M.  
21/3/03 P.T.O

Notes of the Registry

Date

Order of the Tribunal

No. 1/03

The Review Application filed by the applicant in OA 153/2002 already stands dismissed by the Hon'ble Tribunal. As such, he has exhausted the remedy of review available to him under the Administrative Tribunals Act. So, we may set entertain the present application for review.

If approved, we may return the papers to the applicant in OA 153/2002 with a classification.

~~Shri~~  
24/3/03  
Hon'ble Vice-Chairman

yes.

(S.O.C.J.)  
Mr. S. C. Senia, Asstt.  
Hon'ble Vice-Chairman, etc  
may kindly be comply  
the above order.

Shri  
24/3/03

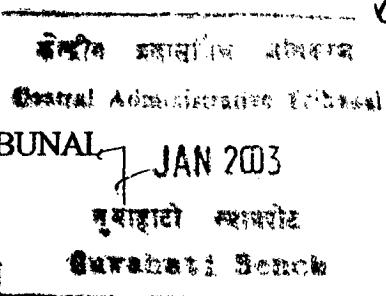
A draft letter is prepared and put up at Flag 'A' for kind approval. If approved we may send to Shri A. R. Sankhyan, applicant with Law Regional Centre, Shillong, Meghalaya setting his application.

DR  
22/5/03

why this much delay occurred for returning the papers after getting Hon'ble V.C.'s order on 24.3.03. Pl. fax  
of 22/5/03 the letter.

(S.O.C.J.)

R.A. 1/03



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

In respect of O/A No. 153 of 2002

Anek Ram Sankhyan,  
Anthropologist (P), o/o Anthropological Survey of India,  
North East Regional Centre, Shillong.....Applicant  
By Advocates Mr. B.K. Sharma, Mr. S. Sarma and Ms U. Das

-Versus-

1. Union of India,  
Represented by the Secretary, Department of Culture, Govt. of India,  
Ministry of Tourism & Culture, New Delhi,
2. The Director (in-Charge),  
Anthropological Survey of India, 27, Jawaharlal Nehru Road, Calcutta.
3. Dr. Ranjit Kumar Bhattacharya, Director,  
Anthropological Survey of India, 27, Jawaharlal Nehru Road, Calcutta.
4. Dr. Biswanath Sarkar, Anthropologist (P),  
Anthropological Survey of India, 27, Jawaharlal Nehru Road, Calcutta.

..... Respondents

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

IN THE MATTER OF:

**PRAYER FOR REVIEW OF JUDGEMENT ORDER**

The humble applicant above named most respectfully prays for a kind Review of the Judgement communicated *vide* Order dated 13.12.2002 by post and received by the applicant on 20.12.2002. Special prayer is *with particular reference to the Para 3 of the Order*. [Annexure-1]

1. That the applicant is greatly aggrieved with the dismissal of his application, which has tremendously hurt his scientific spirit and honour, and shall put his service and academic career at stake. This is because the Para 3 of the Judgement has negatively projected his lifetime scientific achievement, and for that his conduct as well. A 'non-issue' has found reflection over the real 'issue' and motives behind his transfer, probably due to an enthusiastic over-projection of some of his palaeoanthropological researches in the application by the legal counsel, which in fact, were only made to apprise the Hon'ble Tribunal about the *scientific public interest of the research organization*, served by the applicant in its *Palaeoanthropology Section*, existing only at Calcutta. These were purely academic matters, not expected to be disputed/debated in the Hon'ble Tribunal.
2. That *the published research* of the applicant on the human fossil discovery reflected in the Para 2 of the order was *not an allegation* against the respondents, and therefore, *not expected to be defended / disputed* by them. Nevertheless, if raised, all doubts and allegations of the respondents were already refuted, as spurious without any concrete evidence to the contrary, in the *Para 5 of the Rejoinder* of the applicant, not reflected in the Para 3 of the order.
3. That on an established research published in the reputed professional journals like, *Journal of Human Evolution* (London) and *Current Science* (Bangalore), the unwarranted and self-created false dispute only establishes the jealousy and malice towards the applicant. This negative false projection of the scientist in a non-scientific

20/12/2003

medium, tantamount to defamation, which was never anticipated for a great discovery. Since the Hon'ble Tribunal had neither verified the finding personally nor asked for a scientific documentary evidence on it from the respondents to substantiate their negative contention, the respondents have adroitly dragged the Hon'ble Tribunal and put the onus on it for legitimizing their doubt. This reflects an intention to divert its attention from the vested interests behind the transfer of the applicant, without bothering that it would reflect negatively on it and also on the research organization named, and on the reputed experts and the academies, which had approved and published the finding. That if this went uncorrected, can also have far wider ramifications.

4. That this research of the applicant on the human fossil discovery published in January 1997, is not directly linked to his transfer in December 2000. The transfer was suddenly effected unilaterally for a different, very urgent non-scientific interest of the respondent 3, to use the applicant as scapegoat for taking the possession of the Office-cum-Museum Building at Shillong, he had purchased. But the motive was concealed under the cover of a memorandum of even date. The language of the transfer order itself reveals the great urgency, which is attested by the immediate rejection of the appeal of the applicant for re-consideration of the transfer or extension of joining time in view of his pending research, or for the change of place of the posting. The memorandum reflects the annoyance and objection of the respondent 3 on another important research of the applicant (*Evidence of surgery in ancient India*), which had found acceptance in *International Journal of Osteoarchaeology* (London). The respondent 3 could also not contain his jealousy and malice and wrote for stopping its publication. The applicant continued to think only that he was punished with transfer for that research, and could not understand the ulterior motive behind his transfer, until quite late when all his requests were ignored. And, this caused the delay to make the prayer to the Hon'ble Tribunal. Moreover, this matter could not be elaborated well by the legal counsel in the Original Application, who enthusiastically projected the researches. However, the Para 8, 11 and 12 of the Rejoinder of the applicant made the points quite explicit. The applicant wished to provide office documents in support but was not asked for at the time of hearing. [Annexures 3-7]
5. That the transfer of a Govt. servant in public interest is rightly justified by your lordship for '*efficiency in public administration*' in the Para 4 of the Judgement. But, unfortunately, the services of the applicant were not utilized for administrative purpose, except for a couple days soon after the transfer, for signing on the papers of possession of the Building. For the other period, the applicant was humiliated under junior officer as Head of Office (Controlling Officer) and the sectional subordinate declared as Officer-in-Charge of his Physical Section. He was also unilaterally re-transferred to a non-existent Field Station, Arunachal Pradesh, for which there were other Anthropologists at the NERC, interested and experts on tribal studies, which is the priority of the Govt. This was a farce paper trick, and the applicant was not allowed / assigned any research and

2000/2001

6  
administrative work. The Para 11, 13, 17 and 18 of the Rejoinder made this clear in detail.

6. That in the premises aforesaid, it is most respectfully prayed that your lordship would be graciously pleased to review the Judgement dated 13.12.2002 passed on the O/A No. 153 of 2002 in the light of the applicant's Rejoinder to the written statement of the opposition filed by the respondents, for which the Summary provided to your lordship would also be worth a read. And for which act of kindness your humble applicant shall ever pray. The special prayer is, at least for the inclusion of applicant's version also, in *verbatim*, as that of the respondents in the Para 3 of the Judgement, given in condensed form in the next Para, which would protect the scientific spirit and honour of a scientist (the applicant). The applicant firmly believes that your lordship <sup>shall</sup> continue to shower the benevolence as in the Para 5 of the Judgment.
7. The applicant strongly contested that the hominid fossil discovery reported by him, was officially publicized by the respondents 2-4 in the Statesman and Doordarshan DD-I news in the first week of August, 1997. That thereafter only, new publication procedures were laid down in the year 1998-99, intended to arrest the academic freedom of the researcher. A fact is suppressed that the applicant was also an active member in the explorations, and twice so. The collection brought to Calcutta was in the custody of other team members and the specimen under reference remained ignored/discard in their hands for many years, until recognized by the applicant during his posting at Calcutta. He studied it with full devotion putting his mind and soul in it, and secured its international acceptance in *Journal of Human Evolution* (London) and *Current Science* (Bangalore) in the year 1997. In science, a published research, whether valid or fake, could only be challenged by publishing a scientific rejoinder in the concerned journal/s. Without having ~~not~~ done so, the respondents have only defamed the applicant. The GSI's remark reveals a concealed truth ('that the fossil is stone in bone'), yet an ambiguous statement was not expected on such important finding, when they have rewarded their own scientist for a similar one. The respondents 2-4 have not advocated any specific test, except the 'Carbon dating' test, which is destructive and inapplicable. In view of this, they have only revealed their ignorance and incompetence on the subject, and jealousy as well as malice towards the applicant, which is dangerous for the growth of this speciality as well as for the safety of the rare finding of international importance in non-concerned hands, who damned it as un-authentic "piece". It is suggested that the specimen be protected from undesired experimentation and should be examined by an Expert Committee of reputed human palaeontologists and medical osteologists in presence of the author of the finding, who be credited, if correct.

20/12/2010

## VERIFICATION

I, Anck Ram Sankhyan, Anthropologist (P), Anthropological Survey of India, North East Regional Centre, Madanrtting, Maublei, Shillong-793021, do hereby solemnly affirm and state that the statements made in paragraphs 1-5 and 7 are true to my knowledge and belief and those made in paragraph 6 (six) being my prayer before this Hon'ble Tribunal. I have not suppressed any material facts. And I sign this verification on this 7<sup>th</sup> <sup>(Seventh)</sup> th day of January, 2003, at Shillong.

2003/01/07  
07/01/2003  
(Applicant)

A. R. SANKHYAN  
Anthrocologist (Physical)  
Anthropological Survey of India  
North East Regional Centre  
Shillong-793021

PS: The Notice has been served personally to Mr. A. K. Chaudhury  
Advocate, Addl. C. G. S. C [Annexure-2]

2003/01/07  
07/01/2003.

## УЧЕБНИКИ

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(Kissiqqā)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No.153 of 2002

Date of decision: This the 22<sup>nd</sup> day of November 2002

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

Shri Anek Ram Sankhyan,  
Anthropologist (P),  
Office of the Anthropological Survey of India,  
North East Regional Centre,  
Shillong. ....Applicant  
By Advocates Mr B.K. Sharma, Mr S. Sarma and  
Ms U. Das.

- Versus -

1. The Union of India, represented by the Secretary to the Government of India, Ministry of Tourism & Culture, Department of Culture, New Delhi.
2. The Directors, Anthropological Survey of India, Kolkata.
3. Dr Ranjit Kr. Bhattacharya, Director, Anthropological Survey of India, Kolkata.
4. Dr Biswanath Sarkar, Anthropologist (P), Anthropological Survey of India, Kolkata. ....Respondents  
By Advocate Mr A.K. Chaudhuri, Addl. C.G.S.C.

.....  
O R D E R

CHOWDHURY. J. (V.C.)

The controversy pertains to the legitimacy of the transfer and posting of the applicant to the North East. By order dated 21.12.2000 the applicant was transferred from Head Office, Anthropological Survey of India, Kolkata to North Eastern Regional Centre (NERC), Shillong as Anthropologist. According to the applicant the said



order was passed arbitrarily, discriminately and with malafide and oblique motive.

2. In the application the applicant pleaded during his posting at Kolkata he had made some significant discovery of Paleo-historical human fossil which had drawn attention of the world. The world-wide attention drawn by the applicant stimulated jealousy and heartburning in the respondents which led to the impugned order of transfer. The applicant though did not directly assail the order of transfer dated 21.12.2000, by this application he has prayed for a direction for transferring and posting him to the Head Office at Kolkata to enable him to complete research work lying incomplete.

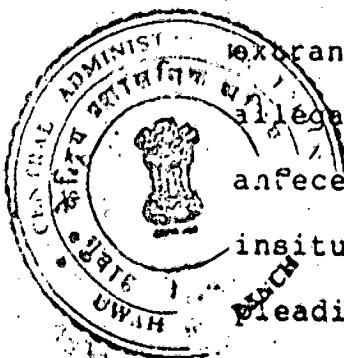
3. The respondents vehemently denied and disputed the claim of the applicant. The respondents stated that the applicant did not discovery anything new. The piece, the applicant referred to, was found by a team of Anthropologists of the Survey and it was brought to Kolkata for further study alongwith many other findings, and those were being studied to unfold the mystery one by one with scientific precision leading to the authenticity and certainty. According to the respondents till filing of the written statement the piece had not undergone the test like "Carbon dating" for determination of its age. On the other hand the palaeontology section of Geological Survey of India, one of the most advanced Government department in the country, had informed that they could not discern whether the piece is a stone/bone/fossil. As a world renowned institution the Anthropological Survey of India was not supposed to publicize anything as the authenticity of the piece had not been established by scientific tests. The applicant by using his position in

the.....



the Survey gave interview to Newspapers and published papers on the matter in journals abroad without taking into confidence the department in contravention of the laid down procedure of the department. The respondents stoutly denied the allegation of malafide and stated that the transfer of the applicant was made in public interest. It stated that the North Eastern Region was still less explored than other parts and therefore, Arunachal Pradesh Field Station was established for conducting intensive research work as per the directives of the Government of India.

4. Malice is alleged in this application. According to the applicant the power of transfer was used for extraneous purposes. Needless to state that such allegation must be established by proper pleadings and antecedent facts and circumstances and not by mere vague insituation and vague suggestions. The source of the pleadings relating to the improper exercise of power referred to in paragraphs 4.2 to 4.11 of the application were verified to be true as to his legal advice and the rest as humble submission. Transfer of a Government servant appointed to a particular cadre from one place to another is an incident of service and condition of service. Such action is necessary in public interest and efficiency in public administration. No Government servant can claim any legal right for being posted at any particular place. Admittedly, the order in question was passed as far back as 21.12.2000 and the application was filed on 16.5.2002.



: 4 :

5. For all the reasons stated above, I do not find any merit in this application. Accordingly the application stands dismissed. The dismissal of the application, however, under no circumstances shall be treated as an embargo for not consideration of the case of the applicant nor posting him out on completion of his tenure posting. The applicant is completing his tenure posting on 15.1.2003 and as per the policy guidelines he is entitled for consideration of his posting in any of his choice place of posting. It is expected that the respondents shall do the needful in due course.

No order as to costs.

(S)

S/VICE CHAIRMAN



nkm

TRUE COPY

NB 13/1/02  
Section Officer (Judicial),  
Central Administrative Tribunal  
New Delhi, India

13/1/02

—9—  
ANNEXURE - 2. (In the Prayer dt. 07.01.2003)  
12

From: A. R. Sankhyan  
Anthropologist (P)  
Anthropological Survey of India,  
North East Regional Centre, Maubliei  
Shillong-793021.  
Dated 07.01.2003.

To:  
Mr. A. K. Chaudhury  
Advocate & Addl. C.G.S.C.,  
Central Administrative Tribunal,  
Guwahati Bench,  
Guwahati.

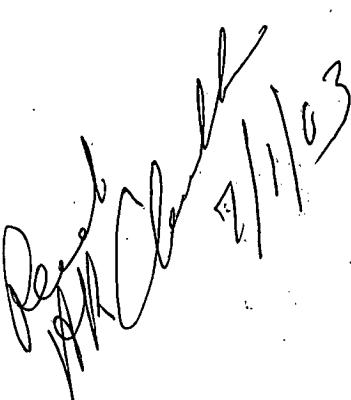
NOTICE

Sir,

With reference to the Judgement Order dated 13.12.2002 on the O/A No. 153 of 2002, I am to bring to your kind notice that the applicant is making a Prayer for the Review of the Judgement.

Therefore, you are requested to kindly receive a copy of the application of the Prayer, and to inform the respondents accordingly.

Yours faithfully,

  
(A. R. Sankhyan)

Applicant  
A. R. SANKHYAN  
Anthropologist (Physical)  
Anthropological Survey of India  
North East Regional Centre  
Shillong-793021

O/A 153 of 2002

- 38 -

Annexure—3 (in the PRAYER)

dt. 07-01-2003

No. 15-39/99/Estt.

ANTHROPOLOGICAL SURVEY OF INDIA  
GOVERNMENT OF INDIA  
INDIAN MUSEUM  
27, JAWAHARLAL NEHRU ROAD, CAL-16

Dated: 21st December, 2000

OFFICE ORDER

The Director, Anthropological Survey of India, is pleased to transfer Shri A R Sankhyan, Anthropologist (Physical) in the same post from the Head Office, Anthropological Survey of India, Calcutta to the North-East Regional Centre of this Survey at Shillong in public interest.

Shri Sankhyan should report for his duty at the North-East Regional Centre, Anthropological Survey of India, Shillong, positively by 15.1.2001. As such Shri Sankhyan stands released from the Head Office of the Survey at Calcutta on the 1st January, 2001.

Shri Sankhyan is entitled for necessary TA and joining time as admissible under the rules.

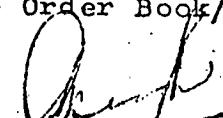
  
(Arun Kumar Singh),  
Head of Office.

No. 15-39/99/Estt.

Copy to:-

Dated: 21st December, 2000.

- ✓ 1. Shri A R Sankhyan, Anthropologist (Physical), Anthropological Survey of India, 27, Jawaharlal Nehru Road, Calcutta.
2. Head of Office, N.E.R Centre, Anthropological Survey of India, Shiv Bhavan, Shillong.
3. Pay & Accounts Officer, Department of Culture, Calcutta.
4. Sr.PA to Director/PA to JD/PA to DD(C)/HO/Jr.AO
5. OIC, Physical Anthropology Division, An.S.I., Calcutta.
6. OIC, Palaeo-Anthropology Section, An.S.I., Calcutta.
7. Estt/Accounts/PMI/General/Library/Store Section
8. Service book/Personal file/Office Order Book/Hindi Cell

  
(Arun Kumar Singh)  
Head of Office

Qmmn/2001  
A. R. SANKHYAN 07/01/03  
Anthropologist (Physical)  
Anthropological Survey of India  
North East Regional Centre  
Shillong-793021

No.15-39/99/Estt.

Dated: 29th December, 2000.

MEMORANDUM

|   |   |
|---|---|
| <b>From</b>   | <b>To</b>   |
| The Director<br>Anthropological Survey of India<br>Government of India.<br>Indian Museum<br>27, Jawaharlal Nehru Road<br>Calcutta-700016. | Shri A.R.Sankhyan,<br>Anthropologist(Physical),<br>Anthropological Survey of India<br>27, Jawaharlal Nehru Road<br>Calcutta-700016. |

With reference to his application dated 27.12.2000, the undersigned is directed to inform Shri A.R.Sankhyan, Anthropologist(Physical) that his request for reconsidering his appeal has carefully been considered but cannot be acceded to.

Shri Sankhyan is, therefore, requested to comply with the order of the competent authority vide the Survey's Office Order No.15-39/99/Estt. dated 21.12.2000 immediately.

  
( ARUN KUMAR SINGH )  
HEAD OF OFFICE  
आनंदलभ नियम  
Head of Office  
भारतीय मानव विज्ञान संबंध संस्था  
Anthropological Survey of India  
27, जवाहर लाल नेहरू रोड  
27, Jawaharlal Nehru Road,  
कलकत्ता / CALCUTTA-700016

27/01/03  
A. R. SANKHYAN  
Anthropologist (Physical)  
Anthropological Survey of India  
North East Regional Centre  
Shillong-793021

22/01/01  
23.01.01

— 12 —

No. 12-59/2000/Estt.

ANTHROPOLOGICAL SURVEY OF INDIA  
GOVERNMENT OF INDIA,  
27, Jawaharlal Nehru Road, Cal-16

Dated : 19th January, 2001

✓ Annexure-5  
(In The PRAYER)  
dt.07.01.2003

15

OFFICE ORDER

Consequent upon the sanction of leave of Dr. Ramesh Chandra, Deputy Director(Cultural), for a period from 22.01.2001 to 02.02.2001, the Director, Anthropological Survey of India, is pleased to declare Shri A.R.Sankhyan, Anthropologist(Physical) as Head of Office of the North East Regional Centre, Shillong, of this Survey to look after the current duties of the Head of office with effect from 22.01.2001 till Dr. Chandra returns from leave.

(ARUN KUMAR SINGH)  
Head of Office

No. 12-59/2000/Estt.

Dated : January, 2001

19 JAN 2001

Copy to : -

1. Dr. Ramesh Chandra, Deputy Director(Cultural), Anthropological Survey of India, North East Regional Centre, Shillong-1, with reference to his letter No.1-346/99-Estt. dated 16.1.2001.
2. Shri A.R.Sankhyan, Anthropologist(Physical), Anthropological Survey of India, North East Regional Centre, Shillong.
3. Pay and Accounts Officer, Pay and Accounts Office, Department of Culture, 5, Clive Row(8th Floor), Calcutta-1.
4. Sr.PA to DASI/PA to JD/DD(C)/H.O./JAO
5. Personal file/leave file/Guard file/Office Order Book.
6. Accounts/Estt/General/PMI Sections.

(ARUN KUMAR SINGH)  
Head of Office

22/01/01  
07/01/03  
A. R. SANKHYAN  
Anthropologist (Ph.)  
Anthropological Survey of India  
North East Regional Centre  
Shillong-793021

— 13 —  
Next Urgent

Annexure-6

(In The Prayer  
Dt. 07.01.2003)

2001/01/21 5 PM

GOVERNMENT OF MEGHALAYA  
OFFICE OF THE DEPUTY COMMISSIONER :: EAST KHASI HILLS DISTRICT  
:: SHILLONG ::

NO. L 14/5(3)99/83.

Dated Shillong, the 23rd Jan' 2001.

To

The Regional Director,  
Anthropological Survey of India  
Govt. of India, N.E.R. Centre,  
Upper Lachumiere, Shillong.

Subject : Acquisition of land for setting up an office building for  
NER Centre of the Anthropological Survey of India  
Mawblei, Madanrtting, Shillong.

Sir.

I am to inform you that payment of compensation in respect  
of the above mentioned project is fixed on 25th January, 2001 at  
11:00 A.M.

I would therefore request you kindly to depute your  
representative to take over possession of the land in the office  
chamber of the undersigned on the aforesaid date and time.

Yours faithfully,

  
Deputy Commissioner,  
East Khasi Hills District,  
Shillong.

FAX NO (91-033) - 249-7099  
249-7696

Dated : January, 24, 2001.

To  
The Director,  
Anthropological Survey of India,  
27, Jawaharlal Nehru Road,  
Calcutta - 700 016.

2001/01/21  
A. R. SANKHYAN  
Anthropologist (Physical)  
Anthropological Survey of India  
North East Regional Centre  
Shillong-793021

2001/01/21  
( A.R. Sankhyan )  
Head of Office  
भारतीय मानव विज्ञान एवं वैज्ञानिक  
Anthropological Survey of India  
मानव संकार  
Government of India  
शहर पूर्व केन्द्रीय बोर्ड  
NERC  
शहर-793001  
Shillong 793001

CERTIFICATE OF HANDING OVER AND TAKING OVER POSSESSION OF LAND

In virtue of the Declaration No. RDA.13/99/36 dated 3rd November, 2000 has been published in the Gazetted of Meghalaya on 16th November, 2000, Meghalaya Guardian on 2nd December, 2000 and in U Nongseain Hima on 1st December, 2000 for acquisition of land measuring 9109.67 Sq. m. more or less at Mawblei, Madanrtting, Shillong as shown in the attached land plan.

And consequent upon the award having made U/S 11(1) which has been filed and declared U/S 12 of the Act for acquisition of land aforesaid, and consequent upon the payment of compensation, we the undersigned have this day the 25th of the month of January, 2001 handed over and take over possession of the land and described in the <sup>and the boundary thereon</sup> scheduled below Under Section 16 of the Land Acquisition Act which shall be <sup>from 25/1/2001</sup> henceforth vest absolutely in the Government free from all encumbrances whatsoever.

SCHEDULED BOUNDARIES

North : Land of Smti Ithilda Siangshai.

South : Shillong-Jowai Road.

East : Land of Shri P. Laloo and Smti Elizabeth Bank.

West : Shillong-Jowai Road.

Possession handed over by  
Land Owners on 25.1.2001

Possession taken over by the  
Collector on 25.1.2001

1. *Indira Gargill (25/1/2001)*  
*(Signature of Maiya Singh Sheyill)*

*DR. R. S. Sankhyan*  
Deputy Commissioner  
E.K. Hills, Shillong  
Collector

Possession handed over to  
The Dept. of Anthropological  
Survey of India, NER Centre,  
Shillong on 25.1.2001.  
by Collector.

Possession taken over from the  
Collector, E.K. Hills, Shillong,  
on 25.1.2001 by the Dept. of  
Anthropological Survey of India  
NER Centre, Shillong.

*DR. R. S. Sankhyan*  
Deputy Commissioner  
E.K. Hills, Shillong  
Collector

*DR. R. S. Sankhyan*  
Head of Office (C.I.D.)  
Anthropological Survey of India  
Government of India

File No. 1493/2/2001/Part-11 on 25/1/2001

FAX no. (91-033)-299-7099  
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*DR. R. S. Sankhyan*  
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Anthropological Survey of India  
Government of India  
North East Regional Centre  
Shillong-793001  
29/1/2001

*A MINOR REVIEW of the Judgement* is humbly prayed for (in case a total review is not possible) in the form of addition/deletion/substitution as:

*In Para 2:*

The word "pleaded" may please be substituted by the word 'documented' or 'revealed'.

*In Para 4:*

(i) After the statement .. "extraneous purposes" a suffix 'for taking the possession of the Office Building at Shillong' may please be added.

(ii) The statement about the late filing of the case may please be deleted (since the applicant made many requests in between).

*In Para 5:*

The statement about the choice posting may please be placed as: "The applicant is completing his tenure on 15.1.2003, and therefore, should be posted in the Palaeoanthropology Section (Calcutta) as desired in the specialized scientific public interest, without further delay".

*In Para 3:*

**The version of the applicant in brief form is desired to be added (if not possible in total) as stated below:**

"The applicant however, very strongly refuted the allegations stating that the hominid fossil discovery reported by him, was officially publicized by the respondents in **The Statesman** and **Doordarshan DD-I** news in the first week of August, 1997, and that the new publication procedures were laid down thereafter only in the year 1998/ 99. Further, the fact is suppressed by the respondents that the applicant was also an active member in the explorations twice, and that the collection was in the custody of other team members who had ignored/discard the "piece" for many years. It was only the applicant, who during his posting at Calcutta recognized it as a **9cm long complete right clavicle** (later also confirmed by many experts), and studied it with great devotion and secured its publication in the reputed **Journal of Human Evolution** (London) and **Current Science** (Bangalore) in the year 1997. The respondents should have challenged the research by publishing a scientific rejoinder in the concerned journal/s, and not by ambiguous statement of doubt. The '**Carbon dating**' is a destructive test and **inapplicable too in this case**. So, any ignorant/ jealous handling is dangerous for the safety of the rare finding, which has already attracted national and international attention. Hence, it is suggested that the specimen be kept in the custody of the author and examined by an Expert Committee of reputed Human Palaeontologists and Medical Osteologists in presence of the applicant, who be credited, if correct."

\*\*\*\*\*

\* Dated 13.12.2002 on O/A No 153 of 2002 of Anek Ram Sankhyay  
(Applicant)  
VS UOI & ORS

2000/02/2002