

30/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

3

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 120/2003

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SECTION OFFICER (Judl.)

FROM No. 4
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

Original Application No: 120/103

Misc Petition No: _____

Contempt Petition No: _____

Review Application No: _____

Applicants: - S. Sharma

Respondents: - UOI 2018

Advocate for the Applicants: - Mr. V.K. Thomas.

Advocate for the Respondents: - Case.

Notes of the Registry	Date	Order of the Tribunal
This application is in form but not in time Filed: 30/6/2003 or 14/7/2003 vide IPO/2003/No 89490824 Listed: 30/7/03 Dy. Registrar Signature	4.6.2003	Heard Mr. V.K. Thomas, learned counsel for the applicant. Issue notice to show cause as to why the application shall not be admitted. Returnable by four weeks. List again on 7.7.2003 for admission. Any promotion to the post of Assistant Director (Lecture) in the North-Eastern Police Academy, Umiam, Meghalaya shall be subject to the outcome of the O.A.
Steps taken Notice prepared & sent to D/S for writing the respondent No 1/03 by Regd. A/D. X/No <u>182/1184</u> D-1d <u>6/6/03</u> 5/6/03	7.7.2003	Heard Mr. V.K. Thomas, learned counsel for the applicant and also Mr. B.C. Pathak, learned Addl.C. G. S.C. Mr. Thomas, at the first instance, submitted that he wants to withdraw the application because of formal defects and refile it after removing the defects. Mr. Thomas also submitted that a new cause of action has already emanated.
① Service report are still awaited.		


Vice-Chairman

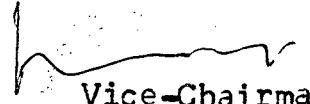
Contd.

2
Contd.

7.7.2003 Under the circumstances the application is dismissed on withdrawal with ~~all~~ liberty to refile it.

Pl. copy of order
dated 7.7.03.

15
9/7/03


Vice-Chairman

bb

14.7.2003
Copy of the order
has been sent to the
ofc. for issuing the
same to the L/Advocates
for the party.

15

গুৱাহাটী অধিদফতর
Central Administrative Tribunal

3rd JUN 2003

গুৱাহাটী অধিদফতর
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Guwahati Bench

GUWAHATI BENCH

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

O.A. No. 120 / 2003

-BETWEEN-

Shri Swaroop Sharma ... Applicant

-AND-

Union of India & Ors ... Respondents

SYNOPSIS OF THE CASE

In this application the Applicant who, being qualified, had applied for the post of Asstt. Director (Lecturer) in the North Eastern Police Academy, and who had appeared for the interview held on 28-3-03 pursuant to an order passed by this Hon'ble Tribunal, is now praying for a direction to the Respondents to take into consideration the interview-results of the Applicant too in the matter of selection for the said post.

Dates	Particulars
1995	The applicant obtained Post Graduate Degree in Sociology (MA) from NEHU.
1995 - 97	The applicant got 2 years' research experience in the subject under Prof. A.C. Sinha the then Head of the Deptt. of Sociology, NEHU
15-12-98 to 11-6-99	The applicant served as Asstt. Director (Lecturer) in N.E. Police Academy for 179 days on ad-hoc basis
18-6-99 to 13-12-99	Again the applicant served as above for another 179 days

Annexure-4

Annexure-5

Annexure-2

contd-2

Date	Particulars	
22-8-02 to 31-12-02	Again the applicant served on ad-hoc basis for 132 days	Annexure-6
10-2-03 to 7-8-03	Presently the applicant is serving on 'ad-hoc basis in the said post.	Annexure-7
March "02	In the meantime in March 2002 the post was advertised by UPSC for regular appointment. Qualifications: Essential - (a)Post Graduate Degree in Sociology/Psychology/Social Anthropology from a recognised University or equivalent. (b) Two years research/teaching experience in any of the said subjects. Desirables: Experience of teaching in academic institutions in N.E. Region of India.	Annexure-8
25-3-03	O.A. 55/2003 - The Applicant, being qualified, applied for the post, but he was not called for the interview scheduled to be held on 28-3-2003. Hence he preferred O.A.no.55/2003 praying for a direction to the Resp.no.2 to allow him to appear in the interview. Interim order dt.25-3-03 directing the Respondents to allow the Applicant to appear.	Annexure-9
28-3-03	The applicant appeared for the interview along with 10 other candidates.	
10-4-03	O.A.no.55/2003 was disposed of (dismissed as infructuous) as the applicant already secured the relief that he had prayed for.	Annexure -10

(Respondent n 3)

May '03. One of the candidates ^{has} ~~been~~ offered the appointment without taking into consideration the interview-results of the applicant while making such selection.

*** Hence the interview given by the applicant having not reached any logical conclusion, this application is being filed seeking appropriate relief.

Main Grounds Urged :

- 1) The Applicant has the Essential as well as the Desirable qualifications for the post as advertised and he duly appeared for the interview. Hence his case also ought to have been taken into consideration while making the final selection and appointment.
- 2) Selection and offer of appointment made infavour of another candidate without taking into consideration the interview-results of the applicant, is unreasonable, arbitrary and contrary to the principles of service-law, and also violative of Article 14 of the Constitution.
- 3) Apparently the applicant was allowed to appear in the interview merely as a show of compliance with the order of this Hon'ble Tribunal. But in all fairness of things the Respondents ought to take the interview to its logical conclusion and give appointment to the Applicant if he is found to be more meritorious than the other candidates.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

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

D.A. no. 120 /2003

-BETWEEN-

Shri Swaroop Sharma ... Applicant

-AND-

Union of India & ors ... Respondents

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Filed by


Swaroop Sharma
Advocate


Swaroop Sharma

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

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

O.A. NO.

120

/2000

-BETWEEN-

Shri Swaroop Sharma,

"Gauri Shankar"

Kench's Trace,

Shillong - 793 004

... Applicant

-AND-

1. The Union of India,

represented by the

Secretary to the Govt. of India,

Dept. of Development of North-Eastern Region,

Vigyan Annexe, Maulana Azad Road,

New Delhi - 110 011.

2. The Union Public Service Commission,

Dholpur House,

New Delhi - 100 001

through its Secretary.

3. Smt. Gehabati Chanambam,

C/o N.E. Police Academy, Umsaw - 793 123,

Umiam, Meghalaya.

... Respondents.

8
Filed by
John
(V.M Thomas)
3/6/03
Advocate

Swaroop Sharma

DETAILS OF THE APPLICATION -

1. Particulars of the Order against which the Application is made -

This Application is not being made against any specific order passed by the Respondents. However, in the present Application, the Applicant who had appeared at the interview held on 28-3-03 for the post of Assistant Director (Lecturer) in the North-Eastern Police Academy in response to an advertisement published by the Respondent no.2, and who is presently serving in the said post on ad-hoc basis, is seeking a direction to the Respondents to take his case also into consideration, on the basis of his interview-results, for selection and appointment to the said post.

2. Jurisdiction of the Tribunal -

The Applicant declares that the subject-matter of the instant application is within the jurisdiction of this Hon'ble Tribunal.

3. Limitation -

The applicant further declares that this 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 obtained a Post Graduate degree in Sociology from the North-Eastern Hill University, in 1995.

A copy of the relevant certificate is annexed hereto as ANNEXURE- 1.

Awaroop Sharma

4:2 That the Applicant also has a 2 years' research experience in Sociology during 1995-97 under Prof. A.C. Sinha the then Head of the Deptt. of Sociology of North-Eastern Hill University.

A copy of the certificate issued by Prof. A.C. Sinha dated 10/11/98 is annexed hereto as ANNEXURE- 2.

4:3 That the North-Eastern Police Academy at Umiam (Meghalaya) is an institute for both outdoor and academic training of police personnel of NE region. Earlier this institute was under the Ministry of Home Affairs, Govt. of India and at present it is under the Deptt. of Development of North-Eastern Region, Govt. of India.

4:4 That earlier there was an advertisement given in the Meghalaya Guardian dated Nov. 23rd, 1998 for a post of Assistant Director (Lecturer) in the North-Eastern Police Academy to be filled up on ad-hoc basis. The required qualification was Post Graduate Degree in Sociology/ Psychology/Social Anthropology with two years' teaching/research experience in any of the said subjects.

A copy of the aforesaid advertisement is annexed hereto as ANNEXURE- 3.

4:5 That as the applicant had the required qualification, he applied for the post and was selected; and vide Order no. NEPA/EG/6/90/Val-III dated 9/12/98, he was appointed as Assistant Director (Lecturer) on ad-hoc basis for 179 days w.e.f. 15/12/98 to 11/6/99. He joined on 15/12/98 and served till 11/6/99.

A copy of the said appointment order dt. 9-12-98 is annexed hereto as ANNEXURE- 4.

4:6 That similarly the Applicant served in the same post on ad-hoc basis for a period of another 179 days from 18/6/99 to 13/12/99, on the strength of the Order no. NEPA/Apptt (AD Lec)/5/99/630-36 dt. 15/6/99. Next he served in the same capacity for 132 days from 22/8/02 to 31/12/02, as per Order no. NEPA/Apptt (AD Lec)/5/99/3245-50 dated 23/8/02. Again the Applicant was given a similar appointment vide Order no. NEPA/Apptt/AD(Lec)/5/99/Vol-I/6894/99 dated 10/2/03 for a period of 179 days w.e.f. 10/2/2003 to 7/8/2003. Accordingly the Applicant is presently serving in the said post of Asstt. Director (Lecturer) in the North-Eastern Police Academy on ad-hoc basis.

Copies of the aforesaid appointment orders dated 15/6/99, 23/8/02 & 10/2/03 are annexed hereto as ANNEXURES- 5, 6 & 7 respectively.

4:7 That in the meantime the Respondent no.2 published an advertisement being Advertisement no.5 in the issue dt. 9-15 March 2002 of the Employment News inviting applications for regular appointment to various posts including 1 post of Asstt. Director (Lecturer) in NE Police Academy (Item no.5 of the advertisement). The essential qualifications prescribed were: (a) Post Graduate Degree in Sociology/Psychology/Social Anthropology from a recognised University or equivalent, and (b) two years' research/teaching experience in any of the said subjects. A desirable qualification was also mentioned, viz. experience of teaching in academic institutions in North-Eastern Region of India.

A copy of the relevant page of the aforesaid

Contd-5

Parsoop Sharma

Advertisement no.5, as published in the Employment News, 9-15 March, 2002, is annexed hereto as ANNEXURE - 8.

4:8 That in response to the aforesaid advertisement the Applicant, being fully qualified, submitted his application to the Respondent no.2.

4:9 That the interview for the post in question was later scheduled to be held on 28/3/03 at the premises of the N.E. Police Academy itself. Several other persons who had also applied for the aforesaid post, received call letters directing them to appear for the interview on the said date. But to the Applicant's dismay, he did not receive any such letter, and as there were only 3 days remaining for the scheduled interview the Applicant lost all hope of receiving any call letter. Hence the Applicant preferred the O.A.no.55/2003 before this Hon'ble Tribunal praying for a direction to the Respondent no.2 to allow the Applicant to appear for the said interview.

4:10 That by an interim Order dt. 25/3/03 passed in the said O.A.no.55/2003 this Hon'ble Tribunal directed the Respondents to allow the Applicant to appear in the said interview, stipulating that the result is subject to the outcome of the application.

A copy of the aforesaid interim order dt.25/3/03 is annexed hereto as ANNEXURE - 9.

4:11 That peruant to the said interim Order the Applicant appeared for the interview for the post of Asstt. Director (Lecturer) in the N.E.Police Academy, held on 28/3/03. It may be mentioned that there were 11 candidates in all including the Applicant, who appeared in the said interview on that date.

4:12 That the aforesaid O.A. no. 55/2003 once again came up for admission before this Hon'ble Tribunal on 10/4/03. On that date the Applicant submitted that, pursuant to the interim order passed on 25/3/03, he was allowed to appear in the interview held on 28/3/03. Accordingly this Hon'ble Tribunal was pleased to record that since the applicant secured the relief prayed for, no further direction is necessary and the application was thus dismissed as infructuous by the order dt.10/4/03.

A copy of the aforesaid Order dt.10/4/03 passed in O.A.no.55/2003 is annexed hereto as ANNEXURE 10.

4:13 That thereafter, while awaiting the result of the interview, recently the Applicant came to know that the Respondents have offered the appointment to the post in question to one of the candidates who appeared for the interview (Respondent No. 3) ~~at the interview~~ by an order issued sometime in the middle of May 2003, directing the person to join the post within a month if the offer is accepted. Inspite of best efforts the Applicant was unable to obtain a copy of the said order. However, the Applicant states that as on today no one has joined the post as yet.

4:14 That on further enquiry regarding the fate of his interview the Applicant came to know also that the interview-results of the Applicant have not been taken into consideration while making the aforesaid selection, but on the other hand the results of the other candidates only were considered for reasons best known to the Respondents. As such, it transpires that the interview given by the Applicant has not reached any logical conclusion and he has been left high and dry. Hence this application seeking appropriate relief.

5. Grounds for Relief with Legal Provisions -

5:1 That the Applicant has the required essential qualification for the post in question, i.e. Post Graduate Degree in Sociology from a recognized university (i.e. NEHU) and 2 years' research experience in the subject, and the Applicant duly applied for the post and appeared in the interview. As such, his results also ought to have been taken into consideration while making the final selection.

5:2 That the Applicant also has the additional desirable qualification, i.e. experience of teaching in an academic institution in N.E. Region of India. At the time of application he had one year teaching experience in the very same post in question at the N.E. Police Academy. Subsequently, he has already put in another 8 months more in that post. As such, having hands-on experience in the post itself, the Applicant is better suited than anyone else to be selected, had his case been in fact considered.

5:3 That earlier when the said post was advertised for ad-hoc appointment (Annexure-3 of this Application) the same qualifications were prescribed as in the Advertisement no.5 of the UPSC (Annexure-8 of this Application). At that time the applicant was selected and appointed in the post on ad-hoc basis because he had the required qualification. As such, now the Respondents cannot be permitted to raise a plea that the Applicant does not have the required qualification, in order to justify the non-consideration of his case.

Swaroop Sharma

5:4 That there is no valid reason or justification at all for not considering the case of the Applicant, along with the other candidates, on the basis of his performance in the interview given on 28-3-03, in the matter of selection and appointment to the post of Asstt. Director (Lecturer) in the N.E.Police Academy.

5:5 That from the circumstances it is apparent that the Applicant was allowed to appear at the interview on 28-3-03 by the Respondents merely as a show of compliance with the order of this Hon'ble Tribunal dt.25-3-03. However, justice, equity and fairness demands that the interview should reach a logical conclusion by considering the case of the Applicant too alongside the other candidates, and to offer him the appointment if he is found to be more meritorious than the other candidates.

5:6 That the Applicant has not been informed of any reason as to why his case has been kept aside and ignored while making the selection, although he had appeared in the interview on the strength of an order of this Hon'ble Tribunal. However, the Applicant apprehends that since by order dt.10-4-03 the O.A.no.55/2003 was dismissed as infructuous (the Applicant having already secured the relief sought for therein), the said order may have been misconstrued by the Respondents.

5:7 That in any view of the matter the action of the Respondents in ignoring and disregarding the interview given by the Applicant for the post in question, is totally unjust, unfair and inequitable and the same would cause irreperable loss and grave injustice to the Applicant.

5.8 That the action of the Respondents in selecting and offering appointment to one of the candidates, without considering the case of the Applicant, is altogether arbitrary, unreasonable and contrary to the principles of service jurisprudence, besides being violative of Article 14 of the Constitution. Hence, such selection and offer of appointment already so made is liable to be set aside and quashed.

6. Details of Remedy Exhausted:

That the Applicant states that there is no alternative remedy available to him except to approach this Hon'ble Tribunal.

7. Matters not Previously Filed or Pending Before any other Court:

The Applicant declares that he has not filed any application, writ petition or suit regarding the matter in respect of which this application has been made, before any Court or any other authority or any other Bench of the Tribunal nor any such Application, writ petition or suit is pending before any of them.

8. Relief Sought For -

The Applicant prays for the following reliefs :-

That this Hon'ble Tribunal may be pleased to admit this application and call for the records of the interview held on 28-3-03 for the post of Asstt. Director (Lecturer) in the N.E. Police Academy; and on perusal of the records and upon hearing the parties, may be pleased

- a) to direct the Respondents to take into consi-

Swaroop Sharma

deration the interview-results of the Applicant too in the matter of selection for the aforesaid post, and to offer him the appointment if found meritorious; and

b) to set aside and quash the selection and appointment of the Respondent no.3 or of any other candidate, for the post of Asstt. Director (Lecturer) in the N.E. Police Academy;

And / or

c) any other appropriate relief or reliefs may be granted as this Hon'ble Tribunal may deem fit & proper in the circumstances of the case.

9. Interim Relief Prayed For:

Pending the final decision on this application, the Applicant prays for the issuance of the following interim order:

A direction may be issued holding in abeyance the selection and appointment of the Respondent no.3 to the post of Asstt. Director (Lecturer) in the N.E. Police Academy.

10. This application is filed through Advocate.

11. Particulars of I.P.O.

I.P.O. no. : SG 490824

Date of Issue : 30/5/2003

Issued from : Guwahati Head Post-Office

Payable at :

12. List of Enclosures :

As stated in the Index.

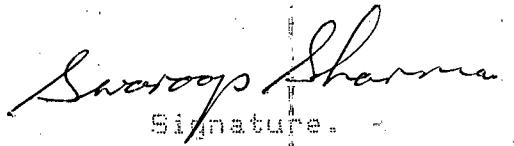
Contd-ii

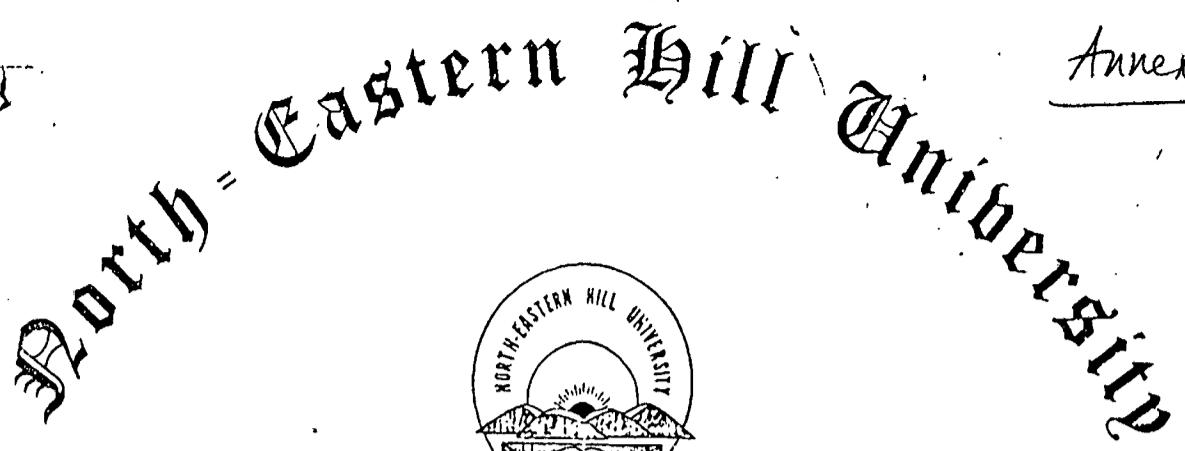
Assoop Sharma.

VERIFICATION

I, the Applicant, Shri Swaroop Sharma, son of Shri D.C.Sharma, aged about 31 years, presently working as ad-hoc Asstt. Director (Lecturer) in the North-Eastern Police Academy, Umiam (Meghalaya), and resident of "Bauri Shankar", Kench's Trace, Shillong - 793 004 do hereby verify that the statements made in the application in paras 1, 2, 3, 4.2, 4.3, 4.8, 4.9, 4.11, 4.13, 4.14, 6 & 7 are true to my knowledge, those made in paras 4.1, 4.4 to 4.7, 4.10 & 4.12 are true to my information based on records, and those made in paras 5.1 to 5.8 are my humble submissions based on legal advice and I have not suppressed any material fact.

And I sign this Verification on this 18th day of June, 2003 at Guwahati.


Swaroop Sharma
Signature.



M.A. DEGREE EXAMINATION, 1995.

This is to certify that

Swaroop Shukla.....

Roll No. 23..... Registration No. 01505.....

of 1987-1988..... has qualified for the Degree of Master of Arts in Sociology..... in this University at the Examination held in the year 1995.... and was placed in the Second Division.

Given under the seal of the University.

Phulong
The 4th Nov. 1995.....
Serial No.

~~Vice~~ Chancellor

Attestd
J. M. W.
Advocate

Phone - 27644 Residence
Phone - 23234 Office
Gram - NEHU



A. C. Sinha

Department of Sociology
SCHOOL OF SOCIAL SCIENCES
NORTH-EASTERN HILL UNIVERSITY
SHILLONG - 793 014 (INDIA)

-13-

10 November, 1998.

TO WHOM IT MAY CONCERN

Mr. Swaroop Sharma has been an MA student in this department. He is known to me as a researcher, as he worked in my research project during 1995-1997. I found him ^afriendly person, who has sufficient skill for sociability. I wish him well in life.


(A.C. Sinha)

Marked
Smt
Advocate

Guardian (Meghalaya) November 23 - 98

SITUATION VACANT

One post each of Asstt. Director (Scientific Aids); Asstt. Director (Lecturer) and Asstt. Director (Law) are required to be filled up on ad-hoc basis in NEPA as per details given below:

Asstt. Director (Scientific Aids) - Candidates with qualification Degree/ Post Graduate in Forensic Science with teaching experience. Degree in Law would be preferable.

Asstt. Director (Lecturer) - Post Graduate Degree in Sociology/Psychology/Social Anthropology with two years research/teaching experience in any of the above mentioned subjects.

Asstt. Director (Law) - Degree in Law with two years teaching experience in an institution/College.

Interview on 8th Dec, 1998 at 1100 hrs with original testimonials.

Venue : Office of the Director, North Eastern Police Academy, Umsaw, Umiam (Meghalaya)

*Asked
H.M.
Advocate*

North Eastern Police Academy

Government of India

Ministry of Home Affairs

Umsaw : 793 123 : Umiam : Meghalaya

No. NEPA/EG/6/90/Vol.III/

Dtd. Umsaw, the 9th, Dec '98.

ORDER

Shri Swaroop Sharma is hereby appointed as Asstt. Director (Lecturer) on ad-hoc basis for a period of 179 days with effect from the forenoon of 15/12/98 to 11/6/99 afternoon or till a regular appointment of Asstt. Director (Lecturer) is made which-ever is earlier, in the scale of pay of Rs.8000-275-13500/- p.m. plus other allowances as admissible to the Central Government Employees from time to time.

The ad-hoc appointment however will not make Shri Swaroop Sharma entitled to claim any regular appointment.

Sd/-
(K.K.Jha)
Director

Memo.

No. NEPA/EG/6/90/Vol.III/7910-15 Dtd. Umsaw, the 9th, Dec '98.

Copy to :-

- 1) The Director (NE-II), Govt. of India, Ministry of Home Affairs, New Delhi. } The matter relating to the selection of Asstt. director (Lecturer) is under process and likely to take some time.
- 2) The Director, UPSC, Dholpur House, Shahjahan Road, New Delhi. } Services of an Asstt. Director (Lecturer) is essential in view of on-going training programme and therefore is not obviatable.
- 3) The RPAO (IB), Shillong-03.
- 4) The A/cs Section, NEPA, Umsaw, Barapam.
- 5) Shri Swaroop Sharma, Asstt. Director (Lecturer).
- 6) Personal file.
- 7) Office order file.

14/12/1998
(K.K.Jha)
Director

After read
J. M. D.
Advocate

North Eastern Police Academy
Government of India
Ministry of Home Affairs
Umsaw : 793 123 : Umiam : Meghalaya

No. NEPA/Apptt(ADLec)/5/99/ 1630-36 Dtd. Umsaw, the 15th, June'99.

ORDER

Shri Swaroop Sharma is hereby appointed as Asstt. Director (Lecturer) on ad-hoc basis for a period of 179 days with effect from the forenoon of 18/6/99 to 13/12/99 afternoon or till a regular appointment of Asstt. Director (Lecturer) is made which-ever is earlier, in the scale of pay of Rs.8000-275-13500/- p.m. plus other allowances as admissible to the Central Government Employees from time to time.

The ad-hoc appointment however will not make Shri Swaroop Sharma entitled to claim any regular appointment.


(K.K.Jha)
Director

Memo.

No. NEPA/Apptt(ADLec)/5/99/ 1630-36 Dtd. Umsaw, the 15th, June'99.

Copy to :-

- 1) The Director (NE-II), Govt. of India, Ministry of Home Affairs, New Delhi. } The matter relating to the selection of Asstt. Director (Lecturer) is under process and likely to take some time. Services of an Asstt. Director (Lecturer) is essential in view of ongoing training programmes
- 2) The Under Secretary, UPSC, Dholpur House, Shahjahan Road, New Delhi.
- 3) The RPAO(IBM), Shillong-03.
- 4) The A/cs Section, NEPA, Umsaw, Barapani.
- 5) Shri Swaroop Sharma, Asstt. Director (Lecturer) - for information & necessary action, pl.
- 6) Personal file.
- 7) Office order file.


(K.K.Jha)
Director

Marked
Adm. Cak

#AHR#TH#

Government of India
Department of Development of North Eastern Region
Umsaw, Umiam- 793 123
Meghalaya

No. NEPA/Apptt(ADLec)/5/99/ 3245-50

Dtd. Umsaw, the 23/ Aug, 02.

ORDER

Shri Swaroop Sharma, S/O Shri Dhyani Sharma, P.O- Gauri Shankar, Kench's Trace, Shillong-4, is hereby appointed as Assistant Director (Lecturer) on adhoc basis for a period of 132 days with effect from the forenoon of 22/08/2002 to 31/12/2002 afternoon or till regular appointment of Assistant Director (Lecturer) is made which-ever is earlier, in the scale of pay of Rs. 8000-275-13,500/-p.m. plus other allowances as admissible to the Central Government Employees from time to time.

The adhoc appointment however will not make Shri Swaroop Sharma entitled to claim any regular appointment or subsequent appointment.

(Ummed Singh)
Director, I/C

Memo No. NEPA/Apptt(ADLec)/5/99/Vol.I 3245-50, Dtd. Umsaw, Aug 23/02

Copy to:-

1. The Dy. Secretary, Deppt. Of DONER, Govt of India, Vigyan Annexe, Maulana Azad Road, New Delhi - 110 011.
2. The Under Secretary, UPSC, Dholpur House, Shajahan Road, New Delhi- 110 011.
3. The RPAO (IB), Shillong-03.
4. The Accounts Section, NEPA, Umsaw, Meghalaya.
5. Shri Swaroop Sharma, Assistant Director (Lecturer), NEPA, for information.
6. Personal file
7. Office Order File.

22/08/02
(H K Mazumdar)
Dy. Director (A)



Mfnd
Jm
Adm cert

20-18

Annexure - 7

GOVERNMENT OF INDIA
DEPARTMENT OF DEVELOPMENT OF NORTH EASTERN REGION
NORTH EASTERN POLICE ACADEMY
UMSAW, UMIAM - 793 123
(MEGHALAYA)

No. NEPA/Apptt/AD(Lect)/5/99/Vol.1 *6894-99* dated: *10th* Feb.,/2003

ORDER

Shri Swaroop Sharma is hereby appointed as Assistant Director (Lecturer) in the scale of pay of Rs. 8000-275-13500/- p.m. plus other allowances w.e.f. 10th February, 2003 to 7th August, 2003 for a period of 179 days or till regular appointment is made whichever is earlier.

The ad-hoc appointment will not make entitled to claim any regular appointment or subsequent appointments.

During the period of appointment, his Headquarter will be NEPA, Umsaw and will be provided government accommodation.

T. Pachau
(T. Pachau, IPS)
Director

Copy to:-

1. The Dy. Secretary, Deptt. of DONER, Govt. of India, Vigyan Annexe, Maulana Azad Road, New Delhi - 110 011.
2. The Under Secretary, UPSC, Dholpur House, Shahjahan Road, New Delhi - 110 011.
3. The RPAO (BI), Shillong - 03
4. The Accounts Section, NEPA, Umsaw, Meghalaya
5. Shri Swaroop Sharma, Gauri Shankar, Kench's Trace, Shillong - 04.
6. Personal File.
7. Office Order File.

T. Pachau
(T. Pachau, IPS)
Director

Abu Nabi
Advocate



UNION PUBLIC SERVICE COMMISSION

ADVERTISEMENT NO. 05

INVITES APPLICATIONS FOR THE FOLLOWING POSTS

1. (Ref.No.F.1/203/2000-R-IV) FIVE DEPUTY SUPERINTENDING ARCHAEOLOGISTS IN THE ARCHAEOLOGICAL SURVEY OF INDIA. Of the five posts, one post is reserved for Other Backward Classes Candidates. **QUALIFICATION:** ESSENTIAL: A. EDUCATIONAL: i) Master's degree in Indian History/ Archaeology/Sanskrit/Persian/Prakrit/Pali/Arabic/Anthropology with knowledge of Stone age Archaeology/ Geology with knowledge of Pleistocene Geology of a recognised University or equivalent. ii) Diploma in Archaeology from the ASI or equivalent. OR 2 years research experience in Ancient or Medieval Indian History, Archaeology, Epigraphy, Museology, Architecture or any study connected with the art and Architecture of India with specialisation in one or more of the following fields: a) Pre-history and Proto-History; b) Art and Architecture of Northern India (Early period) c) Medieval Monuments of Northern India and Deccan d) Art and Architecture of South India with special preference of Temples. **NOTE:** Candidates selected for the posts will, during the period of probation, be required to undergo training as per requirement of job prescribed by the Archaeological Survey of India and will be required to pass a Departmental examination before confirmation. **DUTIES:** To undertake Excavations, Explorations & Preservation of Monuments on Archaeological Principles, Preparation of technical reports on Monuments & Antiquities, Archaeological research in general and to assist the Superintending Archaeologist in running the Office. HQ: Liable to serve anywhere in India or abroad.

2. (Ref.No.F.1/358/2001-R-I) TWO ASSISTANT PROFESSORS OF RADIO-DIAGNOSIS, MINISTRY OF HEALTH AND FAMILY WELFARE, DEPTT. OF HEALTH, SPECIALIST GRADE-II (TEACHING SUB-CADRE) OF CENTRAL HEALTH SERVICE. Of the two posts one post is reserved for OBC candidates. **QUALIFICATIONS:** ESSENTIAL: A. EDUCATIONAL: i) A recognised medical qualification included in the first or the Second Schedule or Part II of the Third Schedule (Other than Licentiate Qualifications) to the Indian Medical Council Act, 1956. Holders of educational qualifications included in Part II of the Third Schedule should also fulfil the conditions stipulated in sub-section(3) of Section 13 of the IMC Act, 1956. ii) Post Graduate degree qualifications in the concerned speciality i.e. M.D.(Radio-Diagnosis), DMRD or equivalent diploma of two years duration or equivalent. B. **EXPERIENCE:** At least three years teaching experience in the concerned speciality as Sr. Resident/Tutor/Demonstrator/Registrar/Lecturer after the requisite post graduate degree qualifications. **NOTE:I:** The Medical qualifications possessed by the candidates should have the recognition of the Medical Council of India. **NOTE:II:** So far as post graduate medical qualifications awarded by Indian Universities are concerned, they should also find a place in the Schedules to the Indian Medical Council Act, 1956, as amended from time to time. **NOTE:III:** Holders of speciality Board of USA qualifications should complete the entire requirements of the Board concerned. **NOTE:IV:** Teaching experience in any other posts like the post of GDMO/MO shall not be considered for eligibility purpose for recruitment to the teaching posts. **NOTE:V:** Persons who have done their MD or diploma in Radiology before 1985 will also be eligible to apply for the posts of Radio-Diagnosis/Radio-Therapy. **DUTIES:** To impart theoretical and practical instructions

to under graduate/post graduate medical students. To conduct and guide research work in the speciality. To provide patient care in the speciality. Any other duties that may be assigned by the authorities from time to times. HQ: JIPMER, Pondicherry but likely to serve anywhere in India. **ANY OTHER CONDITIONS:** (A) Private practice of any kind whatsoever shall not be allowed, including any consultation and laboratory practice. (B) the candidates selected will, if so required, be liable to serve in any Defence Service, or post connected with the Defence of India for a period of not less than four years including the period spent on training, if any provided that: (i) he/she will not be required to serve as aforesaid after the expiry of 10 years from the date of appointment. (ii) he/she will not ordinarily be required to serve as aforesaid after obtaining the age of 45 years. **OTHER BENEFIT:** BENEFIT OF ADDED YEARS OF SERVICE AS ADMISSIBLE UNDER RULE 30 OF CCS(PENSION) RULES IS APPLICABLE TO THE POST.

3. (Ref.No.F.1/354/2001-R-I) TWO SPECIALISTS IN FORENSIC MEDICINE, MINISTRY OF HEALTH AND FAMILY WELFARE, DEPTT. OF HEALTH, SPECIALIST GRADE II OF CENTRAL HEALTH SERVICE(NON-TEACHING SPECIALIST SUB-CADRE). Of the two posts one post is reserved for Other Backward Classes Candidates. **QUALIFICATIONS:** ESSENTIAL: A. EDUCATIONAL: i) Same as in Item No.2 at (i) above. ii) P.G. degree in the concerned speciality i.e. M.D. (Forensic Medicine), M.D.(Pathology), M.D./MRCP in Medicine with diploma in Forensic Medicine/diploma in medical Jurisprudence, Speciality Board of pathology (USA) or equivalent. B. **EXPERIENCE:** Three years experience in concerned speciality after obtaining post graduate degree. **NOTE: I to III:** Same as in Item No.2 above. **DUTIES:** To perform all duties required of a specialist in the concerned speciality. To perform various administrative duties may be assigned from time to time. Any other duties that may be assigned by the higher officers. **ANY OTHER CONDITIONS & BENEFIT:** Same as in Item No.2 above. Any Special Concession: For Andaman & Nicobar Admn. & Lakshadweep Admn:- a) Special compensatory allowance @ Rs.525-650/- p.m. b) Special Duty Allowance @ 25% of basic pay subject to a maximum of Rs. 400/- p.m.

4. (Ref.No.F.1/12/2002-R-I) TWO UROLOGISTS, MINISTRY OF HEALTH & FAMILY WELFARE, DEPARTMENT OF HEALTH, SPECIALIST GRADE II IN THE NON-TEACHING SPECIALIST SUB-CADRE OF THE CENTRAL HEALTH SERVICE. Of the two posts, one post is reserved for Other Backward Classes Candidates. **QUALIFICATIONS:** ESSENTIAL: A. EDUCATIONAL: i) Same as in Item No.2 at (i) above. ii) Post Graduate degree in the concerned speciality i.e. M.Ch(Urology) or speciality Board of Urology(USA) or equivalent. B. **EXPERIENCE:** Three years experience in the speciality of Urology after obtaining the first Post Graduate Degree. **NOTE: I to III:** Same as in Item No.2 above. **NOTE:IV:** In the case of qualifications in Super-Specialities(M.Ch/D.M.) except in case of holders of D.M./M.Ch of 5 years duration, the holders should have obtained M.D. (Gen Medicine) or M.S(Gen Surgery) or an equivalent qualification as prescribed by said council in its recommendations on P.G. medical examination. **NOTE:V:** In the case of holder of D.M./M.Ch qualification of 5 years duration, the period of Sr. P.G. residency rendered in last part of said D.M./M.Ch shall be counted towards

requirement of 5 years experience. **DUTIES, ANY OTHER CONDITIONS & BENEFIT:** Same as in Item No.3 above. Any Special Concessions for Andaman & Nicobar Admn:- a) Special compensatory allowance @ Rs.525-650/- p.m. b) Special Duty Allowance @ 25% of basic pay subject to a maximum of Rs. 400/- p.m.

5. (Ref.No.F.1/4/2002-R-III) ONE ASSISTANT DIRECTOR(LECTURER) IN NORTH EASTERN POLICE ACADEMY, MEGHALAYA, MINISTRY OF HOME AFFAIRS.

QUALIFICATIONS: ESSENTIAL: A) EDUCATIONAL: Post Graduate Degree in Sociology/Psychology/Social Anthropology from a recognised University or equivalent. B) **EXPERIENCE:** Two years research/teaching experience in any of the subjects mentioned in EQ(A) above. **DESIRABLE:** Experience of teaching in Academic Institutions in North Eastern Region of India. **DUTIES:** To teach Behavioural Science, Sociology, Anthropology and allied subjects relating to Police functions to the Police Officers of the rank of Dy. SP to Sub-Inspectors attending Basic and Advanced courses and to perform other training and administrative duties that may be assigned by the Director, NEPA from time to time. HQ: North Eastern Police Academy, Meghalaya. **ANY SPECIAL CONCESSIONS:** Rent free accommodation is available duly connected with the facilities of light and water supply.

6. (Ref.No.F.1/296/2001-R-V) ONE SENIOR SCIENTIFIC OFFICER, GRADE-II(BALLISTICS) IN CENTRAL FORENSIC SCIENCE LABORATORY, CENTRAL BUREAU OF INVESTIGATION, MINISTRY OF HOME AFFAIRS. **QUALIFICATIONS:** ESSENTIAL: A. EDUCATIONAL: Master's degree in Mathematics or Physics or Chemistry from a recognised University or equivalent. B. **EXPERIENCE:** Three years' experience in Laboratory in fire arms and explosives. **DESIRABLE:** Doctorate Degree in Mathematics or Physics or Chemistry from a recognised University or equivalent. **DUTIES:** To examine firearms and explosive cases, visit crime scene under supervision of Head of Division (Ballistic). HQ: New Delhi with liability to serve anywhere in India.

7. (Ref.No.F.1/315/2001-R-III) ONE ASSISTANT DIRECTOR(GENERAL) IN NATIONAL CIVIL DEFENCE COLLEGE, NAGPUR, MINISTRY OF HOME AFFAIRS.

QUALIFICATIONS: ESSENTIAL: A. EDUCATIONAL: Degree of a recognised University preferably in Science or equivalent. B. **EXPERIENCE:** Qualified in the Emergency Relief Officers or equivalent Courses at the Central Emergency Relief Training Instt(Now NCDC), Nagpur or similar Instt recognised by Govt of India and about two yrs exp as Emergency Relief Officer or Instructor in Emergency Relief. OR About four years service in the Defence Services as a Commissioned Officer. **DESIRABLE:** 1. Teaching experience. 2. Administrative experience. 3. Experience of conducting, demonstration/exercises. 4. Knowledge of Wireless Communications and First Aid. **DUTIES:** Instructions on Civil Defence Communications Relief Operations and any other work allotted by the Director from time to time. Responsible for proper maintenance of wireless sets and telephone equipment in the College. He will be the Mess Secretary and will supervise mess arrange mess meetings. Administrative duties as may be allotted by the Director from time to time. HQ: Nagpur, but liable to serve anywhere in India.

8. (Ref. No.F.1/321-2001-R-I) ONE DOCTOR(GDO) GRADE II IN DELHI JAL

BOARD, GOVT. OF NCT OF DELHI. The post is reserved for Other Backward Classes Candidates. **QUALIFICATIONS:** ESSENTIAL: EDUCATIONAL: i) Same as in Item No.2 at (i) above. ii) Completion of Compulsory rotating internship. **DESIRABLE:** Knowledge of Hindi. **DUTIES:** To attend the patients through Departmental Dispensaries. HQ: Delhi/New Delhi. **ANY OTHER CONDITION:** Private practice of any kind whatsoever shall not be allowed.

9. (Ref.No.F.1/295/2001-R-III) ONE LECTURER(FOREIGN TRADE) UNDER DIRECTORATE OF TRAINING AND TECHNICAL EDUCATION, GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI. **QUALIFICATIONS:** ESSENTIAL: A. EDUCATIONAL: Atleast Second Class Master's Degree in Commerce (with Foreign Trade as one of the subject) of a recognised University or equivalent. B. **EXPERIENCE:** About three years Teaching/Professional experience. **DESIRABLE:** Post Graduate Diploma/Certificate in Foreign Trade. **DUTIES:** Teaching and allied duties. HQ: Delhi/New Delhi.

10. (Ref.No.F.1/146/2001-R-VI) FOURTEEN ASSISTANT ENGINEERS (CIVIL) IN ANDAMAN PUBLIC WORKS DEPARTMENT, ANDAMAN & NICOBAR ADMINISTRATION. Of the fourteen posts, one post(permanent) is reserved for Scheduled Tribe Candidates and remaining thirteen posts (six permanent and seven temporary) are unreserved.

QUALIFICATIONS: ESSENTIAL: A. EDUCATIONAL: Degree in Civil Engineering of a recognised University or equivalent. B. **EXPERIENCE:** Two years professional experience in Civil Engineering. **DUTIES:** Supervision and execution of works of field unit, as per norms and standards laid down in designs, drawings and estimates. To achieve targets fixed by the Department successfully for completion of each project with due consideration for quality and economy and/or the proper maintenance of the buildings, structures, areas and equipments under his charge by implementation of the policies and general orders of the Department. Preparation of the Works Accounts and Stores Accounts, proper maintenance of stores and their accounts under his charge and weeding out unserviceable stores, inspection of buildings, structures, areas and equipment and record a certificate to that effect. HQ: A & N Island. **SPECIAL FEATURES OF RECRUITMENT TO THE POST OF ASSISTANT ENGINEER (CIVIL) APWD.** Depending upon the number of applications received in response to this advertisement for the post of Assistant Engineer (Civil), APWD, the Commission may hold a Recruitment Test at the following centres to short list candidates for interview. Centres: Delhi, Port Blair, Chennai, Kolkata, Allahabad, Mumbai and Dispur. The candidates have to indicate any one of the above mentioned centres in the Block Capitals (ROMAN SCRIPT) in the right hand side of the space provided for indicating the date of birth in figures but below the space provided for writing the MIDDLE NAME and SURNAME in Part I of the Application Format. Recruitment Test shall comprise of a 2 hour objective type question paper with multiple choices. The question paper shall cover all the core areas taught in a BE(Civil)/ B.Tech.(Civil) programme. The question will be set in English only. Use of calculators/slide rulers/log tables is not permitted. The candidates have to send one copy of their duly signed recent

Continued

Annexure -8
Annexure -70

25

Abdul
Jaffer
Advocate

(RULE - 4)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCHORDER SHEET

Original Application No. 55/03

Misc. Petition No. /

Contempt Petition No. /

Review Application No. /

Applicant (s) En. Swapnadeep Sharma

- Vs. -

Respondent (s) H. O. I. FormAdvocate for the applicant (s) V. M. ThomasAdvocate for the respondent (s) Cast

Notes of the Registry	Date	Order of the Tribunal
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25.3.2003

Heard Mr. V.M. Thomas, learned counsel for the applicant.

Issue notice to show cause as to why the application shall not be admitted.

Also, issue notice to show cause as to why interim order as prayed for shall not be granted. Returnable by two weeks.

Mr. A.K. Choudhury, learned Addl. C.G.S.C. for the respondents accepts notice on behalf of the respondents.

As an interim measure, the respondents are directed to allow applicant to appear in the interview for the post of Asstt. Director (Lecturer), but the result is subject to the outcome of the application.

List on 10.4.2003 for admission.

Sd/ VICE CHAIRMAN
Sd/ MEMBER (Adm)



Certified to be true Copy
সত্যাগ্রহ প্রতিবন্ধিতা

25/3/2003

Section Officer
Central Administrative Tribunal
Guwahati Bench
25/3/2003
Sd/ Member (Adm)

25/3/2003

Attached
Advocate

ORDER SHEETOriginal Application No. 55/03Misc. Petition No. /Contempt Petition No. /Review Application No. /Applicant (s) S. Swarup Sharma

- Vs. -

Respondent (s) N. O. T. FormAdvocate for the applicant (s) V. M. ThomasAdvocate for the respondent (s) Cafe

Notes of the Registry | Date | Order of the Tribunal

10.4.2003

Heard Mr. V.M. Thomas, learned counsel for the applicant and also Mr. A.K. Choudhury, learned Addl. C.G.S.C. for the respondents.

The only relief, the applicant prayed for was to consider his case for selection for the post of Assistant Director (Lecture) in the North-Eastern Police Academy, Umiam, Meghalaya. It has now been stated that in view of the order passed on 25.3.2003, the applicant was allowed to appear in the interview held on 28.3.2003 and ^{that} the applicant was allowed to participate in the selection process.

Since the applicant secured the relief prayed for no further direction is necessary.

The application thus dismissed as infructuous. No order as to costs.

sd/ VICE CHAIRMAN

Section Officer (M)
C.A.T. GUWAHATI BENCH
Gurchari-78, 005
16/5/03

*Afterred**Chm**Advocate*