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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 256/04

R.A/C.P No.

E.P/M.A No.

1. Orders Sheet.....3.....Pg.....1.....to.....3.....
2. Judgment/Order dtd.....12/08/05.....Pg.....1.....to.....4.....
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A.....256/04.....Pg.....1.....to.....27.....
5. E.P/M.P.....Pg.....to.....
6. R.A/C.P.....Pg.....to.....
7. W.S.....Pg.....to.....
8. Rejoinder.....Pg.....to.....
- ✓ 9. Reply.....Pg.....1.....to.....23.....
10. Any other Papers.....Pg.....to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

8/11
74/11

FORM No. 4
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDER SHEET

Org. App/Misc. Petn/Cont. Petn/Rev. Appl. 256/09

In O.A.

Name of the Applicant(s) A. Chatterjee

Name of the Respondent(s) Govt. of Assam

Advocate for the Applicant Mr. S. Talapatra M. Mishra

Counsel for the Railway/C.G.S.C. Case. A.K. Choudhury

OFFICE NOTE

DATE

ORDER OF THE TRIBUNAL

8.11.2004

Heard Mr. S. Talapatra, learned counsel for the applicant.

Notice to respondents, returnable on 14.12.2004.

K. P. Bhaud
Member

R.
Vice-Chairman

Dy. Registrar

bb

14.12.2004

Present: Hon'ble Justice Shri R.K. Batta
Vice-Chairman

Heard Mr. M. Mishra, learned counsel for the applicant. Service is awaited. Adjourned to 28.1.2005.

R.
Vice-Chairman

nkm

28.1.2005

List on 11.2.2005 for admission.

K. P. Bhaud
Member (A)

mb

Notice & order
sent to D/section
for issuing to
resp. No. 1 to 3, by
regd. A/D post.

29/11/04.

10-2-05

5/12-ann-th

11.2.2005 Present: The Hon'ble Mr.M.K.Gupta,
Member (J).

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

None appears for the parties. ~~Notice~~
Notices were issued vide order dated
8.11.2004 and thereafter the matter was
listed on 14.12.2004 and 28.1.2005. In
such circumstances, the O.A. is admitted.
Respondents are directed to file reply
within six weeks.

List on 30.3.2005 for orders.

K.V. Prahladan
Member (A)

M.K. Gupta
Member (J)

bb

Service Completed.

30.3.2005 Present: The Hon'ble Mr. Justice G.
Sivaraman, Vice-Chairman.

At the request of learned counsel
for the parties the case is adjourned
to 3.5.2005. Written statement, if any,
in the meantime.

G. Sivaraman
Vice-Chairman

mb

3.5.05.

At the request of Mr.A.K.Choudhury,
Addl.C.G.S.C. the case is adjourned to
2.6.05 for filing written statement.

A.K. Choudhury
Member

G. Sivaraman
Vice-Chairman

lm

2.6.05.

The learned counsel for the appli-
cant is absent. Mr.A.K.Choudhury, Addl.
C.G.S.C. submits that the written state-
ment has already been filed. Post the
matter for hearing on 20.6.05.

A.K. Choudhury
Member

G. Sivaraman
Vice-Chairman

lm

29-3-05

no reply. has been filed.

2-5-05

no. w/s has been
filed.

17.5.05

w/s submitted by
the Dept. Nos. 1, 2 & 3.

20.6.2005 On behalf of Mr.M.Mishra, learned counsel for the applicant an adjournment is sought. Post on 27.7.2005.

① wls filed on behalf
R.No- 1, 2 & 3,

K.V. Ramesh
Member

Q. V. Ramesh
Vice-Chairman

bb

27.7.05.

post the matter on 12.8.05.

K.V. Ramesh
Member

Q. V. Ramesh
Vice-Chairman

27/7/05

lm

12,8,2005

Heard Mr M. Mishra, learned counsel for the applicant and Mr A.K. Chaudhuri, learned Addl. C.G.S.C. Hearing concluded. Judgment delivered in open court, kept in separate sheets. The application is disposed of. No order as to costs.

K.V. Ramesh
Member

Q. V. Ramesh
Vice-Chairman

nkm

23.8.05

C. Copy of the
Judgment has been
collected by the t/adv.
from the applicant and
and copy of the
same has been
handed over to the
Addl. C.G.S.C. for the
resp. dt.

sl

R
A.K. Chaudhuri
23/8/05

4

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORIGINAL APPLICATION NO.256 OF 2004

DATE OF DECISION: 12-08-2005.

Shri Ashish Acharjee

APPLICANT(S)

Mr S.Talapatra & Mr M. Mishra

ADVOCATE(S) FOR THE
APPLICANT(S)

- VERSUS -

Union of India & Ors.

RESPONDENT(S)

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

ADVOCATE FOR THE
RESPONDENT(S)

THE HON'BLE MR JUSTICE G. SIVARAJAN, 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 Vice-Chairman.

.....

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.256 of 2004

Date of Order: This the 12th day of August 2005

The Hon'ble Shri Justice G. Sivarajan, Vice-Chairman.

The Hon'ble Shri K.V. Prahladan, Administrative Member.

Shri Ashish Acharjee,
S/o Late Debendra Acharjee,
Resident of Village- Chandigarh,
P.S.- Melaghar, Distt.- West Tripura.

.....Applicant

By Advocates Mr S. Talapatra and Mr M. Mishra.

- versus -

1. The Union of India, represented by the
Secretary to the Government of India,
Ministry of Labour (D.G.E.&T),
New Delhi- 110001.
2. The Director General (EMP)
Ministry of Labour (D.G.E.&T),
New Delhi- 110001.
3. The Assistant Director (Rehabilitation),
Vocational Rehabilitation Centre for
Handicapped,
(Abhoynagar, Agartala- 799005.

.....Respondents

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

.....

ORDER

SIVARAJAN. J. (V.C.)

Pursuant to Newspaper Notification inviting applications
for the post of one Vocational Instructor (Metal) in the scale of pay of
Rs.5000-8000/-, the applicant applied for the said post. He was



selected and appointed as per offer dated 3.7.2002 (Annexure-3) and its acceptance. The appointment order is dated 22.7.2002 (Annexure-4). It is stated in the said order that the applicant's appointment is purely temporary and that the terms and conditions of appointment shall be governed as mentioned in the O.M.No.VRC/AGT/EST/A-11019-158-61 dated 3.7.2002. After about two years the applicant was served with a Memorandum dated 20.8.2004 (Annexure-7) stating that the post of Vocational Instructor (Metal) was meant for OBC community and the applicant was appointed against the said vacancy. It is further stated that as per the Notification of the Government of India for common list of OBC, the applicant does not belong to OBC category and accordingly the appointment to the post of Vocational Instructor (Metal), which is a post of OBC category is wrong and thus deserves to be terminated forthwith. The applicant was asked to show cause against the said Memorandum. He then submitted a representation dated 2.9.2004 (Annexure-8). The respondent No.3 by a cryptic order rejected the representation. The applicant is aggrieved by the said order.

2. Mr M. Mishra, learned counsel for the applicant, submits that the applicant belongs to OBC community as is evident from the certificate issued by the ^{Sub} said Divisional Officer, Government of Tripura on 9.4.1998 (Annexure-10) and that the respondent No.3 has not considered the effect of the said certificate while terminating the service of the applicant. The counsel submits that the applicant has put in more than two years of service in the post and that the officer had not considered any of the relevant matters stated in the representation while rejecting the said representation. Counsel

For

submits that there is absolutely no reason stated in the impugned order for rejection of the representation.

3. We have also heard Mr A.K. Chaudhuri, learned Addl. C.G.S.C. appearing on behalf of the respondents. He submits that the list of OBC categories is exhaustively mentioned in the Government Notification mentioned in the show cause notice and that the community of the applicant does not fall within the said notification.

4. We have considered the rival submissions. The applicant in his reply has stated various reasons including the certificate issued by the said Divisional Officer to establish that he belongs to OBC community. The order passed by the respondent No.3 (Annexure-9), needless to say is a cryptic order. It reads thus:

"In continuation to the Memorandum No.VRC/ AGT/ EST/A-11019/254 dated 20.8.2004 and in pursuance of the proviso to sub rule (1) of Rule 5 of the Central Civil Services (Temporary Service) Rules, 1965, I, Shri Parikshit Mondal, Assistant Director (Rehab) in charge of Vocational Rehabilitation Centre for Handicapped, Abhoynagar, Agartala hereby terminate the temporary services of Shri Ashis Acharjee, Vocational Instructor (Metal) of this center on 20th September 2004 afternoon after examining his representation submitted on 2nd September 2004 which is accepted and rejected for consideration."

5. Absolutely no reason whatsoever is there for rejecting the representation. We are of the view that the respondent No.3 has acted in a perfunctory manner in dealing with the representation of the applicant, who has put in more than two years of service, of course, as a probationer in the post of Vocational Instructor (Metal) under the respondents. Since the order does not contain any reasons for rejecting the representation we set aside and quash the impugned order dated 20.9.2004 (Annexure-9). We direct the respondent No.3 to consider the matter afresh and to pass a fresh order in accordance with law with reasons after offering a personal hearing also to the

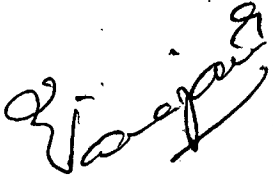
Jps

applicant within a period of three months from the date of receipt of this order.

6. The applicant will produce a copy of this order before the respondent No.3 for compliance.

The O.A. is disposed of as above. No order as to costs.


(K. V. PRAHLADAN)
ADMINISTRATIVE MEMBER


(G. SIVARAJAN)
VICE-CHAIRMAN

nk m

Asish Acharjee

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCHO. A. No...256... of 2004.

Shri Asish Acharjee

S/o. Late Debendra Acharjee

Resident of Village - Chandigarh

P.S. Melaghar

Distt. West Tripura.

..... APPLICANT.V E R S U S

01. The Union of India

-Represented by-

The Secretary to the

Government of India

Ministry of Labour(D.G.E. & T)

New Delhi - 110 001.

02. The Director General (EMP)

Ministry of Labour(D.G.E. & T.)

New Delhi - 110 001.

Ashis Acharyer

03. The Assistant Director(Rehabilitation)
Vocational Rehabilitation Centre for
Handicapped, Abhoynagar, Agartala-799 005.

..... RESPONDENTS.

The Applicant most respectfully states as
under :

DETAILS OF APPLICATION

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

The Application is made against the Office
Order No. VRC/AGT/EST/A-11019/156 dated 20.09.2004
passed by the Assistant Director(Rehabilitation),
Vocational Rehabilitation Centre for Handicapped,
Agartala, Tripura, the Respondent No. 3 herein.

2. JURISDICTION OF THE TRIBUNAL.

The Applicant declares that the subject-
matter of the Order against which he wants redressal
is within the jurisdiction of the Tribunal.

12
Ashis Acharya.

3. LIMITATION.

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

4. FACTS OF THE CASE.

4.1) The Applicant in response to an Advertisement published in the Employment News vide Central Employment Exchange Advertisement No. 15/2001, applied for the post of the Vocational Instructor (Metal) since the Applicant has/had all the qualifications mentioned in the said Advertisement.

A copy of the said Advertisement No. 15/01 is annexed hereto and marked as ANNEXURE-1.

4.2) Thereafter, the Applicant was asked to appear in an Interview/Test for the said post of Vocational Instructor(Metal) by the Call Letter No. VRC/AGT/EST/A-11016/140-49 dated 31.12.2001.

A copy of the said Call Letter dated 31.12.2001 is annexed hereto and marked as ANNEXURE - 2.

4.3) The Applicant on completion of the process of selection was offered the said post of Vocational Instructor(Metal) in the Scale of Pay of Rs. 5000 - 8000 in the Vocational Rehabilitation Centre for Handicapped at Agartala vide Memorandum No. VRC/ AGT/EST/A-11019-158-61 dated 03.07.2002.

A copy of the said Memorandum dated 03.07.2002 is annexed hereto and marked as ANNEXURE - 3.

4.4) The Applicant accepted the said Offer of Appointment as per the terms and conditions of appointment as reduced in the said Offer of Appointment dated 03.07.2002. On acceptance of the said Offer of Appointment the Applicant was appointed temporarily as the Vocational Instructor(Metal) in the Pay Scale of Rs. 5000 - 8000 plus other allowances w.e.f. 22.07.2002(forenoon) in the Vocational Rehabilitation Centre for Handicapped at Agartala.

A copy of the Office Order No. VRC/AGT/ EST/A-11019/1138-42 dated 22.07.2002 is annexed hereto and marked as ANNEXURE-4.

4.5) The Applicant has given all the benefits of an employee including the benefits of the Group Insurance Scheme, 1990 w.e.f. 01.01.2003 which would be evident from the Memorandum No. VRC/AGT/EST/A-11025(A.A)/2757-59 dated 02.01.2003.

A copy of the said Memorandum dated 02.01.2003 is annexed hereto and marked as ANNEXURE - 5.

4.6) It would be further evident from the Office Order No. VRC/AGT/EST/A-11034/1166-68 dated 25.07.2002 that the Applicant has been entrusted with duties of Vocational Instructor(Metal) and records, files, keys etc.

A copy of the said Office Order dated 25.07.2002 is annexed hereto and marked as ANNEXURE - 6.

4.7) The Applicant has been performing all his duties and responsibilities to the entire satisfaction of the authorities and there was no room for any short-coming in the devoted service of the Applicant despite that the Applicant was shocked

15
Ashis Acharye

when he received a Memorandum No. VRC/ACT/EST/A-11019 - 254 dated 20.08.2004 whereby he was asked to show cause as to why his appointment should not be terminated after expiry of one month from the date of receipt of that Memorandum.

A copy of the said Memorandum dated 20.08.2004 is annexed hereto and marked as ANNEXURE - 7.

4.8) In response to that Memorandum the Applicant submitted his reply on 02.09.2004 and urged for not terminating his service as contemplated in the said Memorandum dated 20.08.2004.

A copy of the said reply dated 02.09.2004 is annexed hereto and marked as ANNEXURE-8.

4.9) By the Office Order dated 20.09.2004, the Applicant's service was terminated w.e.f. 20.09.2004 (afternoon).

A copy of the said Office Order No. VRC/ AGT/EST/A-11019/256 dated 20.09.2004 is annexed hereto and marked as ANNEXURE - 9.

Ashis Acharjee 15

4.10) The allegation made in the Memorandum dated 20.08.2004 is against the record as at the time of submission of the application for the post of the Vocational Instructor(Metal) and as well as at the time of submission of the Offer of Appointment the Applicant submitted his O.B.C. Certificate issued by the competent authority stating that the Applicant belongs to Acharjee Community(Sub-Caste) which is recognised as O.B.C. in Tripura by the State Government vide Notification No. F.6-74/SCW/State/9/4859-5010 dated 08.03.1995.

A copy of the said Certificate dated 09.04.1998 is annexed hereto and marked as ANNEXURE - 10.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS.

5.1) For that, the impugned Order of Termination has been issued in violation of the terms of appointment as laid down in Clause-2 of the Memorandum dated 03.07.2002.

5.2) For that, the period of probation was not

Ashis Acharyya. 17

extended nor even curtailed on or before 22.07.04 therefore, it is to be deemed that the Applicant has completed probation successfully.

5.3) For that, w.e.f. 22.07.2002 the Applicant has become a permanent employee under the Respondents and as such there is no application of proviso to Sub-Rule(1) of Rule 5 of the Central Civil Services(Temporary Service) Rules, 1965. As such the impugned Order of Termination is liable to be set aside and/or cancelled.

5.4) For that, the Memorandum dated 20.08.2004 is without authority, illegal and absolutely arbitrary. As such the impugned Order of Termination be set aside and quashed for fair ends of justice.

5.5) For that, though the Applicant has taken that he has acquired the status of a permanent employee in his reply dated 02.09.2004 the Respondent failed to persuade them from issuing the impugned Order as such the impugned Order be set aside and/or quashed forthwith for substantial ends of justice.

5.6) For that, the impugned Order dated 20.09.2004 as passed under Proviso to Sub-Rule(1) of Rule 5 of the Central Civil Services(Temporary Service) Rules, 1965 is illegal, arbitrary and liable to be set aside as the Applicant after 21.07.2004 was no more a temporary servant and as such the Provisions of the Central Civil Services (Temporary Service) Rules, 1965 cannot be applied to his service. As such the impugned Order of Termination is liable to be set aside.

5.7) For that, unless the competent authority cancels the certificate of O.B.C., the Respondents have no right whatsoever to say that the Applicant does not belong to a Sub-Caste recognized as the Other Backward Community. As such in existence of Annexure-10, the impugned Order of Termination is bad in law and is liable to be set aside and/or quashed.

5.8) For that, the Acharjee Community(Sub-Caste) is entitled to all benefits of Other Backward Communities.

5.9) For that, the Order of Termination dated 20.09.2004 is also illegal for not following the procedure of law and as such not tenable. The impugned Order of Termination is therefor liable to be set aside and/or quashed.

5.10) For that, the impugned Order of Termination is not an Order of Termination simpliciter as would be evident from the Memorandum dated 20.08.2004 and as such the Applicant is entitled to all defence available under Article 311 of the Constitution of India and other Rules governing the field for his defence.

5.11) For that, the Applicant has been condemned virtually without giving reasonable opportunity for his defence and the impugned Order of Termination is issued most arbitrarily and without any basis to the serious detriment of the Applicant.

5.12) For that, on getting the employment he has married and now he has been thrown to despair as the Applicant has no other means of livelihood for maintaining his family.

5.13) For that, it is necessary in justice and in equity that the Applicant be reinstated in the post of the Vocational Instructor(Metal) w.e.f. 21.09.2004(forenoon) with all service benefits such as continuity of service, backwages etc. forthwith and in no time.

5.14) For that, the Applicant has become a victim of hostile discrimination which offends the Provisions of Article 14 and 16 of the Constitution of India and as such the impugned Order of Termination be set aside and/or quashed forthwith.

6. DETAILS OF THE REMEDIES EXHAUSTED.

The Applicant declares that he has availed of all the remedies available to him, and he made his representation on 02.09.2004 (Annexure-9 to this application). But the said representation was rejected by the impugned Order dated 20.09.2004 (Annexure-9 to this application).

7. MATTERS NOT PREVIOUSLY FILED OR PENDING
WITH ANY OTHER COURT.

The Applicant further declares that he had not previously filed any application, Writ Petition or suit regarding the matter in respect of which is application has been made before any Court or any other au-thority or any other Bench of the Tribunal nor any such application, Writ Petition or suit is pending before any of them.

8. RELIEF SOUGHT.

In view of the facts mentioned in para-6 above, the Applicant prays for the following reliefs. THIS HON'BLE TRIBUNAL WOULD GRACIOUSLY BE PLEASED TO ,

- i. admit the application, call for all records relevant to the subject-matter from the custody of the Respondents,
- ii. pass a final order by setting aside and/or quashing the impugned Memorandum No. VRC/ AGT/EST/A-11019/256 dated 20.09.2004 (Annexure-9 to this application) forthwith and in no time,

Ashis Acharye . 22

iii. pass a final order directing the Respondents and each of them to reinstate the Applicant in the post of the Vocational Instructor(Metal) in the Vocational Rehabilitation Centre for Handicapped at Agartala w.c.f. 21.09.2004(forenoon) with all service benefits as would have been accrued to the Applicant including continuity of service and full backwages.

OR

iv. pass such further order or orders, direction or directions as seem fit and proper having regard to the circumstances of the case.

2. PARTICULARS OF BANK DRAFT FILED IN RESPECT OF THE APPLICATION FEE.

Draft No.....650.87..... dated
3.11.2004 of Rs. 50/- drawn on U.Co. Bank, Gauhati High Court Extension Counter at Agartala in favour of the Registrar, Central Administrative Tribunal, Guwahati Bench.

-: P/14 :-

Asish Acharjee.

10. LIST OF ENCLOSURES.

- i. 4(four) additional copies of applications,
- ii. 3(three) file size envelops for service,
- iii. Bank draft of Rs. 50/-
- iv. In addition, annexures mentioned in the index.

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

I, Shri Asish Acharjee, S/o. Late Debendra Acharjee, aged about 28 years, working as Vocational Instructor(Metal), now terminated in Vocational Rehabilitation Centre for Handicapped, Ministry of Labour(D.G.E. & T.), Resident of Village-Chandigar, P.S. Melaghar, West Tripura, do hereby verify that the contents of the paras 1. & 2. to 4. & 6. & 7 are true to my personal knowledge and paras .2... and .5.. believe to be true on legal advice and that I have not suppressed any material fact.

Asish Acharjee.

Signature of the Applicant.

Date : November 07, 2004.

Place: Agartala.

CENTRAL EMPLOYMENT EXCHANGE

Govt. of India
Directorate General of Employment & Training
(M/o Labour)
14/11, Jammagar House, Shahjahan Road
New Delhi-110011

15

XURE

As per revised procedure w.e.f. 1st September-91, applications received in employment exchanges against advertisement of Central Employment Exchange are to be forwarded to the respective employers directly by the employment exchanges under intimation to the Central Employment Exchange.

Advertisement No. 15/2001

Applications are invited for the following post upto 10.9.2001 in the prescribed format given at the end of the advertisement.

1. Applications are to be submitted only to the local/nearest Employment Exchange. Applications should not be submitted to the Central Employment Exchange.

2. Departmental candidates belonging to the same Ministry/Department fulfilling the same qualifications, exp. etc. as laid down for the post may apply direct to the employer and need not send their applications through local employment exchange.

3. Applications of candidates other than those covered under sl.no. 2 above and the State of Arunachal Pradesh and Sikkim will not be considered unless they are registered with the employment exchanges and their applications are routed through the channel of employment exchanges.

4. Applications submitted directly to the employer (other than the candidates residing in the State of Arunachal Pradesh and Sikkim) without the channel of employment exchanges will not be considered.

5. Separate applications are required for each post quoting advertisement No. and SL No. of the post.

6. Upper age limit relaxable for SC/ST, OBC, Ex-Servicemen, Physically Handicapped and Govt. servants as per rules.

7. Incomplete applications received in violation of the instructions shall be rejected.

No correspondence what so ever shall be entertained in this regard.

8. Only those SC/ST candidates who are not employed anywhere will be paid TA for attending interview, if admissible under the rules.

(47/2001) : DR. V.S. SOMVANSHI, DIRECTOR GENERAL, FISHERY SURVEY OF INDIA, BOTWALA CHAMBERS, SIR P.M. ROAD, MUMBAI - 400001.

1. Five Scientific Assistant : SC-1, ST-1, OBC-1, UR-2.

Pay : Rs. 5000-8000/-

Age : 30 years.

Essential Qualifications : B.Sc. in Zoology or Fishery Science or equivalent with 1 year experience in collection of Fisheries data/fishing vessel management/design/fabrication repairs of fishing gear.

Place of work : AISL including Andaman and Nicobar Islands.

(48/2001) : SH. K.K. BHATT, SUPERINTENDENT, VOCATIONAL REHABILITATION CENTRE FOR HANDICAPPED, REHABARI, GUWAHATI - 781008. OLD ITI CAMPUS.

2. One Vocational Instructor (Computer Application) : UR

Pay : Rs. 5000-8000/-

Age : 30 years.

Essential Qualifications : Matriculation or its equivalent. National Trade Certificate in the appropriate trade or National apprenticeship certificate in the appropriate trade or any other recognised equivalent qualification in the appropriate trade with at least 3 yrs. practical exp. (preference will be given to candidate trained in Central training Institute for instructors in the appropriate trade).

Place of work : Guwahati.

(49-51/2001) : SHRI P. MONDAL, SUPERINTENDENT (I/C) VRC FOR HANDICAPPED, ABHOYNAGAR, MINISTRY OF LABOUR, DGE&T, GOVT. OF INDIA, AGARTALA, TRIPURA WEST - 799005.

3. One Vocational Instructor (Radio & TV) : UR

Pay : Rs. 5000-8000/-

Age : 30 years.

Essential Qualifications : 1) Matriculation or its equivalent.

2) National Trade Certificate in the appropriate Trade or National Apprenticeship Certificate in the appropriate trade or any other recognised equivalent qualification in the appropriate trade with at least 3 years practical experience.

Place of work : VRC for Handicapped, Tripura West Dist., Agartala.

4. One Vocational Instructor (Commercial) : UR

Pay : Rs. 5000-8000/-

Age : 30 years.

Essential Qualification : 1) Graduate of a recognised University.

2) Diploma or certificate in commercial or Secretariate Practice from a recognised Institute.

Desirable : 1) Speed of 40 words per minute in typing in English and 80 words per minute in shorthand.

Place of work : VRC for Handicapped, Agartala, Tripura West - 799005.

5. One Vocational Instructor (Metal) : OBC

Pay : Rs. 5000-8000/-

Age : 30 years.

Essential Qualifications : 1) Matriculation or its equivalent.

2) National Trade Certificate in the appropriate trade or National Apprenticeship Certificate in the appropriate trade or any other recognised equivalent qualification in the appropriate trade with at least 3 years practical experience.

Place of work : VRC for Handicapped, Agartala, Tripura West - 799005.

Abbreviations Used :

SC : Scheduled Castes

ST : Scheduled Tribes

OBC : Other Backward Classes

UR : Unreserved

AISL : All India Service Liability
Format of Application Form

1. Advertisement No :
2. Serial Number of the post :
3. Post applied for :
4. Name of the Employment Exchange with Registration No.
5. NCO No. :
6. Name (Mr/Mrs/Miss) in Block Letters
7. Father's name :
8. Address (in full) :
9. Nationality :
10. Whether SC/ST/OBC :
11. Whether Ex-Serviceman (Yes/No) :
12. Whether Physically handicapped (Yes/No) :
13. Whether belongs to any priority category :
14. Date of birth (Christian Era) :
15. Language known :
16. Academic/technical/professional qualifications (starting from Matriculation or equivalent examination (s) passed (b) Division and %age of marks (c) Board/University (d) year of passing (e) subject taken.
17. Experience (a) Name of the employer (b) Designation of post (c) pay scale (d) Nature of duties (e) Period of employment from to (f) Last pay drawn :
18. Are you prepared to be posted anywhere in India (Yes/No) :
19. Any additional information regarding (i) Qualification (ii) Training (iii) Experience (iv) Research (v) Publications.
20. Extra curricular activities.

I solemnly declare that the statement made by me in this form are correct to the best of my knowledge and belief.

(Signature of the candidate)

Dated :
Place :

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Subhash Chandra
Advocate

EN 21/2

ANNEXURE

Government of India
Ministry of Labour, DGE&T,
Vocational Rehabilitation Centre for Handicapped
Abhoynagar, Agartala,
Tripura West-799005.

Phone:-0381-325632

Attendance made

No.VRC/ACT/EST/A-11016/140-49

Dated:- 31st Dec, 2001

To
Shri Ashis Acharjee,
S/O, Late Debendra Acharjee,
C/O, Mr. Swapan Acharjee,
Vill: Chandigarh, P.O. Melagarh,
Tripura West-799115.

Sub:- Recruitment for the post of Vocational Instructor(Metal)
in the Pay Scale of Rs. 5,000 – 150 – 8,000 .

Sir/Madam,

With reference to your application forwarded through Sub Regional Employment Exchange; in response to our Advertisement No. 15/2001 in the Employment News dated 25th to 31st August-2001, you are requested to appear in an interview/test on 21-01-2002 & 22-01-2002 at 9-30 a.m. for the post of Vocational Instructor(Metal) at this Center.

You are further requested to bring the following: -

- 1) Original Certificates of your Educational/Technical qualifications, experience caste. Employment Registration Card, Citizenship Certificates etc.
- 2) The original call letter being sent to you.

No traveling expenses will be paid to you for this purpose. / Second class rail/bus fare by the shortest route will be paid to SC/ST candidates only in this regard on production of actual journey tickets. You are advised to come prepared for arrangements of stay for two days. If needed, at your own cost.

No correspondence whatsoever will be entertained in this regard if you fail to appear interview/test as specified above.

Yours faithfully,

Handwritten signature
31/12/01

(P. MONDRIE)

SUPERINTENDENT
Handicapped, Govt. of India, Dist. 4
Agartala - 799005
Vocational Center

Note :- From Kolkata to Agartala – Indian Airlines flight reaches daily in 45 minutes.
From Guwahati to Agartala- By Bus takes minimum 24 hours to reach Agartala.

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Handwritten signature
Advocate

ANNEXURE

3

17

Government of India,
Ministry of Labour, DGE&T,
Vocational Rehabilitation Centre for Handicapped,
Abhoynagar, Agartala.

NO.VRC/AGT/EST/A-11019/15876

Dated: 03-7-2002

MEMORANDUM

In pursuance of DGET letter NO. DGET-A-32012/5/2001 EH-II dated 24th June 2002, the Superintendent, Vocational Rehabilitation Centre for Handicapped, Agartala West Tripura is pleased to offer to Shri Ashis Acharjee to a post of V.I. (Metal) at Rs. 5000/- in the scale of Rs. 5000-150-8000/-

He/she will be entitled to draw Dearness and other allowances according to rules.

THE TERMS OF APPOINTMENT ARE AS UNDER

- i) The appointment is temporary and likely to continue.
- ii) He/she will be on probation for a period of 2 (two) years the period being liable to be extended or curtailed at the discretion of the appointing authority. During this period his/her services may be terminated at any time without notice or assigning any reason.
- iii) If during the trial period he/she may desire to leave the organisation one month's clear notice will be necessary.
- iv) On completion of the trial period the appointment may be terminated at any time by a month's notice given by either side. The appointing authority reserves the right of terminating his/her services forthwith on before the expiration of the stipulated period of notice by working to him/her payment of a sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof.
- v) The appointment carries with it the liability to serve anywhere in India.
- vi) Other conditions of service will be governed by the relevant rules and orders in force from time to time.

THE APPOINTMENT WILL BE FURTHER SUBJECT TO :-

- i) Production of a certificate of fitness from a Civil Surgeon if not already done. The Medical examination will be arranged by this office.
- ii) Taking oath of allegiance/faithfulness to the Constitution of India.
- iii) Production of the following Certificates together with one attested copy each.
 - (a) Certificate of educational and other technical qualifications.

Contd. . . P2

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Subhash Chandra
Advocate

28
18

- (b) Character Certificate from two Gazetted Officers of Central/ State Govt./Stipendiary Magistrate.
- (c) Certificate of age.
- (d) Documentary proof of professional experience.
- (e) Certificate in the prescribed form in respect of Sch. Caste/ Sch. Tribe/Anglo-Indian candidates only.
- (f) Reference from previous employees if any.

It may be stated that whether the candidate is serving or is under obligation to serve another Central Government Department or State Government or a public authority.

If any declaration given or information furnished by the candidate is found to be false or if the candidate is found to have wilfully suppressed any material information, he/she will be liable to removal from service and such other action on the above terms and conditions from service and such other action as Government may deem fit.

If he/she accept the offer on the above terms and condition he/she is directed to communicate his willingness in this Centre on or before 29-7-2022. While reporting for duties he/she should produce the certificates mentioned above.

NO T.A./D.A. will be allowed for joining the appointment or on termination thereof, unless otherwise admissible under the rules.

Model
03/7/02
✓ TO
Smt. Ashis Acharyee
S/o. Debendra Acharyee
C/o. Swapna Acharyee
W/o. Chandigarh
PO. Malagarh, West Tripura
799145

SUPERINTENDENT,
Government of India,
Ministry of Labour, DCE & T,
Abhoynagar, Agartala,
Tripura West-782003

- Copy forwarded for information to:
1. The Dy. Director General (EMP) DGET, Ministry of Labour, Shram Shakti Bhavan, Rafi Marg, New Delhi.
 2. The Pay & Accounts Officer, PAO, DGET, Ministry of Labour, Shram Shakti Bhavan, Rafi Marg, New Delhi.
 3. The Accounts Section, VRC for Handicapped, Abhoynagar, Agartala.
 4. Personal file of person concerned.

SUPERINTENDENT,

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Advocate

ANNEXURE



Government of India
Ministry of Labour (D.G.E & T)
Vocational Rehabilitation Centre for Handicapped
Abhoynagar, Agartala, Tripura west, 799005



VRC/AGT/EST/A-11019/ 1138-42

Dt.22-07-02.

OFFICE ORDER.

As per recommendation of the D.P.C/SC held on 21-01-2002 and approved vide DGET letter NO.DGET-A-32012/5/2001-EE-II dated the 24th June 2002, Sri Ashis Acharjee is hereby appointed temporarily as Vocational Instructor (Metal) in the pay scale of Rs.5000-150-8000/- plus other allowances w.e.f. 22nd July-2002 (Forenoon) in the Vocational Rehabilitation Centre for Handicapped, Abhoynagar, Agartala, Tripura. The terms and conditions of appointment shall be governed as mentioned in this Office Memorandum NO.VRC/AGT/EST/A-11019/158-61 dated the 3rd June 2002.

His appointment is purely temporary basis and his services shall stand terminated at any time without any notice or assigning any reason.

Amended
22/7/02

(P. MONDAL)
SUPERINTENDENT i/c.

Superintendent,
Vocational Rehabilitation Centre for Handicapped
Government of India
Ministry of Labour, D.G.E & T
Abhoynagar, Agartala
Tripura West - 799005.

To
✓ Sri Ashis Acharjee.
S/O. Lt. Debendra Acharjee.
C/O. Sri Swapan Acharjee.
Vill. Chandigarh,
P.O. Chandigarh(Melaghar).
Dist. Tripura(W)
Pin-Code.799115.

Copy to: -

- 1) The Dy. Director General (EMP), Ministry of Labour (D.G.E & T), New Delhi - 1
- 2) The Pay & Accounts Officer, PAO, DGET, New Delhi - 110 001.
- 3) The Accounts Section, VRC for Handicapped, Agartala, Tripura West.
- 4) Personal file and service book of the person concerned.

SUPERINTENDENT i/c.

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Mubharitulapudra
Advocate

ANNEXURE 5

Government of India
Ministry of Labour, (D.G.E. & T.)
Vocational Rehabilitation Centre for Handicapped
Abhoynagar, Agartala, Tripura West, 799 005.

No.VRC/AGT/EST/A-11025 (A.A)/ 2057-59

Dt. 02.01-2003

MEMORANDUM

Shri Ashis Acharjee, Vocational Instructor (Metal), a Group "C" employee has been enrolled as a member of the Central Government employees Group Insurance Scheme, 1990 w.e.f. from 01-01-2003. His monthly Subscription of Rs.30/- (Rupees thirty) only shall be deducted from his salary/wages commencing from the month of January 2003 and he will be eligible to the benefits of the Scheme appropriate to Group "C" w.e.f. 01-01-2003.

Mondal
02/01/03
(P. MONDAL)
SUPERINTENDENT

To
Shri Ashis Acharjee, V.I. (Metal)
VRC for Handicapped, Agartala, Tripura.

Copy to: -

1. Service book of Shri Ashis Acharjee, V.I. (Metal), VRC for Handicapped, Agartala.
2. Accounts Section, VRC for Handicapped, Agartala

SUPERINTENDENT

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Subhas Chandra
Advocate

ANNEXURE⁶



Government of India
Ministry of Labour (D.G.E & T)
Vocational Rehabilitation Centre for Handicapped
Abhoynagar, Agartala, Tripura west, 799005



NO.VRC/AGT/EST/A-11034/ 1166-68

Di. 25-07-2002

OFFICE ORDER

As per office order NO.VRC/AGT/EST/A-11034/151-152 dated 16-06-1995, Shri Sanjit Das, V.I. (Carpentry) were requested to look after the duties of V.I. (metal)& keep the records of Tools and Equipments, raw materials etc. after transfer of Shri S. R. Saiyed V.I. (Metal).

After joining of Shri Ashis Acharjee, V.I. (Metal)(new posting) Shri Sanjit Das, V.I. (Carpentry) is now directed to hand over all records, registers, files, keys etc. to Shri Ashis Acharjee, V.I. (Metal) immediately after preparing a list of such items currently in his possession so as to ensure smooth running of the trade.

(P. MONDAL)
SUPERINTENDENT

To
Shri Sanjit Das, V.I. (Carpentry)
VRC for Handicapped, Agartala – for compliance.

Copy to: -

1. Shri S. De, Workshop Foreman, VRC for Handicapped, Abhoynagar, Agartala for information.
- ✓ 2. Shri Ashis Acharjee, V.I.(Metal), VRC for Handicapped, Abhoynagar, Agartala.

P. Mondal
25/7/02
SUPERINTENDENT /c

Superintendent,
Vocational Rehabilitation Centre for Handicapped,
Government of India,
Ministry of Labour, DGE & T,
Abhoynagar, Agartala,
Tripura West-799005

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Subhasis Talapatra
Advocate

ANNEXURE 7

22



Government of India
Ministry of Labour (D.G.E & T)
Vocational Rehabilitation Centre for Handicapped
Abhoynagar, Agartala, Tripura west-799005
E-mail: vrccagartala@hub.nic.in
Phone:-2325632.



VRC/ACT/EST/A-11019/254

Dated:-20-08-2004

MEMORANDUM

On scrutiny of the service book of Sri Ashis Acherjee, It is seen that he was appointed to the post of Vocational Instructor (Metal) against OBC vacancy vide office order no --VRC/ACT/EST/A-11019/1138-42 dated 22-07-2002 temporarily in the pay scale of Rs 5000-150-8000 and joined to the service on 22-07-2002. But as per the notification of Government of India for common list of OBC Sri Acherjee does not belong to OBC category and accordingly his appointment to the post of Vocational Instructor (Metal), which is a post of OBC category, is wrong and thus deserves to be terminated forthwith.

Under the above position, Sri Acherjee is asked to show-cause as to why his appointment should not be terminated after expiry of one month from the date of receipt of this memorandum.

To
Sri Ashis Acherjee
Vocational Instructor(Metal)
Vocational Rehabilitation centre
for Handicapped
Agartala-799005

Mondal
20/8/04
(P. Mondal)
Assistant Director (Rehab) I/C
Assistant Director, (Rehab.)
V. R. C. for Handicapped
Agartala, Tripura.

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Subhas Chandra Talapatra
Advocate

ANNEXURE

8

23

To
The Assistant Director (Rehabilitation)
Vocational Rehabilitation Centre for Handicapped
Ministry of Labour (I & T)
Government of India
Agartala.

THROUGH THE PROPER CHANNEL

Ref : Your Memorandum No. VRC/AGT/EST/A-11019-25 dated 20.08.2004.

Sub : Reply to the show cause against proposed termination of my service.

Sir,

I have the honour to address you as under :

01. As per recommendation of the DPC/SC held on 21.01.2002 and approved vide DG A T-A-32012/5/2001-III dated 24.05.2002 I was appointed as the Vocational Instructor (Metal) in the pay scale of Rs. 5000 - 8000 with other admissible allowances w.e.f. 22.07.2002 in the Vocational Rehabilitation Centre for Handicapped, Abhoynagar, Agartala, Tripura as per the terms and conditions of the Memorandum No. VRC/AGT/EST/A-11019/156-61 dated 05.07.2002.

02. I have completed two years of my service on probation most successfully and I deserve to be declared permanent in the said post of Vocational Instructor (Metal) immediately on completion of the said two years since the period has not been extended or curtailed by

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Subhash Chandra
Advocate

Contd.....P/02.

03. I applied for the post in response to the Advertisement No. 15/2001 published in the Employment News dated 25th to 31st August, 2001 and on due scrutiny the Sub-Regional Employment Exchange forwarded my application to the appropriate authority at the Vocational Rehabilitation Centre for Handicapped. The Authority was pleased to ask me to appear in the Interview held on 21.01.2002 and 22.01.2002 at the Vocational Rehabilitation Centre for Handicapped at Agartala. I appeared in the Interview Board with all documents and the Original Call Letter as asked by the Call Letter No. VIC/AGT/EST/A-11016/140-49 dated 31.12.2001.

04. The Interview Board made a further scrutiny of all my documents and thereafter recommended me for appointment to the said post of the Vocational Instructor (Metal) in the pay scale of Rs. 5000 - 8000 with other allowances. Accordingly, the offer of appointment vide Memorandum No. VIC/AGT/EST/A-11019/138-61 dated 03.07.02 was issued. On my acceptance of the said Memorandum dated 03.07.2002 the Office Order of Appointment under No. VIC/AGT/EST/A-11019/1138-42 dated 22.07.2002 was issued stating that I have been appointed u.o.f. 22.07.2002 for all purposes.

05. After appointment, I have been married and my own family has come into being entirely on the basis of the salary that I draw for holding the post of the Vocational Instructor(Metal). I have no other income

whatsoever for means of livelihood. In the circumstances when I received the Memorandum No. VIC/AGT/EST/A-11019/

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Subhasish Chandra
Advocate.

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29/4 dated 20.08.2004 I did feel that someone has drawn the very basis of my life out. If the proposed termination be anyway effected I will have no other alternative but to confront the starvation with the family. I have committed no fault at any point of time and there have been no opportunity for my committing any mistake. At least in three stages all my documents were scrutinized and approved. It is necessary to point out that our community has been declared as the Other Backward Caste (OBC) by the Notification No. 20248-396/P.6-74/SC/State/94 dated 30.08.2000 issued by the Secretary to the Government of Tripura, SC, OBC & Minority Welfare Department. The said Notification was also duly published in the Tripura Gazette. On the basis of the said Notification the OBC Certificate that has been produced by me was issued and the Competent Authority has not yet cancelled the said OBC Certificate for any reason whatsoever. Since I belong to a community, recognized as the OBC, there is no illegality or irregularity in the said appointment as alleged or otherwise.

In the premises as aforesaid I would fervently pray before you to give a compassionate consideration in the entire matter and not to terminate me from the service on expiry of one month as proposed or otherwise and oblige.

Yours faithfully,

Intd, Agartala.

September 02, 2004.

(SRI ASISH AGARTAL)
Vocational Instructor (Metal)
Vocational Rehabilitation
Centre for Handicapped
Agartala - 799 605.

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Subhasis Talukder
Advocate.

ANNEXURE

9



Government of India
Ministry of Labour (D.G.E & T)
Vocational Rehabilitation Centre for Handicapped
Abhoynagar, Agartala, Tripura west-799005
E-mail: vrcagartala@hub.nic.in
Phone:-2325632.



VRC/AGT/EST/A-11019/256

Dated:-20-09-2004

OFFICE ORDER

In continuation to the Memorandum No-VRC/AGT/EST/A-11019/254 dated 20th August 2004 and in pursuance of the proviso to sub rule (1) of Rule 5 of the Central Civil Services (Temporary Service) Rules 1965 I, Shri Parikshit Mondal, Assistant Director (Rehab) in charge of Vocational Rehabilitation Centre for Handicapped, Abhoynagar, Agartala hereby terminate the temporary services of Shri Ashis Acharjee, Vocational Instructor (Metal) of this centre on 20th September 2004 afternoon after examining his representation submitted on 2nd September 2004 which is accepted and rejected for consideration.

To
Sri Ashis Acharjee
Vocational Instructor (Metal)
Vocational Rehabilitation centre
for Handicapped
Agartala-799005

Blindal
20/9/04
(P. Mondal)
Assistant Director (Rehab) I/C
Assistant Director, (Rehab.)
V. R. C. for Handicapped
Agartala, Tripura.

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Subhasis Talukder
Advocate.

11680

GOVERNMENT OF TRIPURA
OFFICE OF THE SUB-DIVISIONAL OFFICER

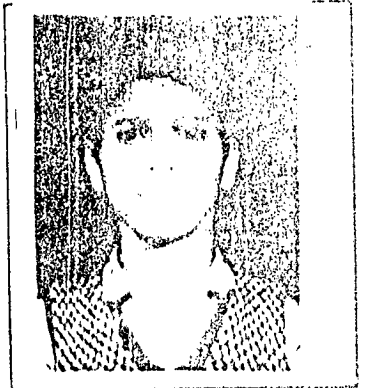
Sona Muru

SUB-DIVISION.

Date 9/4/95

File No.

D 1907/5200/SM/1/Tr/O.D.

FORM OF OBC CERTIFICATE
(For purposes other than Government Job.)Sl. no - 1026
Bach no - 2

This is to certify that sri/ Smti. Ashis Acharyee
S/O. D/O H. Jaganath Acharyee
of village Jaganath Bari in Sub-Division Sona Muru
of West Tripura District
in the State of Tripura belongs to Acharyee
community (Sub-caste) which is recognised as OBC in Tripura by the State Government
vide Notification No.F. 6-74/SCW / STATE / 9/4859-5010 dated 8-3-95.

2. Sri / Smti. Ashis Acharyee and
his/her family ordinarily resides in village Jaganath Bari
under Sub-Division Sona Muru of
District West Tripura
in the State of Tripura.

[Signature]
Signature and seal of the
Sub-Divisional Officer

Note: (a) The term "ordinarily" used here will have the same meaning as in section 20 of the
representation of the people's Act, 1950.

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[Signature]
Advocate

1. 7 MAY 2005

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI
Guwahati Bench

Title of the case:

OA No. 256/2004

SHRI ASHIS ACHARJEE

Applicant

-Versus-

Union of India & others.

Respondents

Union of India & others - Respondents
brought by
Shri. Kumar Chandra Shekhar
Addl. Central Govt. Standing Counsel
C. A. T. 16.5.05
Guwahati

Sl. No.	Annexure	Particulars	Page no.
01	--	Application	1-8
02	--	Verification	8
03	1	Copy of the advertised no. 15/2001 dt. 25-31 August, 2001	2
04	2	Copy of forwarding letter from SREO, Agartala	2
05	3	Copy of the Government of Tripura Notification on OBCs dt. 8.3.95	2
06	4	Copy of Government of Tripura Notification dt. 30.8.2000 on OBCs under central Government.	2
07	5	Copy of letterform Director of Welfare of Sch. Caste & OBC, Tripura dt. 10.03.2005	2
08	6	Copy of approved list of OBCs under central Government in Agartala	2
09	7	Copy of show cause notice dt. 20.08.2004	2
10.	8	A copy of termination of termination letter 20.09.2004	3
11	9	A copy of appointment order 22.07.2002	3
12	10	Copy of explanation letter by the applicant dt.02.09.2004	4

Date of filing: 16.5.05

Signature of the Deponent

Shri. Kumar Chandra Shekhar
11/5/05

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

OA No. 256/2004

SHRI ASHIS ACHARJEE

Applicant

VS

UNION OF INDIA & OTHERS.

Respondents

Reply for & on behalf of Respondents No 1, 2, & 3

I Shri P. Mandal, Assistant Director (Rehab.) i/c, Vocational Rehabilitation

Centre for handicapped, Agartala, Tripura, do hereby solemnly affirm and say
as follows:

That I am the Assistant Director (Rehabilitation) i/c and Respondents No-3
in the case and as such I am fully acquainted with the facts of the case. I have
gone through a copy of the application served on me and have understood
the contents thereof. Save and except whatever, if specifically admitted in the
reply statement, the other contentions and Statements may be deemed to
have denied. I am authorized to file the written statement on behalf of all the
Respondents.

A. Brief facts of the case

That the respondents beg to place the brief facts of the case as follows:

- (1) That the post of Vocational Instructor (Metal) in the Vocational
Rehabilitation Centre for Handicapped, (Government of India, Min of
Labour & Employment, DGET) Agartala was reserved for Other Backward
Community (hereinafter referred as OBC) and accordingly an
advertisement was published in the Employment News under Central
Employment Exchanges no. CEE.No.15/2001 dt.25-31 August 2001. (A

Union of India & Ors - Respondents
through:-
Shri P. Mandal
16.5.05
Addl. Central Govt. Standing Counsel
C. A. T.
Guwahati

copy of the same is Annexed as Annexure -I) It was clearly mentioned that the post is reserved for OBC. A number of candidates were called for interview and test including the applicant whose name was forwarded by the Sub-Regional Employment Exchange, Agartala, under OBC category. (A copy of the same is annexed as Annexure- II) On review of the certificate it was observed that for selection to the post of V.I. (Metal) reserved for OBC, the applicant produced a certificate claiming his "Acharjee" community (Sub-caste) as OBC in the light of Government of Tripura Notification No. F-6-74/SCW/State/9 /4859-5010 dt. 8.3.95 (A copy of the same is annexed as Annexure -III). It is clear from the O.M. No. 20096-20246/F-6/74/SCW/STAT/94 dt. 30.8.2000 (A copy of the same is annexed as Annexure-IV) ,that the community of Acharji (Gonok) is declared by Government of Tripura as OBC but the same is not recognized by Government of India. The community of Acharjee (Gonak) and Acharjee (sub-caste) are the same community vide letter no. F-6-74(B)/SCW/& ONC/STAT/05/20661 dt. 10.3.2005 (A copy of the same is annexed as Annexure-V) , from the Directorate for Welfare of Sch. Caste & OBCs, Tripura, Agartala. Further the Community of Acharji (Gonak) of Acharjee (Sub-caste) are not in the approved list of Central Government under OBC category.(A copy of the same is annexed as Annexure-VI) Accordingly an explanation was called from the applicant vide OM No. VRC/AGT/Estt./A.11019/254 dt.20.08.2004 (A copy of the same is annexed as Annexure -VII) as to how to appoint a Non-OBC candidate for the post reserved for OBC and why not his service be

terminated by giving a month notice, the applicant could not justify the same. On the basis of facts and circumstance, his service as Temporary Vocational Instructor (Metal) was terminated vide OM No. VRC/AGT/Estt. - A.11019/256 dt. 20.09.2004 (A copy of the same is annexed as Annexure-VIII)

The Parawise reply is submitted as follows;

- (1) That with regard to the paras 1.to 3, no comments.
- (2) That the respondents beg to state the statement made in paragraph 4.1 to 4.6 are matters of record.
- (3) That with regard to the statements made in para 4.7 of the application, the respondents beg to state that the applicant was appointed as Temporary Vocational Instructor (Metal) at Vocational Rehabilitation Centre for Handicapped, Agartala (A copy of the same is annexed as Annexure-IX) The Application of Sh. Acharjee was forwarded by Sub-Regional Employment Exchanges, Agartala, (Annexure-II); a Govt Agency as such no need to verify the genuineness etc of the details submitted by them was considered necessary. However, in the January 2004, it was observed that Sri Acharjee doesn't belong to OBC Category for employment purpose under the Govt. of India. In fact the notification no.20096-20246/F.6/74/SCW/STAT/94 dated.30.08.2000 clearly states that Community of Acharjee or Acharji (Gonok) is not approved as OBC by the Central Government. In the instant case the vacancy was advertised in the August 2001 and further action to fill the post was taken thereafter

only. This clearly proves that Sh. Acharjee used a certificate of OBC issued by the Govt. of Tripura in 1996, which is not valid for getting appointment in the Central Govt. establishments. The Director of Welfare of SC & OBC, Govt of Tripura has also clarified that "Acharjee" and Acharji (Gonok) is the same surname of the Community, which has been declared as OBC in Tripura (Annexure-V)

5. That with regard to the statements made in paragraph 4.8 of the application, the respondents beg to state that the applicant could not justify the reason to appoint a non-OBC candidate for the post reserved for OBC and could not prove his Acharjee (sub-Caste) or Acharji (Gonok) is in the approved list of Central government under OBC Category. His letter dt.02.09.2004 is annexed as Annexure- X)

6. That with regard to the statements made in paragraph 5.1. of the application, the respondents beg to state that the applicant was appointed as Vocational Instructor (Metal) of Vocational Rehabilitation Centre for Handicaped, Agartala as against OBC category and his "Acharjee" community (Sub-caste) is not recognized as OBC by Govt of India vide Govt of Tripura OM No. 20096/20246/F-6-74/SCW/State-94 dt. 30.8.2000.(Annexure-IV) The applicant's Acharjee" community (sub-caste) or Acharji (Gonok) is not in the approved list of Central Government under OBC Category. (Annexure-VI) Accordingly, on coming to know that 'Acharjee' Community is not included in the list of OBC of Central Govt., hands were laid on the Govt. instructions and on perusal of the Notification No. 20096-20246/F.6-.74/SCW/STAT/94 dated 30.8.2000, it

was found that a non-OBC candidate has been appointed against the reserved post. As such a show-cause notice was issued giving him reasonable opportunity (30 days) as to why his service should not be terminated (Annexure-VII). The Explanation (Annexure-X) submitted by him was not found satisfactory, since to get employment, Sh. Acharjee used the OBC certificate issued to him in 1996 by the Govt. of Tripura, as such his service was terminated.

7. That with regard to the statements made in paragraph 5.2 of the application respondents deny the same.
8. That with regard to the statements made in paragraph 5.3 of application respondents deny the same.
9. That with regard to the statements made in paragraph 5.4 of application the respondents beg to state that O & M No. VRC/AGT/EST-A.11019/254 dt.20.08.2004 is issued as per Rules and with in the Law.
10. That with regard to the statements made in paragraph 5.5 and 5.6 of the application the respondents beg to state that the applicant could not justify by giving valid reasons for his appointment against the post reserved for OBC vide his letter dt. 02.09.2004 and so his service as temporary Vocational Instructor (Metal) was terminated vide OM No. VRC/AGT/Est-A.11019/256 dt. 20.09.2004 and his termination is well covered by the Rules within the Law.
11. That with regard to the statements made in paragraph 5.7 of the application the respondents beg to state that the applicant

applied for appointment in contravention of Govt. of Tripura, OM No. 20096-20246/F-6-74/ SCW/State/94 dt. 30.08.2000, wherein applicant's community of Acharjee is not approved by the Central Government. However, the applicant produced a certificate claiming his "Acharjee" community (Sub-caste) as OBC in the light of the Government of Tripura Notification No. F-6-74/SCW/State/9/4859-5010 dt. 8.3.95, it is clear from the above OM No. dt. 30.8.2000 that the Community of Acharji (Gonok) is declared by Govt. of Tripura as OBC but the same is not recognized by Govt. of India. The community of Acharji (Gonok) and Acharjee (Sub-caste) are the same community vide letter F-6-74 (B)/SCW & ONC/STAT/05/20661 dt. 10.03.2005 from the Directorate for Welfare of Sch. Castes & OBCs, Tripura, Agartala. Further, Acharjee Community (sub-caste) or Acharjee (Gonok) are not in the approved list of Central Government under OBC category. As per practice certificates whether relating to caste/educational/professional-qualifications are referred for verification to competent authority only in case of doubt. In the instant case at the time of offer of appointment, no doubt about the genuineness/ acceptability of the certificate arose as the application was forwarded by the Sub-Regional Employment Exchange, Agartala.

12. That with regard to the statements made in paragraph 5.8 of the application the respondents beg to state that the applicant's

Acharjee community (sub-caste) or Acharjee (Gonok) is not entitled to get the benefit of OBC community in the Central Government Establishments.

13. That with regard to the statements made in paragraph 5.9 of the application the respondents beg to state that the termination order of the applicant vide OM No. VRC/AGT/Est-A.11019/256 dt. 20.09.2004 is in order and as per Rules.
14. That with regard to the statements made in paragraph 5.10-13 of the application the respondents beg to state that in view of the facts in the foregoing paragraphs, the grounds stated by the applicant does not hold good and accordingly opposed.
15. That with regard to the statements made in paragraph 5.14 of the application the respondents have no comments to offer, as the same is being legal one.
16. That with regard to the statements made in paragraph 6 of the application, the respondents beg to state that his representation was duly considered but he could not justify the reason for appointing the applicant against OBC category in Central Government Establishments. Further, the applicant could not prove that his community of Acharjee is in the approved list of Central Government under OBC category.
17. That with regard to the statements made in paragraph 8 of the application the respondents beg to state that the applicant is not

entitled to any relief sought for in the application and the same is liable to be dismissed with cost.

Verification:

I Shri P. Mandal, presently working as Asstt. Director (Rehab.) i/c, Vocational Rehabilitation Centre for Handicapped, Agartala being duly authorized and competent to sign this verification do hereby affirm and state that the Statements made in paragraph ~~1-17~~ of the application are true to my knowledge and belief, those made in paragraph 1-1~~6~~ 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 the material facts.

AND I sign this verification on this the 11th day of May 2005 at ,Guwahati

Sh. P. Mandal
11/5/05

Sh. P. Mandal,
Deponent
Asstt. Director (Rehab.)/c,
VRC for Handicapped, Agartala

CENTRAL EMPLOYMENT EXCHANGE

Govt. of India
Directorate General of Employment & Training
(Mo Labour)
14/11, Jamnagar House, Shahjahan Road
New Delhi-110011

As per revised procedure w.e.f. 1st September-91, applications received in employment exchanges against advertisement of Central Employment Exchange are to be forwarded to the respective employers directly by the employment exchanges under intimation to the Central Employment Exchange.

Advertisement No. 15/2001

Applications are invited for the following post upto 10.9.2001 in the prescribed format given at the end of the advertisement.

1. Applications are to be submitted only to the local/nearest Employment Exchange. Applications should not be submitted to the Central Employment Exchange.

2. Departmental candidates belonging to the same Ministry/Department fulfilling the same qualifications, exp. etc. as laid down for the post may apply direct to the employer and need not send their applications through local employment exchange.

3. Applications of candidates other than those covered under sl.no. 2 above and the State of Arunachal Pradesh and Sikkim will not be considered unless they are registered with the employment exchanges and their applications are routed through the channel of employment exchanges.

4. Applications submitted directly to the employer (other than the candidates residing in the State of Arunachal Pradesh and Sikkim without the channel of employment exchanges will not be considered.

5. Separate applications are required for each post quoting advertisement No. and Sl.No. of the post.

6. Upper age limit relaxable for SC/ST, OBC, Ex-Servicemen, Physically Handicapped and Govt. servants as per rules.

7. Incomplete applications received in violation of the instructions shall be rejected.

8. Only those SC/ST candidates who are not employed anywhere will be paid TA for attending interview, if admissible under the rules.

(47/2001) : DR. V.S. SOMVANSHI, DIRECTOR GENERAL, FISHERY SURVEY OF INDIA, BOTWALA CHAMBERS, SIR P.M. ROAD, MUMBAI - 400001.

1. Five Scientific Assistant : SC-1, ST-1, OBC-1, UR-2.

Pay : Rs. 5000-8000/-

Age : 30 years.

Essential Qualifications : B.Sc. in Zoology or Fishery Science or equivalent with 1 year experience in collection of Fisheries data/ fishing vessel management/design/ fabrication repairs of fishing gear.

Place of work : AISL including Andaman and Nicobar Islands.

(48/2001) : SH. K.K. BHATT, SUPERINTENDENT, VOCATIONAL REHABILITATION CENTRE FOR HANDICAPPED, REHABARI, GUWAHATI-781008. OLD ITI CAMPUS.

2. One Vocational Instructor (Computer Application) : UR

Pay : Rs. 5000-8000/-

Age : 30 years.

Essential Qualifications : Matriculation or its equivalent. National Trade Certificate in the appropriate trade or National apprenticeship certificate in the appropriate trade or any other recognised equivalent qualification in the appropriate trade with at least 3 yrs. practical exp. (preference will be given to candidate trained in Central training Institute for instructors in the appropriate trade).

Place of work : Guwahati.

(49-51/2001) : SHRI P. MONDAL, SUPERINTENDENT (I/C), VRC FOR HANDICAPPED, ABHOYNAGAR, MINISTRY OF LABOUR, DGE&T, GOVT. OF INDIA, NEW DELHI.

3. One Vocational Instructor (Radio & TV) : UR

Pay : Rs. 5000-8000/-

Age : 30 years.

Essential Qualifications : 1) Matriculation or its equivalent.

2) National Trade Certificate in the appropriate Trade or National Apprenticeship Certificate in the appropriate trade or any other recognised equivalent qualification in the appropriate trade with at least 3 years practical experience.

Place of work : VRC for Handicapped, Tripura West Distt., Agartala.

4. One Vocational Instructor (Commercial) : UR

Pay : Rs. 5000-8000/-

Age : 30 years.

Essential Qualification : 1) Graduate of a recognised University.

2) Diploma or certificate in commercial or Secretariate Practice from a recognised Institute.

Desirable : 1) Speed of 40 words per minute in typing in English and 80 words per minute in shorthand.

Place of work : VRC for Handicapped, Agartala, Tripura West - 799005.

5. One Vocational Instructor (Metal) : OBC

Pay : Rs. 5000-8000/-

Age : 30 years.

Essential Qualifications : 1) Matriculation or its equivalent.

2) National Trade Certificate in the appropriate trade or National Apprenticeship Certificate in the appropriate trade or any other recognised equivalent qualification in the appropriate trade with at least 3 years practical experience.

Place of work : VRC for Handicapped, Agartala, Tripura West - 799005.

Abbreviations Used :

SC : Scheduled Castes

ST : Scheduled Tribes

OBC : Other Backward Classes

AISL : All India Service Liability
Format of Application Form

1. Advertisement No :
2. Serial Number of the post :
3. Post applied for :
4. Name of the Employment Exchange with Registration No.
5. NCO No. :
6. Name (Mr/Mrs/Miss) in Block Letters :
7. Father's name :
8. Address (in full) :
9. Nationality :
10. Whether SC/ST/OBC :
11. Whether Ex-Serviceman (Yes/No) :
12. Whether Physically handicapped (Yes/No) :
13. Whether belongs to any priority category :
14. Date of birth (Christian Era) :
15. Language known :
16. Academic/technical/professional qualifications (starting from Matriculation or equivalent examination (s) passed (b) Division and %age of marks (c) Board/University (d) year of passing (e) subject taken.
17. Experience (a) Name of the employer (b) Designation of post (c) pay scale (d) Nature of duties (e) Period of employment fromto (f) Last pay drawn.
18. Are you prepared to be posted anywhere in India (Yes/No) :
19. Any additional information regarding (i) Qualification (ii) Training (iii) Experience (iv) Research (v) Publications.
20. Extra curricular activities.

I solemnly declare that the statement made by me in this form are correct to the best of my knowledge and belief.

(Signature of the candidate)

Dated :
Place :

Attested
Adm. C. G. S. O.

ANNEXURE - II

GOVERNMENT OF TRIPURA
SUB - REGIONAL EMPLOYMENT EXCHANGE,
TRIPURA AGARTALA.

2(49)/D/ESMP/76/16567-66

Dated, Agartala. the ¹⁹⁹th Sept-2001

SHRI. P. MONDAL, Superintendent (I/C).
VRC for Handicapped, Abhaynagar, Ministry of
Labour, DGET, GOVT. of India Agartala.
Tripura West.

Subject:- Forwarding of Application Form (S) against the vacancy of
Vocational Instructor,

Reference: C.E.E. Advertisement No ~~15/2000~~ 15/2001.

Sir,
I am to forward herewith 4 (Four) Nos (S) application
form (S) duly filled in as received from the candidates (S) mentioned
here under for taking necessary action please.

S.No.	Name of the candidates(s)	Regn No. & N.C. O. No.	S/T. S./C. Ext. S/O.B.C.	Remark
1.	Shri. Sudip Biswas,	773/93 xx01x 853.10	O.B.C.	
2.	Shri. Ashis Acharjee,	6247/92 033.10	O.B.C.	
3.	Shri. Partha Sarathi Ghosh,	497/97 X01.40	O.B.C.	
4.	Shri. Ranatosh Kr. Deb,	5580/95 x01.40	O.B.C.	

Enclo :- As stated

Yours faithfully

Sub-Regional Employment Exchange,
Agartala, Tripura West.

The Directorate of General of Employment Exchange, Directorate
of General Employment Training (M/O Labour) 14/11 Jamnagar
House, Shahjahan Road New Delhi 110011

VRG FOR HANDICAPPED, AGARTALA

DETAILED STATEMENT OF THE CANDIDATE FOR THE POST OF VOCATIONAL INSTRUCTOR METAL RESERVED

Name and Address of the Candidates	Educational Qualification	Technical Qualification	Date of Birth	Age as on 10.9.2001	SC/ST OBC	Experience	Referred by
(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Shri N. Saminathan S/O Shri R. Natarajan, No. 1/33, New Vellala Street, Mutharasallur Post, Pin 620101, Trichur Dist., Tamil Nadu.	B.E. Mech. Engineering	B.E. Mechanical Engineering	26.07.71	30 Yr. 1 month	OBC	9 Year Experience as Supervisor	District Employment Exchange Thiruv malai.
Shri C. Lakshmi Narasimhan S/O Shri C. Krishna Moorthy, 23/15, Sai Nagar, Second Street, Jawahar Nagar Post, Chennai-600 082.	S.S.L.C.	N.C.V.T. Welding craft instructor course welding.	14.02.80	21 Years 7 month	OBC	5 Years experience as Instructor	District Employment Exchange Chennai
Shri Narendra Kumar Sharma S/O Shri Udayaraj Sharma H. No. 1255/2, Sidha Nagar Haf Basti Abad Fakirchand Ka Akhada Baba Tala, Jabalpur, Madhya Pradesh-482 001.	H.S.	N.C.V.T. Turner	25.01.77	24 Years 7 Months	OBC	3 Years experience as Turner	District Employment Exchange Jabalpur
Shri Sudip Biswas S/O Subhash Ch. Biswas Vill: Kumari Tilla, P.O. Abhoynagar, Agartala, Tripura-7990005.	B.A.	N.C.V.T. Turner	24.04.72	29 Years 7 months	BBC	3 Years experience as casual worker Turner	Sub- Employment Exchange Agartala
Shri Ashis Acharjee S/O Late Debendra Acharjee C/O Mr. Suspan Acharjee, Vill: Chandigarh, P.O. Melaghar, West Tripura District-799 115.	B.Tech in Mech. Engineering	B.Tech. in Mech. Engineering	01.03.76	25 Years 6 Months	OBC	NIL	Sub- Employment Exchange Agartala
Shri P. Srinivasulu S/O Shri P. Krishnudu, H. No. 1-10-303, New Bowenpally, Secendrabad-500 011, Andrapradesh.	S.S.C.	N.C.V.T. Machinist	17.10.74	26 Years 11 Months	OBC	2 Years experience as Vocatio- nal Instru- tor.	District Employment Exchange Hyderabad
Shri Digambar B. Urkude B/Cp. Shri Bhanudas M. Urkude At. Jewanala, P.O. Gurdha, TQ. Lakhani, Dist: Bhandara Maharashtra-441 809.	B.A. 1st Year	N.C.V.T. Fitter, Craft Instructor Trg. from ATI Hyderabad	16.06.74	27 Years 2 Months	OBC	5 Years experience as craft Instructor	District Employment Exchange Bhandara
Shri V. R. Govindarajan S/O Shri V. Raja Manickam, Mariyamm Kovil Street, Vilakudi, Vill: & P.O. Thiruthurai Poondi Telak, Thiruvavur, Dist: Tamilnadu-614 715.	SSLC	N.C.V.T. Turner	18.9.73	28 Years	OBC	6 Years experience as Instructor	District Employment Exchange Thiruv
Shri Dasari Rambabu S/O, Late D. Kedari, Prahelada Puram, Gr. No. 6-136/1, Visakhapatnam District, Andra Pradesh State	P.U.C.	N.C.V.T. Fitter	01.06.76	25 Years 3 Months	OBC	5 Years experience as Instructor	District Employment Exchange Visakh
Shri Brij Bhushan Nishad, S/O Shri Ram Surat Nishad, C/O Shri V.B. Zumbre (Training Officer, Staff Quarter, Type -III, Room No. 3, ATI Chunabhatti, SION, Mumbai-400 022.	H.S.C.	N.C.V.T. Tool & Die maker	25.04.71	30 Years 4 Months	OBC	9 Years experience in Tool & Die maker	Employment Exchange Self Employment center Quarter Mumbai

Office Superintendent

Superintendent Incharge
Member Secretary.

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File No.

Done

Q 109/5.00/5N17/1r/OBc-

Boon no - 2

2. Sri / Smt. A. Shes Asharjee and
his/her family ordinarily resides in village Jagannath Govil
..... under Sub-Division Sonepur of
District West Tripura
in the State of Tripura.

Signature and seal of the
Sub-Divisional Officer

~~Cover~~
Vols. 60-69
Vol. Dissem. Factory
Printers (Weat).

The term "ordinarily" used here will have the same meaning as in Section 20 of the representation of the people's Act, 1950.

Attested

Adm. C. G. S.

13

ANNEXURE-IV

GOVERNMENT OF TRIPURA
DEPARTMENT OF WELFARE FOR SCH. CASTES,
OBCs & MINORITYS
PARADIPUR COMPLEX
CHITRAKARTI, AGARTALA

Agartala.

NO. 20,096 - 20,246/F.6-74/SCH/STAT/94

Dated, 30/ 8/ 2000.

NOTIFICATION

The Government of Tripura have recognised 46 Communities as Other Backward Classes in Tripura as per recommendation of the State OBC Commission. The list of Communities declared by the State Govt. and the list approved by the Central Govt. are given below for General information :-

Sl. No.	List of OBC Communities declared by the State Govt.	Sl. No.	List of OBC Communities approved by the Central Govt.
1.	1. Acharji (GansK)	1.	1. Badyakar, Dhuli, Nagarchi, Sabdakar
2.	2. Badyakar, Dhuli, Nagarchi, Sabdakar.	2.	2. Baishnab
3.	3. Baishnab	3.	3. Barui, Barujibi
4.	4. Bangshi	4.	4. Bauri
5.	5. Barui, Barujibi	5.	5. Bhar (Rajonar under correction of the Central Govt.)
6.	6. Bauri	6.	6. Bhumi, Buri
7.	7. Bhar, Rajbhar	7.	7. Bin
8.	8. Bhumi,	8.	8. Bind
9.	9. Bin	9.	9. Chouhan
10.	10. Bishnupriya Manipuri	10.	10. Dosadh, Dosad
11.	11. Bind	11.	11. Gara
12.	12. Chouhan	12.	12. Garari
13.	13. Dosadh, Dosad	13.	13. Goala, Gope, Yadav, Akhor
14.	14. Gara	14.	14. Jhara
15.	15. Garari	15.	15. Kandh
16.	16. Giri	16.	16. Kapali
17.	17. Goala, Gope, Yadav, Akhor	17.	17. Kamakar, Kamar
18.	18. Haladas, Halladas, Halowdas	18.	18. Koiri
19.	19. Jhara	19.	19. Kumbhakar, Kumar
20.	20. Kandh	20.	20. Kurdi


5)


- 14 -

1.	2.	3.	4.
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21. Kopal
22. Karmakar, Karmar
23. Kori
24. Kumbhakar, Kurnar, Rudrapal
25. Kuri
26. Kurma
27. Lohar
28. Manipuri
29. Marar
30. Mohak
31. Mat, Natta
32. Napit, Shil
33. Nayak
34. Nepali (Linbo, Matwali, Rai)
35. Nuniya, Nunia
36. Pan
37. Pangal (Manipuri Kunia)
38. Panki, Painak
39. Pasi
40. Rai (Oriya)
41. Raily
42. Sutradhar
43. Telonga
44. Tanti, Tati
45. Tell (Oriya)
46. Yogi, Jogi, Nath.

21. Lohar
22. Manipuri
23. Marar
24. Mat, Natta
25. Napit, Shil
26. Nayak
27. Nepali (Linbo, Matwali, Rai)
28. Nuniya, Nunia
29. Pan
30. Panki, Painak
31. Pasi
32. Sutradhar
33. Tanti, Tati
34. Tell (Oriya)
35. Yogi, Jogi, Nath
36. Kuri
- 37(a) Bishnupriya Manipuri
- 37(b) Pangal
38. Rai (Oriya)
39. Raily
40. Telonga
41. Bangshi
42. Giri

Attested

 Addl. C.O.S.O.


 (S. C. DAS)
 Secretary to the Govt. of
Tripura.

(Contd...P/3).


52

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Special Mention :- Sl.No. 1. "Acharji (Ganak)", Sl.No. 18
"Horiadas, Kalladas, Halodas" and the Sl.No.
30 "Horiadas" though approved by the State
Govt. have not yet been approved by
the Central Govt.

Copy to :-

1. The Secretary, to the Governor of Tripura.
2. The Secretary, to the Chief Minister, Tripura.
3. All PS/AFS/PA to the Minister, Tripura.
4. The PS to the Chief Secretary, Tripura.
5. The Principal Secretary, Deptt., Tripura.
6. All Commission/Secretaries, Deptt. Tripura.
7. All District Magistrate & Collectors.
8. All Heads of Departments.
9. All Sub-Divisional Officers.
10. All Block Development Officers.
11. The Director of Printing & Stationery Deptt.
with request for publication of the notification
in the next issue of Tripura Gazette.


(S. C. Das)
Secretary to the Govt. of
Tripura.

Noted
S. C. Das

GOVERNMENT OF TRIPURA
DIRECTORATE FOR WELFARE OF SCs & OBCs
TRIPURA, AGARTALA

No.F.6-74(B)/SCW & ONC/STAT/05/

Dated, the 14/3/05

To
The Assistant Director,
Government of India,
Ministry of Labour & Employment (D.G.E. & T)
Vocational Rehabilitation Centre for Handicapped
Abhoynagar, Agartala, Tripura, West, 799005.
Phone - 0381-2325632.

Sir,

In reference to your letter No.VRC/AGT/C-31014/265
Dated 03-03-2005 on the subject mentioned above I am to inform you that
"Acharjee" and Acharji (Ganak) is the same surname of the community
which has been declared as OBC in Tripura. This is for favour of your information.

Yours faithfully,

(M.L.Das)

Director for Welfare of
Sch, Castes & OBCs, Tripura, Agartala.

Attested

Sd/- C. G. S. C.

ANNEXURE - II

168	Veduvār/Vellakkarar (through out the state) and Vellakkarar in Kanniyakumari district and Shencollah taluk of Tirunelveli district where the community is a Scheduled Caste)	160
169	Veerasaiva (in Kanniyakumari district and Shencollah taluk of Tirunelveli district)	161
170	Vellan Chettiar	162
171	Veluthodathu Nair (in Kanniyakumari district and Shencollah taluk of Tirunelveli district)	163
172	Vettu Maravar (in Salem district)	164
	Vettu Maravar (in Punnar Vellu Gounder)	165
	Vokkalar (including Vokkalar, Okkaligar, Vokkalar, Vokkalar, Okkaliya, Okkaliya Gounder, Okkaliya Gounder, and Chetty (the Nilgiris)	166
176	Yadava (including Idaiyar, Telugu, speaking Idaiyar known as Vaduga Ayar or Vaduga Idaiyar or Golla, Mond, and Asthanthra (Golla)	167
177	Yavuna	168
178	Yavuna	169
179	Yavuna	170
180	Yavuna	171

TRIPURA

(Agastala)

1	3. ...	
	Oruli,	
	Nagarchi,	
	Sabdakar	
2	Baishnab	2
3	Bangshi	41
4	Barui, Baruijibi	3
5	Bauri	4
6	Bauri	5
	Ram ...	6
	Bauri	7
8	Bauri	8
9	Bauri	17(a)
10	Bisnupriya Manipuri	9
11	Chibnan	10
12	Desadh.	11
	Desadh	

Attested
 Addl. C. G. S. O.

E

18 'D'

ANNEXURE-VII



Government of India
Ministry of Labour (D.G.E & T)
Vocational Rehabilitation Centre for Handicapped
Abhoynagar, Agartala, Tripura west-799005
E-mail: vrcaartala@hub.nic.in
Phone:-2325632.



VRC/ACT/EST/A-11019/254

Dated:-20-08-2004

MEMORANDUM

On scrutiny of the service book of Sri Ashis Acherjee. It is seen that he was appointed to the post of Vocational Instructor (Metal) against OBC vacancy vide office order no -VRC/AGT/EST/A-11019/1138-42 dated 22-07-2002 temporarily in the pay scale of Rs 5000-150-8000 and joined to the service on 22-07-2002. But as per the notification of Government of India for common list of OBC Sri Acherjee does not belong to OBC category and accordingly his appointment to the post of Vocational Instructor (Metal), which is a post of OBC category, is wrong and thus deserves to be terminated forthwith.

Under the above position, Sri Acherjee is asked to show-cause as to why his appointment should not be terminated after expiry of one month from the date of receipt of this memorandum.

To
Sri Ashis Acherjee
Vocational Instructor(Metal)
Vocational Rehabilitation centre
for Handicapped
Agartala-799005

o/c

20/8/04
(P. Mondal)
Assistant Director (Rehab) I/C
Assistant Director, (Rehab.),
V. R. C. for Handicapped
Agartala, Tripura

Attested

Addl. C. G. S. O.

19 ANNEXURE-VIII



Government of India
Ministry of Labour (D.G.E & T)
Vocational Rehabilitation Centre for Handicapped
Abhoynagar, Agartala, Tripura west-799005
E-mail: vrccagartala@hub.nic.in
Phone:-2325632.



VRC/AGT/EST/A-11019/256

Dated:-20-09-2004

OFFICE ORDER

In continuation to the Memorandum No-VRC/AGT/EST/A-11019/254 dated 20th August 2004 and in pursuance of the proviso to sub rule (1) of Rule 5 of the Central Civil Services (Temporary Service) Rules 1965 I, Shri Parikshit Mondal, Assistant Director (Rehab) in charge of Vocational Rehabilitation Centre for Handicapped, Abhoynagar, Agartala hereby terminate the temporary services of Shri Ashis Acharjee, Vocational Instructor (Metal) of this centre on 20th September 2004 afternoon after examining his representation submitted on 2nd September 2004 which is accepted and rejected for consideration.

To
Sri Ashis Acharjee
Vocational Instructor(Metal)
Vocational Rehabilitation centre
for Handicapped
Agartala-799005

o/c

12/20/9/04
(P. Mondal)
Assistant Director (Rehab) I/C

Attested
C. G. S. G.

20

54

ANNEXURE - IX



Government of India
Ministry of Labour (D.G.E & T)
Vocational Rehabilitation Centre for Handicapped
Abhoynagar, Agartala, Tripura west, 799005



VRC/AGT/EST/A-11019(A)/1138-42

Dt. 22-07-02.

OFFICE ORDER.

As per recommendation of the D.P.C/SC held on 21-01-2002 and approved vide DGET letter NO.DGET-A-32012/5/2001-EE-II dated the 24th June 2002, Sri Ashis Acharjee is hereby appointed temporarily as Vocational Instructor (Metal) in the pay scale of Rs. 5000-150-8000/- plus other allowances w.e.f. 22nd July-2002 (Forenoon) in the Vocational Rehabilitation Centre for Handicapped, Abhoynagar, Agartala, Tripura. The terms and conditions of appointment shall be governed as mentioned in this Office Memorandum NO. VRC/AGT/EST/A-1-019/1138-42 dated the 3rd June 2002.

His appointment is purely temporary basis and his services shall stand terminated at any time, without any notice or assigning any reason.

22/7/02

(P. MONDAL)
SUPERINTENDENT i/c.

To
Sri Ashis Acharjee.
S/O. Lt. Debendra Acharjee,
C/O. Sri Swapan Acharjee.
Vill. Chandigarh,
P.O. Chandigarh(Melaghar).
Dist. Tripura(W)
Pin-Code. 799115.

Copy to: -

- 1) The Dy. Director General (EMP), Ministry of Labour (D.G.E & T), New Delhi - 1
- 2) The Pay & Accounts Officer, PAO, DGET, New Delhi - 110 001.
- 3) The Accounts Section, VRC for Handicapped, Agartala, Tripura West.
- 4) Personal file and service book of the person concerned.

22/07/2002

Attested
Addl. C. G. S. O/c

22/7/02

SUPERINTENDENT i/c.

ANNEXURE - X

58

21

SERIAL NO. 3

25

To
The Assistant Director (Rehabilitation)
Vocational Rehabilitation Centre for Handicapped
Ministry of Labour (PGE & T)
Government of India
Agartala.

THROUGH THE PROPER CHANNEL.

Ref : Your Memorandum No. VMC/ACT/EST/A-11019-25 dated 20.08.2004.

Sub : Reply to the show cause against proposed termination of my service.

Sir,

I have the honour to address you as under:

01. As per recommendation of the DPC/SC held on 21.01.2002 and approved vide DG & T-A-32012/5/2001-III/II dated 24.06.2002 I was appointed as the Vocational Instructor (Metal) in the pay scale of Rs. 5000 - 8000 with other admissible allowances w.e.f. 22.07.2002 in the Vocational Rehabilitation Centre for Handicapped, Abhaynagar, Agartala, Tripura as per the terms and conditions of the Memorandum No. VMC/ACT/EST/A-11019/156-01 dated 03.07.2002.

02. I have completed two years of my service on probation most successfully and I deserve to be declared permanent in the said post of Vocational Instructor (Metal) immediately on completion of the said probation since the period has not been extended or curtailed by the Appointing Authority.

22

(24)

-: 8/02 :-

03. I applied for the post in response to the Advertisement No. 15/2001 published in the Employment News dated 25th to 31st August, 2001 and on due scrutiny the Sub-Regional Employment Exchange forwarded my application to the appropriate authority at the Vocational Rehabilitation Centre for Handicapped. The Authority was pleased to ask me to appear in the Interview held on 21.01.2002 and 22.01.2002 at the Vocational Rehabilitation Centre for Handicapped at Agartala. I appeared in the Interview Board with all documents and the original Call Letter as asked by the Call Letter No. VRC/AGT/EST/A-11010/140-49 dated 31.12.2001.

04. The Interview Board made a further scrutiny of all my documents and thereafter recommended me for appointment to the said post of the Vocational Instructor (Metal) in the pay scale of Rs. 5000 - 8000 with other allowances. Accordingly, the offer of appointment vide Memorandum No. VRC/AGT/EST/A-11019/158-61 dated 03.07.02 was issued. On my acceptance of the said Memorandum dated 03.07.2002 the Office Order of Appointment under No. VRC/AGT/EST/A-11019/1138-42 dated 22.07.2002 was issued stating that I have been appointed w.e.f. 22.07.2002 for all purposes.

05. After appointment, I have been married and my own family has come into being entirely on the basis of the salary that I draw for holding the post of the

23

254 dated 20.03.2004 I did feel that someone has drawn the very basis of my life out. If the proposed termination be anyway effected I will have no other alternative but to confront the starvation with the family. I have committed no fault at any point of time and there have been no opportunity for my committing any mistake. At least in three stages all my documents were scrutinized and approved. It is necessary to point out that our community has been declared as the Other Backward Caste (OBC) by the Notification No. 20248-396/P.6-74/SC/State/94 dated 30.03.2000 issued by the Secretary to the Government of Tripura, SC, OBC & Minority Welfare Department. The said Notification was also duly published in the Tripura Gazette. On the basis of the said Notification the OBC Certificate that has been produced by me was issued and the Competent Authority has not yet cancelled the said OBC Certificate for any reason whatsoever. Since I belong to a community, recognized as the OBC, there is no illegality or irregularity in the said appointment as alleged or otherwise.

In the premises as aforesaid I would fervently pray before you to give a compassionate consideration in the entire matter and not to terminate me from the service on expiry of one month as proposed or otherwise and oblige.

Yours faithfully,

Dated, Agartala.

September 02, 2004.

(SHRI ANISH AGARTALA)
Vocational Instructor (Total)
Vocational Rehabilitation
Department, Tripura

Accepted
Addl. C. G. S. O.