

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

✓
O.A/T.A No. 314/2004

R.A/C.P No.

E.P/M.A No.

1. Orders Sheet.....6A.....Pg.....1.....to.....2.....
2. Judgment/Order dtd.....22.12.02.....Pg.....1.....to.....1/2.12.02.....Separate order
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A.....314.....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.....to.....
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.)

Kalita
14/11/17

FORM NO. 4

(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET
APPLICATION NO.

314 OF 199 2004

Applicant(s) *Delip Taluadan*

Respondent(s) *W.D. Govt*

Advocate for Applicant(s) *M. A. Ahmed*

Advocate for Respondent(s) *L. C. G. S. C.*

Notes of the Registry	Date	Order of the Tribunal
<i>This OA is filed in the court at the circuit court at Shillong affixing 100 ru. 110362 D. 28/11/04 or Rs. 50/- placed before the court for order.</i> <i>bmp</i> <i>6.12.04.</i> <i>Notice & order sent to D/Section for issuing to resp. Nos. 1 to 4, by regd. A/D post.</i> <i>10/12/04</i> <i>D/No = 1963 to 1966</i> <i>Dt. 10/12/04.</i>	<i>7.12.2004</i> <i>Shillong</i>	<p>Present: The Hon'ble Mr. Justice R.K. Batta, Vice-Chairman. The Hon'ble Mr K.V.Prahladan Member (A).</p> <p>Heard Mr.A.Ahmed, learned counsel for the applicant. Mr.A.Deb Roy, learned Sr.C.G.S.C. was present for the respondents.</p> <p>Notice to respondents, returnable on 22.12.2004. No interim relief at this stage.</p> <p>Stand over to 22.12.2004.</p> <p><i>K.V. Prahladan</i> Member</p> <p><i>R.</i> Vice-Chairman</p>

Notes of the Registry

Date

Order of the Tribunal

22.12.04

The grievance of the applicant is against the Sainik School, Goalpara, which does not come under the jurisdiction of this Tribunal. Hence, the application is disposed of with liberty to the applicant to approach appropriate forum.


Member

bb

Notes of the Registry

Date

Order of the Tribunal

22.12.04

The grievance of the applicant is against the Sainik School, Goalpara, which does not come under the jurisdiction of this Tribunal. Hence, the application is disposed of with liberty to the applicant to approach appropriate forum.


Member

bb

1

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI**

**(AN APPLICATION UNDER SECTION 19 OF THE CENTRAL
ADMINISTRATIVE TRIBUNAL ACT 1985)**

ORIGINAL APPLICATION NO. 314 OF 2004.

BETWEEN

Shri Dilip Talukdar

... Applicant

-Versus-

The Union of India & Others

... Respondents

LIST OF DATES AND SYNOPSIS:

Annexure-A is the photocopy of letter No. APPT/II-III/5024/
Dated 13th May 2000 issued by the Respondent No.4.

Annexure-B is the photocopy of Grant of Permission to appear in
the interview for the post of Office Superintendent vide letter
No.APPT/II-III/5024 Dated 20th November 2003 issued by the
Respondent No.4.

Annexure-C is the photocopy of Appointment letter for the post
of Office Superintendent vide letter No.APPT/II-III/5024 Dated
30th December 2003 issued by the Respondent No.4.

Annexure-D is the photocopy of Technical Resignation from the
post of Lower Division Clerk by the Applicant Dated 31st
December 2003.

Annexure-E is the photocopy of Relieved Order of the Applicant
as Lower Division Clerk and permission by the Respondent No.4
to join him in the post of Office Superintendent vide his Order
No.APPT/II-III/5024 Dated 31 December 2003.

Dilip Talukdar

Annexure-F is the photocopy of Movement Order of the Applicant vide letter No.MOVE/STAFF/5235 Dated 9th October 2004 issued by the Office of the Respondent No.4.

Annexure-G is the photocopy of the Earned Leave granted to the Applicant by the Office of the Respondent No.4 vide letter Dated 18th October 2004.

Annexure-H is the photocopy of the Warning Letter No.pers/File/5559/DT (ii) Dated 02nd November 2004 issued by the Respondent No.4 to the Applicant.

Annexure-I is the photocopy of the Termination of Service of the Applicant vide letter No.pers/File/5559/DT (Dii) Dated 2nd November 2004 issued by the Respondent No.4.

Annexure-J is the photocopy of letter No. PERS/FILE/5559/DT Dated 01st December 2004 bl

This application is directed against the impugned Order of Termination of Service vide No.pers/File/5559/DT (Dii) Dated 02nd November 2004 issued by the Respondent No.4 and also against the impugned Office Order No.PERS/FILE/5559/DT Dated 01 December 2004 issued by the Office of the Respondent No.4.

RELIEF SOUGHT FOR:

That the Hon'ble Tribunal may be pleased to direct the Respondents to set aside and quash the impugned Order of Termination of Service vide No.pers/File/5559/DT (Dii) Dated 02nd November 2004 issued by the Respondent No.4 and also against the impugned Office Order No.PERS/FILE/5559/DT Dated 01 December 2004 issued by the Office of the Respondent No.4.

To Pass any other relief or relieves to which the applicant may be entitled and as may be deem fit and proper by the Hon'ble Tribunal.

To pay the cost of the application.

Silip Tolundar

INTERIM ORDER PRAYED FOR:

The Applicant humbly prays before this Hon'ble Tribunal seeking an Interim Order from this Hon'ble Tribunal, to direct the Respondents to stay the Impugned Termination of Service Order dated 2nd November 2004 and not to vacate the Government Accommodation of the Applicant also not to throw out his little son Master Manas Talukdar, day scholar of the Sainik School, Goalpara till disposal of this Original Application.

Silip Talukdar

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI**

**(AN APPLICATION UNDER SECTION 19 OF THE CENTRAL
ADMINISTRATIVE TRIBUNAL ACT 1985)**

ORIGINAL APPLICATION NO. 314 OF 2004.

BETWEEN

Shri Dilip Talukdar
Ex. Office Superintendent,
Sainik School, Goalpara,
Ministry of Defence,
P.O.-Rajapara,
Pin-783133.
District-Goalpara (Assam)

...Applicant

-AND-

- 1) The Union of India represented by the
Secretary of Defence, Ministry of Defence,
Government of India, South Block, New
Delhi-1.
- 2) The Honorary Secretary,
Sainik Schools,
Ministry of Defence,
Room No.222, "A" Wing,
Sena Bhawan, New Delhi-110011.
- 3) The General Officer Commanding (GOC)
cum Chairman, Local Board of

Filed by
Shri Dilip Talukdar
Applicant
through
(ABUL AHMED)
Advocate

Dilip Talukdar

Administration, Sainik School, Goalpara,
H.Q.-101 Area,
C/o 99 APO.

- 4) The Principal,
Sainik School, Goalpara,
P.O-Rajapara
Dist:-Goalpara (Assam),
Pin-783133.

... Respondents

1) DETAILS OF THE APPLICATION PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:

This application is directed against the impugned Order of Termination of Service vide No.pers/File/5559/DT (Di.) Dated 02nd November 2004 issued by the Respondent No.4 and also against the impugned Office Order No.PERS/FILE/5559/DT Dated 01 December 2004 issued by the Office of the Respondent No.4.

2) JURISDICTION OF THE TRIBUNAL:

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

3) LIMITATION:

The Applicant further declares that the subject matter of the instant application is within the limitation prescribed under Section 21 of the Administrative Tribunal Act 1985.

4) FACTS OF THE CASE:

Facts of the case in brief are given below:

- 4.1) That your humble Applicant is a citizen of India and as such he is entitled to all rights and privileges guaranteed under the Constitution of India.

Dilip Talukdar

4.2) That your Applicant begs to state that he was earlier selected and appointed as an Airman in Clerical Trade in the Indian Air Force in the year 1979. After completion of 20 (twenty) years of Service in the Indian Air Force he retired from his service on 1st January 2000. During his entire service career in the Indian Air Force there is no blemish in his service. He had served in the Indian Air Force with full sincerity and honesty. After his retirement from the Indian Air Force he appeared for interview for the post of Lower Division Clerk in Sainik School, Goalpara. He was selected and appointed as Lower Division Clerk in Sainik School, Goalpara vide letter No. APPT/II-III/5024/ Dated 13th May 2000 and he joined as Lower Division Clerk in Sainik School, Goalpara on 1st June 2000. His service was confirmed as Lower Division Clerk on successful completion of his probationary period of one year. In the month of November 2003 he applied permission before the Respondent No.4 to appear in the Interview Board for the post of Office Superintendent in the same school i.e. Sainik School, Goalpara as a fresh candidate. Accordingly the Respondent No.4 granted permission to the Applicant vide his letter No.APPT/II-III/5024 Dated 20th November 2003. He was selected and appointed as Office Superintendent by the Respondent No.4 vide his letter No.APPT/II-III/5024 Dated 30th December 2003. As he is a Permanent Staff of the same school and he was asked to join in his new post as Office Superintendent with effect from 1st January 2004. He tendered his Technical Resignation from his service as Lower Division Clerk w.e.f. 31st December 2003. He was relieved from duty as Lower Division Clerk and he was granted permission by the Respondent No.4 vide his Order No.APPT/II-III/5024 Dated 31 December 2003 to enable him to join as Office Superintendent. He joined in the post of Office Superintendent in Sainik School, Goalpara w.e.f. 1st January 2004.

Annexure-A is the photocopy of Appointment letter for the post of Lower Division Clerk vide letter No. APPT/II-III/5024/ Dated 13th May 2000 issued by the Respondent No.4.

Annexure-B is the photocopy of Grant of Permission to appear in the interview for the post of Office Superintendent vide letter

Silip Talukdar

No.APPT/II-III/5024 Dated 20th November 2003 issued by the Respondent No.4.

Annexure-C is the photocopy of Appointment letter for the post of Office Superintendent vide letter No.APPT/II-III/5024 Dated 30th December 2003 issued by the Respondent No.4.

Annexure-D is the photocopy of Technical Resignation from the post of Lower Division Clerk by the Applicant Dated 31st December 2003.

Annexure-E is the photocopy of Relieved Order of the Applicant as Lower Division Clerk and permission by the Respondent No.4 to join him in the post of Office Superintendent vide his Order No.APPT/II-III/5024 Dated 31 December 2003.

4.3) That your Applicant begs to state that he was directed by the Office of the Respondent No.4 to proceed to Sainik School, Nalanda (Bihar) for urgent school tasks. The Movement Order was issued by the Office of the Respondent No.4 vide letter No.MOVE/STAFF/5235 Dated 9th October 2004 with copy to the Principal, Sainik School, Nalanda (Bihar). Accordingly he went to Sainik School, Nalanda (Bihar) as per direction of the Respondent No.4. After returning from Nalanda (Bihar) your Applicant applied for Earned Leave for five days w.e.f.19-10-2004 to 24-10-2004. The said leave was granted by the Office of the Respondent No.4 vide letter Dated 18th October 2004.

Annexure-F is the photocopy of Movement Order of the Applicant vide letter No.MOVE/STAFF/5235 Dated 9th October 2004 issued by the Office of the Respondent No.4.

Annexure-G is the photocopy of the Earned Leave granted by the Office of the Respondent No.4 to the Applicant vide letter Dated 18th October 2004.

4.4) That your Applicant begs to state that, the Respondent No.4 vide his letter No.pers/File/5559/DT (ii) Dated 02nd November 2004 issued an Warning Letter to the Applicant which contains that the Applicant had preferred to attend the Raising Day of Nalanda, Sainik School, obviously

Silip Jalundar

to enjoy at the cost of miserable suffering by the Cadets and Employee due to Flash Flood and on return of the Applicant from Nalanda he proceed on leave for 5 (five) days which shows he is disloyal to the organization totally. Surprisingly on the same day of issue of Warning Letter to the Applicant, the same Respondent No.4 again issued Termination of Service Letter to the Applicant vide his letter No.pers/File/5559/DT (Dij) Dated 2nd November 2004. Interestingly the Warning Letter and Letter For Termination of Service of the Applicant was handed to him in a Single Receipt signed by the Applicant.

Annexure-H is the photocopy of the Warning Letter No.pers/File/5559/DT (ii) Dated 02nd November 2004 issued by the Respondent No.4 to the Applicant.

Annexure-I is the photocopy of the Termination of Service of the Applicant vide letter No.pers/File/5559/DT (Dij) Dated 2nd November 2004 issued by the Respondent No.4.

4.5) That your Applicant begs to state that the Office of the Respondent No.4 has themselves issued the Movement Order Dated 9th October 2004 of the Applicant to proceed to Sainik School, Nalanda (Bihar) for urgent school tasks and they also granted Earned Leave for 5 (five) days w.e.f.19-10-2004 to 24-10-2004. But in contrary to the facts and circumstances the Respondent No.4 has issued the Warning and Termination Letter on the same day by violating all the norms and procedures of Service Jurisprudence as well as Principle of Natural Justice. As such finding no other alternative your Applicant is compelled to approach this Hon'ble Tribunal seeking Justice in this matter.

4.6) That your Applicant begs to state that the Respondent No.4 vide his Order No.PERS/FILE/5559/DT Dated 01st December 2004 directed the Applicant to vacate the Government Accommodation at Goalpara under his possession by 3rd December 2004. It is pertinent to mention here that the Applicant's son Master Manas Talukdar is studying at Class VII at Sainik School, Goalpara. He is a day scholar and appearing in the final examination of Class VII. If the Government Accommodation of the Applicant is vacated and his son Master Manas Talukdar is thrown out from the Sainik School at the middle of his school life then the career

Silip Talukdar

of the little child will be in doom and entire academic life will be destroyed in a very tender age. As such the Applicant most humbly prays an Interim Order from this Hon'ble Tribunal, to direct the Respondents particularly the Respondent No.4 to stay the Impugned Termination Order dated 2nd November 2004 and not to vacate the Government Accommodation of the Applicant, also not to throw out his little son Master Manas Talukdar, day scholar of the Sainik School, Goalpara and also please to stay the Impugned Termination of Service Order dated 2nd November 2004 till the disposal of this Original Application.

Annexure - J is the photocopy letter No. PERS/FILE/5559/DT Dated 01st December 2004 2.1
4.7) That your Applicant begs to state that he is Permanent Employee of Sainik School, Goalpara since his confirmation of his service as Lower Division Clerk in the year 2001. He has only tendered Technical Resignation from his post as Lower Division Clerk on 31st December 2003 to enable him to join in his new post of Office Superintendent in the same school. Your Applicant humbly quoted below the Rules & Regulations Para 7.09 of Sainik School regarding Dismissal of any School Employee for kind perusal of this Hon'ble Tribunal.

" Para-7.09: - The Principal as the appointing authority may dismiss any member of staff from service, without notice or compensation, on proven grounds of misconduct which is considered so grave as to render his continuance in service, seriously detrimental to the interests of the school. However, in the case of permanent staff, he shall get prior approval of the Chairman, L.B.A., before taking action under the rule and submit the full facts of the case to him for consideration and decision. Dismissal of any school employee under this Rule shall be proposed by the Principal in exceptional and rare circumstances to the Chairman, L.B.A., who will consider the details of such a case and order in writing confirming, revoking or amending the action proposed by the Principal against the erring employee. The affected member of staff shall have the right to appeal to the Chairman, Board of Governors, who may dispose it off himself or direct a nominee of his to dispose it off".

From the above it appears that the Respondent No.4 without adopting any norms & procedure has dismissed your Applicant. There is no proven ground of misconduct of the Applicant. As per direction of the Respondent No.4 the Applicant went to Nalanda (Bihar) to attend urgent

Silip Talukdar

School tasks and he duly applied for his Earned Leave, the Respondent No.4 granted the said Earned Leave. Moreover being a permanent staff the Respondent No.4 ought to take prior approval of the Respondent No.3 who is Local Board of Administration and also before taking any action under this Rule and submit the full facts of the case to him for consideration and decision. Dismissal of any school employee under this Rule shall be proposed by the Principal in exceptional and rare circumstances to the Chairman, L.B.A., who will consider the details of such a case and order in writing confirming, revoking or amending the action proposed by the Principal against the erring employee. The affected member of staff shall have the right to appeal to the Chairman, Board of Governors, who may dispose it off himself or direct a nominee of his to dispose it off. Hence the Termination of Service of the Applicant by the Respondent No.4 is illegal, arbitrary and mala-fide with a motive behind and liable to be set aside and quashed.

4.8) That your Applicant begs to state that he has served for about 20 (Twenty) years without any blemish in his service in the Indian Air Force which is Most Discipline Organization of the Ministry of Defence. Moreover till date of his termination at Sainik School, Goalpara his service record is Outstanding He has never been issued any Office Memorandum against his conduct. The so-called Allegations brought against the Applicant by the Respondent No.4 is baseless, motivated because the Respondent No.4 has himself directed to go to Nalanda (Bihar) and granted him the permission of Earned Leave.

4.9) That your Applicant begs to state that action of the respondents are illegal, arbitrary, malafide and also not sustainable before the eye of law as well as in facts. As such the impugned order of dismissal dated 2nd November 2004 is liable to be set aside and quashed.

4.10) That your Applicant submits that he has got reason to believe that the Respondents are resorting the colorable exercise of power.

4.11) That your Applicant submits that the action of the Respondents is in violation of the fundamental rights guaranteed under the constitution of India and also in violation of principles of natural justice.

Silip Talukdar

4.12) That your Applicant submits that the action of the Respondents by which the Applicant has been deprived of his legitimate Rights, is arbitrary. It is further stated that the Respondents have acted with a mala-fide intention only to deprive the Applicant from his legitimate right.

4.13) That your Applicant submits that he has no alternative means for his livelihood. Now he is facing acute financial hardship with his entire family members.

4.14) That your Applicant submit that the Respondents have deliberately done serious injustice and put him into great mental trouble and financial hardship to his entire poor family including his children by terminating the service of the Applicant and as such the impugned order is liable to be set aside and quashed.

4.15) That your Applicant submits that the action of the Respondents is highly illegal, improper, whimsical and arbitrary.

4.16) That in the facts and circumstances stated above, it is fit Case for the Hon'ble Tribunal to interfere with to protect the rights and interests of the Applicant by passing an Appropriate Interim Order to direct the Respondents particularly the Respondent No.4 not to vacate the Government Accommodation of the Applicant and also not to throw out his little son Master Manas Talukdar, day scholar of the Sainik School, Goalpara till disposal of this Original Application.

4.17) That this application is filed bona fide and for the interest of justice.

5) GROUNDS FOR RELIEF WITH LEGAL PROVISION:

5.1) For that, due to the above reasons narrated in detail the action of the Respondents is in prima facie illegal, mala fide, arbitrary and without jurisdiction. Hence the Impugned Termination Order dated 2nd November 2004 of the Applicant may be set aside and quashed.

5.2) For that, the Respondents have themselves directed the Applicant to go to Nalanda (Bihar) for urgent school tasks by issuing Movement

Lilip Talukdar

Order. Hence the Impugned Termination Order dated 2nd November 2004 of the applicant may be set aside and quashed.

5.3) For that, the Respondents have granted the Earned Leave as per prescribed procedure and did not turned down the application of the Earned Leave submitted by the Applicant. Hence the Impugned Termination Order dated 2nd November 2004 of the Applicant may be set aside and quashed.

5.4) For that, the Respondent No.4 issued the Warning Letter & Termination of Service Order on the same date i.e. 2nd November 2004 on a Single receipt by violating all the norms and procedure to be adopted by the Authority concerned. Hence the Impugned Termination Order dated 2nd November 2004 of the Applicant may be set aside and quashed.

5.5) For that, the Applicant being a permanent employee of the Sainik School, Goalpara but the Respondent No.4 by violating the Rule & Regulations of Sainik School terminated the service of the Applicant. Hence the Impugned Termination Order dated 2nd November 2004 of the Applicant may be set aside and quashed.

5.6) For that, the Respondents have totally violated the Principle of Natural Justice. Hence the Impugned Termination Order dated 2nd November 2004 of the Applicant may be set aside and quashed.

5.7) For that the Respondents have violated the Article 14,16 & 21 of the Constitution of India. Hence the Impugned Termination Order dated 2nd November 2004 is liable to be set aside and quashed.

5.8) For that, the action of the Respondents is arbitrary, mala-fide and discriminatory with an ill motive.

5.9) For that, in any view of the matter the action of the respondents are not sustainable in the eye of law as well as fact.

The Applicant craves leave of this Hon'ble Tribunal advance further grounds the time of hearing of this instant application.

Lilip Talukdar

6) DETAILS OF REMEDIES EXHAUSTED:

That there is no other alternative and efficacious and remedy available to the Applicant except the invoking the jurisdiction of this Hon'ble Tribunal under Section 19 of the Administrative Tribunal Act, 1985.

7) MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT:

That the Applicant further declares that he has not filed any application, writ petition or suit in respect of the subject matter of the instant application before any other court, authority, nor any such application, writ petition of suit is pending before any of them.

8) RELIEF SOUGHT FOR:

Under the facts and circumstances stated above the Applicant most respectfully prayed that Your Lordship may be pleased to admit this application, call for the records of the case, issue notices to the Respondents as to why the relief and relieves sought for the Applicant may not be granted and after hearing the parties may be pleased to direct the Respondents to give the following relieves.

8.1) That the Hon'ble Tribunal may be pleased to direct the Respondents to set aside and quash the impugned Order of Termination of Service vide No.pers/File/5559/DT (Dii) Dated 02nd November 2004 issued by the Respondent No.4 and also against the impugned Office Order No.PERS/FILE/5559/DT Dated 01 December 2004 issued by the Office of the Respondent No.4.

Delip Talwar

8.2) To Pass any other relief or relieves to which the applicant may be entitled and as may be deem fit and proper by the Hon'ble Tribunal.

8.3) To pay the cost of the application.

9) INTERIM ORDER PRAYED FOR:

9.1) The Applicant humbly prays before this Hon'ble Tribunal seeking an Interim Order from this Hon'ble Tribunal, to direct the Respondents to stay the Impugned Termination of Service Order dated 2nd November 2004 and not to vacate the Government Accommodation of the Applicant also not to throw out his little son Master Manas Talukdar, day scholar of the Sainik School, Goalpara till disposal of this Original Application.

10) Application is filed through Advocate.

11) Particulars of I.P.O.:

I.P.O. No. 206 110362

Date of Issue 28.11.2004

Issued from Guwahati, G.P.O.

Payable at Guwahati

12) LIST OF ENCLOSURES:

As stated above.

Verification

Deep Talukdar

-VERIFICATION-

I, Shri Dilip Talukdar, Ex. Office Superintendent, Sainik School, Goalpara, Ministry of Defence, P.O.-Rajapara, Pin-783133 District-Goalpara (Assam) do hereby solemnly verify that the statements made in paragraph nos. 4.1, 4.5, 4.6, 4.7, 4.8, 4.9 — are true to my knowledge, those made in paragraph nos. 4.2, 4.3, 4.4 — are being matters of records are true to my information derived there from which I believe to be true and those made in paragraph 5 are true to my legal advice and rests are my humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this the 6th day of ~~December~~ 2004 at Guwahati.


DECLARANT

REGISTERED/ND

SAINIK SCHOOL

GOALPARA

PO: RAJBARA

DISTT: GOALPARA (ASSAM)

PIN: 781334

No. ABST/II-III/5024/

13 May 2000

To

Shri Dilip Talukdar,

PO & Vill. Chowek Bazar,

Dist. Malbari - 781334 (Assam)

APPOINTMENT ORDER

With reference to your application dated 10th Feb 2000 and subsequent interview held on 12th March 2000 I am to offer the appointment of Lower Division Clerk in this school in the Pay Scale of Rs. 3050-75-3950-80-4 4500 plus dearness and other allowances as may be sanctioned by the Board of Governors for Sainik Schools Society from time to time. Your starting salary will be Rs. 4,278.00 per month.

2. The above offer is subject to your being declared fit for service on medical examination by a commissioned Medical Officer or a Civil Medical Officer not below the rank of Asstt. Civil Surgeon. A copy of the Medical Certificate of fitness is attached herewith for completion and return.

3. (a) Subject to fulfilment of qualitative requirements, you will be on probation for a period of one year which may at the discretion of the Principal be extended upto two years. During the period of probation your services can be terminated after giving one month's notice in writing without assigning any reasons.

(b) Your appointment will be on temporary basis and your services can be terminated at any time without notice and without any reasons.

4. A copy of General conditions of service of the staff governing your appointment is attached for your information and necessary action.

5. No Travelling allowances will be allowed for joining the duty.

Contd.....2.

Attn: 1
Ann-6

Page Two

6. You will be required to produce the following documents in original at the time of reporting for duty:-

(a) Matriculation Certificate and University degree, diplomas and certificates.

(b) Certificates of character from a Gazetted Officer in the prescribed form attached as Annexure 'A'.

(c) Release order from the previous employer, if any.

(d) Indian Citizenship Certificate (Issued by NOT below the rank of Deputy Commissioner or First Class Magistrate).

7. If any declaration given or information furnished by you is found to be false or you are found to have wilfully suppressed any material information, you will be liable to removal from service any such other action as Board of Governors may deem necessary.

If the offer of appointment is acceptable on the above terms and conditions, you should communicate your acceptance to the undersigned on or before 25th May 2000 and report yourself for duty in the school on 01st June 2000. If no reply is received by the prescribed date, the offer will be treated as cancelled.

8. Please acknowledge receipt on the attached Form (Appx 'B').

Encl. as above. (Lt Col. S. Bandyopadhyay)

Internal

Copy to:-

(S. Bandyopadhyay)
Lt Col.
Principal

1. Training Wing.
2. Accounts Branch.
3. Dealing Assistant.
4. Personal File.

Handwritten signature and initials at the bottom of the page.

- 18 -

2
ANNEXURE-B

SAINIK SCHOOL
GOALPARA
P.O. RAJAPORA (ASSAM)
PIN 783133

NO: APPT/11-111/5024

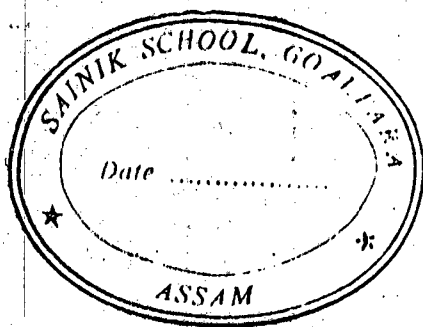
Nov 2003

To

Shri Dilip Talukdar,
L.D.C.,
Sainik School Goalpara
Assam.

PERMISSION TO APPEAR IN THE INTERVIEW BOARD.

1. Refer to your application No Nil dated 08th Oct 2003.
2. You are permitted to appear in the Interview Board for Office Superintendent on 24th Nov 2003 at 0900 hours as fresh candidate.
3. This is for your information and necessary action.



(Sanjeev Kumar)
Major
Offg Principal

Attn
J.S. /
Principal

19 -

MS. APPP/II-III/5024

30 December 2003

To

Sri Dilip Talukdar

Sainik School Goalpara

PO. Rajapara, Distt. Goalpara

Pin. 783133

APPOINTMENT ORDER

With reference to your application dated 15th Oct 2003 and the subsequent interview held on 24th Nov 2003 I am to offer you that appointment of Office Supdt in this School in the pay scale of Rs. 5000-150-5000.00 and other allowances as may be sanctioned by the Board of Governors for Sainik Schools Society from time to time. Your starting salary will be Rs. 5000.00 per month.

2. The above offer is subject to your being declared fit for service on medical examination by a commissioned Medical Officer or a civil Medical Officer not below the rank of Asstt Civil Surgeon. A copy of the Medical Certificate of fitness is attached herewith for completion and return.

3. (a) Subject to fulfilment of qualitative requirements, you will be on probation for a period of one year which may at the discretion of the Principal be extended upto two years. During the period of probation your services can be terminated after giving one month's notice in writing without assigning any reason.

(b) Your appointment will be on temporary basis and your services can be terminated at any time without notice and without any reasons.

4. A copy of general conditions of service of the staff governing your appointment is attached for your information and necessary action.

5. No travelling allowances will be allowed for joining the duty.

Contd...2..

Handwritten signatures and initials:
A. H. Talukdar
J. S.
S. S.

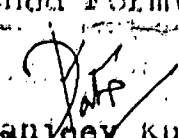
6. You will be required to produce the following documents in original at the time of reporting for duty:

- (a) Matriculation Certificate and University degree, Diplomas and certificates.
- (b) Certificates of character from a Gezatted Officer in the prescribed form attached as an annexure 'A'.
- (c) Release Order from the previous employer, if any.
- (d) Indian Citizenship certificate (Issued by NOT below the rank of Deputy Commissioner or First Class Magistrate).

7. If any declaration given or information furnished by you proved to be false or you are found to have wilfully suppressed any material information, you will be liable to removal from service any such other action as Board of Governors may deem necessary.

8. If the offer of appointment is acceptable on the above terms and conditions, you should communicate your acceptance to the undersigned on or before 31st Dec 2003 and report yourself for duty in the school on 01st Jan 2004. If no reply is received or you failed to report for duty by the prescribed date, unless subsequently extended by the Principal, the offer will be created as cancelled.

9. Please acknowledge receipt on the attached Form (Appex 'B')


(Sanjeev Kumar)
Major,
Offg. PRINCIPAL

Encl: As stated above.

Internal:

Copy to:-

1. Training Wing
2. Accounts Branch
3. Dealing Asstt
5. Personal File.



From.

Shri Dilip Talukdar, LDC
Sainik School Goalpara
Rajapara, Goalpara
Assam, Pin - 783 133

- 21 -

ANNEXURE-D

Date 31 Dec 2003

To,

The Principal
Sainik School Goalpara
Rajapara, Goalpara
ASSAM, Pin - 783 133

RESIGNATION FROM THE POST OF LDC ON APPOINTMENT AS
OFFICE SUPERINTENDENT IN THE SAME INSTITUTION

Sir,

- Reference is made to your appointment letter No. APPT/II-III/5024 dated 30 Dec 03, my personnel application for permission to appear in the interview of Office Superintendent, dated 08 Oct 03 and your permission to appear for interview of Office Superintendent, letter No. APPT/II-III/5024 dated 22 Nov 2003.
- As per your above mentioned appointment order I have to join as Office Superintendent wef 01 Jan 2004 and only one day time has been given to me to join. Since there is no time for me to give three months notice period for resignation from LDC service, the application for permission to appear in the interview may please be treated as notice period. However I hereby technically resign from my service of LDC wef 31 Dec 03 (All hrs) and will join as Office Superintendent wef 01 Jan 2004 (FN).

Yours faithfully,

Sainik School
Goalpara (Assam)
31/12/03

Resignation/Receipt Dilip Talukdar
Due to exigencies Shri Dilip Talukdar, LDC
of service has been relieved
of his duties and will be accepted as
three months notice

Undersigned to join as
Office Superintendent wef 01 Jan 2004

Attn
J.S.
K. S.

— 22 —
Tele : 03663/287076 (O)
287075 (R)

ANNEXURE - E

Sainik School Goalpara
PO :- Rajapara
Dist :- Goalpara (Assam)
Pin : 783 133

NO. APPT/II-III/5024

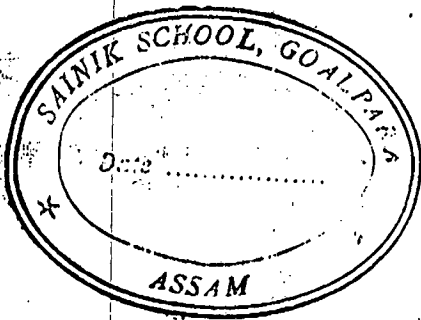
37
Dec 2003

To,

Sh. Dilip Talukdar, LDC
Sainik School Goalpara
Rajapara, Goalpara (Assam)
Pin :- 783 133

RELIEVED FROM DUTY OF L D C AND PERMISSION TO
JOIN AS OFFICE SUPERINTENDENT ON FRESH APPOINTMENT

1. Reference is made to your personnel application dated 30 Dec 2003.
2. You are hereby relieved from the post of L D C with effect from 31 Dec 2003 (A/D Hours) and permitted to join as Office Superintendent with effect from 01 Jan 2004 (F/N).



(SK Patyal)
Major,
Offg Principal

Amrit
S. S. Talukdar

MOVEMENT ORDER

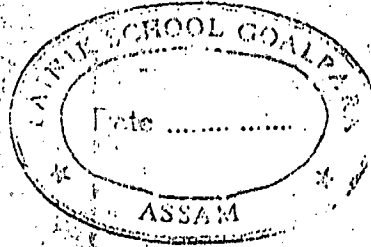
- 23 -

ANNEXURE - File

1. On 10th Oct 2004 (FN) Shri Dilip Talukdar, Office Supdt of this school will proceed to Sainik School Nalanda (Bihar) by Bus/Train for urgent school tasks.
2. On completion of duty he will return to this school.

NO: MOVE/STAFF/5235
Sainik School Goalpara
P.O. Rajapara (Assam)
Pin 783133

09 Oct 2004.



(Dr RK Das)
S.M.O
Offg Registrar
For Principal

To

✓ Shri Dilip Talukdar,
Office Supdt,
Sainik School Goalpara

Copy to:- Principal Sainik School, Nalanda,
Accounts/Trg.

Shri Dilip Talukdar

Attny
Q1
Aunt

LEAVE CERTIFICATE

ANNEXURE - G

Sri/Smt.

Lilip Talukdar

Appointment

Office Supt.

has been granted 05 days E/L, CL, HPL, Commuted Leave, E.O.L. Winter / Summer /
Vacation from 19-10-04 to 24-10-04 with / without
Permission of Sunday/Holiday/Prefix/Suffix.

SAINIK SCHOOL GOALPARA

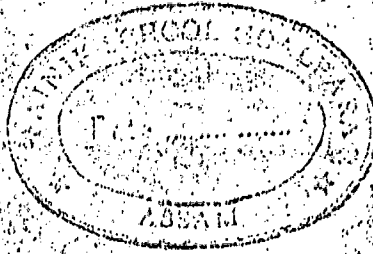
PO: RAJAPARA

DIST: GOALPARA (ASSAM)

Pin. 783133

DL

18.10.04



Registrar
Sainik School
Goalpara (Assam)

Attn:
JL
Admote

CONFIDENTIAL

I.O.N.

- 25 -

ANNEXURE - H


CODE OF CONDUCT : OFFICE SUPERINTENDENT

1. The recent flash flood damaged both the bridges, which were the life lines to Guwahati and Goalpara from the School.
2. The School got cut off from the outside world. The entire humanity was reeling under miseries and 700 cadets had a tough time. This was unprecedented and happened for the first time ever in this part of the country.
3. You being Office Superintendent, head of all sections preferred to attend the Raising Day of Nalanda, Sainik School, obviously to enjoy at the cost of miserable time the cadets & employees were passing through, knowing pretty well that the principal is away on leave.
4. On return you proceeded on leave for five days, which shows your disloyal to the organisation in totality.
5. Your conduct shows the intention of maligning the image of the institution. This matter has been viewed seriously by the undersigned. You are hereby warned for the undesirable conduct.

pers/File/5559/DT (ii)

No. Principal's Office
Sainik School, Goalpara
PO : Rajapara (Assam)
PIN : 783133

Date : 02 NOV 2004


(S N RAY)
Lt Col
Principal

To

Sri Dilip Talukdar,
Office Superintendent
Sainik School, Goalpara



Dawie

TERMINATION OF SERVICE

- 26 -


ANNEXURE - 1 ^{2A}

1. Reference your appointment Order No. APT/11-111/5024 dated 30th December 2003.
2. As per para 3(b) of above appointment order and para 7.09 of Sainik Schools Society, Rules & Regulation 1997 your services is hereby terminated wef. 03rd November 2004.

pers/File/5559/2T (vi)

No. Principal's Office
Sainik School, Goalpara
PO : Rajapara (Assam)
PIN : 783133

02 Nov 2004.


(S N RAY)
Lt Col
Principal

To

Sri Dilip Talukdar,
Office Superintendent
Sainik School, Goalpara




Tele : 03663/87076 (O)
87075 (R)

Sainik School Goalpara
PO :- Rajapara
Dist :- Goalpara (Assam)
Pin :- 783 133

No. PERS/FILE/5559/DT


Dec 2004

To

Shri Dilip Talukdar
(Ex- Office Suptd.)
Sainik School Goalpara
P.O. Rajapara - 783133,
Assam.

UNAUTHORISED OCCUPATION OF GOVERNMENT ACCOMMODATION

1. Please refer your termination vide this office letter No. PERS/FILE/5559/DT dated 02nd November 2004.
2. As you are in possession of Government accommodation which is contrary to existing regulations on the subject, therefore you are instructed to vacate the Government accommodation under your possession by 03 Dec 2004, otherwise legal action will be initiated against you.
3. This is for your information and necessary action.


(NC Dwivedi)
Major
Registrar
For Principal

Attn:
JL
Date