

30/100

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 163/2003  
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SECTION OFFICER (Judl.)

*[Signature]*  
17.11.17

FROM No. 4  
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDER SHEET

Original Application No: 163/03

Misc Petition No:                     

Contempt Petition No:                     

Review Application No:                     

Applicants: - E. M. Reddy

Respondants: - U.O.I Guin

Advocate for the Applicants: - A.K. Roy, I. Gogoi, A. Bhattacharya, L. Wang

Advocate for the Respondants: - case.

Notes of the Registry	Date	Order of the Tribunal
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18.7.2003

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

The Hon'ble Mr. N.D. Bayal, Administrative Member.

Heard Mr. A.K. Roy, learned counsel for the applicant.

The application is admitted. Call for the records.

Issue notice to show cause as to why interim order as prayed for shall not be granted. Returnable by four weeks.

List on 19.8.2003 for orders.

Member

Vice-Chairman

mb

Setps taken along with envelopes.

Notice prepared & sent to  
D/S for wing etc  
Respondent No 1 & 2  
by Regd. AID.

DINo                     

Std

19.8.2003 Present : The Hon'ble Sri K.V. Prahaladan,  
Administrative Member.

List again on 26.8.2003 for orders.

*K.V. Prahaladan*  
Member

mb

28.8.03 Prayer has been made on behalf of

Mr.

Service is completed. List the matter again after four weeks. In the meantime, the respondents may file written statement within two weeks.

List on 23.9.03 for orders.

No. written statement  
has been filed

*By*  
22.9.03

*K.V. Prahaladan*  
Member

*[Signature]*  
Vice-Chairman

lm

23.9.2003

On the prayer made by Mr.M.K.Mazumdar, learned counsel for the respondents, respondents are allowed four weeks time to file written statement.

List on 23.10.2003 for further order

*K.V. Prahaladan*  
Member

*[Signature]*  
Vice-Chairman

bb

No. Wks has been  
filed.

*By*  
24.12.03

23.10.03 There is no Bench today.

Adjourned to 11.11.03.

11.11.03 no Bench today.  
Adjourned to 5.12.03.

*[Signature]*  
lm

*[Signature]*  
lm

26.12.2003 Present : The Hon'ble Mr. Justice B. Panigrahi, Vice-Chairman.  
The Hon'ble Mr. K.V. Prahladan Member (A).

Time for filing written statement be extended for three weeks more. Let the written statement be positively filed within three weeks. Rejoinder, if any, be filed within two weeks after service of copy on the applicant's counsel. Since this matter can be disposed of by a Learned Single Judge, let the matter be placed for hearing before the Learned Single Judge on 13.2.2004.

*K.V. Prahladan*  
Member

*B. Panigrahi*  
Vice-Chairman

nkm

6.4.2004 List before the next available Division Bench on the plea of the counsel for the applicant.

*K.V. Prahladan*  
Member (A)

mb

26.8.2004 Present: Hon'ble Shri D.C. Verma, Vice-Chairman

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

Let this case be listed on 4.10.04 for hearing.

*K.V. Prahladan*  
Member

*D.C. Verma*  
Vice-Chairman

nkm

1.12.2004 Judgment delivered in open Court kept in separate sheets.

The O.A. is dismissed in terms of the order, with costs of Rs.2000/-

*K.V. Prahladan*  
Member

*R. Panigrahi*  
Vice-Chairman

lm

*W/s has been filed  
by the respondent*

*VS  
21/2/04*

19.8.04

*Reply to the W/s and  
Additional statements on  
behalf of the Applicant  
has been submitted.*

*P. J.*

*The case is ready for  
hearing.*

*VS  
30/11/04*

*Received Copy  
MK Majumdar  
Advocate  
15-12-04*

Memo No. HC.XXI, 11, 402-04 / R.M. 870  
12.3.07 received from The Asstt. Registrar,  
(5487) Gauhati High Court, Gauhati.

The P.U.C. may kindly be seen.

Shri E. M. Reddy The applicant  
of OA.168/03 has filed the WP(C)  
No. 2007 of 2005 before the Hon'ble  
High Court against the judgment and  
order dated 1.12.2004 which was  
dismissed by the Division Bench of this  
Hon'ble Tribunal. But the Hon'ble  
High Court was pleased to uphold the  
C.A.T.'s order.

Submitted for favour of kind perusal.

19/5/07

16/5/07  
S.D.(S).

16/5/07  
Hon'ble

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

O.A./P.A. No. ~~xxx~~ 163 of 2003.

DATE OF DECISION 1.12.2004.

.....  
Edunari Mounendar Reddy.....APPLICANT(S)

.....  
A.K.Roy, I.Gogoi, A.Bhattacharya & L.Wapang.....ADVOCATE FOR THE  
APPLICANT(S).

-VERSUS -

.....  
K.V.S. & Others.....RESPONDENT(S)

.....  
Mr.M.K.Mazumdar.....ADVOCATE FOR THE  
RESPONDENT(S).

THE HON'BLE MR. JUSTICE R.K.BATTA, VICE CHAIRMAN. R

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

1. Whether Reporters of local papers may be allowed to see the judgment ? Ys
  2. To be referred to the Reporter or not ? Ys
  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.

NO

Original Application No. 163/2003

Date of Order : This the 2nd day of December, 2004.

THE HON'BLE MR. JUSTICE R.K. BATTA, VICE CHAIRMAN.

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

Edunuri Mounendar Reddy,  
Principal,  
Kendriya Vidyalaya, Panisagar,  
P.O. - Panisagar, North Tripura,  
PIN - 799260.

. . . Applicant.

By Advocates Mr. A.K. Roy, Mr. I. Gogoi, Mr. A. Bhattacharya,  
and Mr. L. Wapang.

- Versus -

1. Kendriya Vidyalaya Sangathan  
Represented by its Commissioner,  
18, Institutional Area,  
Shahid Jeet Singh Marg,  
New Delhi - 110 016.

2. Dy. Commissioner (Pers)  
Kendriya Vidyalaya Sangathan,  
18, Institutional Area,  
Shahid Jeet Singh Marg,  
New Delhi - 110 016.

. . . Respondents.

By Advocate Mr. M.K. Mazumdar.

O R D E R

BATTA J. (V.C.) :

The applicant was initially appointed as Post Graduate Teacher (PGT) in Kendriya Vidyalaya Sangathan in the year 1986. From July 1997 to July 2001 he was sent on deputation as Principal, Navodaya Vidyalaya. When the applicant was on deputation an advertisement was published in the "Employment News" for the post of Principal, Kendriya Vidyalaya. The said advertisement was for direct recruitment of Principal post against 66.2/3% of total vacant posts. We had asked the learned counsel for the applicant to place the said advertisement before us, which shows that the applicants were invited for the post of Principal in Kendriya Vidyalaya Sangathan by transfer on deputation, but the applicant states that the advertisement was for direct recruitment which is totally misleading and false statement made by the applicant. Be that

R

as it may, the applicant was appointed vide letter dated 13th June, 2001, Annexure - A. The applicant claims that the method adopted by the respondents was to appoint on deputation basis though they follow the selection process of direct recruitment by an open advertisement on All India Basis and subsequently they are regularised. The applicant claims that as per the advertisement and Recruitment Rule he should be given regular appointment but his appointment was on deputation basis. The applicant further claims that he joined the post of Principal and hoped that he would be regularised. The applicant claims that he has been doing his duties to the satisfaction of all concerned. The applicant relies on Rule 12 of the Kendriya Vidyalaya Sangathan (Appointment, Promotion, Seniority etc) Rules 1971.

2. We have heard learned counsel for the applicant and also learned counsel for the respondents. The learned counsel for the applicant has stated before us that the order of reversion is punitive in nature and in this connection he has drawn our attention to averments made in the written statement. According to him, the applicant could not be reverted without conducting proper enquiry and the reversion being stigmatic in nature is required to be set aside.

3. We may at the out set mention that the application is not only misconceived but also ill founded on the basis of facts projected by the applicant before us. The applicant claims in para (ii) that as per advertisement for direct recruitment the applicant should be given regular appointment. The copy of advertisement for "Employment News" dated 24th November, 2000, which was not initially filed by the applicant, has been placed before us on our direction by the learned counsel for the applicant. This advertisement was intentionally suppressed by the applicant in order to mislead that the advertisement was against the post for direct recruitment. This advertisement





shows that the applications were invited for preparing panel to fill the post of Principal, Kendriya Vidyalaya Sangathan by transfer on deputation basis. It is pursuant to this advertisement that the applicant was given appointment order dated 13th June, 2001 which is at Annexure - A. This appointment also shows that the appointment of applicant was only on transfer on deputation and the appointment was on deputation basis, initially for a period for one year or till further orders whichever is earlier. Further the period of deputation could be extended for a maximum period of 5 years depending upon the applicant's conduct and performance. It was specifically mentioned in para 3 of the appointment order that the appointment on deputation will not confer permanent absorption/regular appointment. The applicant cannot claim for extension of deputation period as a matter of right. It is also clearly stated that the period of deputation can be curtailed at the sole discretion of the Commissioner, KVS. On completion of termination of deputation period the appointee will be reverted back. Therefore, the contention of the applicant that as per advertisement he should have been given regular appointment is not only misleading but also misconceived. The impugned order is not stigmatic in nature but it is simplicitor order of curtailment of deputation period. In this connection, it is mentioned that he was doing his duties to the satisfaction of all concerned and it is in this connection that the respondents in written statement have placed certain facts before this Tribunal to rebut the same. The fact that the others have been regularised does not confer any right on the applicant to claim regularisation, since regularisation depend upon various facts.


4. Reliance placed on Rule 12 is misconceived as the same is applicable to direct recruitment and not to persons on deputation. Reliance upon the judgment of V.P. Ahuja -vs- State of Punjab & Others, AIR 2000 SC 1080 does not in any

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manner help the case of the applicant and the same cannot be applied to the facts of the case under consideration. The applicant being on deputation has no right to hold the post.

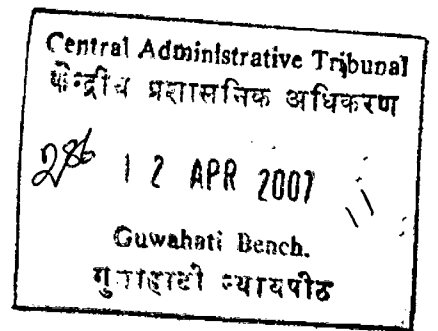
5. For the aforesaid reasons, we hold that the applicant had no right to continue on post of Principal on deputation and the order of termination of deputation dated 24/26.6.2003 being simplicitor in nature, no interference whatsoever, is called for.

Application is hereby dismissed with costs of Rs.2000/-.

  
( K.V.PRAHLADAN )  
ADMINISTRATIVE MEMBER

  
( R.K.BATTA )  
VICE CHAIRMAN

LM



IN THE GAUHATI HIGH COURT  
(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,  
MIZORAM AND ARUNACHAL PRADESH)

WRIT PETITION (C) NO.2007 OF 2005

Shri Edunuri Mounendar Reddy

... Appellant

-Versus-

State of Assam

... Respondents

P R E S E N T  
HON'BLE MR. JUSTICE P.G.AGARWAL  
HON'BLE MR. JUSTICE H.N.SARMA

For the appellant : Mr. A.K.Roy,  
Mr.D.Bora,  
Mrs. E.Sarma, Advocates

For the Respondent : Mr. S.C.Biswas,  
Standing Counsel for KVS

Date of hearing & judgment: 20<sup>th</sup> February, 2007

**JUDGMENT AND ORDER**  
**(ORAL)**

✓ **AGARWAL, J:**

Heard Mr.A.K.Roy, learned counsel for the petitioner and Mr.S.C.Biswas, learned Standing Counsel, KVS.

2. This petition is directed against the judgment and order dated 02.12.04 passed by the learned Central Administrative Tribunal, Guwahati Bench in Original Application No.163/03 dismissing the application holding that the appellant/petitioner had no right to continue on the post of Principal on deputation.

3. The case of the petitioner is that he was appointed as Post Graduate Teacher in the Kendriya Vidyalaya Santhan in the year 1986 and while he was serving, he participated in the Selection Process pursuant to a notice dated 24.11.2000 and he was sent on deputation as Principal, Navadoy Vidyalaya where he joined in the

year 2001. Thereafter, the petitioner was reverted back to his original post on 24.06.2003 (vide order at Annexure-D). That order of reversion was challenged by the petitioner before the Central Administrative Tribunal, Guwahati Bench in Original Application No.123/03 and vide the impugned judgment the learned Tribunal dismissed the same.

4. The case of the petitioner is that the Employment Notice dated 24.11.2000 was an open-market advertisement for appointment of Principal on deputation basis and thereafter a written examination held in the month of April, 2001 followed by viva voce held in the month of May, 2001 and the order of deputation was based on 13.06.2001. It is submitted that the petitioner should be regarded as a direct appointee as there is no provision in the Kendriya Vidyalaya Santhan (Rules and Regulations) for issuance of advertisement in the matter of deputation and, therefore, being a direct appointee, the petitioner's service could not have been repatriated in the manner as has been done. The Rules 10 and 11 for recruitment of Principal under the Kendriya Vidyalaya Santhan (Rules and Regulations) reads as under:-

10	Method of Recruitment whether by direct recruitment or by promotion or by deputation/ transfer and percentage of the vacancies to be filled by various methods.	66.2/3% by direct recruitment on the basis of all-India advertisement and 33.1/3% by promotion.
11	In case of recruitment by promotion/ by deputation/ transfer grades from which promotion/ deputation/ transfer to be made.	By promotion.  On the principle of merit with due regard to seniority from amongst Vice-Principals, who have rendered a minimum of five years' service in the Kendriya Vidyalayas of which at least 3 years should in the grade of Vice-Principals.  If suitable candidates are not available by the procedure, the Commissioner may fill up the vacancies on deputation basis from amongst employees of Govt of India/ State Govts/ Autonomous Organisations including KVS and CBSE affiliated +2 school provided

the candidate fulfills all the qualifications prescribed for direct recruits.

5. We thus find that the Rule do provide that in case candidates are not available for filling up the quota by way of promotion, the vacancies shall be filled on deputation basis subject to candidates fulfilling the qualifications prescribed for direct recruits. At this stage, we may have a look at the Notice dated 24.11.2000 i.e. the so-called open market advertisement. The relevant portion of the Advertisement reads as under:-

"Applications are invited for preparing the panels to fill up the posts of Principals in Kendriya Vidyalayas in the pay scale of Rs.10000-325- 15200/- by transfer on deputation basis from amongst those serving in the Central/State/Semi Govt/Autonomous Organizations and C.B.S.C affiliated +2 Schools and also for direct recruitment to fill up the backlog vacancies of Principals for SC/ST fulfilling the following conditions:-

... ..  
Terms and conditions:

- (i) The employees of Central/State/ Semi Govt. Autonomous Organizations and C.B.S.C. affiliated +2 Schools recognized by the Government which have facilities to release its employees on deputation basis on retaining lien are eligible to apply;
- (ii) The term of deputation shall be five years and will be governed by the existing instructions of the Government of India relating to deputation. The K.V.S. reserves the right to repatriate the service of a deputationist at any time even before the completion of approved deputation period, depending upon their performance, without assigning any reasons. Further, appointment on deputation basis will not confer any right on the candidate, for permanent absorption in the K.V.S. at any time."

6. A bare perusal of the above Notice shows that the notice was for preparing a penal list of deputationist on transfer. The notice made it very clear that so far the general candidates are concerned, it is a transfer on deputation basis. It was, therefore, a combined notice for direct recruitment, but was limited to filling up of backlog vacancies from members of Scheduled Caste and Scheduled Tribe. Admittedly, the petitioner before us does not belong to Scheduled Caste or

W

Scheduled Tribe category and hence there is no question of terming this notice as a notice for direct recruitment.

7. Learned counsel for the petitioner, however, submitted that the Kendriya Vidyalaya Santhan (Rules and Regulations) does not provide for issuance of advertisement to fill up the post of Principal by transfer on deputation basis. The Rules are no doubt silent as to how the deputationists are to be selected, but that does not exclude that a deputationist cannot be selected by issuing advertisement and calling for selection test to avoid arbitrariness or to adopt pick and chose policy. The system of making single panel by way of advertisement is a mere democratic way of transparency where all eligible candidates who wants to empanel themselves for transfer on deputation, could have inform the concerned authority and if the number of candidates for the post of Principal is more than that, a panel, after necessary selection can be made. In view of specific terms of the advertisement, we hardly find any force in the submission of the learned counsel for the petitioner that the above Notice dated 24.11.2000 was issued to fill up vacancies of principal by direct recruitment.

8. As per Rule 10 quoted above, direct recruitment upto 66.2/3% shall be on the basis of all-India advertisement. As per qualification prescribed under Rule 7, it would be open to all Indian citizens who fulfill the above criteria/eligibility. However, so far the present notice is concerned, which was for transfer on deputation basis, it was limited or open to only serving Central/State/ Semi Government/ Autonomous organization and CBSC +2 schools. Thus, except those category, others were excluded from the purview of the above Notification and hence it was rightly done as because persons belonging to other category could not be appointed or sent on deputation. If the above notice is construed for direct recruitment, it will violate the Constitution as well as the Rules and Regulations as it confines only for the serving Central/State Government Employees. There is no hesitation whatsoever to hold that the impugned notice dated 24.11.2000 cannot be termed to be a notice for direct recruitment.

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9. At this stage, we may have a look on the appointment order dated 30.06.2001, which clearly provides that the appointment of Shri E.Mounendar Reddy (the petitioner in the present writ petition) in Kendriya Vidyalaya Santhan as Principal on deputation basis would be initially for a period of one year which could be extended year to year for a maximum period of five years and the said period of deputation can be curtailed at the sole discretion of the Commissioner, KVS and on such termination of the deputation period he would thereafter be reverted back to his parent department or to a feeder post. The petitioner had joined the service knowing fully well that he has been sent on deputation and in view of the speaking terms of deputation, there is no scope for any confusion for its affect on the service of the present petitioner.

10. The learned counsel for the petitioner <sup>here</sup> placing reliance on a decision of the Calcutta High Court in W.P.O.T. No.63/2005 and the decision of the Central Administrative Tribunal, Principal Bench in O.A. No.2801/2004. We have perused the above judgments, but in view of our foregoing discussions, we are not inclined to rely on the same.

11. In the result, we find no merit in this petition. The petition is accordingly dismissed.

Sd/- M.R. Sarma.  
JUDGE.

Sd/- P.C. Agarwal.  
JUDGE.

Memo No. HC.3XI. 11,402-04 / A.E. 1 to 12/3/07

Copy forwarded for information and necessary action to:-

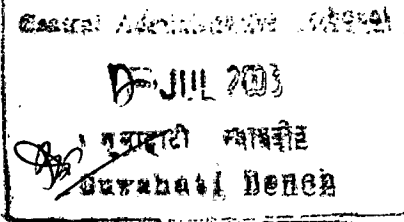
1. The Kendriya Vidyalaya Sangathan, represented by its Commissioner, 18, Institutional Area, Shahid Jeet Singh Marg, New Delhi- 110016.
2. The Deputy Commissioner (Genl), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shahid Jeet Singh Marg, New Delhi- 110016.
3. The Central Administrative Tribunal, Guwahati, Bhangaagarh, Guwahati.

By order

  
Asstt. Registrar (Judl.)  
Guwahati High Court, Guwahati.

Sd (S)  
N3  
11/4/07

7/13/07



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

(An application under Section 19 of the Administrative  
Tribunal Act 1985)

Original Application No. 163/2003

Eduhari Mounendar Reddy

...Applicant

- VS -

Union of India & Ors.

.... Respondents

I N D E X

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6.	Annexure - D	- 19 -
7	Annexure - E	20-23

Filed by -

Jendranil Gogoi  
Advocate, CAT,  
Guwahati Bench.

For use in the Office.

Signature

Date :



7

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:::GUWAHATI BENCH  
G U W A H A T I O.A. 163/03

Eduhari Maunendar Reddy ...Applicant.

-Vs-

Union of India & Ors. ...Respondent.

LIST OF DATES

1. 13.6.2001 : Appointment Order thereby giving appointment to the applicant on deputation (Page No.14)
2. 2.7.2003 : Letter of controlling/Reporting Officer regarding the excellency of service rendered by the applicant.
3. 7.7.2001 : Letter of Chairman for retaining him to Newodaya Vidyalaya.
4. 24.6.2003 : Reversion Order issued by the Commissioner(Pers) Page No.19).
5. 3.7.2003 : Representation of the applicant to the Commissioner K.V.S. requesting to consider his case.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

(An application under Section 19 of the Administrative  
Tribunal Act 1985 )

- B E T W E E N -

Edunuri Mounendar Reddy ,  
Principal ,  
Kendriya Vidyalaya, Panisagar,  
P.O. - Panisagar, North Tripura,  
PIN - 799260.

..... Applicant

- AND -

1. Kendriya Vidyalaya Sangathan  
Represented by it's Commissioner,  
18, Institutional Area,  
Shahid Jeet Singh Marg,  
New Delhi - 110016.

2. Dy. Commissioner (Pers)  
Kendriya Vidyalaya Sangathan,  
18, Institutional Area,  
Shahid Jeet Singh Marg,  
New Delhi - 110016.

..... Respondents.

Edunuri Mounendar Reddy.

Contd.....

Filed by the applicant  
through -  
Jardannail Gogoi  
Advocate, 17/7/03

1. Particulars of order against which this application is directed :-

This application is made against the order dated 24-6-2003 (Annexure - D ) by which the respondents have illegally reverted the applicant from the post of Principal to the post of PGT (Chem).

2. Jurisdiction :-

That the applicant declares that the subject matter of this application is within the jurisdiction of this Hon'ble Court.

3. Limitation :-

That, the applicant also declares that this application is made within the time limit as has been prescribed under Section 21 of the Administrative Tribunal Act, 1985.

4. Facts of the case :-

(i) That, the applicant was initially appointed as Post Graduate Teacher in the Kendriya Vidyalaya Sangathan in the year 1986 and thereafter with effect from July, 1997 to July 2001 he was sent on deputation as principal, Navodaya Vidyalaya.

(ii) That, when the applicant was on deputation he

Edunuri Mounendar Reddy.

Contd.....

got one advertisement in the month of January, 2001, which was published in the "Employment News" for the posts of Principals, Kendriya Vidyalaya Sangathan. The said advertisement was for direct recruitment of principal post against 66 2/3 % of total vacant post. After getting the said advertisement, the applicant applied for the same.

(iii) That, the applicant states that the written examination for the said principal post was held in the month of April, 2001 in which the applicant appeared and did well and hence he was called for the viva-voice /Interview which was held in a phased manner w.e.f. 8-5-2001 to 24-5-2001. The applicant appeared for viva-voice test on 16-5-2001.

(iv) That the applicant states that since, 2000, the respondents adopted the method to appoint all the selected candidate for the post of principal as on deputation basis, though they follow the selection process of direct recruitment by an open advertisement on All India Basis and subsequently they are regularised in the said post on the basis of the performance of the respective principal. Accordingly, all the selected principal who were appointed in the year 2000 on deputation basis, were regularised.

Edunuri Mounendar Reddy.

Contd.....

(v) That, in this year also i.e. 2001, all the selected candidates were given appointment on deputation basis. Accordingly, the applicant was also offered appointment vide appointment order dated 13-6-2001.

Copy of the appointment order dated 13-6-2001 is annexed herewith as Annexure - A.

(vi) That the applicant states that though as per the advertisement and as well as per the Rule, the applicant should be given regular appointment to the post of principal, the respondent offered appointment on deputation basis. As the respondent followed the same procedure in the earlier year, the applicant accepted the same and joined the post at Kendriya Vidyalaya, Panisagar with hope that, he would be regularised subsequently as were happened in the year 2000.

(vii) That since his joining in the post of principal, he has been doing his duties to the satisfaction of all concern. Immediately after his joining, the applicant took several measures to promote the education atmosphere of the K.V.Panisagar. Be it stated that he also took several measures to eliminate the

Edunuri Mounendar Reddy.

Contd.....

corruption and indiscipline of the said school which was prevailing since long back. Due to his sincere service, the applicant has earned "Excellent" remark in his A.C.R. for the year 2001-2002 and 2002 to 2003. His sincere service has also been recorded by controlling /reporting officer in his letter dated 2-7-2003. It is pertinent to mention that as some disruptive elements were trying to remove the applicant from the said post, the reporting officer sent the said letter to the commissioner, K.V.S.

Copy of the letter dated 2-7-2003  
is annexed herewith as Annexure-B.

(viii) That when the applicant was in Navodaya Vidyalaya, he also earned a very good record as an able administrator and hence the chairman wrote to the authority vide letter dated 7-7-2001 to retain him the school.

Copy of the letter dated 7-7-2001  
is annexed herewith as Annexure-C.

(ix) That the applicant states that the Kendriya Vidyalaya Sangathan (Appointment, Promotion, Seniority etc.) Rule 1971 deals with the appointment and as per the provision as laid down under Rule 12 of the said Rule, provides the circumstance on which a person may

*Edunuri Mounendar Reddy.*

Contd.....

be reverted. The Rule 12 reads as follows :-

12. Discharge or Reversion of Probationers

(1) An employee appointed as a direct recruit to any post in the Kendriya Vidyalaya Sangathan, specified in the schedule, who has no lien on any post under the Central Government or any state Government or the Kendriya Vidyalaya Sangathan shall while on probation, be liable to be discharged from the post at any time with one month's notice or pay in lieu thereof, if

(i) On the basis of his/her performance or conduct during the probation he /she is considered unfit for further retention in the post concerned ; or

(ii) On the basis of any information relating to his/her nationality, age, health or antecedents, the appointing authority is satisfied that he/she is ineligible or otherwise unfit for being employee of the Kendriya Vidyalaya Sangathan .

(2) A direct recruit who hold a lien on a post under the Central Government or any State Government or in the KVS may while on probation be reverted to such post at any time in any of the circumstances specified in sub-rule (1).

Edunuri Mounendar Reddy

Contd.....

(3) Deleted.

(4) Deleted.

(x) That , the applicant states that though, he has earned an excellent service record as a principal for last two years and in spite of the report i.e. Annexure -B, the respondents have issued a ~~revision~~ <sup>reversion</sup> order vide memorandum dated 24-6-2003.

A copy of the said Memorandum dt.

24-6-2003 is annexed herewith as

Annexure - D.

(xi) That the applicant got the aforesaid ~~Revision~~ <sup>Reversion</sup> Order on 1/7/03 and immediately after getting the same, he submitted one representation dated 2-3/7/03 to the commissioner K V S stating in details and thereby requested the said authority to reconsider his case afresh. But till date nothing has been done by the said authority. As he has not received any response, he has not handed over the charge till date.

A copy of the said representation

dated 2-3/7/03 is annexed here

with as Annexure - E.

(xii) That the applicant states that the aforesaid impugned order has been issued only at instance of certain disruptive elements who are working in and

Edunuri Mounendar Reddy.

Contd.....



around the Vidyalaya and are trying to demoralise any trial to set the things right the respondent authority without going through the fact and without conducting any inquiry has issued the impugned order and thereby reverted the applicant.

(xiii) That the applicant states that all together ~~91~~ persons were selected for the post of principal along with the applicant and all of them were working as principal and some of them have already been observed permanently.

(xiv) That the applicant states that there are two methods for fitting up the post of principal i.e. ~~Direct~~ <sup>Direct</sup> Recruitment and Appointment by promotion, through Examination. For District <sup>rect</sup> Recruitment prescribed quota is 66 2/3 % and for promotion quota is 33 1/3 % . There is no quota for deputation . As per the relevant rule for direct recruitment , open advertisement on all India basis should be made and selection should be made by the selection committee. In the instant case thus the prescribed procedure of Direct Recruitment has been followed but after selection all the selected persons has been given appointment on deputation basis.

(xv) That the applicant submits that there is no basis on which the <sup>Revision</sup> ~~Revision~~ order may be issued in the

Edunuri Mounendar Reddy Contd.....

instant case in as much as when the applicant has earned excellent service records for last two years and when he has improved the position of the school under his able guidance. The aforesaid impugned order is motivated and illegal. Being aggrieved with the impugned order the applicant approached this Hon'ble Tribunal by filing this applicant.

5. Grounds:-

(i) For that the impugned order is bad in law and is not sustainable.

(ii) For that the appointment of the Applicant in all intent is permanent, though it has been mentioned as deputation, and hence the should not be reverted without any show cause notice.

(iii) For that the aforesaid impugned order has been issued without following the due procedure of law and without ascertaining the fact whether the performance of the Applicant is good or bad.

(iv) For that the impugned order has been issued at the initiative of certain disruptive elements who are working in the vidyalaya and hence the action of the Respondents is not maintainable in the eye of law.

*E dunnari Mounendar Reddy*

Contd.....

v) For that as the applicant has earned an excellent service record from his immediate controlling/Reporting officer the Respondents should not have reverted the Applicant.

vi) For that the Respondents has treated the applicant as a step motherly attitude without doing any proper enquiry.

vii) For that the action of the Respondent is against the principle of natural justice and administrative fair play.

viii) For that the action of the Respondents is violative of the Fundamental Right of the Applicant as has been guaranteed under Article 14, 16 and 21 of the constitution of India.

ix) For that at any rate the action of the Respondents is not maintainable at the eye law and is liable to be set aside and quashed.

6. Detail of Remedies exhausted :-

That the applicant states that he has availed all the remedies as stated in paragraph 4 of this application but failed and hence there is no other

Edunuri Mounendar Reddy.

Contd.....

alternative remedy to him other than to approach this Hon'ble Tribunal.

7. Matter not previously filed or pending before any court is:-

That the applicant further declares that the applicant has not filed any application, writ petition or suit regarding the matter before any court or any other bench of this Hon'ble Tribunal nor any such petition or suit is pending before any of them.

8. Remedies sought for is:-

Under the facts and circumstances stated above the applicant prays for the following reliefs:-

- (i) To set aside and quash the memorandum dated 24-6-2003 (Annexure - D).
- (ii) Cost of the application.
- (iii) To pass any other further order or orders as your Lordship may deem fit and proper.

9. Interim Relief prayed for is:-

Under the facts and circumstances stated above the applicant prays that your Lordship may be pleased to pass necessary order staying the operation of the memorandum dated 24-6-2002 (Annexure -D).

E dunuri Mounendar Reddy

Contd.....

## 10. Particulars of I.P.O.:-

- (i) I.P.O.No. : 8649J40J  
(ii) Date of issue : 16.7.03  
(iii) Payable at : GUNAKATI

## 12. List of enclosures:-

As stated in the index.

Verification....

E dunnuri mounendar Reddy.

Contd.....

VERIFICATION

I, Shri Edunuri Mounendar Reddy, S/o. Shri  
Ranga Reddy aged about 46 years, resident of  
P.O.- Panisagar, North Tripura, PIN -799260, at pre-  
sent working as principal, K.V.Panisagar, do hereby  
verify that the statements made in paragraphs 1 to 12  
of the application are true to my personal knowledge  
and the submission made therein I believe the same to  
be true as per legal advice and I have not suppressed  
any material fact of the case.

And I sign this verification on this 16... day  
of July, 2003 at Guwahati.

Date : 16-7-2003

Place : Guwahati

Edunuri Mounendar Reddy.  
SIGNATURE

KENDRIYA VIDYALAYA SANGATHAN  
(ESTT.II SECTION)

SPEED POST

18 - INSTITUTIONAL AREA  
SHAHEED JEET SINGH MARG  
NEW DELHI - 110001

F.7-4/2001-KVS(E.II)/0064

DATE:-

JOINT DIRECTOR (Admn)

Navodaya Vidyalaya Samiti  
A-39, Kailash Colony,  
New Delhi - 110048

13 JUN 2001

Subject: Appointment of Shri E.Mounendar Reddy, Principal,  
J.N.V. Washim

to the post of PRINCIPAL in Kendriya  
Vidyalaya Sangathan by transfer on DEPUTATION  
BASIS in Pay Scale of Rs.10000-325-15200/-.

Sir/Madam,

On the basis of the recommendations of the Selection Committee, the competent authority has approved the appointment of Shri E.Mounendar Reddy as Principal in KVS on deputation basis in pay scale of Rs.10000 - 325 15200/- with effect from the date he/she assumes the charge of the post. His/Her deputation in KVS will be initially for a period of ONE YEAR or till further orders, whichever is earlier. The period of deputation can be extended on year to year basis for a maximum period of 5 years depending upon his/her conduct and performance and administrative exigencies. The appointment will be governed by usual deputation terms.

2. He/She is posted as Principal at Kendriya Vidyalaya, Panisagar.

He/She will have an option to draw pay in the scale of the post or draw deputation allowance as per Govt. of India orders/ instructions on this subject.

3. Shri E.Mounendar Reddy may be informed that this appointment on deputation will not confer on him/her any claim for permanent absorption/regular appointment as Principal in Kendriya Vidyalaya Sangathan. Moreover, he/she cannot claim for extension of deputation period as a matter of right. It should be clearly understood that the aforesaid period of deputation can be curtailed at the sole discretion of the Commissioner, KVS. On completion/termination of deputation period, he/she will be reverted back to his/her Parent Office/feeder post.

Attested by -  
*Indranil Gogoi*  
Advocate, CAT,  
Guwahati Bench.

4. It is, therefore, requested that Sh. E. Mounendar Reddy may please be relieved the instruction to join at K.V. Panisagar as Principal latest by 30.6.2001, failing which it will be presumed that he/she is not interested in this offer and this offer will be treated as WITHDRAWN without any further notice. Before relieving, it may be ensured that no disciplinary case is pending or contemplated.

In case it is found at any stage that the candidate does not satisfy/fulfil the eligibility condition as prescribed in Recruitment Rules for the post of Principal OR is not clear from Vigilance angle or has furnished incorrect particulars or suppressed any material/information in the application for the post of Principal, his/her deputation shall stand terminated.

Yours faithfully,

(V.K. Gupta)

Assistant Commissioner(Admn)  
For Commissioner

10.06.01

Copy to:-

1. Shri E. Mounendar Reddy, Principal, J.N.V., Washim Distt. Washim(Mah) - 444 505.  
He may communicate his/her acceptance immediately to this office within 7 days from the date of issue of offer and also report to posting place as stated above by the stipulated period.
2. The Chairman, VMC, K.V. Panisagar with the request to intimate the date of joining of individual concerned to this office as well as Assistant Commissioner, KVS, RO, concerned immediately by Speed Post/ Fax.
3. Principal, J.N.V. Washim(Mah.)
4. The Asst. Commissioner, KVS, RO, Silchar  
He/She is requested to intimate the date of joining of the incumbent to this office immediately by Speed Post/Fax.
5. Personal file. 06. Guard file.

Assistant Commissioner(Admn)

Attested by -  
Indranil Gogoi  
Advocate, CAT  
Guwahati Bench



No.PA/34 Bn/KV/2003/ 8098-100  
HQ 34 Bn BSF  
Panisagar  
Dist-Tripura(N)

07 July 2003

To

The Commissioner  
Kendriya Vidyalaya Sangathan  
13- Institutional area  
Shaheed Jeet Singh Marg  
New Delhi-110016.

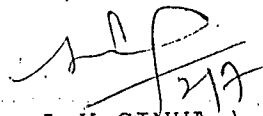
Sir,

In reference to your letter No; F.7-7/2002.KVS (Estt-1) dated 24/26-06-2003 delivered to Mr. E.M.Reddy (Principal, KV-Panisagar, North Tripura) I would like to mention a few words of my conviction in consultation with the actual Chairman of the Vidyalaya Management Committee-KV-Panisagar.

This is our personal and general observation that the Vidyalaya has witnessed a tremendous progress under the able guidance of Mr. E.M.Reddy especially in the matters of eliminating the corruption and indiscipline. The Vidyalaya is now in a pace of progressing firmly. I also understand that there are certain disruptive elements in and around the Vidyalaya who are trying to demoralize any trial to set the things right in the Vidyalaya.

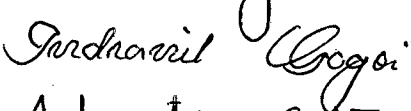
Therefore this is my opinion that Mr. E.M.Reddy doesn't deserve such an adverse punishment and your dignity may look into the matter personally so as to conduct a thorough Inquiry about the matter accordingly.

Yours faithfully,

  
( A K SINHA )  
DY COMMANDANT  
OFEG COMDT FOR CHAIRMAN/VMC

Copy to :-

1. Jt Commissioner (Adm)  
K V S New Delhi
- ✓ 2. Sh E M Reddy  
Principal K V Panisagar.

Attested by -  
  
Advocate , CAT  
Guwahati Bench .



मुनीर मुजावर

भा.प्र.से.

जिल्हाधिकारी

17  
ANNEXURE - C

92

जिल्हाधिकारी कार्यालय,  
वाशिम

7th July-2001

Dear Sir,

It was brought to my notice that, Mr.E.M.Reddy, Principal,JNV-Washim has been promoted to the post of the Principal in his parent organisation. He is a very able administrator and under his guidance and hard work this vidyalaya has brought glory to Washim District. He has rendered excellent service to this vidyalaya by providing consistantly good results in the Board Examinations. If he is retained in this vidyalaya this institution will become a pride of this district. Otherwise, you are requested to send a dynamic Principal to uphold the dignity and integrity of the vidyalaya which Mr.Reddy has established.

With regards,

Yours sincerely,

*Munir Majawar*  
( Munir Majawar )

Collector & Chairman,VMC

To,

Mr.S.P.Gaur,IAS,  
Director,  
Navodaya Vidyalaya Samiti,  
A-39, Kailash Colony,  
New Delhi - 110 048.

Attested by —

*Jindranil Gogoi*

Advocate , CAT

Guwahati Bench



मुनीर मुजावर  
भा.प्र.से.  
जिल्हाधिकारी

Date:- 10.05.2001

जिल्हाधिकारी कार्यालय,  
वाशिम

CERTIFICATE

This is to certify that Shri E.M.Reddy,  
Principal, Jawahar Navodaya Vidyalaya, Washim,  
Dist.Washim(M.S.) is known to me for last  
two years. He is a sincere and hard working  
person, who bears very good moral character.  
He developed the Vidyalaya in a very short  
period of time in all aspects. I wish him  
every success in his future life.

*Munir Mujawar*  
( Munir Mujawar ) I.A.S.  
Chairman, VMC and  
Collector, Washim.  
Collector, Washim

Attested by -

*Indranil Gogoi*  
Advocate, CAT,  
Guwahati Bench

KENDRIYA VIDYALAYA SANGATHAN  
18, INSTITUTIONAL AREA  
SHAHID JEET SINGH MARG  
NEW DELHI -110016


No. F. 7-7/2002.KVS(Estt.I)

Dated: 24.6.2003.

MEMORANDUM

In terms of para 3 of the offer of appointment to the post of Principal on deputation basis, it has been decided by the competent authority to terminate the deputation to the post of Principal of Shri EM Reddy and revert him to his substantive post of PGT(Chem) in Kendriya Vidyalaya Sangathan. Accordingly, Sh EM Reddy, Principal, Kendriya Vidyalaya, Panisagar is hereby reverted to his feeder post of PGT(Chem) in Kendriya Vidyalaya with immediate effect.

02. He is directed to handover the charge of the Vidyalaya to Principal/Vice Principal/Senior most PGT available in the station, in accordance with the provisions of Article 227 and 228 of Accounts Code for Kendriya Vidyalaya and report to Assistant Commissioner, KVS, RO, Silchar.

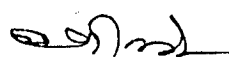
  
( Rajvir Singh )  
Dy. Commissioner(Pers)  
for Commissioner.

Shri EM Reddy  
Principal(on deputaion)  
Kendriya Vidyalaya,  
Panisagar.


Copy to:-

01. The Chairman, VMC, Kendriya Vidyalaya, Panisagar for favour of information and necessary action.
02. The Asstt Commissioner, KVS, Regional Office, Silchar. It may be ensured that Sh EM Reddy is relieved from the Vidyalaya immediately and his date of relieving may also be intimated to this office immediately. Till such time, Shri Reddy is posted to a KV, he may be kept attached with RO, Silchar.
03. Dy. Commissioner(Admn), KVS(Hqrs). It is requested that the posting order of Sh EM Reddy on account of his reversion to the post of PGT(Chem) may be issued at the earliest to avoid any administrative problem.
04. EO(Vig), KVS(HQ).

5. Office order file..

  
Dy. Commissioner(Pers)

Received on 1st July.  
[Signature]

Attested by -  
  
Advocate, CAT.  
Guwahati Bench

From  
E.M.Reddy  
Principal  
Kendriya Vidyalaya Panisagar  
North Tripura-799260.

To

The Commissioner  
Kendriya Vidyalaya Sangathan  
18- Institutional area  
Shaheed Jeet Singh Marg  
New Delhi-110016.

Date: July 2, 2003

Sir,

With profound respect and undoubted loyalty, I, E.M.Reddy-Principal, Kendriya Vidyalaya Panisagar, would like to submit a few words of appeal to your benevolent authority.

The other day, i.e., 01-07-2003, Mr. Yadav, (Principal K.V-Karimganj.) delivered a letter to me. The contents of the letter state that I am reverted to the feeder position of PGT (Chem). It actually sent me blurred and left me in total chaos. The surprising aspect is that the authorities are so pleased to revert me even without mentioning about the charges leveled against me. How ever, having faith in the ultimate justice, I would like to give you a detailed summary of the work conditions of this particular Vidyalaya.

I came in to the Sangathan as a PGT (Chemistry) and have toiled for the growth of the same with all my potencies for nearly seventeen years. Having put up the considerable experience and tasted the pleasure of serving the children, I brought myself as an open candidate to become a principal. When your honour appointed me as a principal, my sprits leapt in vigor and workmanship. In the same gusto, I started to work for the benefit of the young lives that are kept in my hands. Before joining as principal in this Vidyalaya, I served for four years as principal in Navodaya Vidyalaya on deputation. I have been proved to be an excellent administrator over there, and even my name was recommended for absorption by the honourable chairman (copy enclosed). Yet, by knowing the administrative discipline of your honour, I came back to serve my parent organization.

The days I got into this particular Vidyalaya were in fact challenging, as till then the Vidyalaya was in an utter chaos. I hereby would like to mention a few instances for your kind information. There was no Vidyalaya Management Committee since 1993, no Vidyalaya Executive

Attested by —  
Indranil Goga  
Advocate , CAT.  
Guwahati Bench

Committee; Vidyalaya Library was under seized condition, Parent teacher association or other things of administrative bodies. The Vidyalaya was in the culture of minting money for any kind of its assistance to the local society. Transaction of money during the admissions was as free as a ruling. Purchases were made to the benefit of a Lab attendant who owns a book-stall too in the local town. (The surprising fact is that there is only tiny laboratory against two lab-attendant posts) And surprisingly, I understood that all these matters were known to the honorable Assistant Commissioner's Office and it went as it is under there

Kindness. Being possessed by the qualities of honour and sincerity, I exhorted these manipulating characters and set a model about how to keep the honour of the Sangathan.

In this regard, even I had to be modest in ushering the visiting authorities, for I never encourage the practice of utilizing the local resources for the personal luxuries of my authorities. I could not some how make inspection tours of honourable Assistant Commissioner, as his family entertainment trips by shelling the valuable money paid by the students. So, consequently I became an unpleasing element for the Assistant commissioner Mr. M.M. Joshi and his associates especially to Mr. Ran veer Singh (Educational Officer).

Ever since I started working straightforward with a sole faith that the might is not always right but there is a higher cadre that would certainly believe in the true work culture.

In course of time I had to recommend for the transfer of the mentioned surplus post of lab attendant Mr. Sudarsan Chancre Nath who happened to be corrupt for several years mostly manipulating the school admissions and purchases, for the sake of some shady transactions. As such, when I pursued the matter the honorable Assistant Commissioner-Silchar, has acted rather quickly and posted the said Lab-attendant in KV-Panchagram, but practically took him into his personal attendants to work in his office on deputation. Since then, the honourable Assistant Commissioner has been utilizing the services Of Mr. S.C.Nath to encourage false allegations against me from the local folk as the said employee belongs to the local village.

Every time I was tortured by the non-cooperation of the Regional office and the conspiracy of the Assistant Commissioner with Mr. S.C.Nath.

In addition to this, they have designed a teacher of the Vidyalaya Mr. Vinay Kumar TGT (PCM) (who has been posted to this Vidyalaya on administrative grounds) to set a Herculean- task of administration. The said teacher has been involved in many legal affairs against teachers, Principals and against civilians. They encouraged the said teacher to be arrogant and disloyal to the Principal and gave him the needed support to keep the principal busy and to make him rather helpless. A number of reports against his disloyalty and incompetence have been brought to

Attested by —

Judharil Gogoi  
Advocate, CAT.  
Guwahati Bench

the notice of honorable Assistant Commissioner. But they were neither answered nor the needful action is taken against the said teacher. Despite the frequent reports about the declining results of the particular subject of the teacher of various internal as well as common examinations, no action was taken to mend the behavior of the teacher's attitude. The Regional Office has purposefully postponed an enquiry that was leveled against Mr. Vinay Kumar only to establish the accusation of poor results on the Principal. And to the best satisfaction of their plans, the Vidyalaya has seen a record failure results in the particular subject taught by Mr. Vinay Kumar TGT (PCM)

I am proud to say that I initiated to realize the dreams of procuring the basic amenities like, toilets, and other basic necessities. I reopened the sealed library and developed to the satisfaction of both the staff and students. I strived to establish a well-equipped computer lab. It was my endeavours that got the long pending land transfer done. I established academic, administrative and financial discipline in the institution. In this regard I am to mention about the difficulty of getting a single quotation for the purchase of any item, as this is a remote place where nothing can go according to the government proceedings. I have thoroughly complied all the panel inspection suggestions with in the stipulated time. (Reports enclosed).

As far as my administrative deviations are concerned, I haven't committed any serious crime. The only lapse from my side is that I appointed my Wife in the position of a contractual teacher in the year 2001, only with an intention to help the cause of providing a teacher to the students who have been deprived of many basic amenities. As such, I have submitted my explanation for the same to your honourable self as a reply to the memorandum No.F.5-9/2002-KVS/V/G. Dated 16-12-2002.served from your honourable office.

As such, I strongly believe that there is a kind of network that intentionally prevented your honour to look into the facts of grass root level. This is a clear fabrication of conspiracy from the Regional Office to demoralize the class of principals as well as

The teachers. There are a number of incidents in the region that the honorable Assistant Commissioner have stooped to threaten the teachers and Principals in various staff meetings. The indiscriminate use of power by Mr. MM. Joshi (Assistant Commissioner) in harmony with his greedy associates has succeeded to manipulate the truths and to create false stories against me. It is all because of the biased out look of honourable Assistant Commissioner and Mr. R.V Singh who exposed my case in a partial manner. This is really beating below the belt to revert me for no intentional crime while a number of principals of the same region are just transferred to the other stations as a matter of administration problems

Attested by -

Judharmit Gogoi  
Advocate, CAT,  
Guwahati Bench

In addition to this, Mr. M.M.Joshi, Assistant Commissioner, and Mr. R.V.Singh, Education officer, appear to be jealous about my being here in the region. Even in the earlier cases, I observed that they have initiated a lot of delay in sending my transfer requisition to the Head Quarters that led to represent the matter by my own self in person. And also, they have rejected to forward my application for the post of Assistant Commissioner though I am fully qualified. The matter was later pursued by me to get it sent. Moreover, the honourable assistant commissioner's office has not informed me about the out comes of the enquiries conducted against me, and this creates a lot of doubts about the reports sent to your honour. I strongly feel that the reports sent to your honour are full of fabricated truths and I express my deep protest for this kind of undemocratic attitude of prosecution.

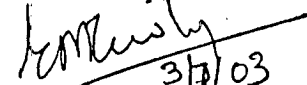
The ACRs recorded by the past two Chairmen, and the support of the parents association are a clear instance to show my honesty and to explain the tell tale allegations against me.

Your decision to revert me not only results in the form of damage to the sincerity but also shuts my future forever.

Therefore, Your honour may be pleased to reconsider your decision if not to save the doomed future of my own self, but to comfort the whole Principals community that have been subjected to a moral assault. And side-by-side I would request your honour to permit me to see you in person so that I can explain the facts with the support of all the documents. I shall be ever grateful if your honour can act suitably either to conduct a thorough enquiry or to permit me to go for the grace of the further authorities to sought justice.

With a deep conviction about the natural justice and profound respect to the wisdom of the intellectuals of Kendriya Vidyalaya Sangathan,

Yours truly

  
3/7/03  
(E.M.Reddy)

Copy to; 1. The Joint Commissioner (Admin).  
2. D.C. (Personal).

Attested by —  
Indranil Chatterjee  
Advocate, CAT;  
Guwahati Bench



केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal

21 JUL 2004

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH GUWAHATI.

O.A. 163 /2003.

F.M. Reddy,

.... Applicant.

- Versus -

Kendriya Vidyalaya Sangathan

& Ors.

.... Respondents.

IN THE MATTER OF :

Written Statement filed by  
the Respondents.

- AND -

IN THE MATTER OF :

The Assistant Commissioner,  
Kendriya Vidyalaya Sangathan,  
Silchar Region, Silchar.

.... Deponent.

The humble written statement  
on behalf of the Respondents  
as follows :-

contd.... p/2.

24-  
Filed by 1/16 Respondent  
Through M.K. Nayindan, 20  
Federal, 21-07-04  
Standing Counsel, K.V. Sangathan

- 1) That Smt P. Devakumar, ~~ED~~ <sup>Officiating</sup> Assistant Commissioner of the Silchar Region on being authorised by the Respondent I am filing the written statement on official capacity. That I am fully aware with the facts and circumstances of the case being the Assistant Commissioner of the region and as such I am competent to submit this written statement.
- 2) That the deponent states that allegation/averments which is not borne out by records are denied and not admitted. Any averments/allegation which is not specifically admitted hereinafter is deemed to be denied.
- 3) That the deponent states that before controverting the contents of the paras made in the Original Application it is pertinent to apprise that K.V.S. is a registered society under the Societies Registration Act, 1860 and fully financed by the Govt. of India with the objective of (i) to meet the educational need of children of transferable Central Govt. employees including defence personnel by providing a common programme of education.

contd.... p/3.

(ii) to develop Vidyalaya as a model school in the content of National goal of Indian Education, (iii) to initiate/promote experimentation in the field of education in collaboration in the field of education in collaboration with other bodies like C.B.S.C., NCERT etc. and (iv) to promote National Integration.

4) That ~~wx~~ in the instant case the applicant has challenged the KVS Memo No. F.7-7/2002 - K.V.S.(Estt.1) dated 26.6.2003 through which the applicant was reverted to the post of P.G.T. (Chemistry) which is his substantive post having lien since 1997.

The parawise comments as follows :-

5) That with regard to the statements made in para 1,2 and 3 are the matter of record and as such no further comment is warrented.

6) That with regard to the statements made in para IV and V of the application the deponent states that as per the decision of the B.O.G. the Advertisement was published and the applicant was appointed by transfer or deputation basis, with other cenditions.

7) That with regard to the statements made in para VI & the deponent states that the

contd.... p/4.

applicant have to state the fact and as such the same is denied. In reply it is submitted that as per the Recruitment Rules for the post of Principal the Commissioner, KVS being the appointing authority, may fill up vacancies on deputation basis from amongst employees of Govt. of India/State Govt./autonomous organizations including KVS and CBSC affiliated + 2 schools provided the candidates fulfill all the qualifications prescribed for direct recruits. Therefore, the contention of the applicant is not correct. In so far as regularization of appointment offered on deputation basis is concerned it is stated that the offer of appointment issued to the applicant stipulated that his deputation in KVS will be initially for a period of one year or till further orders whichever is earlier. It was further stipulated that the period of deputation can be extended for a maximum period of 5 years depending upon the applicant's conduct and performance and administrative exigencies. Therefore, it can be concluded that the regularization of appointment on deputation was not automatic and is purely based on evaluation of performance.

contd.... p/5.

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8) That with regard to the statement made in para VII of the Application the deponent denies the correctness of the same and in reply to the para it is submitted that the contention of the applicant is not correct. As a Principal on deputation at KV, Panisagar the applicant could not give a good account of himself as reported by the controlling officer. Accordingly his performance report was considered by the competent authority in the year 2002 and in order to give him another opportunity the period of deputation was extended for another year. It is also, however, not understood as to how the applicant could know his performance rating in the ACR for the year 2001-2002 and 2002-2003, the document being a confidential one. During the performance evaluation in the year 2003, it was found that the applicant's performance was not up to the mark as expected from the head of an institution, therefore, the controlling authority recommended the reversion of the applicant to the substantive post of PGT (Chem.). As mentioned by him that the controlling/reporting officer, vide his letter dated 2.7.2003, appreciated the sincere services rendered by the applicant is not relevant in the instant case. The Assistant Commissioner of the Region

contd.... p/6.

is the Controlling Officer who actually observes the overall performance of the applicant as Principal.

9) That with regard to the statements made in para VIII of the application the deponent does not forward any comment as it relates to the certification of other department.

10) That with regard to the statements made in para IX of the application it is submitted that as per Recruitment Rules candidates can be appointed to the post of Principal on deputation basis. As per the terms of deputation the same will be initially for a period of one year or till further orders which ever is earlier and the said period of deputation can be extended up to a maximum period of 5 years depending upon the conduct and performance of the applicant. In this case the applicant could not give a good account of himself even though he was provided with ample opportunity, therefore, he was reverted to the substantive post of PGT (Chem.). Therefore, the action taken by the competent authority is as per terms and conditions of the offer of appointment.

contd.... p/7.

11) That with regard to the statements made in para X of the Application the deponent denies the correctness of the same and in response to this para the deponent submits that the contention of the applicant is not correct. It is on record that a disciplinary proceeding under Rule 16 of the CCS (CCA) Rules, 1965 is in progress against the applicant, therefore, the reversion Order dated 24/26.06.2003 is valid in as much as the applicant failed to manage the Vidyalaya as expected of him, being the head of the institution.

12) That with regard to the statements made in para XI of the Application the deponent denies the correctness of the same in so far as disposal of the representation.

In reply to this para, it is submitted that the reversion order was issued by the competent authority after considering the work and conduct of the applicant and, therefore, there was no scope for reconsideration of the order already passed by the competent authority and communicated to the applicant and later on he has joined the place of Posting at Kokrajhar.

contd.... p/8.

13) That with regard to the statements made in para XII of the application the deponent vehemently denies the statement and put the applicant strictest proof thereof and further submits that the order of reversion is caused by the performance, evaluation of the applicant.

14) That with regard to the statement made in para XIII, XIV and XV the deponent denies the correctness of the same. As already submitted the employees taken on deputation were considered for regularization of their appointment on regular basis based on their performance. Therefore, the persons/employees who could not perform up to the mark were not considered for regularization of their appointment. It is further submitted that the case of applicant is not solitary case of reversion. There is also other case of similar nature where the candidate has been reverted to his substantive post for not performing well as Principal on deputation. Therefore, the contention of the applicant is not correct.

That with regard to the statement made in para XIV of the application the deponent denies the correctness of the same. ~~and~~ As already submitted, as per Recruitment Rules there is a provision made to appoint Principal on deputation basis on posts within the direct recruitment quota.



That with regard to the statement made in para XV of the application the deponent denies the correctness of the same. The deponent submits in response to the para that the reversion order issued to him was based on the report of performance and, therefore, the action taken by the competent authority is valid.

15) That with regard to the grounds set forth by the applicant to substantiate the statements and averments it is respectfully submitted that in view of the above paras of the Written Statement controverting the statement made in the this application the grounds are no good grounds and the O.A. is liable to be dismissed with cost.

16) That the allegation brought against the respondent for non-consideration of the case in pro perspective and reversion of the employee are all baseless and as such does not merit any consideration for grant of any relief and liable to be dismissed.

.... Verification.

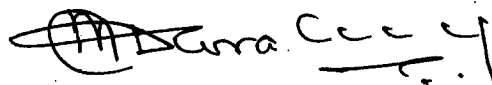
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VERIFICATION

I, Sri P. Devakumar, Officiating Assistant  
Commissioner, Kendriya Vidyalaya Sangathan, Regional  
Office, Silchar, Distt. Cachar, Assam the respondent/  
applicant of the instant case do hereby solemnly verify  
that the statements made in the paragraphs 1 to 5, 9,  
13, 14 & 16 are true to my knowledge, those  
made in paragraphs 6, 7, 8, 10, 11 & 12  
are being matters of records are true information  
derived therefrom which I believe to be true.

And I sign this verification today on this the  
15th day of June 2004.

  
Deponent

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Filed by the applicant E.M. Reddy  
through Mr. L. Wapang.  
Advocate.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH :: GUWAHATI

O.A. NO. 163 / 2003

IN THE MATTER OF :

E.M. Reddy

----- Applicant

-Vs-

Kendriya Vidyalaya Sangathan & ors.

----- Respondents

-AND-

IN THE MATTER OF :

Reply to the written statement and additional statements on behalf of the applicant.

The applicant most respectfully begs to state as follows :

1. That the applicant has been served with a copy of written statement through his advocate and after going through the same has understood the contents thereof and hence reiterate all the statements of the original application and also the following additional statements against the corresponding paragraphs of the written statement.

2. That with regard to the statements made in paragraph 6 and 7 the written statement, the respondent have admitted the fact that the applicant has been appointed after being selected for direct appointment against open advertisement and all the principles are regularised on the basis of the performance. Hence, it cannot be said as deputation, rather

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it is in fact a regular appointment. Even if it is assumed that the appointment was on deputation, then also the respondents cannot revert the applicant to the post of PGT inasmuch as he was taken from the post of Principal, Navadaya Vidyalaya Samiti, moreso, by adopting an arbitrary manner and whimsical discretion.

3. That with regard to the statements made in paragraph 8 of the written statement, the applicant reiterate all the statements made in the relevant paragraph of the original application. The applicant also states that the respondents have given a number of wrong statements in this paragraph and hence relevant documents have not been placed with the written statement. Be it stated here, that as per Rule 87 of K.V.S. Code the Chairman of Vidyalaya Management Committee is the reporting/ controlling authority of the Principal and hence whatever decision is to be taken by the Assistant Commissioner that must be based on the report of the controlling authority and the Assistant Commissioner cannot impose whimsical decision on his own, as has been done in the instant case. The applicant reiterate that his controlling authority / reporting authority submitted his ACR for the year 2001-2002 and 2002-2003 as excellant against all the columns of the ACR form. Hed there been any adverse mark for the year 2001-2002, that should have been communicated to the applicant, but no adverse remark has been communicated by any authority and hence it is presumed that the reviewing authority has accepted for the year 2001-2002. For 2002-2003 also, the reporting authority submitted excellant report by the reviewing authority, with malafide intention, recorded adverse entry after filing the instant original applicant, and communicated the same. The applicant further

states that he has sufficient documents in hand which states that the reporting authority has given excellent remark in respect of the applicant. Hence, it is very much clear that the Assistant Commissioner has acted malafide and whimsically in issuing the reversion order and the same is not at all based on the performance of the applicant and hence the applicant crave the leave of this Hon'ble Tribunal to put the respondents in strictest proof of their statements.

4. That with regard to the statements made in paragraph 10 of the written statement, the applicant deny the same to the extent that the applicant could not give a good account of himself even though he was provided with ample opportunity and therefore he was reverted. In fact the respondents have reverted the applicant with extraneous consideration and with malafide intention and hence the respondents may be put to the strictest proof of their statement with documentary evidence. Be it reiterated that for 2001-2002, there is no adverse entry in as much as had here been any adverse entry, that must have been communicated and for 2002-2003, the reviewing authority made the adverse remark, as the applicant challenged the reversion order, and the same has been made with malafide intention to sustain the reversion order. Hence, applicant is fully eligible to be absorbed as regular Principal on his performance. That with regard to the statements made in paragraph 11 of the written statement, the applicant reiterate his statement made in the corresponding paragraph of the original application. The applicant also states that no disciplinary proceeding was initiated before the reversion order. But after the said reversion order, as the applicant approached this Hon'ble Tribunal

challenging the same, the respondents with malafide intention and to substantiate reversion order, issued a memorandum of charge vide No. F.14-7/2003- KVS (GR)/7515 dated 28-7-2003 and thereby brought a baseless charge against him. The charge is that - " as principal on deputation basis at K.V. , Panisagar, has appointed his wife Smt. E. Sridevi on part time contractual basis in the year 2001 violating the provision of Education Code. Against that memorandum of charge the applicant submitted his reply dated 6-8-2003 stating inter alia that he has not violated any provision of the education code as mentioned in the memorandum. He also stated that as Smt. E. Sreedevi was selected by the selection committee and recommended her name for appointment, she was appointed as per the circular of the organisation. In spite of the said representation, the authority imposed a minor punishment of "Consure" vide order dated 31-3-2004. Against that order the appeal is still pending before the authority. Be it further stated here that on the same charge the respondents served another memorandum dated 6-12-2002, and against the same applicant submitted his reply dated 16-1-2003 and thereafter nothing was done on the same. But after illegal reversion order, the authority again served the charge sheet dated 28-7-2003, only with malafide intention and to support their illegal action of reversion.

6. That with regard to the statements made in paragraph 12, 13 and 14 of the applicant reiterate and reaffirm all the statements made in the corresponding paragraphs of the original application. The applicant states that the respondents issued the reversion order with malafide intention and not basing on the performance records. This will also be clear from the letter dated 30-7-2003 through which the

chairman of the said school forwarded the appeal of the applicant. In the said letter also the said authority specifically stated that the vidyalaya has witnessed a tremendous progress under the able guidance of the applicant specially in the matter of eliminating the corruption and indiscipline. The applicant also rely on the report of Annual Academic Inspection 2002-2003 wherein the Education Officer, KVS, Regional Office, Silchar specifically mentioned as follows :

"(VIII) ACADEMICS :

The result of the academic year 2001-2002 is as follows :-

"Class I to VIII - 100%, IX - 88% and X - 91% while comparing the previous years Board Result (i.e. 66.6%) the result of year 2001-2002 was found satisfactory. The Principal assured that the efforts are being initiated to produce 100% result in Class X during this academic year. The Principal said that zero periods had been arranged for eliminating the weak areas of slow learners and weekly time schedule is given to the teachers for the effective implementation."

From the above fact, it is very much clear that the respondent did not consider the records regarding service rendered by the applicant and without basing on the performance, issued the reversion order at the instance of the disruptive elements.

Copy of the letter dated 30-7-2003

is annexed herewith as Annexure -F.

Copy of Inspection report 2002-2003

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is annexed herewith as Annexure -G.

7. That with regard to the statements made in paragraphs 15 to 16 of the written statement, the applicant states that in view of the facts depicted above, the respondents contention is baseless and are not supported by any documents. Infact the respondents have reverted the applicant illegally, whimsically and with bias. Neither the respondents have gone through the document nor considered the performance of the applicant and hence the original application is liable to be allowed with all consequential benefits and cost. Be it stated here that most of the Principal who were selected along with the applicant and were appointed on deputation basis have been regularised recently vide order dated 28-6-2004.

copy of the regularisation order is annexed herewith as Annexure - H.



VERIFICATION

I , Shri Edunari Mounendar Reddy, Son of Sri Ranga Reddy, aged about 46 years resident of Ramkrishna Mission, Kokrajhar , P.O. & dist -Kokrajhar (Assam) at present working as Post Graduate Teacher, K.V. Kokrajhar, do hereby verify that the statements made in paragraphs 1 to 7 above are true to my personal knowledge and the submissions made therein, I believe the same to be true and I have not suppressed any material fact of the case.

And I sign this verification on this the ~~31~~<sup>32</sup>---th day of August , 2004 at Guwahati.

Edunari Mounendar Reddy.

Date: 12.8.04.

Signature

Place. Guwahati.

No. PA/34 Bn/KV/2003/ 9510  
 HQ 34 Bn BSF  
 Panisagar  
 Dist-Tripura(N)

30<sup>th</sup> July 2003

To  
 The Vice Chairman  
 Kendriya Vidyalaya Sangathan  
 Ministry of HRD  
 Government of India  
 Sastri Bhavan  
 New Delhi

Subject: APPEAL TO REVOKE THE REVERSION MEMORANDUM

To  
 I am forwarded herewith an application submitted by  
 Mr. E.M. Reddy, Principal, Kendriya Vidyalaya Panisagar,  
 reverted to FGT (Chem), regarding representation against his  
 reversion.

2. This is our personal and general observation that the  
 Vidyalaya has witnessed a tremendous progress under the  
 able guidance of Mr. E.M. Reddy especially in the matters of  
 eliminating the corruption and indiscipline. The Vidyalaya  
 is now in a pace of progressing firmly. I also understand  
 that there are certain disruptive elements in and around  
 the Vidyalaya who are trying to demoralize any trial to set  
 the things right in the Vidyalaya.

3. Therefore this is my opinion that Mr. E.M. Reddy  
 doesn't deserve such an adverse punishment and you are  
 requested to take favourable action at the earliest.

(RISAL SINGH)

COMMANDANT

34 BN BSF

CHAIRMAN K. V. PANISAGAR

Attested

L. Wapang  
 12/8/04  
 Advocate

**KENDRIYA VIDYALAYA SANGATHAN  
REGIONAL OFFICE, SILCHAR**

NO. F. 5-8/KVS (SR)/2002-2003/

DATE: 19/09/2002

**REPORT OF ANNUAL ACADEMIC INSPECTION: 2002-2003**

**VIDYALAYA INSPECTED: KV-PANISGAR**

**DATE OF INSPECTION: 17/09/2002 AND 18/09/2002**

**INSPECTION TEAM:**

- 1. SHRI. P. BEYAKUMAR, EO, KVS (RO), SILCHAR**
- 2. SHRI. S. MEGHANATHAN, PRINCIPAL, KV-MASIMPUR**
- 3. SHRI. ATAR SINGH, PRINCIPAL, KV-KAILASAHAR**

**ABOUT THE VIDYALAYA: -**

Kendriya Vidyalaya, Panisagar established in 1984 under civil sector (BSF, Panisagar). It is a single section school having classes' up to X with strength of 229 students as on 18/09/2002. The post of PGT (Hindi), TGT (Skt), TGT (S. St) and four posts of PRT are lying vacant. Contractual Teachers are engaged for the above vacant posts except for the post of PGT (Hindi) due to the non-availability of suitable candidate. One post of Lab. Attendant is surplus as per the current year's staff fixation.

**I) INFRASTRUCTURE: -**

The Vidyalaya is running in a temporary building provided by BSF authorities. Number of rooms available is insufficient. The separate rooms are not available for Computer Lab, SUPW, Music, Junior Science lab, Activity Room for Primary Students. Three Primary Classes (Class I & III) are located about 200 meters away from the main block.

**SUGGESTIONS: -**

1. Plastering of the walls of classes IV, V & VI block has to be done.
2. Tube Lights frames in class rooms do not have tubes. Connecting wires are loosely hanging out in almost all frames. The entire building needs re-wiring and replacement/repairing of electrical fittings & fixtures.
3. Fans are insufficient in classes IV, V & VI. Four fans available in the lab may be redistributed.

*Attested*

*L. Wapang.*  
*12/8/09*  
*Advocate.*

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- Water seepage is noticed in many walls of class rooms. Necessary roof treatment to stop this may be explored.
5. The primary block which is about 200 meters away from the main block has no toilets. The constructions of toilets left half-way need to be completed immediately.
  6. Open switch boxes at the entrance may be covered to avoid any possible untoward incident and ensure the safety of the students.
  7. Two TV Sets lying unused should be utilized for the benefit of students.
  8. Efforts may be made to construct three more class rooms through chairman, VMC.

## II) LABORATORY: -

One Laboratory with two long working tables is available. Enough equipments and chemicals are available. Fans and instruments kept outside need regular dusting.

## III) COMPUTER EDUCATION: -

Three Computers are available and functioning without any UPS. A Computer Literacy Programme has been arranged for Class III to X. Sri. B. Suresh, SUPW Teacher is teaching in computer classes. As the SUPW teacher does not possess any computer diploma, a qualified computer instructor may be engaged. It was observed that, there were no sufficient stools/chairs available in the computer lab to accommodate the students. Efforts may be made to purchase more stool/chairs and also recommended to go for seven more computers with UPS.

## IV) LIBRARY: -

It has been observed that sufficient number of periodicals and books are available in the library. The librarian seems to be enthusiastic and takes interest to inculcate reading habits among the students by issuing books. The reading room is well maintained. The library is functioning well. One computer may be provided to the library to computerize the library services effectively. The librarian has been asked to organise book exhibition, display of new arrivals etc. for the benefits of students & staff. Magazine display board can be procured to display all the magazine systematically.

## V) BEAUTIFICATION AND UPKEEP OF VIDYALAYA: -

The Cleanliness of School Premises was found satisfactory. School Garden and House Garden are being maintained separately. The Principal was asked to buy some more flowerpots to beautify the interior area of the School Building. Portraits of eminent Scientist displayed in front of Principal's Chamber may be displayed in the convenient places all over the School building.

## VI) GAMES AND SPORTS ACTIVITIES: -

The students are using the BSF Parade Ground to practice all games and sports activities. The activities are being conducted as per the Vidyalaya Schedule and Annual Sports Day was conducted on 31<sup>st</sup> August 2002. The Vidyalaya has identified two games viz. Basket ball and Volley Ball.

## VII) CCA AND OTHER ACTIVITIES: -

The CCA activities are planned and the activities are being conducted as per the schedule among four houses. An expert is conducting Yoga Classes for 120 students of classes III to VII.

The PTA has been reconstituted as per KVS new guidelines and the General Body Meeting was conducted on 15<sup>th</sup> September 2002. The Principal is advised to take all possible steps for the promotion of Games & Sports and other non-academic activities/skills.

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VIII) ACADEMICS: -

The result of the academic year 2001-2002 is as follows:

Class I to VIII 100%; IX 88% and X 91%. While comparing the previous year's Board Result (i. e. 66.6 %), the result of the year 2001-2002 was found satisfactory. The Principal assured that the efforts are being initiated to produce 100% result in Class X during this academic year. The Principal said that zero periods had been arranged for eliminating the weak areas of slow learners and weekly time schedule is given to the teachers for effective implementation.

The following observations were made by the Inspecting Team during the Annual Academic Inspection.

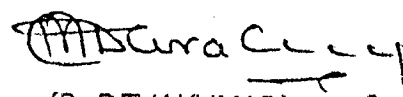
- i) Teacher's Diary was not written objective based in some case, systematically and in true spirit.
- ii) Separate HW copy was not maintained by some students.
- iii) Some Teachers are lagging behind in coverage of course as per KVS Split-Up of syllabus.
- iv) Casual attitude has been observed in the correction of CW & HW notebooks.
- v) Student's participation in some of the classes was found very poor.

The above points are discussed in the staff meeting & the Teachers were advised to rectify their deficiencies/weak areas. The Principal was further asked for monitoring the teaching - learning activities and give guidance to the contractual / part-time teachers to make their teaching methodology more effective.

IX) OFFICE RECORDS: -

It was noticed during the sample checking of school records that the office staffs have not maintained the C. L. Register & Staff Attendance Register in a proper way. The Service Books of Some of the Teachers were not found up to date & the numbering of pages in personal file was not done. The Principal should take necessary steps to maintain all the office records up to date and also ensure proper keeping of records in a systematic way.

The Principal should send a compliance report with in 30 days from the receipt of this report detailing the action planned / taken with regard to the suggestion made in the report.

  
(P. DEVAKUMAR) 20.9.02  
Education Officer  
KVS, Regional Office  
Silchar

P. DEVAKUMAR  
Education Officer  
KVS Regional Office  
Silchar-788 001

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KENDRIYA VIDYALAYA SANGATHAN  
(Esstt. -1 Section)

18- INSTITUTIONAL AREA  
SHAHEED JEET SINGH MARG.  
NEW DELHI-110 016.

F.7- 7/2002-KVS(Esstt.1)

Dated: 28/6/2004

OFFICE - ORDER

In view of emergence of 36 vacancies in the general & OBC category, the Commissioner, KVS hereby appoints the following Principals of Kendriya Vidyalayas on regular basis, who have been working on deputation basis against the temporary posts of Principal in Kendriya Vidyalayas on an initial pay of Rs.10000/- in the pay scale of Rs.10000-325-15200/- or as admissible under the rules with immediate effect. Their inter-se seniority will be determined under the rules according to their rank in the select panel, which is indicated as per serial order of this list.

Sl.No.	Name of Principal	KV where working
1	Sh.B.Vaithilingam	AFS Nafa
2	Smt.L.Ramchandran	INS Mandovi
3	Sh.R.K.Lale	No.2 Sagar
4	Sh.C.Karunakaran	Khurda road
5	Smt.Vijay Lakshmi Das	Sunabeda
6	Sh.S.K.Upadhyay	Old DMS Dhanbad
7	Sh.DV.Ramakrishnan	Maithandam
8	Dr.S.P.Thakur	Meghahatuburu
9	Dr.P.Bhatnagar	CTPS, Chandrapur
10	Sh. D. P. Mahapara	Salua
11	Sh.D.P.Mahapara	No.2 Binaguri
12	Sh.Anil Kumar	Makla
13	Smt.Poonam Malik	No.4 Jalandhar
14	Smt.M.K.Kulshreshtha	Suranussi
15	Smt.Ranjana K.Bassi	Mandi
16	Smt.Rajni Uppal	Raiwala
17	Sh.N.Ajay Babu	Birpur D'Dun
18	Sh.R.P.Chahar	Joshimath
19	Sh.G.S.Mehta	NHPC Banbasa
20	Sh.S.K.Tyagi	No.1 Faridabad
21	Sh.N.M.Vardarjulu	Chabua
22	Sh.Ranjan Kishore	Kokarjhar
23	Sh.VK.M.Karkai	Lokra
24	Sh.G.Rama Rao	Missamari
25	Sh.Ombir Singh	Amerigong, Guwahati
26	Sh.S.K.Behura	Nagaon
27	Sh.A.Kivim	Upper Shilong
28	Sh.A.S.Bhat	Nerist

Attested

L. Wapang.  
12/8/04

Advocate.

- 13 -

29	Sh.D. Chattopadhyaya	Panabari
30	Smt.B. Mishra	Happy Valley
31	Smt.S.K. Murthy	Kurnool
32	Smt.Vasanthi Krishnan	ONGC Rajamundri
33	Smt. A.R. Lakshmi	SKU, Ananthapur
34	Mohd. Iqbal Ali	Rewa
35	Sh.V. Thiagarajan	Zawar Mines
36	Sh.Saseendran P.	No.1 AFS Suratgarh

02 The appointment is subject to the following terms & conditions:-

- a) They will be on probation for a period of two years with immediate effect, which may be extended by another two years for the reasons to be recorded in writing. Upon successful completion of probation period, they will be confirmed (in their turn).
- b) During probation and thereafter, until they are confirmed, their services are terminable by one month's notice on either side without any reasons. The appointing authority, however, reserves the right to terminate the services before the expiry of stipulated period of notice by making payment to the appointee of a sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof. They will draw the allowances and other benefits in addition to pay at Central Govt. rates as admissible to Kendriya Vidyalaya Sangathan Employees. They will be liable to transfer anywhere in India.
- c) Terms & conditions of service governing the appointment are as laid down in the Education Code for Kendriya Vidyalayas as amended from time to time.
- d) In case of any dispute or claim against the Sangathan, the court at Delhi alone have jurisdiction to decide any dispute arising out of or in respect of service or any other contract.
- e) For non-KVS employees  
They will be considered for absorption in the services of the KVS subject to their willingness and concurrence of their parent department.
- f) Their inter-se-seniority will be according to their rank in the Select Panel, which is indicated as per the serial order of this list.

  
(RAJVIR SINGH)

Dy. Commissioner (Pers)  
For Commissioner

Distribution:-

1. Individual concerned.
2. The Assistant Commissioner, KVS, All Regional Offices with the request to keep a copy of this order in the Personal File of the individual concerned and make the necessary entries to this effect in the Service Book with proper attestation.
3. Office order file.