

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 223/2005

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SECTION OFFICER (Judl.)

Shahid
06/11/17

FORM NO. 4.
(SEE RULE 42.)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH.

ORDER SHEET

Original Application No. 223/05

Misc. Petition No.

Contempt Petition No.

Review Application No.

Applicant(S): Rinku Mani Talukdar

Respondant(S): U. C. I. Jans

Advocate for the Applicant(S): A. N. Majumdar, A. R. Sikdar, Abdul Khatib, J. A. Azad, Min U. Malik

Advocate for the Respondant(S): C. B. C.

Notes of the Registry	Date	Order of the Tribunal
This application is a form in the C.F. Form No. 20/- deposited with P.O. No. 206/158/516. Dated 22.8.05.	25.8.2005	Present : Hon'ble Mr. Justice G. Sivarajan, Vice-Chairman. Heard Mr. A.R. Sikdar, learned counsel for the applicant and Ms. U. Das, learned Addl. C.G.S.C. for the respondents. The applicant is ^a constable in C.R.P.F. Since he belongs to Armed Forces, no application under Section 19 of the Administrative Tribunals Act, 1985 will lie. In the circumst- ances, counsel for the applicant seeks to withdraw the application without prejudice to the right of the applic- ant to move the appropriate forum. Hence, the application is dismissed on withdrawal with liberty.
<u>Dy. Registrar</u> <u>23.8.05</u> Steps taken with envelops. <u>23.8.05</u> The defects are removed at Annexure I. <u>23.8.05</u>		

Sivarajan
Vice-Chairman

mb

30.8.05

Copy of the order has
been sent to the Dy. Sec.
for issuing the order to
the applicant as well
as to the Addl. C.G.S.C.
for the Respondent.

30.8.05

23 AUG 2005

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:
GUWAHATI BRANCH: GUWAHATI

ORIGINAL APPLICATION NO. 223 /2005

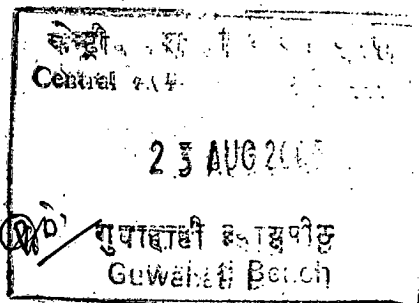
Sri Rinku Mani Talukdar.....Applicant.

- Vs -

The Union of India & Ors.....Respondents.

SYNOPSIS

The applicant was appointed in the post of Constable (General Duty) CRPF by an order dtd. 5.6.04 on being selected pursuant to an advertisement dtd. 24.9.2003 published in the local Newspaper "Dainik Agradoot". The applicant joined in service on 25.6.2004 and thereafter he was sent to Orissa for training and his training commenced w.e.f. 1.08.04 and he was about to complete his training. A quarrel took place on 13.6.05 at 2:00 a.m. (night) during Jungle Training with one of his colleague trainee for which the applicant was subjected to punishment by keeping him standing outside the Camp Office for a period from 14.06.05 to 30.6.05. It is further to be stated that he begged mercy from the Officer in Command for ~~quarrel~~ quarrel with his colleague. But suddenly the applicant has been terminated by an order No. DV-1/2005-170-EC-II dtd. 1.07.05 issued under the signature of the Commandant, 170 BN CRPF, Bhubaneswar, who is not the appointing authority of the applicant. The applicant submitted representation dtd. 25.7.05 praying ^{for} reinstating in his service setting aside the termination order as the same being issued without jurisdiction in a arbitrary manner, but no consideration has been paid, hence this application.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH : GUWAHATI

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

Original Application 223 /05

Sri Rinkumani Talukdar

... Applicant

-Versus-

The Union of India & Ors.

... Respondents

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Filed by :-



(A. MATLIB)
Advocate.

Date : 23.8.2005

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH : GUWAHATI

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

Original Application 223 /05

Sri Rinkumani Talukdar

... Applicant

-Versus-

The Union of India & Ors.

... Respondents

Details of the applicant :

1. Name of the applicant

Sri Rinkumani Talukdar,

& Address

S/o Satrughna Talukdar,

R/o Vill. Paschim Khatarkalakuchi

P.O. Dehor Kala Kuchi,

P.S. Mukalmua,

Dist. Nalbari, Assam.

2. Designation

Constable (G.D.)

No.041702899 RT/GD

3. Particulars of the Respondents: 1) The Union of India,

through the Secretary,

Ministry of Home, Govt. of India,

New Delhi - 110 001.

2) The D.I.G.P., CRPF,

Shillong, Meghalaya.

3) The Additional DIGP, Group Centre,

Filed by the applicant
through
Atulaj Mittal
Advocate

Rinku mani Talukdar

Central Reserve Police Force (CRPF)

P.O. Amerigog, Ninth Mile,

Guwahati-781023,

Dist. Kamrup, Assam.

4) The Additional DIGP, GC, CRPF,
Bhubaneswar, Orissa.

5) The Commandant 170 BN.,
CRPF, Bhubaneswar - 751011,
Orissa.

Particulars of order against which the application is made :-

1. Against the Office order vide No. DV-1/2005-170-EC-II dated 1st July/2005 issued under the signature of Sanjeeva Roy, Commandant of 170 BN, CRPF, Bhubaneswar (Orissa) terminating the service of No.041702899 RT/GD Rinkumani Talukdar of E/170 BN CRPF.

2. Jurisdiction of the Tribunal

The applicant declares that the cause of action has arisen within the jurisdiction of this Hon'ble Tribunal.

3. Limitation :

The applicant declares that the application is filed before this Hon'ble Tribunal within the time limit prescribed under Section 21 of the Administrative Tribunal Act, 1985.

4. Facts of the Case:

- 4.1. That the applicant is a citizen of India being the permanent resident of village Khatarkala kuchi, P.O. Dehor Kalakuchi,

Rinku mani Talukdar

P.S. Mukalmua, Dist. Nalbari, Assam and as such he is entitled to the rights, privileges available to a citizen of India guaranteed by the Constitution and other settled laws of the land.

- 4.2. That the applicant begs to state that he has passed Higher Secondary, Arts examination in the year 2002 and thereafter he was in search of a job to maintain his family. The petitioner was selected for the post of constable (General Duty) pursuant to an advertisement published in the 'Dainik Agradoot' dated 24.9.2003. Thereafter the petitioner was appointed in the said category of post by an order No.R-11-10/2004.EC.V.GHY dated 5.6.2004 issued under the signature of Additional DIGP, Group Centre, CRPF, Guwahati-23 subject to medical fitness and correctness of document and he was directed to report the appointing authority on 25.6.2004. The applicant accordingly reported his joining on 25.6.2004.

A typed copy as well as photocopy of the appointment letter are annexed as Annexure No.1 & 1(A).

- 4.3. That the applicant begs to state that he was appointed on being selected and on submission of character, OBC caste Certificate. After appointment the petitioner was sent to Orissa for training. The applicant reached Bhubaneswar on 15.7.2004 and reported in the office of the Commandant

Rimlee mane Talekdar

170 BN, CRPF, Bhubaneswar, Orissa. The training of the applicant commenced w.e.f. 1.8.2004 and he has been successful in undergoing training satisfactorily upto 13.6.2005.

4.4. That the applicant respectfully begs to state that on 13.6.2005 at about 2 A.M. while he alongwith other similar trainees were sent for jungle training at Boronoi jungle area a simple quarrel took place between the applicant and another constable on similar training. The applicant begs to state that there was no fault on his part, but the matter was immediately informed to the Commandant, 170 BN, CRPF. The applicant was called upon and brought to the training camp, Bhubaneswar on 14.6.2005. On the next day the applicant appeared before the Commandant who noted the statement of the applicant. He begged mercy for the unfortunate incident (minor quarrel) with one of his colleagues and promised not to commit such type of wrong in future. The applicant was kept standing outside the camp office from that day (14.6.2005) upto 30.6.2005.

4.5. That the applicant begs to state that he was under impression that his continuous standing outside the camp office from 14.6.2005 to 30.6.2005 was awarded punishment for his involvement in a quarrel as stated above and hoped that he is likely to be exonerated as because he was not only kept standing for 17 days, but

Rinke mone Talekdar

also begged mercy before the Commandant. But surprisingly he was terminated from service by an order no. DV-1/2005-170/EC-11 dated 1.7.2005 without considering any of his submissive prayer, without any prior notice and his signature was taken forcefully on the impugned termination order.

A copy of the impugned termination order no. DV-1/2005-170-EC-11 dated 1.7.2005 is annexed as Annexure No.2.

- 4.6. That the impugned termination was a bolt from the blue on his all hope and aspiration and in a compelling situation he had to return to his house. The applicant thereafter made an appeal dated 25.7.2005 before the Additional DIGP, Group Centre, CRPF, Amerigog, Guwahati-23 and prayed for reinstatement in his service acquitting him from the charges or allegation if any against him.

A copy of the Appeal dated 25.7.2005 made before the Additional DIGP, Group Centre, CRPF, Guwahati 23 is annexed as Annexure No.3.

5. Grounds for relief with legal provision:

- I) For that the learned respondent no.5 has committed grave error of law and facts in terminating the applicant from his

Rinku mani Talukdar

service. As such the impugned order vide Annexure-2 is bad in law and liable to be set aside and quashed.

II) For that the learned authority issued the termination order in an arbitrary manner without keeping in mind the facts, circumstances and the consequence of the impugned order.

III) For that in the instant case the applicant has been removed from his service by issuing an order amounting to termination in limine without following the legal procedure. The offence/fault if any committed by the applicant does not deserve to be awarded with major punishment like termination in limine. The incident (quarrel) took place for the fault of his colleague, but not for the applicant, but the said colleague has not been touched, but the applicant has been awarded punishment in two ways i.e. (a) he was awarded physical punishment keeping him to remain on standing outside the camp from 14.6.2005 to 30.6.2005, (b) he has been terminated from his service despite of his begging mercy as a first instance. The action of the respondent authority particularly the respondent no.5 is highly illegal and arbitrary subjecting the applicant to suffer two punishments for his alleged one fault. This has caused double jeopardy and serious injustice to the applicant.

Rinku mone Talukdar

IV) For that the applicant begs to submit that the impugned termination order has been contended to be issued in pursuance of proviso to sub-Rule I of Rule 5 of the central services (Temporary Service) Rules, 1965. The said Sub-Rule of Rule 5 reads as follows :-

"5. Termination of temporary service - (1)(a) The services of a temporary Government servant who is not in quasi-permanent service shall be liable to termination at any time by a notice in writing given either by the Government servant to the Appointing Authority or by the Appointing Authority to the Government servant:

(b) The period of such notice shall be one month:

Provided that the service of any such Government servant may be terminated forthwith and on such termination the Government servant shall be entitled to claim a sum equivalent to the amount of his pay plus allowances for the period of the notice at the same rates at which he was drawing them immediately before the termination of his services, or as the case may be, for the period by which such notice falls short of one month.

Note:- The following procedure shall be adopted by the appointing authority while serving notice on such Government servant under Clause (a) -

(i) The notice shall be delivered or tendered to the Government servant in person.

Rinku maone Talukdar

(ii) Where personal service is not practicable, the notice shall be served on such Government servant by Registered post acknowledgement due at the address of the Government servant available with the Appointing Authority.

(iii) If the notice sent by registered post is returned unserved it shall be published in the official Gazette and upon such publication, it shall be deemed to have been personally served on such Government servant on the date it was published in the official Gazette."

From bare reading of the aforesaid provisions of law the order of termination can only be issued by the appointing authority. In the instant case the appointing authority of the petitioner [vide Annexure-1 & 1(A)] is the Additional DIGP, GC, CRPF, Guwahati, but the impugned termination order has been issued by an Officer serving in the rank of Commandant (vide Annexure-2) which is a clear violation of the said Rules and smacks malafide and arbitrariness in issuing the impugned termination order.

V) For that the applicant begs to submit that the respondent authorities have not recorded in the impugned order on what grounds or for what reasons the applicant has been terminated from his service. The applicant although sincerely expressed what has happened on 13.6.2005 at about 2 A.M. (night) for which he had to suffer continuous

Rinku mone Talukdar

standing for about 17 days and beg mercy but the authority has not whispered at all the ground of termination. As such the question of ground of unsatisfactory conduct or unsuitability does not arise and therefore the termination is arbitrary for not giving the reasons of invoking such action. In the impugned order the specification of charge/allegation being absent, cast a serious doubt on the motives of the authority issuing termination order. The applicant being a candidate belonging to other backward community from a remote village of North East (Assam) he has been subjected to arbitrary, discriminatory and step motherly treatment. "The giving of reasons", as Lord Denning in *Putin Breen -vs- Amalgamated Engineering Union* (1971) 1 All ER 114 "is one of the fundamentals of good Administrations". The Hon'ble Apex Court in the case of *Khudiram Das -Vs- State of Bengal* reported as (1975) 2 SCC 81 hold a view that in a government of laws "there is nothing like unfettered discretion immune from judicial reviewability". The executive, no less than a judiciary, is under a general duty to act fairly i.e. fairness founded on reasons the essence of the guarantee epitomised in Article 14 and 16(i). That being not so in the present case the impugned termination order is violative of Article 14 and 16(1) of the Constitution

Rinku-mani Talekar

of India. As ^{Such} the same is bad in law and liable to be set aside and quashed.

VI) For that the applicant is hailing from a poor family having no other Government servant in his family and also having no other source of income in his family. The impugned termination order from his service has put off the last source of inspiration and to live without starvation affecting the very existence and subsistence of his family and as such the same has violated the Article 21 of the Constitution.

VII) For that the applicant begs to submit that he has represented (vide Annexure-3) the authority stating his grievances and prayed for taking necessary action to reinstate him in service but no consideration has ^{been} paid as yet till date of filing of his application before this Hon'ble Tribunal.

VIII) For that the applicant submits that by the impugned action of the respondent authority, his legal and constitutional rights have been infringed, hence this application for remedy by way of passing appropriate order.

IX) For that the applicant submits that he had almost completed 11(eleven) months training, only two weeks was ahead to complete the same. In the event of such rigorous training the applicant has been denied of benefit

Rinku mane Talukdar

of protection as regular category of employee and that too for a minor quarrel for which he was ^{already} subjected one punishment and such type of quarrel took place in case other trainees, who are not terminated from service. Hence the impugned termination order is discriminatory, arbitrary, whimsical and too harsh.

- X) For that in any view of the matter the order of termination is not sustainable in law.

6. Details of Remedy exhausted

The humble applicant submitted his representation on 25.7.05 but not considered.

7. Matters not previously filed or pending with any other Court/Tribunal:-

The applicant declares that he has not filed any application, writ petition or suit regarding the present matter in any court of lower Tribunal and no case is pending before any court.

8. Relief Prayed for :

Under the circumstances stated above the humble applicant most respectfully prays for following relief:-

- i) That this Hon'ble Tribunal may kindly be pleased to pass an order reinstating him in service with retrospective effect setting aside and quashing the

Pinkumane Talukdar

impugned termination order vide No. DV-1/2005-170-EC-II dated 1.7.2005 (Annexure-2) issued under the signature of the Commandant, 170 BN, CRPF, Bhubaneswar (Orissa) protecting his service benefit in the interest of justice.

- ii) to pass any other order or orders as deemed fit and proper by the Hon'ble Tribunal in the interest of justice.

9. Interim Relied Prayed for:-

In the interim the applicant prayed for -

Stay of operation of the impugned termination order No.DV-1/2005-170-EC-II dated 1.7.2005 vide Annexure-2 in the interest of justice.

10. Details of Postal order:-

Postal Order No. : 206-158516

Date of Issue : 22.8.2005

Issued from : Head Post office, Guwahati

Payable at : Guwahati

11. List of Particulars :-

As per Index

Pinku mane Talukdar

VERIFICATION

I, Sri Rinkumani Talukdar, S/o Sri Satragna Talukdar, resident of Vill. Paschim Khatarkalakuchi, P.O. Dehor Kalakuchi, P.S. Mukalmua, Dist. Nalbari, Assam do hereby verify that the contents in paragraphs 1, 2, 3, 4, 1 and 4:6 are true to my knowledge and paragraphs 5(1) and 5(x) are believed to be true a legal advice and I have not suppressed any material fact.

And I sign this verification on this 23rd day of August/2005 at Guwahati.

Date : 23.8.05

Place : Guwahati.

Rinku mani Talukdar

Signature of Applicant

Rinku mani Talukdar

REGISTERED POST

OFFICE OF THE ADDL. DIGP GROUP CENTRE, CRPF GUWAHATI-23 (AASAM)

No. R.II- 10 /2004/C-V-GHY.

Dated the 5th June 2004

To,

Shri Rinku Mani Talukdar, Roll. No. 404094 , Sl. No. 488, CATE- OBC
S/O Shri Strughna Talukdar,
Vill. Khatar Kalakuchi
P.O. Dehor Kalakuchi,
Dist. Nalbari, State -Assam, PIN: 781310

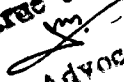
SUBJECT: APPOINTMENT TO THE POST OF CONSTABLE/GENERAL DUTY
IN CRPF : OFFER OF APPOINTMENT.

1. The result of selection during the course of Recruitment held At GC GTY
You are here by offered the post of CONSTABLE (GENERAL DUTY) in
CRPF in a purely temporary capacity subject to the following terms and
conditions.
 - a) The post carries pay scale of Rs. 3050-75-3950-80-4590 plus other
concession/benefit as sanctioned from time to time.
 - b) On joining the Force, you will be governed under the CRPF Act 1949
and CRPF RULES 1955.
 - c) The appointment carries the liability to serve in any part of India or
outside the country.
 - d) A candidates who has been appointed in CRPF seeking resignations
/discharge under Rule 16 & 17 of CRPF rules, 1955 shall be required to
refund to the Govt. sum equal to the three months pay and allowances
received by him/prior to the resignation or discharge as the case may

certified to be true copy.
Advocate

be, or the cost of training imparted to him in the force which ever is higher under Rule 17 (A) of CRPF Rule 1955.

- e) You must produce a certificate of character the prescribed proforma (Specimen enclosed) as Appendix-IV duly signed by the DM/SDM and produce at the time of joining in the Force.
 - f) A candidate who has been selected in CRPF if found eligible or unqualified for recruitment after detailed verification of documents/verification of character and antecedents of alter stage, his services will terminated and shall be liable to legal action.
 - g) FOLLOWING CERTIFICATES IN ORIGINAL BE ALSO PRODUCED AT THE TIME OF REPORTING.
 - h) Matriculation Certificate in support of age and educational qualification.
 - i) Higher educational/technical/NCC/ITC Computer/Sports certificate if any.
 - j) SC/ST/OBC Certificate as the case may be issued by the DC/DM and Residential Certificate/PRC.
 - k) Proof of landed Property immovable property or other immovable property held on you or your father's name or proof of tax paid by you or your father.
2. You will be required carry some amount for your personal expenses. Besides Rs. 900/- as most advance for your meals will be required to be deposited.
3. You will be required to bring three copies of passport size photographs (Black & White) at the time of reporting/joining.

Certified to be true copy

Advocate

4. If you are willing to join the aforesaid post as per terms and conditions, you are directed to report to THE ADDL. DIGP GROUP CRPF 9TH MILE AMERIGOG GUWAHTI-23 (ASSAM) on 25 July/2004.
5. If you failed to report to the aforesaid authority/office as mentioned in Para 5 above by stipulated time/date this offer will be treated as cancelled.

No TA/DA will be paid for the journey undertaken by you to join the post.

Your appointment for the post of CT/D will be outsidere subject to fitness in MEDICAL EXAMINATION/ MEDICAL FITNESS IN CHEST X RAY at your own cost before CRPF MEDICAL OFFICER and correctness of documents. The Deptt. have no liability in case of any injury/accident during journey etc.


ENCLS: ANNEXURE-IV

OBC certificate.....

Sd/- Illegible

5/6

ADDL. DIGP GC CRPF GTY

Certified to be true copy.

Advocate

REGISTERED POST

OFFICE OF THE ADDL DGP GROUP CENTRE CRPF GUWAHATI-23 (ASSAM)

Dated the 5th Mar. 2004

Sl. No. 11 S.No. 1226 CATE. C.C.C.
 Name ANAND K. SAHA
 POST CONSTABLE
 STATE ASSAM PIN 781005

SUBJECT : APPOINTMENT TO THE POST OF CONSTABLE/GENERAL DUTY IN CRPF : OFFER OF APPOINTMENT.

As a result of selection during the course of Recruitment held At SAC C.A. You are hereby offered the post of CONSTABLE(GENERAL DUTY) in CRPF in a purely temporary capacity subject to the following terms and conditions.

- The post carries pay scale of Rs.3050-75-3950-80-4590 plus usual allowance and other concessional benefits as sanctioned from time to time.
- On joining the Force, you will be governed under the CRPF Act 1949 and CRPF RULES 1955.
- The appointment carries the liability to serve in any part of India or outside the country.
- A candidate who has been appointed in CRPF seeking resignations/discharge under Rule 16 & 17 of CRPF Rules, 1955, shall be required to refund to the Govt. sum equal to three months pay and allowances received up to the date of resignation or discharge as the case may be, or the cost of training up to the date of leaving the force whichever is higher under Rule 17 (A) of CRPF Rule 1955.
- You must produce a certificate of character the prescribed proforma (Specimen enclosed) as Appointing Authority, DC/DM and produce at the time of joining in the Force.
- A candidate who has been selected in CRPF if found ineligible or unqualified for recruitment after detailed verification of documents/verification of character and antecedents at later stage, his services will be terminated and shall also be liable to legal action.
- FOLLOWING CERTIFICATES IN ORIGINAL BE ALSO PROCURED AT THE TIME OF REPORTING.
 - Matriculation Certificate in support of age and Educational Qualification.
 - Higher educational/Techinical /HCC /H.C Computer / Sorts Certificate if any.
 - SC/ST/OBC Certificate as the case may be issued by the DC/DM and Residential Certificate/PRC.
 - Proof of landed Property immovable property or other immovable property held on you or your father's name or proof of tax paid by you or your father.
- You will be required to carry some amount for your personal expenses. Besides Rs.900/- as mess advance for your meals will also be required to be deposited.
- You will be required to bring three copies of recent passport size photographs (Black and White) at the time of reporting/joining.
- If you are willing to join the aforesaid post as per terms and conditions, you are directed to report to THE ADDL DGP GROUP CENTRE CRPF 9th MILE AMERPOOG GUWAHATI-23 (ASSAM) on 12.03.2004 along with this letter.
- If you failed to report to the aforesaid authority/office as mentioned in Para 5 above by stipulated time/date this offer will be treated as cancelled.

1. The Government will bear the journey expenses incurred by you to join the post.

Your appointment for the post of C.G.D. will be considered subject to fitness in MEDICAL EXAMINATION/MEDICAL FITNESS IN CHEST X RAY at your own cost before CRPF MEDICAL OFFICER and correctness of documents. The Dept. have no liability in case of any injury/accident during journey etc.

ENCLOSURE-IV.

O.B.C. Certificate
 Copy of Training
 (11)

ADDL DGP GC CRPF GTY

Certified to be true copy.
 Advocate

OFFICE OF THE COMMANDANT - 170 BN, C. R. P. F. BHUBANESWAR (ORISSA) 751011
 NO. D V-I/2005-170-EC-II

Dated, the 01 / July 2005

OFFICE ORDER

In pursuance of the proviso to sub-rule(1) of Rules 5 of the Central Civil Services (Temporary service) Rules, 1965, I, **SANJEEVA ROY, COMMANDANT - 170 BN CRPF** hereby terminate forthwith the services of No. 041702899 RT/GD Rinku Mani Talukdar of 170 BN CRPF and direct that he shall be entitled to claim a sum equivalent to the amount of his pay plus allowances for the period of notice at the same rates at which he was drawing them immediately before the termination of his service or, as the case may be, for the period by which such notice falls short of one month.

(SANJEEVA ROY)
 COMMANDANT 170 BN CRPF

No. D V-I/2005-170-EC-II
 Copy forwarded to :-

Dated, the 01 / July 2005.

- 01 The Addl. DIGP, GC CRPF, Bhubaneswar (Orissa) in duplicate for information and necessary action please.
- 02 The Officer commanding of 170 BN CRPF in triplicate. On one copy signature of the said individual may please be obtain in token of having received and return to this office.

(SANJEEVA ROY)
 COMMANDANT 170 BN CRPF

INTERNAL

Adjutant, QM/MTO, Framing officer, EC-I, EC-IV, Cashier,
 Fund cashier for information and one month of pay and allowance
 In r/o said recruit be paid to him as advance which will be recouped
 From his pay.

Rinku Mani Talukdar.

Talukdar

01-07-05
 041702899

Certified to be true copy
 Adv. 1

To,

The Additional DIGP, Group Centre,
Central Reserve Police Force (CRPF),
P.O. Amorigog, Ninth Mile,
Guwahati -781 023
Dist. Kamrup, Assam.

Date : 25.07.2005

Sub : Appeal against Termination order No. DV-1/2005-170-EC-II dated 01.07.2005 passed by Sri Sanjeeva Roy, Commandant 170 BN, CRPF, Bhubaneswar (Orissa).

Ref : Your Appointment order No. R-11-10/2004.EC.V.GHY.
dated 05.06.04.

Sir,

Most respectfully and humbly I, Rinku Mani Talukdar, No. 041702899 RT/GD (under termination) begs to lay the following few lines for favour of your kind consideration:-

1. That Sir, an advertisement published in the Dainik Agradoot dated 24.9.03 for the post of constable (GD). I applied and appeared in the interview for the said post and found eligible and selected by the Board.
2. That Sir, accordingly I was offered the said post by your good office and an appointment letter dated 5.6.04 was issued in favour of me with some terms and conditions.
3. That Sir, I had reported to your Office on 25.6.04 at CRPF Centre, Ninth Mile, Guwahati-23. I was sent to Orissa on 14.7.04 and reached Bhubaneswar on 15.7.04 and reported in the Office of the Commandant 170 BN, CRPF, Bhubaneswar (Orissa). My training was commenced from

Certified to be true copy
Advocate.

1.8.2004 and I successfully crossed all the training with full satisfaction upto 13.06.05.

4. That Sir, while I was in jungle training at Boronoi Jungle area, during that period on 13.6.05 at about 2 A.M. a simple quarrel was occurred between me and another constable who was also on duty like me. There was no any fault from my side, although this was very unfortunate, but immediately this matter was informed to the Commandant 170 BN. I was called and brought to training camp at Bhubaneswar on 14.6.2005.
5. That Sir, next day I appeared before the Commandant and my statements were noted. I beg mercy for the unfortunate incident (quarrel) with one of my colleagues and promised not to do such type of wrong in future. I was kept standing outside of the camp office whole day not only for the day but this exercise were done upto 30.6.05.
6. That Sir, from 14.6.05 to 30.6.05 I was continuously kept standing outside the camp office and I also begged mercy before the Commandant. I hoped to get mercy like similar incidents I had seen many times during my last training period. But Sir, it is regretted that I was terminated on 1.7.05 vide Order No. DV-1/2005-170-EC-II dated 1.7.05 without hearing my any request and my signature was taken forcefully on that order (copy of the order enclosed).
7. That Sir, out of my 11 months training 10½ months training were completed by me with good performance and

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only 15 days training was to be completed. In that situation I was terminated keeping me in hardship.

8. That Sir, I am belongs to very poor family and there is no any service holder in our family. Sir, there might be some wrong committed by me during that incident but that was due to my ignorance and I may be pardoned for the first time and hence this appeal.

Under the above circumstances it is therefore prayed that your honour would be kind enough to consider my above prayer and be pleased to pass a fresh order going through the above points and pardon and acquit me from the charges framed by the Commandant 170 BN, CRPF, Bhubaneswar cancelling the termination order No.D.V.-1/2005-170-EC-II dated 01.07.2005 so that I may be reinstated in my service promising to be good and dedicative defence personnel and thus oblige.

Yours faithfully,

Rinku mani Talukdar.

(Sri Rinkumani Talukdar)
S/o Satraghna Talukdar,
Vill. Paschim Khatarkalakuchi
P.O. Dehor Kalakuchi,
P.S. Mukalmua,
Dist. Nalbari, Assam.

Enclosure : as above
Copy to :-

The Commandant, 170 BN, CRPF,
Bhubaneswar (Orissa),
PIN - 751011 - for information.

Verified to be true copy.
Advocate

170 BN, CRPF, Bhubaneswar
PIN - 751011

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