

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 8A/14/2006

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SECTION OFFICER (Judl.)

Bahl  
24/10/17

5th Rule Day  
CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDERS SHEET

1. Original Application No. 144/06  
2. Misc Petition No. /  
3. Contempt Petition No. /  
4. Review Application No. /

Applicant(s) Sri Ibatombi Singh

Respondant(s) U. O. I. Post

Advocate for the Applicant(s). Manas Sonania.....

Babul Deka.....

Hs. S. Baroo.....

Advocate for the Respondant(s) C.G.S. ....

Notes of the Registry	Date	Order of the Tribunal
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This application is in form  
is filed/C. F. for Rs. 30/-  
deposited vide IPO/DD  
No. 266324516  
Dated 14.6.06

*Deen*  
Dy. Registrar

*Deen*  
15.6.06

16.6.2006 Present: The Hon'ble Shri K. V. Sachidanandan  
Vice-Chairman.

The applicant is a Mail-Jamadar under  
the respondents working in the office of  
the Sub-Post Office, Dimapur, Nagaland.  
According to his averments and Annexures-D  
& E produced, his date of birth is 6.9.1949  
and it is averred that if that date of  
birth is taken into account, he will retire  
only in 2009 whereas vide impugned order  
dated 26.10.2005 the third respondent has  
passed an order stating that the applicant  
will be deemed to have retired on  
superannuation w.e.f. 30.4.2003 A/N and  
also stated that his pensionary benefits  
will be made accordingly. The applicant has  
made an appeal/representation dated  
24.11.2005. Prior to issuance of the  
impugned order dated 26.10.2005 vide order  
dated 22.7.2005 applicant was directed  
to submit his age proof certificate as the  
same was not available in his Service Book.

Steps Taken

*Deen*

Contd.

16.6.2006 The applicant subsequently produced date of birth certificate by the civic authority which was not considered. The applicant further submits that the respondents are desirously trying to vacate his quarter. That apart, an outstanding amount of Rs.2,12,366/- towards excess stayed amount drawn by him in service is also attempted to be recovered by the respondents. Hence the present O.A.

*Received.  
Babul Dutt  
Adv. 19/6/06.*

*Received -  
Babul Dutt  
S.C.C.S.C.  
20.6.06*

order dt. 16/6/06  
issuing to learned  
advocate's for both  
the parties.

*l/s  
20/6/06.*

bb

Post on 17.7.2006.

Vice-Chairman

*Received -  
Babul Dutt  
S.C.C.S.C.  
18.7.06*

Order dt. 17/7/06  
issuing to learned  
advocate's for both  
the parties.

*l/s  
18/7/06 G.*

No. 101s has been  
billed.

*20*

*17.8.06.*

bb

18.8.2006 Four weeks time is granted to the respondents to file reply statement. Post on 23.10.2006.

Interim order will continue till such time.

Vice-Chairman

D

O.A. 144 of 2006

23.10.2006 Present: Hon'ble Sri K.V. Sachidanandan  
Vice-Chairman.

order dt. 23/10/06  
issuing to learned  
learned advocate for  
both the parties.

Chas  
26/10/06.

No WOs has been  
filed.

21-11-06.

order dt. 22/11/06  
issuing to both  
the parties.

Chas  
23/11/06.

No WOs has been  
filed.

23H  
19.12.06.

No WOs has been  
filed.

23  
23.1.07.

26.2.07  
No WOs filed so far.

lm

lm

Learned Counsel for the  
Respondents wanted further time to file  
reply statement. Let it be done.

Post on 22.11.2006. Interim order  
will continue till the next date.

Vice-Chairman

/mb/

22.11.2006 Present: Hon'ble Sri K.V. Sachidanandan  
Vice - Chairman.

The Respondents are directed to file  
reply statement. Post on 20.12.2006.  
Interim order shall continue until further  
order.

Vice-Chairman

/mb/

20.12.06 Counsel for the respondents seek  
further four weeks time to file written  
statement.

Post on 24.1.07 for order.

Vice-Chairman

pg

pg

24.01.07 Counsel for the respondents has  
submitted that the written statement is  
ready and he will serve the same within a  
week. Liberty is given to the applicant to  
file rejoinder if any.

Post the matter on 27.2.07.

Vice-Chairman

27.2.07.

Counsel for the respondent submitted that the written statement is being filed to-day. Let the same be kept in record. Respondents are directed to file reply to the written statement. Interim order shall continue. Post the matter on 14.3.07.

2.3.07

WPS submitted  
by the Respondents.  
Page contains 1 to 24,

1m

Member

Vice-Chairman

Pai.

13.3.07

No rejoinder was  
been filed.

~~15/3/07.~~

14.3.2007

Post on 24.04.2007 for filing of  
rejoinder. It is made clear that no further  
opportunity will be given to the Applicant  
to file rejoinder.

wrongly  
typed as  
order of  
24/2/06

B.Banu  
4/7/07

Member

Vice-Chairman

(bb)

O.A. 144/06

25.7.07. Pleadings are completed. Post the matter before the next available Division Bench.

Vice-Chairman

lm

26.9.2007 Call on 27.09.2007.

  
(Khushiram)  
Member (A)

  
(M.R. Mohanty)  
Vice-Chairman

/bb/

27.9.2007 Call this matter on 12.10.07.

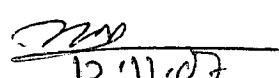
  
(Khushiram)  
Member (A)

  
(M.R. Mohanty)  
Vice-Chairman

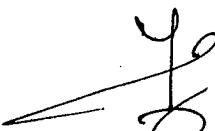
/lm/

12.10.07 None appears for the Applicant nor the applicant is present. However, Mr G. Baishya, learned Senior Central Govt. Standing Counsel for the Respondents is present.

Call this matter on 13.11.07 for hearing.

  
The case is ready  
for hearing.

  
(Khushiram)  
Member(A)

  
(Manoranjan Mohanty)  
Vice-Chairman

pg

O.A. 144/07

13.11.2007

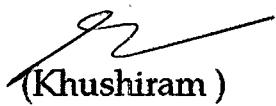
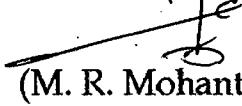
Call this matter on 15.11.2007 for  
hearing before Division Bench.



(M.R. Mohanty)  
Vice-Chairman

Lm

15.11.07 Having heard the counsel for both the parties, The case is disposed of vide orders recorded in separate sheet. With the disposal of this O.A., M.P.Nos. 53/06 & 101/07 are also stands disposed of.

  
(Khushiram )  
Member(A)  
(M. R. Mohanty)  
Vice-Chairman

pg

22.11.07  
certified copy  
of the judgment  
has been collected  
by the Applicant  
and copy of the  
judgment has been  
sent to the D.P.C.C.  
for sending the  
same to the  
L.A.D.V. for the  
records and to  
the Regd No 3  
by post.  
JK

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 144/2006

DATE OF DECISION : 15-11-2007

Shri Ibotombi Singh

.....Applicant/s

Mr M. Sarania

.....Advocate for the  
Applicant/s

-Versus -

Union of India & Ors.

.....Respondent/s

Mr G. Baishya, Sr.C.G.S.C.

.....Advocate for the  
Respondent/s

CORAM

THE HON'BLE MR MANORANJAN MOHANTY, VICE CHAIRMAN

THE HON'BLE MR KHUSHIRAM, ADMINISTRATIVE MEMBER

1. Whether reporters of local newspapers may be allowed to see the judgment ? Yes/No
2. Whether to be referred to the Reporter or not ? Yes/No
3. Whether their Lordships wish to see the fair copy of the judgment ? Yes/No.

*Y* *Khushiram*  
Vice-Chairman/Mamber(A)

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No.144 of 2006.

Date of Order : This the 15th Day of November, 2007.

THE HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN

THE HON'BLE SHRI KHUSHIRAM, ADMINISTRATIVE MEMBER

Shri Ibotombi Singh  
S/o Late A. Amuba Singh  
Dimapur Postal colony,  
P.O. Dimapur, MDG - 797112  
Dist. Dimapur, Nagaland

.....Applicant

By Advocate Mr M. Sarania

- Versus -

1. Union of India  
represented by the Secretary to the  
Govt. of India, Ministry of Communication,  
New Delhi.
2. The Chief Postmaster General,  
North Eastern Circle, Shillong,  
Meghalaya.
3. The Director of Postal Service,  
Nagaland, Kohima - 979001.
4. The Director of Accounts (Postal)  
North East Circle, Shillong-793001.
5. The Sub Post Master,  
Dimapur Main Dak Ghar, Dimapur  
Dist. Dimapur, Nagaland.

.....Respondents

By Shri G.Baishya, Sr.C.G.S.C.

.....



ORDER (ORAL)

KHUSHIRAM, MEMBER(A)

The Applicant was a Group D Mail Jamadar in the Dimapur Sub Post Office, in the State of Nagaland. He was retired, retrospectively, with effect from 30.4.2003 by an order dated 26.10.05. Orders were also issued for recovery of salary paid to him in excess of pensionary entitlement from 01.04.2003 till 26.10.05. Being aggrieved, the Applicant preferred an appeal before the Director of Postal Services at Kohima(Nagaland) on 24.11.05. Earlier, by letter dated 22.07.05, the Applicant was informed (by Director Postal Service) to submit a certificate for proof of his age. The Applicant submitted a birth certificate dated 26.07.05 issued by the Imphal Municipal Corporation. Copy of the Gradation List of Group D Staff (as corrected upto 31.07.99) was also submitted, indicating the date of birth of the Applicant as 06.07.49. He was also asked, by letter dated 20.02.06, to vacate the Staff Quarter by 28.02.06 and subsequently, by letter dated 06.03.06, the Applicant was allowed to retain the quarter upto April 2006, on payment of "double the license fees". The retrial dues of the Applicant, (like his GPF, leave encashment and CGEGIS) were ordered to be debited against the over drawal amount of salary from the date of his retrospective retirement.

2. Aggrieved by all such actions of the Respondents, the Applicant approached this Tribunal with this Original Application filed under Section 19 of the Administrative Tribunals Act 1985. The Tribunal passed an interim order on 16.06.06 restraining the Respondents from



effecting recovery of the total amount of Rs.2,12,366/- and the Applicant was also permitted to stay in the Govt. Quarters till the next date, if he had not already vacated. The said interim order was extended, during the course of litigation, from time to time.

3. The Respondents have filed their written statement in this case stating that the date of birth of the Applicant was recorded to be 01.05.1943 in the service sheet that was opened on his joining service on 17.06.1968 but, due to some clerical mistake, his date of birth was wrongly recorded as 06.09.1949 in the Gradation List and, as a result, he continued in service beyond the actual date of retirement; that the Applicant himself never brought the fact of wrong notings in the Gradation List or about the actual date of retirement to the notice of the Respondents and that therefore, the Respondents sought recovery of the salary paid to him after 30.04.2003 i.e. the actual date of retirement. The Respondents also contended that the date of birth once entered in the service book was not available to be altered; unless sanctioned by the competent authority and that request for change of date of birth was to be made only within 5 years of entry in the service and that by mistake the date of birth of the applicant was shown as 06.09.1949 in the gradation list. They have blamed the Applicant for having not brought this illegality to the notice of the competent authority for correction. The Respondents, who ordered for recovery of license fee and double license fee from the Applicant for retention of quarter, took a stand in their written statement that since the retired Government servant are not entitled to receive salary but only monthly pension, the Respondents were justified in asking for the recovery



of excess payment made to the applicant (as salary) to the tune of Rs.2,11,595/- . It has been disclosed by the Respondents that pension of the applicant has been calculated at Rs.771/- and that it has been calculated after adjustment of Rs. Rs.2,12,366/-, are to be recovered from pensionary benefits; for excess payment (as salary) were made to the Applicant.

4. We have heard Mr M.Sarania, learned counsel appearing for the Applicant and Mr G.Baishya, learned Sr. Standing Counsel for the Union of India (appearing for the Respondents) and perused the material placed on record.

5. The learned counsel for the Applicant has asserted that the Applicant is uneducated/ illiterate person and his date of birth is shown as 06.09.1949 in the Gradation List of Group D (as corrected upto 31.07.99) and supported by the date of birth certificate submitted by him to the department should be deemed as correct. He also submitted that the Government Quarter could not be vacated by the poor Applicant because the Respondents refused to pay him even the retirement benefit and whatever could have been paid to him was to be adjusted against the alleged excess payment made for salary etc. and that without anything in hand (even as monthly pension/provisional pension) for his/his family's sustenance the poor Applicant could not find out any shelter (for his family) other than the Govt. Quarters, which was in his possession. The applicant has vacated the Government accommodation on 10.10.07.

6. The Learned Senior Standing Counsel for the Respondents, on the other hand, submitted that the Applicant should have brought the mistake regarding his date of birth to the notice of the department; for



which he was duty bound. But he failed to do so. Therefore, the order for recovery of payment (made in excess of pension) from the applicant is justified. He argued that for the reason of claims raised in the present case, no monthly pension are being paid to the Applicant.

7. We have given our careful consideration to the rival contentions of both the parties and perused the documents made available before us. The photo copy of the service book produced by the Respondents indicated the date of birth as 01.05.1943. The Applicant never filed any application for correction of the same. The Gradation List of Group D employees (as corrected upto 31.07.99) shows the date of birth of Applicant as 06.09.49, whereas he entered service on 17.06.68 (the Gradation List however, shows the date of entry in service as 24.04.65). If his date of birth is taken as 06.09.49; then on the date of entry in service (as per Gradation List) he was barely 16 1/2 years old; which was not possible as the minimum age for entry in Govt. service was/is 18 years and, therefore, he could not have been employed being under age. Thus, the date 01.05.1943, as mentioned in service book of the applicant, as his date of birth is only to be relied upon and the date (as given in the birth certificate submitted by Applicant, to prove his date of birth as 06.07.49, from Municipal Corporation of Imphal) can not and ought not be relied upon. Obviously the Applicant had superannuated and was retired on 30.04.2003 because as per Chapter V page 79 of Swamy's Pension Compilation incorporating CCS (Pension) Rules, "A Government servant whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of



sixty years." That apart, the Applicant having never claimed his date of birth as 1949 nor ever asked to correct the entry (regarding date of birth etc.) in his service book within first 5 years of his entry in service, his belated attempt (at the fag end of his service) was/is not available to be entertained.

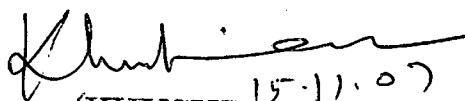
8. It was a clerical mistake (as admitted by the Respondents) when wrong entries of dates were reflected in the gradation list and, as it appears, for the reason of the said mistake, the Respondents, virtually, allowed the Applicant to continue in service after the actual date of superannuation till the issuance of order dated 26.10.2005. Since the Applicant discharged his duties till he was actually retired, he was entitled to full salary; which has rightly been paid to him. Therefore, on the peculiar circumstances of this case, the Applicant should be paid "notional pension" as applicable to him on normal superannuation calculated on the basis of the pay etc. last drawn on or before 30.04.2003, with effect from 01.05.2003 to 26.10.2005, and actual pension with effect from 27.10.2005; without effecting any recovery (of the amount paid to him as salary etc., in excess of the entitled pensionary benefits) from pension and other terminal benefits payable to the Applicant. Similarly, he continued in occupation of the Government Quarter for a longer time; part of which was under the interim orders of this Tribunal, for which, till the date of vacation of the Quarters, i.e. 10.10.07, the Applicant will have to pay only the normal license fee. We order accordingly. While passing this order, we have taken note of the fact that even after issuance of PPO, the Respondents have not released the monthly pension to the Applicant, apparently for the reason



of pendency of this case (as a result of which he was deprived of his sustenance) which, as stated by the counsel for the Applicant compelled the Applicant to remain in the Quarter.

9. The Respondents are directed to release full pensionary benefits etc. (all arrears) of the Applicant, as per this order by end of January 2008. Monthly pension need be paid to the Applicant from end of December 2007.

10. This Original Application is, virtually, allowed to the extent the observations and directions made hereinabove. There will be no order as to costs.

  
(KHUSHIRAM)  
ADMINISTRATIVE MEMBER

  
(MANORANJAN MOHANTY)  
VICE CHAIRMAN

/pg/

BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL : :

GUWAHATI BENCH.

ORIGINAL APPLICATION NO. 144 /2006.

Shri A. Ibotombi Singh. .... Applicant.

- V E R S U S -

The Union of India & ors. .... Respondents.

SYNOPSIS

<u>Sl. No.</u>	<u>Particulars</u>	<u>P/ No.</u>	<u>Particular of facts</u>
1.	Annexure- "A"	14	The Impugned order dated 26.10.05 was passed by the Director of postal services, Nagaland, Kohima vide No. B-2/Staff/A. Ibotombi Sing, dated 26.10.05.
2.	Annexure- "B"	15	Appeal/Representation before the Director of postal services, Nagaland, Kohima on 24.11.05.
3.	Annexure- "C"	16	Vide letter No. B-2/Staff/A. Ibotombi/ D.O.B./05, dated 22.7.05 the applicant was informed by the respondent No. 3 that the age proof certificate was not available in the personal file and submit the same.
4.	Annexure- "D"	17	The birth certificate dated 26.7.05 issued by the Imphal Municipal Corporation.
5.	Annexure- "E"	18	The unsigned gradation list of group-D staff corrected upto 31.7.99.
6.	Annexure- "F"	19	Vide letter No. D-2/Staff/Quarter/IV/Dmp, dated 20.2.06, the applicant was asked to vacate the T-II staff quarter by 28.2.06.
7.	Annexure- "G"	20	Vide letter No. D-2/Staff/Qtr/IV/Dmp,

dated 6.3.06, the applicant was directed to pay the double the licence fee and retention of the quarter was permitted upto April / 2006.

8. Annexure- "H" 21 The reminder letter to the respondent No. 3 on 25.4.06
9. Annexure- "I" 22 The direction from the respondent No. 4 vide letter No. NE/Pn/DCRG-15/06-07/LC-61/05-06/191, dated 27.4.06 to the respondent No. 3 that a sum of Rs. 1,05,122/- being the amount of the DCRG in favour of the applicant to be disburse.
10. Annexure- "J" 23 Sanction of Rs. 1,05,122 /- was accorded by the respondent No. 3 vide letter No. C-2/Pension/Shri A. Ibotombi Singh, dated 8.5.06.
11. Annexure- "K" 24 The applicant was asked to vacate the quarter within 7 days vide this impugned communication No. D-2/Staff/Quarter/IV/Dmp, dated 16.5.06.
12. Annexure- "L" 25 The respondent No. 3 vide another letter No. C-2/Shri A. Ibotombi Singh, dated 25.5.06 informed that the pensionary benefit amounting Rs. 84,303/- payable to the applicant from his GPF, leave encasement and CGEGIS to be debited against the overdrawn amount.

Filed by

Babul Deka.  
14/6/06

(Sri Babul Deka.), Advocate.

केन्द्रीय प्रशासनिक विधायिका  
Central Administrative Tribunal

14 JUNE 2017

गुवाहाटी विधायिका  
Guwahati Bench

**RECEIPT SLIP**

Receipt of the application filed in the Central Administrative Tribunal Guwahati Bench by Shri A. Ibotombi Singh in the Department of Communication residing at Dimapur Postal Coloney, P.O.- Dimapur, MDG, Dimapur-797112 in the district of Dimapur, Nagaland is hereby acknowledged.

Dated

For Registrar,

Seal

Central Administrative Tribunal

Guwahati Bench

केन्द्रीय प्रशासनिक अधिकारण  
Central Administrative Tribunal

17/10/2006

गुवाहाटी न्यायपीठ  
Guwahati Bench

BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL:

**GUWAHATI BENCH.**

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

**ORIGINAL APPLICATION NO. 144 /2006.**

Shri A. Ibotombi Singh. .... Applicant.

**- V E R S U S -**

The Union of India & ors. .... Respondents.

**I N D E X**

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Filed by

*Babul Deka*  
14/6/06

Sri Babul Deka, Advocate.

*Filed by  
The applicant though  
Sri Bhabul Singh  
Advocate.  
A. Ibotombi Singh  
20*

**BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL:  
GUWAHATI BENCH.**

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

**ORIGINAL APPLICATION NO. 144 /2006.**

Sri A. Ibotombi Singh.

S/o :- Late A. Amuba Singh.

Dimapur Postal Coloney.

P.O.- Dimapur, MDG - 797112.

Dist:- Dimapur, Nagaland.

.....Applicant

**-- V E R S U S --**

1. The Union of India  
Representation by the Secretary to the  
Ministry of Communication, New Delhi.
2. The Chief Post Master General,  
(North-East Region, Shillong)
3. The Director of Post Service, Nagaland  
Kohima, 979001
4. The Director of Accounts (Postal)  
North-East Circle, Shillong - 793001
5. The Sub-Post Master,  
Dimapur, Main Dag Ghar, Dimapur.  
Dist:- Dimapur, Nagaland.

.....Respondent.

**Particulars of the Application.**

**1. Particulars of the Order against which this application is made:-**

This application is made against the impugned Order dated 26.10.05 passed by the Director of Postal Services, Nagaland, Kohima vide Order No.B-2/Staff/A. Ibotombi Singh, dated 26.10.05 by which he was allowed to go on retirement from his service as Group-D staff of Dimapur MDG, after attaining the age of 60 years on 30. 4.2003 with retrospective effect. It is directed that the applicant deems to have been retired on after reaching superannuation with effect from 30.4.03 and the payment of salary etc. surplus would be recoverable from his monthly pension paid to the applicant after 30.4.03 would be recovered forthwith.

**2. Jurisdiction of the Tribunal :-**

The applicant further declares that the subject matter of the instant case is within the jurisdiction of the Hon'ble Tribunal.

**3. Limitation :-**

The application declares that the instant application has been filed within the limitation period prescribed under Section 21 of the Central Administrative Tribunal Act, 1985.

**4. Facts of the case :-**

4.1. That the present applicant has come before this Hon'ble Tribunal seeking an appropriate direction to the respondents authority to allow to resume his duties as mail-jamader in the office of the sub-post office Dimapur till his actual date of retirement.

4.2. That the applicant joined in the postal service in Imphal in the State of Manipur in temporary status. Later on, the applicant has been regularized at Dimapur, Nagaland with effect from 24.4.65. Since then the applicant have been discharging his duties in the said capacity till date

A. Ibotombi Singh

without any break to the satisfaction of the authority concerned. There is no any bad remarks or bad service reputation in his entire service career.

4.3. That the applicant has been served with a copy of the impugned order dated 26.10.05 passed by the Director of postal services, Nagaland, Kohima vide No. B-2/Staff/A.Ibotombi Sing, dated 26.10.05. The applicant after getting the said order on 30.10.05 surprised and shocked after knowing that he was directed to go on superannuation with retrospective effect w.e.f. 30.4.03. In the said order dated 26.10.05 it was also ordered that the applicant deemed to have been retired on 30.4.03 on reaching superannuation. Further it was also ordered in the para- 3 of the impugned order dated 26.10.05 that the surplus payment made by the respondent authority to the applicant till 30.10.05 would be recovered forthwith from the monthly pension. Accordingly, the applicant was released on 31.10.05.

The copy of the impugned order dated 26.10.05 is annexed as Annexure- "A" to this application.

4.4. That the applicant after getting the said surprise impugned order dated 26.10.05 made an appeal/representation before the Director of postal services, Nagaland, Kohima on 24.11.05 stating that according to the gradation list supplied to the applicant by the department, the date of birth of the applicant is mentioned as 6.9.49 which the applicant has entered in initial joining on 24.4.65. But the order to go on retirement and recovery for the past 30 months of pay and allowances received by the applicant for the work done was a major surprise to him and he feels it is very unjustified. Further, it was also appealed that prior to the date of deem to be retirement i.e., 30.4.03, the applicant was not intimated. Therefore, it was requested to the respondent No. 3 to modify the order of retirement and not to recover the amount paid to him for the last 30 months.

A copy of the appeal/representation dated 24.11.05 is annexed as Annexure- "B" to this application.

4.5 That the applicant begs to state that prior to issue of the impugned superannuation order dated 26.10.05 a letter was issued by the respondent No. 3 being No. B-2/Staff/A. Ibotombi/D.O.B./05, dated 22.7.05 to him. In the said letter it was informed that the age proof certificate of the applicant was not available in the personal file. Therefore, the applicant was directed to submit the same to the office within 3 days time without fail. The applicant after receipt of the said letter dated 22.7.05 submitted the date of birth certificate issued by the Imphal Municipal Corporation under the signature of Sub-registrar, Birth and Death, Imphal Municipal Council, Imphal, dated 26.7.05. In the said birth certificate his date of birth has been shown as 6.7.49. Further it may be stated that as the said birth certificate was issued by the Imphal Municipal Council basing on a school certificate issued by the Head Master Akhui Junior High school, Tamenglong district, Manipur. While he was promoted to class-IX in 1963 his date of birth was registered as 6.7.49.

The copies of the letter dated 22.7.05 and the birth certificate dated 26.7.05 are annexed as Annexure- "C" and "D" to this application, respectively.

4.6. That the applicant begs to state that the office of the respondent authority prepared a gradation list of group-D staff corrected upto 31.7.99. In the said gradation list also the applicant's date of birth has been shown as 6.9.49 and the date of entry in service is shown as 24.4.65.

A copy of the gradation list issued to the applicant without any signature and forwarding letter is annexed as Annexure- "E" to this application.

4.7. That the applicant begs to state that after allowed to go on retirement on 26.10.05 with retrospective effect w.e.f. 30.4.03 as he is no longer in service, the respondent No. 3 issued a letter to the applicant vide letter No. D-2/Staff/Quarter/IV/Dmp, dated 20.2.06 with reference to the letter dated 7.2.06 directed to vacate the T-II staff quarter by 28.2.06 paying the double the normal licence fee. In the said letter it was also stated that as per Rule the period for retention of quarter after retirement is 2 months on payment of normal licence fee and another 2 months of payment of the double the licence fee.

The copy of the letter dated 20.2.06 is annexed a Annexure "F" to this application.

4.8. That thereafter, the applicant filed a representation on 24.2.06 before the respondent No. 3 and the respondent No. 3 in reference to the said representation dated 24.2.06 vide letter No. D-2/Staff/Qtr/IV/Dmp, dated 6.3.06, directed the applicant to pay the double the licence fee for the month of January/06 and February/2006 i.e. Rs. 434/- per month x 2=Rs.868/- and be deposit at Dimapur MDG and to furnish the particulars to this office. Further, the applicant was directed to pay the 4 times the nominal fee that is Rs. 868/- (eight hundred sixty eight) only per month for the month of March/2006 and April/2006 and retention of the quarter is permitted upto April /2006.

A copy of the letter dated 6.3.06 is annexed as Annexure- "G" to this application.

4.9. That applicant begs to state that as respondent No. 3 without disposing his appeal/representation dated 24.11.05 was pressing him to vacate the quarter, so submitted another reminder on 25.4.06 in reference to the impugned order dated 26.10.05. In the aforesaid remainder it was urged that an appealed for reconsideration of the order mentioned is pending

*A. Chettri Singh*

and till now the applicant has not received any response or any retirement benefits from the department. Further, he is asked to vacate the quarter before 30.4.06 and he is expecting some amount of money as his retirement benefits, so that he can shift his family. But nothing has been paid till date. Therefore, request was made kindly respond to appeal considering the case sympathetically.

A copy of the remainder letter dated 25.4.06 is annexed as Annexure- "H" to this application.

4.10. That the applicant begs to state that the applicant was informed by the superannuation letter dated 26.10.05 that the 30 months excess salary will be recovered forthwith. The respondent No. 4 vide letter No. NE/Pn/DCRG-15/06-07/LC-61/05-06/191, dated 27.4.06 informed to the respondent No. 3 that a sum of Rs. 1,05,122/- (one lakh five thousand one hundred and twenty two) being the amount of the DCRG in favour of the applicant was asked to draw and disburse in accordance with Rule 65(2) of CSS (pension) Rule 1972. In the said intimation letter of DCR gratuity it was also directed to the respondent no. 3 to recover the outstanding amount reflected in the final LPC if any be recovered and credited through UCR with appropriate details. And vide another letter No. NE/LC-61/05-06/194, dated 27.4.06 issued by the respondent No. 4 informed to the applicant that the applicant's pension has been sanctioned with effect from 1.5.06 at the rate of Rs. 2043/- plus DG per month. But neither he has received the DCRG nor any pension amount till now.

A copy of the letter dated 27.4.06 is annexed as Annexure- "I" to this application.

4.11. That the applicant begs to state that the respondent No. 3 vide letter No. C-2/Pension/Shri A. Ibotombi Singh, dated 8.5.06 has accorded sanctioned of rupees 1,05,122 (rupees one lakh five thousand one hundred

A. Ibotombi Singh.

and twenty two) only being the payment of DCRG to the applicant. And from the statement of accounts it transpires that seems to be outstanding amount and is recoverable from the applicant as per impugned order dated 26.10.05 has been credited and adjusted alongwith the sanctioned amount. As per the respondent's calculation the outstanding amount recoverable from the applicant is Rs. 2,12,366/- (Rupees two lakhs twelve thousand three hundred and sixty six) only hence, the net payable amount to the applicant is nil.

A copy of the letter dated 8.5.06 is annexed as Annexure- "J" to this petition.

4.12. That thereafter the respondent authority in reference to the representation dated 27.4.06 made the impugned communication to the applicant vide letter No. D-2/Staff/Quarter/IV/Dmp, dated 16.5.06 issued by the respondent No. 3 that as he has not paid /credited the required license fee so he can not be allowed to retain the quarter further. Hence, the applicant was directed to vacate the quarter within 7 days.

The impugned communication dated 16.5.06 is annexed as Annexure- "K" to this application.

4.13. That, further vide another letter No. C-2/Shri A. Ibotombi Singh, dated 25.5.06 which was issued by the respondent No. 3 to the applicant, it was informed that the pensionary benefit amounting Rs. 84,303/- (rupees eighty four thousand three hundred and three) only payable to the applicant from his GPF, leave encasement and CGEGIS to be debited against the overdrawn amount. And the remaining Rs. 22,941/- (Rupees twenty two thousand nine hundred and forty one) only to be recovered from the monthly pension of the applicant. By the said letter the respondent No. 3 requested to the applicant his willingness as well as mode of adjustment of payment.

A copy of the letter dated 25.5.06 is annexed as Annexure- "L" to this application.

**5. Ground of Relief with legal provision:-**

5.1 For that the action for the aforesaid impugned order dated 26.10.05 (Annexure- "A") and order dated 6.3.06 are illegal, arbitrary and violation the principles of natural justice and the Hon'ble Tribunal may be pleased to set aside the order directing the respondent to reinstate the applicant and to grant the benefit of past service with retrospective effect.

5.2 For that the respondent ought to have informed the applicant that he will reach superannuation on 30.3.03 and failure to inform the same in time can not be made to suffer the applicant for no fault of him.

5.3 For that the respondent asked the date of birth certificate from the applicant on 27.7.05 accordingly he submitted the same issued by the competent authority on the basis of school leaving certificate. Hence, the respondent can not pass an ex-parte order without rejecting the certificate of birth. Therefore, the action of the respondent authority is liable to set aside.

5.4 For that the respondent authority themselves admitted in the gradation list of Group-D staff corrected upto 31.7.99 that the applicant's date of birth is 6.9.49 and accordingly by the said corrected gradation list of the applicant ought to go on retirement/superannuation in the month of Sept/2009. So, the advance superannuation/ date of retirement that to with retrospective effect issued vide order dated 26.10.05 is illegal and arbitrary and liable to be interfered by the learned Tribunal.

5.5 For that if it is presumed that due to some mistake, the applicant is allowed to continue after the date of superannuation upto 30 months by the respondent authority. In spite of that the applicant can not be deprived of the service benefit for the excess 30 months. Hence, the said excess

A. Gleason Finch.

drawl of salary can not be recoverable or deductible neither from DCRG nor from gratuity and also from pension.

5.6. For that the impugned order dated 26.10.06 has been issued without any authority of law and without any prior information to the applicant that he was supposed to be retired on 30.4.03. And on the basis of the said impugned order he was released on 30.10.05 without releasing any pensionary benefit and other benefits payable to the applicant as such the impugned order dated 26.10.06 is not sustainable in facts as well as in law.

5.7. For that vide order dated 6.3.06 he has been asked to pay the double the licence fee for retaining the quarter for the month of January/ 2006 and February/2006 that is @ Rs. 434/- (four hundred and thirty four) only per month and for the month of March /2006 and April /2006 to pay the four times of nominal fee that is Rs. 868/- (eight hundred sixty eight) only per month upto April /2006 which is illegal and devoid of law. The applicant can not be compelled in such a way to leave the quarter by April /2006.

5.8. For that the direction of the letter dated 16.5.06 to vacate the quarter within 7 (seven) days for not paying or crediting the required licence fee as requested/made vide letter dated 6.3.06 is illegal, arbitrary and violation of Article 14 and 21 of the constitution of India and respective service Rules.

5.9. For that except the last month of salary made in November 2005, the applicant has got nothing even not a single praise from the respondent authority after giving forceful retirement without prior notice vide impugned order dated 26.10.05. Further, whatever amounts, the applicant has

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received as DCRG sanctioned vide Annexure- "G" has been deducted vide letter No. C-2/Pension/Shri A. Ibotombi Singh, dated 8.5.06 by the respondent authority to adjust the outstanding amount as surplus salary paid to the applicant for 30 months after 30.4.03. Even now he has a balance amount to be deducted from the applicant's. Hence, without paying anything can not force the applicant for shifting somewhere else or without giving any opportunity to establish his family is foreign to the service jurisprudence, hence the impugned communication dated 16.5.06 is also liable to be interfered by this Hon'ble Tribunal for the interest of justice.

5.10. For that the respondent No. 3 has illegally not allowed the applicant to resume his duties till his retirement as per the date of birth certificate and the gradation list prepared by the respondent authority. Hence, the impugned communication made vide letter dated 26.10.05 is liable to be interfered by staying the operation of the same.

5.11. For that the respondent can not surprisingly issue such surreptitious order to vacate the quarter issued vide letter dated 16.5.06 being no longer in service as respondent claimed as the applicant never prepared to face the such situation as he is suppose to go on retirement in the month of Sept./2009.

5.12. For that the respondent being nodal employer ought to have allowed to resume the present applicant in his duties who is still medically fit in the said post till the reaching of superannuation.

5.13. For that in any view of the matter the action /inaction on the part of the respondent are illegal, arbitrary and violation of the settled principles under service jurisprudence.

5.14. The applicant crave leave of this Hon'ble Tribunal to advance more ground both legal as well as factual at the time of hearing of the case.

**6. Details of the remedy exhausted:-**

That the applicant declares that he has exhausted all the remedies available to them and there is no alternative remedies available to him.

**7. Matter not previous filed or pending with any other Court :-**

That the applicant further declares that he has not filed previously any application, writ or suit regarding the matter in respect of which this application is made before any other court or any other authority or any other Bench of this Tribunal nor any such application, writ petition or suit is pending before any of them.

**8. Reliefs sought :-**

Under the facts and circumstances stated above the applicant most respectfully prayed that the instant application be admitted, records be called for and after hearing the parties on the cause or causes that may be shown and on perusal of the records be grant the following reliefs to the applicant :-

- 8.1. to quash and set aside the impugned order dated 26.10.05  
issued vide No. B-2/Staff/A.Ibotombi Sing, dated 26.10.05  
(Annexure- "A" ) being not conformity with the service Rule
  
- 8.2. to direct the respondents (particularly respondent No. 3) to be allowed to resume the present applicant as Mail-Jamadar in the office of the respondent No. 5 with retrospective effect with all consequential service benefit and/ or

*Excer & Party  
Scrib* ✓  
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8. 3. to direct the respondents not to recover the excess withdrawal of Rs. 2,12,366/- from the applicant and

8.4. to pass an order to release the deducted amount whatsoever to the applicant

8.4. Costs of the application.

8.5. Any other relief/reliefs to which the present applicant is entitled to under the facts and circumstances of the case.

**9. Interim order, if any prayed for :-**  
That the present applicant prays before this Hon'ble tribunal for an interim order directing the respondent mainly the respondent No. 3 may be allowed to resume the applicant on his duties as Mail Jamadar during the pendency of this Original application.

10. ....

**11. Particulars of I. P. O.:-**

- i. I.P.O. No. :- 266324516
- ii. Date :- 14-6-06
- iii. Payable at :- Guwahati.

**12. List of enclosure :-**

As stated in the index.

A. Shyamoni Singh

VERIFICATION.

I, Sri A. Ibotombi Singh aged about 57 years son of late A. Amuba Singh, Ex. M/Jamadar, presently residing at Dimapur Postal Colony, P.O.- Dimapur, MDG, Dimapur -797112 in the district of Dimapur, Nagaland do hereby verify that the contents of paras 1, 2, 3, 4.1, 4.2, 4.4, 4.5, 4.6, 4.9, 6, 7, and 9 are true to my knowledge and paras 4.3, 4.7, 4.8, 4.10, 4.11, 4.12 and 4.13 are matter of records which I believe to be true and the rest are true to my legal advice and I have not suppressed any material fact.

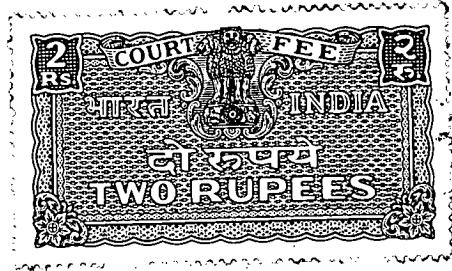
And I sign this affidavit on the 14th day of June / 2006 at Guwahati.

*Argom, Ibotombi Singh.*

Signature of the applicant

Date: 14th day of June/06

Place: Guwahati.



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### AFFIDAVIT

I, Sri A. Ibotombi Singh aged about 57 years son of late A. Amuba Singh, Ex. M/Jamadar, presently residing at Dimapur Postal Colony, P.O.- Dimapur, MDG, Dimapur -797112 in the district of Dimapur, Nagaland, do hereby swear in the name of God solemnly affirm and state as follows :

1. That I am the applicant in this instant application. And I being acquainted with the facts and circumstances of this case, I am competent to swear this affidavit and file this application.
2. That the statements made in this affidavit and paragraphs and are true to my knowledge and those made in paragraphs are matter of records which I believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

And I sign this affidavit on this      th day of June /2006 at Guwahati.

*A. Ibotombi Singh*

Identified by :-

*Babul Singh*  
6/6/06  
Advocate

### DEPONENT

Solemnly affirm before me by this deponent before me on this the day of June, 2006 at Guwahati.



*6/6/06*

DEPARTMENT OF POSTS : INDIA  
OFFICE OF THE DIRECTOR OF POSTAL SERVICES  
NAGALAND : KOHIMA - 797001

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No. B-2/Staff/A. Ibotombi Singh

Dated at Kohima the 26.10.05

ORDER

1. Shri A. Ibotombi Singh, Group D, Dimapur MDG, has attained 60 years of age on 30-04-2003. However, the official was inadvertently allowed to work till date.
2. It is, therefore, ordered that the official will be deemed to have retired on superannuation with effect from 30-04-2003 A.N.
3. The payment of salary, etc. ~~super~~ to his monthly pensions paid to the official after 30-04-2003 should be recovered forthwith.

sd/-

(SHRI L. PANGERNUNGSANG)  
Director Postal Services  
Nagaland, Kohima, 797001

30/10/03

Copy to :

1. The Postmaster, Kohima H.O for information and necessary action.
2. The Sub Postmaster, Dimapur MDG for information and necessary action.
3. The Accountant Divl. Office Kohima for info and necessary action.
4. Shri A. Ibotombi Singh, Group D Dimapur MDG.
5. Office Copy.

(SHRI L. PANGERNUNGSANG)  
Director Postal Services  
Nagaland, Kohima, 797001

enclified file true copy  
Dr. S. S.  
Advocate

26/10/05

6/9/09 D/B

2009. Retd

To,

The Director,  
Postal Services,  
Nagaland Kohima

Reference : Your office order No.B-2/Staff/A.Ibotombi Singh dtd 26-10-05

Sir,

With due respect I beg to state the following few lines for favour of your kind consideration and sympathetic action please. That sir, as per your letter mentioned above, I was ordered to go on retirement w.e.f 30-04-2003 and the pay and allowances received for the past 30 months of my hard labour put by me for the department is also to be recovered from my pension.

Sir, I would like to bring to your knowledge that I was asked to submit my age proof certificate vide DO LETTER No.B-2/Staff/A.Ibotombi/D.O.B/05 dtd 22-07-05 and the same was submitted by me as per which my DOB is 06-07-1949. Also according to the gradation list (copy enclosed) supplied to me by the department my date of birth is mentioned as 06-09-1949. But your order to go on retirement and recovery for the past 30 months pay and allowances received by me for the work done was a major surprise and which I feel is very much unjustified. May I please ask your kind authority as to why this punishment is given to me? Why I was not intimated prior to the date i.e.30-11-03 about my date of retirement as is done to everybody else who is supposed to go on retirement? Am I to be blamed and punished for the mistakes and negligence committed by the department? Moreover, what will happen to 30 months duration of my earning and life. It means a lot to me. Does it mean anything to the department. Sir, your order has deprived me of all the benefits that I have earned after putting my whole life in the service of the department by way of this recovery.

So, it is sorry to state that it is not happily acceptable in any circumstances after rendering a complaint-less service of a service life like that of me.

I therefore request your kind authority to please modify your order and not recover the amount paid to me during these past 30 months of my hard labour and which I will consider as enough compensation for all the physical, mental and emotional pains and hardships borne by me and my family during this unfortunate period.

Thanking you

Yours faithfully

Date : 24-11-05

Ibotombi Singh  
Ex-M/Jamadar  
Dimauro MDG

Copy to : The CPMG NE Circle, Shillong

certified to be true copy  
B. C. A. Advocate

**DEPARTMENT OF POSTS : INDIA**  
**OFFICE OF THE DIRECTOR OF POSTAL SERVICES**  
**NAGALAND : KOHIMA-797001.**

No. B-2/Staff/A. Ibotombi/D.O.B/05

Dated at Kohima the 22-07-2005

To

✓ Shri A. Ibotombi Singh  
Mail Jamadar  
Dimapur MDG

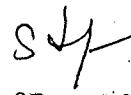
Sub. : Non-availability of Age Proof Certificate

It has come to the notice of this office that your age proof certificate is not available in your Personal File. Therefore, you are hereby directed to submit the same to this office within 3 days time without fail.

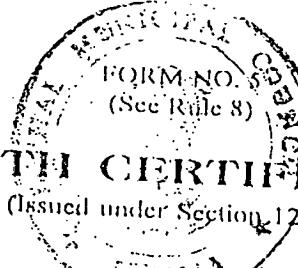
This is very IMPORTANT.

  
For Supdt. of Post Offices  
O/o. The Director Postal Services  
Nagaland, Kohima. 797001

Copy to: The SPM Dimapur MDG. He will please clarify on what basis the D.O.B of the official was written as 06-07-1949 in the gradation list. The same may be intimated to this office by next mail as the matter is very urgent.

  
Supdt. of Post Offices (Hq)  
O/o. The Director Postal Services  
Nagaland, Kohima. 797001.

*certified true copy  
Birendra  
Adroleti*



Parvaneh - 51

## BIRTH CERTIFICATE

(Issued under Section 12/17)

This is to certify that the following information has been taken from the original record of birth which is the register for (Local Area) - - - - - Imphal Municipal Council

of Tahsil of - - - - - Imphal of District - - - - - Imphal West

of State - - - - - Manipur

Name - - - - - Chogone Kotsambi Singh Registration No. 209 (D) of July, 2005

Sex - - - - - male Date of Registration 26/7/05

Date of Birth 06-07-49 (Sixth July Nineteen hundred Forty Nine)

Place of Birth - - - - - Imphal Permanent Address of Father - - - - - Krepol Yambam Leikai

Name of Father late S. Amuba Singh Name of Mother (A) Parijat Devi

Date - - - - - 26/7/05

R. J. 26/7/05  
Signature of Issuing Authority

Seal Registrar  
Birth & Deaths  
Imphal Municipal Council  
Imphal

D/P&S No. 114/25-11-2002 Medical 50,000-C/30-11-2002

*certified to be true copy  
Parveen  
Advocate*

Appendix E

GRADATION LIST OF GROUP 'D' CORRECTED UPTO 31.7.99 Scale of pay-2550-55-2660-60-3200

Sanctioned Strength 49

Sl. No.	Name of the Official	Community	Date of Birth	Date of Entry	Date of Subsequent entry	Designation	Office to which attached.	Remarks
1.	Shri.A.Ibotombi Singh	OC	06.09.49	24.04.65		N/Jamadar	Dimapur SO	
2.	Shri.K.N.Sharma	OC	24.01.46	01.11.69		N/Guard	Dimapur SO	
3.	Shri.Mani.Bhadur Chetri	OC	19.10.51	16.09.70		Group 'D'	Mokokchung SO	
4.	Shri.Kalicharan Roy	OC	15.01.49	01.12.71		N/Guard	Kohima HO	
5.	Shri.G.K.Das	OC	01.04.53	15.04.74		Runner	Changtongia SO	
6.	Shri.Mukesh Prasad	OC	04.01.52	30.04.74		Group 'D'	Dimapur SO	
7.	Shri.Dil Bahadur	OC	21.01.52	01.05.74		Group 'D'	Dimapur SO	
8.	Shri.S.Khiamngam	ST	01.03.44	01.05.74		N/Guard	Dimapur SO	
9.	Shri.Nihoshe Serna	ST	15.12.45	05.05.74		Group 'D'	Tuensang SO	
10.	Shri.Putul Kr.Bora	OC	04.04.52	11.05.74		Group 'D'	Mokokchung SO	
11.	Shri.K.H.Sangtam	ST	22.01.54	25.05.74		Group 'D'	N.Mora SO	
12.	Shri.Kedilhou Angami	ST	22.11.54	01.01.75		LR Group 'D'	Tuensang SO	
13.	Shri.Hiran Ch.Das	SC	23.11.52	24.11.81		Safaiwala	Kohima HO	
14.	Shri.Amar Ch.Dey	OC	19.12.46	24.11.81		Group 'D'	N.Mora SO	
15.	Shri.Merikhon Lotha	ST	31.12.45	21.12.81		Group 'D'	N.Mora SO	
16.	Shri.Imsulimba Ao	ST	17.06.56	05.01.82		Packerman	Wokha SO	
17.	Shri.Mayan Sangha Ao	ST	13.09.49	03.02.82		Group 'D'	Mokokchung SO	
18.	Shri.Merentoba Ao	ST	05.02.41	03.02.82		Group 'D'	Mokokchung SO	
						Group 'D'	Mokokchung SO	

certified to be true copy  
G.R.C.  
Advocate

DEPARTMENT OF POSTS: INDIA  
OFFICE OF THE DIRECTOR OF POSTAL SERVICES  
NAGALAND: KOHIMA-797001.

No.D-2/Staff/Quarter/IV/Dimp

Dated at Kohima the 20.02.2006.

To:

Shri A.I.Singh,  
Ex-Mail Jamadar,  
Dimapur MDG - 797112.

Sub:- Vacating of T-II staff qtr at Postal Colony, Dimapur.

Ref:- Your letter No nil dated 07.02.2006.

This is regarding retention of Departmental Quarter at Dimapur Postal Colony. As per rule, period for retention of quarter after retirement is 2 months on payment of normal license fee and another 2 months on payment of double the license fee.

You are therefore, directed to vacate the quarter by 28.02.2006 paying double the normal license fee.

20/2/2006

FOR THE DIRECTOR OF POSTAL SERVICES  
NAGALAND: KOHIMA-797001.

Copy to:-

1. The PM, Kohima HPO for information and necessary action.
2. The SPM, Dimapur MDG for information and necessary action.

certified to be true copy  
R.N.C.  
Advocate

DEPARTMENT OF POSTS : INDIA -20-  
OFFICE OF THE DIRECTOR OF POSTAL SERVICES  
NAGALAND : KOHIMA-797 001

No. D-2/Staff/Qu/IV/Dimp

Dated at Kohima the 06-03-2006

To,

Shri A.I.Singh,  
Ex-Mail Jamadar,  
Dimapur MDG - 797112.

**Sub:- Retention of quarter and payment of Licence Fee, permission for 2 months retention i.e. March '06 and April '06.**

**Ref:- Your letter no. nil dated 24.02.06.**

This is regarding retention of quarter on medical ground and w.r.t. your letter no. nil dated 24.02.06 at Postal Colony, Dimapur.

In this regard, you are directed to pay double the Licence Fee for the month of *January '06 and February '06* i.e. *Rs.434/- per month x 2 = Rs.868/-*. You are to deposit the amount at Dimapur MDG and to furnish the particulars to this Office.

Further, you are directed to pay four times the normal licence fee i.e. *Rs.868/- per month* for the month of *March '06 and April '06*.

Retention of quarter is permitted upto *April '06 only*.

(I.Pangerniungsang)  
Director of Postal Services,  
Nagaland : Kohima - 797001.

Copy to:-

1. The Postmaster, Kohima HO for information.
2. The SPM, Dimapur MDG for information and to report compliance to this Office.

(I.Pangerniungsang)

*entitled to be true exp'd.  
B.M.C.  
Advocate*

To

H 21

The Director of Postal Services  
Nagaland, Kohima.

Sub:- Reminder as in r/o as my letter dtd. 24/11/05.

Ref:- Your office order No. 3-2/Staff 1A. 1607061 Singh dtd 26/10/05  
S/o, ~~Established for Seedy Regional~~

With due respect, I wish to state

Kindly refer to the letter mentioned above in the  
Sukywherein I had appealed for reconsideration of the

order, <sup>mentioned</sup> in the above reference. Till now I have

I have not received any ~~letter~~ response ~~either~~  
or any retirement benefit from the department. I

I have also been asked to vacate the quarter  
before 30/4/06. I was expecting some amount  
of money as my retirement benefit, so that I  
can shift my family and my belongings, but  
nothing has been paid to me till date.

I therefore request you <sup>to kindly</sup> respond to my  
appeal considering my case sympathetically.

Yours faithfully,

(A. 1607061 Singh,  
Ex)

certified to be true copy  
Ranu  
Advocate

21/A

42

Annexure- "H"

To,

The Director of Postal Services,  
Nagaland, Kohima.

Sub. :- Reminder in r/o of my letter dtd. 24.11.05.

Ref. :- Your office order No. B-2/staff/A.Ibotombi Singh, dtd.  
26.10.05

Sir,

Kindly refer to the letter mentioned above in the subject herein, I had appealed for reconsideration of the order mentioned in the above reference. Till now I have not received any response or any retirement benefit from the department. I have also been asked to vacate the quarter before 30.4.06. I was expecting some amount of money as my retirement benefit, so that I can shift my family and my belongings, but nothing has been paid to me till date.

I therefore, request you to kindly respond to my appeal considering my case sympathetically.

Your's faithfully

Sd/-Sri A. Ibotombi Singh.

certified to be true copy  
R.N.C.A.  
Advocates

-22-

DEPARTMENT OF POSTS: INDIA.  
Office of the Director of Accounts (Postal)  
N.E.CIRCLE: Shillong - 793001.  
[NIDESHK LEKHA(DAK)KARYALAYA]

Anvayak - I

49

No: - NE/Pen/DCRG-15/06-07/LC-61/05-06/ 19/ Dated at Shillong 27 APR 2006

To,

The Director of Postal Services  
Kohima- 797 001.

(1) D/R: 30.04.2003

Sub: - Intimation of D.C.R. Gratuity in favour of. Shri A.Ibotombi Singh, Group D, Dimapur  
MDG Holder of PPO NO. NE -295.

Ref: Your No. C-2/Pension/Sh. A. Ibotombi Singh dated- 21.12.05, 01.03.06 and 05.04.06.

A sum of Rs.1,05,122/- (Rupees One lakh five thousand one hundred twenty-two) only being the amount of D.C.R.G. in favour of Shri A.Ibotombi Singh, may please be drawn and disbursed in accordance with Rule-65(2) of the C.C.S.(Pension) Rules-1972 amended read with Rule- 68 ibid after adjusting the Govt. dues (including immediate relief) and provisional Gratuity sanctioned and paid if any, referred to in Rule -71 and Rule 68 ibid.

The outstanding dues reflected in the final LPC if any, may please be recovered and credited through U.C.R. with appropriate details to facilitate proper classification of accounts.

3. The amount of D.C.R.G. is debit able to 3201-07-104-gratuity.
4. The observations in the C&R made in this case may kindly be kept in view before acting upon this intimation.
5. The receipt of this letter may kindly be acknowledged.

S.H/-  
Accounts Officer (Pension).

No: - NE/Pen/DCRG-15/06-07/LC-61/05-06/ 192 Dated at Shillong 27 APR 2006

Copy forwarded to Shri A.Ibotombi Singh. He is requested to contact The Director of Postal Services, Kohima.

Address: UNIPOK Yambenkikai, Vill- Dist Imphal, Imphal H.O.

For Director of Accounts (Postal),  
Shillong- 793 001.

Certified *Lele Singh*  
*Lele Singh*  
*Advocate*

DEPARTMENT OF POSTS:INDIA  
OFFICE OF THE DIRECTOR OF POSTAL SERVICES  
NAGALAND: KOHIMA-797001

No. C-2/Pension/ Shri A. Ibotombi Singh

Dated at Kohima, the 08/05/2006

Sanction is hereby accorded to the payment of Rs. 105,122/- (Rs. One lakh five thousand one hundred twentytwo ) only being the payment of DCRG payable to Shri A. Ibotombi Singh, Ex- Gr. D. Dimapur MDG who retired on 30.4.2003.

2. The following outstanding amount is to be recovered from the DCRG amount and credited through UCR with appropriate details to facilitate proper classification of accounts.

3. Overpayment of pay & allowances paid to the ex-official w.e.f.:

1/10/01 to 30.4.03	Rs. 771/-
& w.e.f.: 1/5/03 to 30/9/05	Rs. 211,595/-

4. Hence, the net amount <sup>payable</sup> comes to Rs. Nil.

5. For recovery of rest amount, matter has been referred to C.O. vide this office letter of even No. dtd. 05/05/2006

The amount is debit able under the head of A/C :- 3201-07-104- Gratuity.

This authority is issued in pursuance of DA(P), N.E. Circle, Shillong memo No. NJ/ Pension/DCRG/15/06-07/LC-61/05-06/191 dtd. 27/4/2006.

( I. Pangkangsang )  
Director of Postal Services  
Nagaland Kohima 797001.

Copy to:-

1. The PM Kohima HO for inf. u/a.
2. The DA(P) Kolkata ( through the PM Kohima HO. )
3. The SPM (HSG-1) Dimapur MDG for inf.
4. The Accounts Officer (Pension), O/o the DA(P) Shillong 793001 for inf. w.r.t this memo cited above.
5. O/C

6. Sh. A. Ibotombi Singh, Ex-Gr-D Dimapur  
MDG c/o SPM Dimapur MDG for Inf.

( I. Pangkangsang )

certified to be true copy  
B. N. C.  
A. A. H. S. S.

-24- *Parvaneh - K*  
DEPARTMENT OF POSTS : INDIA  
OFFICE OF THE DIRECTOR OF POSTAL SERVICES *K*  
NAGALAND : KOHIMA-797 001 *W*

No. D-2/Staff/Qtr/IV/Dmp

Dated at Kohima the 16-05-2006

To,

Shri A.J.Singh,  
Ex-Mail Jamadar,  
Dimapur MDG - 797112.

Sub:- Retention of quarter and payment of Licence Fee-reg.

Ref:- *Your letter no. nil dated 27.04.06.*

Kindly refer to this Office letter of even no. dated 06.03.06 on the above cited subject. It has been intimated that you have not paid/credited the required licence fee as requested.

As per rule, you cannot be allowed to retain the quarter further. Hence, you are directed to vacate the quarter within (seven) 7 days.

*(I.Pangernungsang)*  
Director of Postal Services,  
Nagaland : Kohima - 797001.

Copy to:-

1. The Postmaster, Kohima HO for information.
2. The SPM, Dimapur MDG for information and to report compliance to this Office.
3. Office Copy.

*(I.Pangernungsang)*  
Director of Postal Services,  
Nagaland : Kohima - 797001.

*Certified to be true copy  
DR. C. S. Advocate*

REGISTERED

DEPARTMENT OF POSTS INDIA  
OFFICE OF THE DIRECTOR OF POSTAL SERVICES  
NAGALAND KOHIMA 797001

No. C-2/Sbri A. Ibotombi Singh

Dated at Kohima, the 25/05/2006

To,

✓ Shri A. Ibotombi Singh,  
( Ex-Gr-D, Dimapur MDG )  
C/O SPM (HSG-1) Dimapur MDG-797112.

Sub:- Regarding sources of recovery in r/o overpayment of salary paid to you w.e.f 1/5/2003 to 30/9/2005.

The CO, Shillong has directed vide his letter No. Staff/118.44.2006 (A) dtd. 19/5/2006 that pensionary benefits amounting to Rs. 84,303/- payable to you from GPF, Leave encashment and CGEGIS may be deposited by you to be debited against the overdrawn amount. Remaining balance amount of Rs. 22,941/- to be recovered from your monthly pension.

You are also requested to apply commutation of pension immediately. The application for the same has already been sent to you vide this office letter of even No. dtd. 27/10/2005. However, a set of application for commutation of pension (in duplicate) is sent herewith for necessary filled-up and early submission to this office.

It is therefore, requested to give your willingness to the above cited direction as well as method of adjustment of over payment amount.

Enclo:- AA

*( I. Pangernangsing )*  
Director of Postal Services  
Nagaland - Kohima 797001

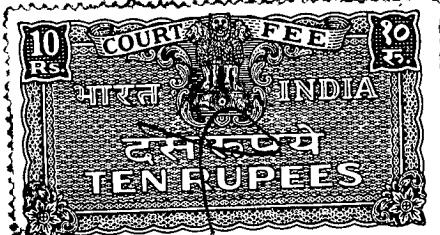
Copy to -

1. The SPM (HSG-1) Dimapur MDG for info. He is also requested to help to fill-up the application of commutation of pension of Shri A. Ibotombi Singh and forward the same to this office at the earliest.

2. O/C

*Sd/-*  
*( I. Pangernangsing )*

*Certified to be true copy*  
*DR. L. C. Advocate*



SL. No.

47859

DISTRICT: Dibrugarh

## VAKALATNAMA

## IN THE GAUHATI HIGH COURT

[THE HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA, MIZORAM  
AND ARUNACHAL PRADESH]

Original Appeal No. 144 OF 2006

Sri. A. Ibotombi Singh,

APPELLANT  
PETITIONER

## VERSUS

Union of India &amp; ors,

RESPONDENT  
OPPOSITE-PARTY

Know all men by these presents that the above named *Appellant & executant* do hereby nominate, constitute and appoint Sri/Smti *Manas Sarana, Sri Babul Deka and Mr. Pechcha Basu* Advocate and such of the undermentioned Advocates as shall accept this Vakalatnama to be my/our true and lawful Advocates to appear and act for me/us in the matter noted above and in connection therewith and for that purpose to do all acts whatsoever in that connection including depositing or drawing money, filing in or taking out papers, deeds of composition etc. for me/us and on my/our behalf and I/We agree to ratify and confirm all acts to be done by the said Advocates as mine/ours for all intents and purposes. In case of non-payment of the stipulated fee in full, no Advocate will be bound to appear and act on my/our behalf.

In Witness Whereof I/We hereunto set my/our hand on this 14th Day of June 2006.

N. M. LAHIRI (Sr. Adv.)	K.R. PATHAK (Sr. Adv.)	T.C. KHATRI (Sr. Adv.)	R.P. SHARMA (Sr. Adv.)
B. M. GOSWAMI (Sr. Adv.)	BHUBANESWAR KALITA (I)(Sr. Adv.)	MS. BINOYA DUTTA	S.C. BISWAS
J.P. BHATTACHARJEE (Sr. Adv.)	B. R. DAS (Sr. Adv.)	BHABATOSH BANERJEE	P.C. RAYMEDHI
D.C. SHARMA	S.P. DEKA	R.K. JAIN	UTPAL DAS (I)
B. K. GOSWAMI (Sr. Adv.)	D.R. GUHA	G.K. BHATTACHARYYA (Sr. Adv.)	DR S. S. HARLALKA
A. M. MAZUMDAR (Sr. Adv.)	SAUKAT ALI (Sr. Adv.)	PRANABANANDA PATHAK (Sr. Adv)	D.R. GOGOI
P. K. BARUA (Sr. Adv.)	B. K. ACHARYYA	DR H. N. DAS (Sr. Adv.)	KAIRUL BASAR
S. N. BHUYAN(Sr. Adv.)	MS. USHA BARUAH	B. C. MALAKAR	A.S. CHOWDHURY (Sr. Adv.)
J. K. BARUAH(Sr. Adv.)	N.C. DAS (Sr. Adv.)	SAMSUL HUDA	DINDAYAL AGARWALA
ANIL SARMA(Sr. Adv.)	A.K. BHATTACHARYYA (Sr. Adv.)	BHADRESWARTANTI	KAMAL AGARWAL
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M. A. LASKAR(Sr. Adv.)	T.S. DEKA (Sr. Adv.)	JANARDAN DAS	JOYDEV CH. DAS
DR S.N. CHETIA	K. P. SARMA (Sr. Adv.)	CHAITANYA BARUAH (Sr. Adv.)	V. K. BHATRA
A.S. BHATTACHARJEE (Sr. Adv.)	B. P. BORAH (Sr. Adv.)	A.C. SARMA	A.C. BORBORA (Sr. Adv.)
A. R. BANERJEE (Sr. Adv.)	H. K. SARMA	N.Z. AHMED	P.K. KALITA
D.K. HAZARIKA (Sr. Adv.)	PRABIN BARTHAKUR (Sr. Adv.)	N.C. PHUKAN	SAILEN MEDHI
N.N. SAIKIA(Sr. Adv.)	M.C. BARTHAKUR	MUNIN (GAUTOM) SARMA	MRS. M.B. DUTTA CHOWDHURY
J.M. CHOUDHURY(Sr. Adv.)	P.C. GAYAN	FAIZNUR ALI	P.C. GOSWAMI
P.K. GOSWAMI (Sr. Adv.)	C.K. SHARMA BARUA (Sr. Adv.)	D.K. KAKATI	APURBA SARMA (I)
P.G. BARUAH (Sr. Adv.)	ANUP KR. DAS	G.N. SAHEWALLA (Sr. Adv.)	K.H. (SALIM) CHOUDHURY (Sr. Adv.)
C.R. DE (Sr. Adv.)	DR Y.K. PHUKAN (Sr. Adv.)	G. K. JOSHI (Sr. Adv.)	A.K. PURKAYASTHA
D. K. BHATTACHARYYA (Sr. Adv.)	DIBAKAR GOSWAMI	A.A. MIR	ASHIS DAS GUPTA
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S.S. RAHMAN	P.K. MUSAHARY	PRADIP KHATANIA	J.P. BORA
GOLAP SARMA	M.Z. AHMED (Sr. Adv.)	N. CHAKRAVORTY (Sr. Adv.)	SISHIR DUTTA
S.R. BHATTACHARJEE (Sr. Adv.)	R.P. KAKOTI	MRS K. YADAV	C.R. BORAH
P.C. DEKA (Sr. Adv.)	S.I. RASUL	DR B. P. TODI (Sr. Adv.)	P.K. GOSWAMI (I)
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A.K. CHAUDHURI	S. K. BARKATAKI	S. S. SHARMA (Sr. Adv.)	H.A. SARKAR
B. R. DEY (Sr. Adv.)	DR N. K. SINGHA	S. P. ROY	MRS. RUMA BORDOLOI
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			NILOY DUTTA (Sr. Adv.)

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DR GOBIND LAL	D.C. LAHIRI	M.K. SAIKIA	RANJAN MAZUMDAR
B.C. PATHAK	PRANAB BORAH	A.J. DAS	RAMEN DAS (I)
F.H. LASKAR	DR (MS.) S. RAHMAN	BISHNU BURAGOHAIN	N.N. OZAH
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MD. ABDUL HAI	RAMESH BARPUJARI	MS. PORI BARMAN	D.R.A.C. PHUKAN
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N.N. KARMAKAR	R.K. MALAKAR	KR. DEEPAK DAS	MS. J. PHUKAN GOGOI
MRS. REETA BORBORA	BISWAJYOTI TALUKDAR	MONMOHAN TALUKDAR	GAUTAM BAISHYA
HRISHIKESH ROY (Sr. Adv.)	ANIL CH. DUTTA	UPAMANYU HAZARIKA	SIDHARTHA BHATTACHARYYA
PRADIP DAS	SINGHNAD CHOUDHURY	AMILAN DUTTA	M.P. SHARMA
MD. M. H. RAJBARBHUIYAN	DILIP MOZUMDER	BILLAL HUSSAIN	RANJIT DAS
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D. N. CHOUDHURY	ARUP KR. SHARMA (I)	M.D. CHOUDHURY	PHANIDHAR GOGOI
S.S. GOSWAMI	MD. JASIMUDDIN AHMED	MS. S. DEKA BARUAH	MS. P.B. HATIKAKOTI
K. K. MAHANTA (Sr. Adv.)	DR P.N. HAZARIKA	MR. DIGANTA DUTTA	MS. SUNITY SONOWAL
JAGDISH SHARMA	ZIAUL KAMAR	MS. NILIMA DEVI	MS. BABITA GOYAL
P. S. DEKA	MRS. M. PHUKAN	SATYEN SHARMA	BIMAL CHETRI
MONINDRA SINGH	R. K. SAIKIA	RAM CH. SAIKIA	PREM SHARMAH
N.R. PHOOKAN	SUBRATA NATH	UJJAL BHUYAN	BISWAJEET GOSWAMI
K.P. PATHAK (Sr. Adv.)	DHANESH DAS	DIBAKAR SHARMA (I)	MRS. EVA KAKOTI
ARUP KR. GOSWAMI (Sr. Adv.)	H.N. GOSWAMI	MS. A.G. BARUAH	T.C. CHUTIA
S.S. DEY	H.P. BARMAN	MS. MANJULI DEV	V.K. CHOPRA
DIGANTA DAS	MS. JYOTI TALUKDAR	AMARENDRA CHOUDHURY	S.K. SINGH
MRS. B. ACHARYA	SACHIN KR. SHARMA	DR P.K. BHUYAN	C.T. JAMIR
DILIP CHOUDHURY	L.R. DUTTA	MS. G.D. MAZUMDAR	MALKIT SINGH
LAKSHESWAR TALUKDAR	J.N. CHAKRAVARTY	JYOTIRMOY ROY	H.K. SHARMA
S.P. MAHANTA	QZI. S. KUTUBUDDIN	ASHIS BHATTACHARJEE	SUDAMA CHAUHAN
SK. CH. MOHAMMAD	S.K. KEJRIWAL	MS. PRANATI SHARMAH	U.K. BORTHAKUR
HASIBUR RAHMAN	MS. PRATIMA DAS	KHARGESWAR DAS	MS. GEETA DEKA
MS. AJANTA DHAR	JAGANNATH BARUAH	H.K. BAISHYA	MS. N. DUTTA SHARMA
B. IBOCHOWBA SARMA	MD. M. AHMED	BISWA NATH SHARMA	MS. S. ADWANI
A.K. MAHESWARI	MS. B. K. DEVI GOSWAMI	CHANDAN DAS	P.J. PHUKAN
P.N. SINGH	B.C. SARMA	S.K. LAHKAR	MS. R. PATHAK BORAH
NILAMONI GOSWAMI	MS. J.D. ACHARYYA	RASAMAY DUTTA	MD. M. H. CHOUDHURY
MS. BHARATI DEVI	V.M. THOMAS	MS. S. BAYAN ROY	RAB HUSSAIN
DR Z.N. SHARMA	K.K. PHUKAN	S.N. DEV NATH	PALLAB BHOWMICK
K.K. DEY	B. DEVA GOSWAMI	D.C. DUTTA	S.M. SARKAR
G.K. DUTTA	AMAL CHANDRA DAS	MS. SNIGDHA BARUAH	S.K. GOSWAMI
B. MRINAL CHOUDHURY	MS. GITI KAKATI DAS	MRS. P.M. DUTTA	HARMOHAN TALUKDAR
KUMUD BARUAH	MS. BAHARUN SAIKIA	PADMA KT. BORAH	R.M. CHOUDHURY
APURBA KR. SHARMA	MRINAL KR. CHOUDHURY (Sr. Adv.)	H.S. THANGKIEW	MASLIM GHANI
NAZRUL ISLAM	MS. AHMEDA BEGUM	P.J. SAIKIA	J.C. BEZ
RAJIB BORUAH	D.C. KATH HAZARIKA	RAJ KR. AGARWALA	BIJAN CHAKRABORTY
SRIKANTA HAZARIKA	MD. MOTIUR RAHMAN	KAMALESH K. GUPTA	A.B. ROY (Sr. Adv.)
K.N. CHOUDHURY (Sr. Adv.)	MS. DIPTI DAS	B.C. CHOUDHURY	A.M. BUZARBARUAH (II)
MRS. ABHA BHATTACHARYYA	M.K. JAIN	JAIRAM GIRI	UTPAL RAJ SAIKIA
A.K. THAKUR	MS. BASANA RAJKHOWA	SANTANU BHARALI	L. NESSA CHOUDHURY
A.C. MAHANTA	S.C. DUTTA ROY	P.K. ROY	DHIRAJ KR. SAIKIA
MS. BHUMIKA CHOUDHURY	S.L. JAIN	MS. GOURI SINHA	J.K. MISRA
DR A.K.G. THAKURIA	B.K. BHATTACHARJEE	P.C. DEY	BIPUL SARMAH
D.K. MISRA (Sr. Adv.)	MS. ANUPAMA DEVI	K.K. NANDI	MS. S. DAS BARUAH
DR A.K. SARAF (Sr. Adv.)	MS. M. BUZARBARUAH	R.N. PURKAYASTHA	G.K. THAKURIA
DR R.C. BARPATRAGOHAIN	MS. MRIDULA DEVI	S.K. SINGH	H. K. NATH
MD. ALI SEIKH	BHASKAR J. DUTTA	D.K. GOSWAMI	RAFIQUL ISLAM
B.K. TALUKDAR	MANIK CHANDA	R.K. JOSHI	K.R. SURANA
NISHITENDU CHOUDHURY	K.K. MOUR	D.C. CHETIA	MS. L. CHENTALAPATI
G.P. BHOWMIK	B.B. GOGOI	MD. ABDUL HANNAN	MS. D. DAS ROY
MD. ABDUL HAKIM (I)	ABDUR ROSHID	MD. IQBAL HUSSAIN	ANUPAL DUTTA
UPENDRA NATH DAS	M.R. PATHAK	DEBJIT KR. DAS	P.K. ROYCHOUDHURY
P. K. GOSWAMI (II)	P.K. SHARMA	MS. A.D. THAKURIA	K.C. MAHANTA
SANJOY MITRA	P.K. BARMAN	MS. ANUBHA DAS	B. C. TALUKDAR

R.K. DAS (Sr. Adv.)	S.K. MEDHI (I)	MS. S. SENAPATI	MS. APARAJITA SHARMA
PRABIR CHOUDHURY	MD. SHAMSUL ISLAM	MANAS SARANIA	AJOY KR. DAS
KHAGEN GOGOI	RATUL GOSWAMI	MRS. PRANITA CHOUDHURY	BIMAL KR. JAIN
RAJESWAR SARMA	JOYRAM SAIKIA	DEVASHIS THAKUR	REKIBUDDIN AHMED
T.G. BARUAH	BHUMIDHAR BARUAH	MS. Z. ARA BEGUM	MRINAL KALITA
D.G. BARUAH	DEVA KR. SAIKIA	K.C. SARMA	MS. CHANDRAMA SARMA
MD. ABDUL HAKIM (II)	PRAN BORA	SUMAN CHAKRABARTY	K.D. CHETRI
AJIT CH. KALITA	DEBAJYOTI TALUKDAR	ABRAR AHMED	S.J. BARTHAKUR
B.C. SAIKIA	MS. M.D.G. BARUAH	MS. SANGHAMITRA DOWERA	MS. ANJANA DAS
TAFAZZUL HUSSAIN	BHABANI PHUKAN	PRASANTA KHATANIAH	K. KATH HAZARIKA
TAUHIDUL ISLAM	RAHMAN ALI	ANUP JYOTI SARMA	PARITOSH BANIK
R.D. LAL	DHIRENDRA KR. DAS	S.C. CHAKRABORTY	ARUNABH CHOUDHURY
B.C. CHAKRABARTY	R. K. BORAH	P.M. DASTIDAR	BHASKAR DUTTA
MS. SUNITA KERJIWAL	ALOK VERMA	HAMIDUR RAHMAN (II)	TAYAM SIRAM
SUKUMAR CHOUDHURY	HRISHIKESH SARMA	MS. DEEPAWALI SHAH	DULAL TALUKDAR
G.C. PHUKAN	A.R. SIKDAR	D.K. CHOMAL	C.R. BISWAS
N.H. MAZARBHUYAN	NITYANANDA BARUAH	MS. ASHA JAIN	BHASKAR KR. SHARMAH
BIMAN BARUAH (Sr. Adv.)	N.K. NATH	MD. A.H. LASKAR	A.K. SAIKIA
TONNING PERTIN	DR PAUL PETTA	AJIT DAS	DINESH AGARWAL
BASARUDDIN AHMED	MS. ARIFA K. CHOUDHURY	MS. REETUJA DUTTA	MS. PANCHALI BHATTACHARYA
MS. DEEPA BORAH	D.M. BORDOLOI	S.K. TEWARI	MS. MAMONI CHOUDHURY
MD. ABDUL MALEQUE	BHABA KANTA GOSWAMI	TAPAN KR. DAS (I)	MS. TRIPUDHARA DAS
J. C. GAUR	M.K. GARODIA	SHAH S. A. RAHMAN	SURAJIT CHAKRABARTY
H.K. CHOUDHURY	MRS. R. PHUKAN SAIKIA	PARAG K. DUTTA	MS. U. BHATTACHARYYA
BIPLAV CHAKRAVORTY	J. N. SARMA	P.C. BARPUJARI	MS. MOMIKSHYA ARUNA (OZAH)
P.N. CHOUDHURY	HAMIDUR RAHMAN (I)	B.N. HAZARIKA	RAJESH AGARWALL
ARUNESH DEB ROY	KAMALESH SHARMA	R.R. KALITA	ABDUL MALIK
MS. N. BHATTACHARYYA	BISWADEV SINHA	M.K. SHARMAH	MS. D.S. NEOG
PRABIN MAHANTA	H.K. DAS	B.C. KALITA	MS. N. N. AHMED
H.K. MAHANTA	B.D. KONWAR	DR B.U. AHMED	MS. S. T. SARMA
M.M. RAY	T.N. SRINIVASAN	M.U. MAHMUD	H. B. GOSWAMI
P.K. DAS	DILIP BARUA	B.N. SARMA BORDOLOI	KHIZIRUL MONIR
MS. SOHELI SEAL	N.J. DUTTA	SALAHUDDIN AHMED	MRS. K. K. CHOUDHURY
MR. AJANTA TALUKDAR	J. K. BAISHYA	MRS. J. SAIKIA BHUYAN	MS. MAMONI DEKA
MRS. N. T. NATH	MATHEIM LINGGI	NARAYAN CHAKRABORTY	MS. DEBJANI SEAL
NIRMALENDU SINHA	MS. APARNA DEV	SASHANKA DASGUPTA	MS. PRIYANKA BARUA
MISS. Z. TSIBU KHRO	AVIJIT ROY	RIPUN BORA	ABHIJIT BHATTACHARYYA (II)
MS. ANITA DEVI	KRISHNENDU PAUL	JAYNAL ABDIN (I)	MS. ECHO SHARMA
MRS. ANU BARUA	HALADHAR KALITA	T.P. MAZUMDAR	KALYAN PATHAK
MS. FATIMA AHMED	DIBAKAR GOSWAMI (II)	ANUPAM SARMA	MANISH GOSWAMI
NILUTPAL BARUA	MRS. N. DEVI SARMA	KAMESWAR LASKAR	MRINMOY KHATANIAH
MS. BABITA DAS (I)	C.R. DAS	U.K. THAKURIA	DIPANKAR BORA
UTPAL CH. DAS	MS. ANJU TALUKDAR	J. M. DAS	SUMAN SHYAM
ARUP KR. SARMA (II)	S. P. DEY	MS. G. DAS LAHKAR	BEDADYUTI CHOWDHURY
MS. S. BARPUJARI	MRS. INDRANI SARMA (I)	CHANDRA BORUAH	MS. BORNALI BHUYAN
S.S. SAMADUR RAHMAN	MS. BHANU SENAPATI	S.P. SHARMA	MS. BANTI DUTTA
BISWAJIT PRASAD	DEBASIS SUR	BHUBANESWAR KALITA (II)	MS. MOUSHUMI DEKA
MS. M. PRADHAN	MS. ANURUPA DEY	N. K. GOLDSMITH	MS. CHANDANA NANDI
A.K. JAIN	D.C. BORAH	SURAJIT DUTTA	SUNIL AGARWAL
MS. JYOTIMALA KONWAR	R. K. PRADHAN	A.K. MEHTA	HARI KANTA DEKA (Sr. Adv.)
MS. CHANDANA DEKA	SANTANU BHATTACHARYYA	ANJAN J. SAIKIA	MS. REHANA BEGUM (I)
D.R. BORA	SATYAJEET SHARMA	A.K. BARUAH (II)	O.P. SAHARIA
H.R. KHAN	DEBA KR. DAS	BALDEV SINGH	S.C. ACHARYA
SYED I. RAHMAN	PRIYATOSH BHATTACHARJEE	Y.S. MANNAN	S.S. DUTTA
PARAMANANDA BORAH	PARITOSH PURKAYASTHA	RAJ SEKHAR	AKHTAR PARVEZ
JAYANTA TALUKDAR	MS. RINA BHATTACHARYYA	PULIN BISWAS	MS. N.S. THAKURIA
MS. BONTI SARMA	DEBAJIT BHATTACHARJEE	MONOJ BHAGABATI	S.S. MOZINDER BAROOAH
KULENDRA BHATTA	PRADIP DUTTA ROY	SONESWAR DAS	DIPU MANI THAKURIA
MS. A. DEKA LAHKAR	M.K. MAJUMDAR	MRINAL SARMA	JAINUL ABEDIN (II)
P.K. BARUAH (II)	B. M. CHOUDHURY	MD. A. ALAM KHAN	JAWRA MAIO
CHITTARANJAN GOSWAMI	SOUMITRA SAIKIA	MRS. J. CHAKRABORTY	JOGEN HANDIQUE
N.K. BARUA	SYED MD. T. CHISTIE	MS. S.B. CHOUDHURY	I.A. TALUKDAR
B.K. BAISHYA	DR (MRS.) M. PATHAK	U.S. AGARWALLA	BIKRAM CHOUDHURY
IFTE KHAR AHMED	MS. KALPANA BARUAH	P.K. SENOWA	NABAJIT BHARALI
D.C. NATH	B.W. PHIRA	O.K. MAHESREE (Sr. Adv.)	MRS. H. M. PHUKAN
MS. NILUFAR RAFIQUE	S.R. RAVA	N.N. BHUYAN CHOUDHURY	A.R. MEDHI
ZAFAR IQBAL	MS. P.B. BHATTACHARJEE	SARBESWAR DAS	MD. BABULUR RAHMAN
MS. MEGHAMALA SHARMA	S.C. BHARALI	MRS. AMI B. SARMA	P.K. PODDAR
AJANTA SARMA	MANOJ AGARWAL	AFTAB ALAM	MD. ILIAS ALI
ADIL AHMED	HAREN DAS	J.K. ADHYAPOK	RAMKRISHNA BHATTACHARJEE
MS. NANDITA MORAL	MS. AJANTA NEOG	COL (RTD.) M. GOSWAMI	M.K. MISRA
MS. DEEPANJALEE DAS	ARNAB BISWAS	B.K. SINGH	R.J. BARUA
O.P. BHATI	SAHIDA BEGUM	MD. AYUB ALI	B. K. DUTTA
DR (MRS.) P. CHAKRABARTY	MONMOHAN GOSWAMI	ADHIR S. CHOUDHURY	MRS. S. DAS BHUYAN
JAINUDDIN AHMED	P.C. CHOUDHURY	S.R. SAIKIA	MRS. M. RAJKUMARI
B. KARPUKAYASTHA	M.N. NATH	BAHADUR RAMCHIARY	ACHYUT OZAH
SIDHARTHA SARMA	MS. UMA CHAKRAVORTY	TAPAN DAS (II)	BIKAS HAZARIKA
A.K. DEY	MS. JUTHIKA CHAKRABORTY	MRS. PUSPA GOGOI	MS. MONI NATH

S. K. DAS	SHAJAHAN ALI	BHASKAR BARMAN	SANTOSH JAIN
RAHMAT ALI	DHIMANT TALUKDAR	MS. BIJOYA BAIRAGI	SUNIL KR. JAIN
DEVAJIT SAIKIA	U.P. BARUAH	PABITRA S. BHATTACHARYYA	DIPENJYOTI DUTTA
MATIN B. U. AHMED	MS. ARUNIMA SENAPATI	SURAJIT BHARALI	MRS. BANANI DAS
B. K. HAZARIKA	MS. SUJATA CHANGKAKOTI	MS. BABINA BEGUM	RAJESH KR. CHAYENGIA
SONJOY SARMA	A.L. MANDAL	MS. NANDITA BHARALI	MS. ASHA TEWARI
MD. A. J. ATIA	UTPAL DAS (III)	SUJIT KR. GHOSH	MRS. R. BOROBORAH
ASHIF AHMED	S. K. KHAITAN	MISS. RUPALIM DAS	MISS. REKHA DEKA
MATIUR RAHMAN	MRS. V. L. SINGH	PRANAB SHARMA	MS. N. MEDHI KALITA
A.K. BASFOR	ARNAB JAN DEKA	MISS M.M. BORAH	MANASH GARODIA
SHOUMEN SENGUPTA	S. K. SINGH	MS. BANTI BAISHYA	JAKIRUL I. BORBUIYA
D.K. JAIN	NIRAN BARAH	RADHA M. DAS	SUBIR BHATTACHARJEE
MS. MALLIKA DUTTA	MRS. A. A. BEGUM	PADMESWAR DEKA	MS. DIPAKA BORGOHAIN
AJUNGLA AIER	SONESWAR SAIKIA	ANUPAM CHAKRABORTY	MRINALENDU CHOUDHURY
H. B. SARMA	J. P. CHAUHAN	ANGSHUMAN BORA	DHRUVAJYOTI PATHAK
PRAJNAN C. DEKA	DEBAJIT GOGOI	RAJEEV DAS	KAUSHIK HAZARIKA
ARINDAM BARTHAKUR	GAUTAM SOREN	BISWAMBHAR SHARMA	DILIP BARUAH (II)
M. J. DAS	AFSARUDDIN CHOUDHURY	HARGOBINDA BORUAH	MD. ABDUL MATLIB
P.K. TALUKDAR	JOGEN BORDOLOI	MS. JITU MONI SHARMA	RAJIB HAZARIKA
MS. MOHSYNA SYREEN	SUNIL KR. SINGHA	PUTUL CH. GOSWAMI	NABASHISH GOSWAMI
MS. K. M. PHUKAN	MRS. B. BHUYAN	RANJAN GOGOI	DEBASHISH BATTACHARYA
MS. J. RANI BORA	ARUN NATH	MISS. LOLITA RENGMA	KUMUD CH. BORO
MANASH BARUAH	MS. M. BORDOLOI	MISS. BASABI DAS	NARENDRA NATH JHA
K.K. BHATTA	SADHAN KALITA	MS. RUPANJALI DAS	RANDEEP SHARMA
MRS. RANI DUTTA	CHINMOY BHATTACHARYYA	MANISH CHOUDHURY	MS. TAMANNA BORA
ASLAM KHAN	ANUPAM CHAUDHURY	MISS. MARAMEE GOGOI	MRS. FARIDA BEGUM
PRANAB CHAKRABORTY	PRABAL KATAKI	NABIN DEB NATH	NEELANJAN DEKA
MS. PURABI KALITA	SANJU GANGULY	MRS. CHAYA DEVI	DEVASHIS BARUAH
JAYANTA DEKA	R.K. BOTHRA	MS. BASHARI SEAL	MS. MEETA DEY
NAVAROON NATH	MS. NAVANITA MITRA	MISS DEBALINA CHOUDHURY	TUSHAR KT. RAJKUMAR
MS. NIRMALI TALUKDAR	RAM NAKSHTRA	MS. SMRITISHREE CHAKRAVARTY	MISS. S. MADHURI NEOG
N.A. LASKAR	S.N. RAY	MISS. MAMANI BASAR	MRS. RUNUMI DAS
NAJROL HAQUE	D.K. SARMAH	MISS. SANCHITA ROY	MISS. B. MAYA CHHETRI
MITHUN TALUKDAR	MS. ANUPAMA DASS	MISS. ANJALI DAS	MD. MASUD-UR-RAHMAN HAZARIKA
KANHAIYALAL GUPTA	L.K. BORAH	DIPAK KR. KALITA	TAPAN CH. DAS (III)
MRS. M. GOHAIN	R.K. ADHIKARY	NURUL I. CHOUDHURY	SANJAY KR. CHAKRABORTY
MRS. GITA MEDHI	S.K. SHARMA	MD. A.K. HOSSAIN	MRS. D. BAISHYA (GOGOI)
B.S. BASUMATARY	MISS. ANITA DAS	MS. KAVERI MEDHI	MS. ANJU AHMED
N. P. DAS	J. K. SARMA	KAUSHIK GOSWAMI	ROBIN KR. DUTTA
DHRUBA KR. SAIKIA (Sr. Adv.)	MRS. M. CHOWDHURY	ABDUR R. SHEIKH	SHARIF UDDIN
INDRANEEL CHOWDHURY	ZIAUL ALAM	MS. TAPASI DAS	MRIDUL KR. DAS
MRS. R. S. CHOWDHURY	MS. N. HOMCHAUDHURY	HEMANTA KR. SARMA (II)	MRS. CHANDANA SHOME
SUBRAT BHUYAN (I)	S.K. SINHA	MISS. DIPSHIKHA DAS	RITU PARNA HAZARIKA
MRS. JYASNA SIKDAR	ROMEN BARUAH	RAJESH KR. BHATRA	ABHIJIT DAS
MRS. M. SARMA BARUAH	ARUPANANDA CHOWDHURY	SAGAR RAVI G.	MS. KANCHAN NEWAR
J. P. DAS	NILADRI BHATTACHARYYA	PADMA DHAR UPADHYAY	HRISHIKESH DAS
HIRALAL MAURYA	MS. I. KRISHNATRAIYA	MISS. PEACE LAHKAR	PRABIN DAS
KAMALAKSHYA DAS	MS. PAHARI SAIKIA	IKBAL H. SAIKIA	ANKUR BHUYAN
MS. IPSITA GOHAIN	N. K. BARKAKATI	DIBYAJYOTI BORAH	MRS. SHAHNAZ BEGUM
MS. DIPASHREE SINHA	ASHIM KR. CHOUDHURY	MISS. HASINA YESMIN	DEVA KR. DAS (II)
MS. NIRUPAMA BARUAH	MS. S. HAZARIKA	MRS. JURI D. BARMAN	MS. ROUSHANARA CHOUDHURY
MS. PAPIA CHAKRABORTY	RUPJITDE	MISS. ASMINA BEGUM	RABINDRA CH. PAUL
HAREKRISHNA DEKA	R.K. NATH	MRS. RAKHEE B DEB	MS. M. BHATTACHARJEE
SAJID RAHMAN	D. J. DUTTA	MRINMOY DUTTA	MS. NAVANITA BARUAH
MS. APARNA AJITSARIA	R.K. SARMA	MISS. SANTANA SARMA	UJJAL KR. GOSWAMI
G.B. DAS	DINAMANI SARMAH	BIMAL SARMAN	MRINAL KT. NATH
DEBAJEET THAOSEN	PARTHA CHOUDHURY	AMBAR BARKATAKI	DURGA P. MANDAL
S.K. MEDHI (II)	B.P. SINHA	MISS. NIZIFA KHANAM	MISS. NAMITA CHOUDHURY
BEGUM R. A. SULTANA	ROFIQUDDIN AHMED	MS. BARNALI MAHANTA	DILIP KR. JAIN
ALOK DEB	AISWARYYA SARMA	MIZAZUR R. BARBUIYA	MISS. IJUMONI THAKURIA
MS. B. CHAKRABARTTY	MS. A. BARUA	SANJAY ROY	ARUN DEV CHOUDHURY
MS. INDRANI CHETIA	MD. NIZAMUDDIN SEIKH	IMTI LONGJEM	NAKUL KALITA
MS. ANUPAMA DEVI	DIGANTA GOGOI	MISS. BIPASHA SARKAR	MS. MUNMUN B. SARMA
SIDDHARTH BARUAH	SANJIB ROY	MISS. RINI SHARMA	MISS. RANJUMONI NEWAR
S.R. RAJBONGSHI	MS. KALPANA GOGOI (SARMAH)	SHAMIMA JAHAN	MOIRANGTHEM G. SINGH
K.K. BHATTACHARYYA	ANIRBAN DAS	NILOUTPAL RAJKHOWA	SANDIP BHATTACHARJEE
MS. MANJULIKA BAROOAH	MRS. INDRANI CHOUDHURY	R.K. DEV CHOUDHURY	DEBASHISH SAIKIA
MS. MANJUSHA JHA	ANAN KR. BHUYAN	SONIT KR. SAIKIA	NANDAN SARKAR
MD. KHORSHED ALI	PALASH DAS	MISS. SEWALI KEOT	SOFIQUR RAHMAN
ZAHANGIR HUSSAIN	MS. BIPAAKKHI BORTHAKUR	MS. MITALI MAHANTA	UDAY J. SAIKIA
S. N. DEV PUZARI	DIPAK KR. DEY.	GAUTAM KR. SARMA	PANKAJ KR. DEKA
DIGANTA KR. MISRA	PARTHA P. BARUAH	SHAHAB UD. MAZUMDAR	IMRAN H. LASKAR
MD. AFTAB HUSSIAN	AJIT KR. DUTTA	ABDUL MANNAF	MS. BANASHREE GOGOI
MRS. N. S. AHMED ISLAM	MD. BAHARUL ISLAM (I)	RAGHUNATH PD. ROY	MISS. HIRAMONI DEKA
MS. G.R. MAHILARY	MD. TARIQUL ISLAM	NURMOHAMMOD SARKAR	
K. MODI	ABU SAYED		
SAKARIKA			

ISWAR CH. GOGOI	SUDIPTO BHATTACHARJEE	MRS. RUBI G. GOHAIN BARUAH	MISS DIPANJALI DEKA
MISS BIJOYA SINHA	PRAHLAD KR. BRAHMA	MISS. JOYATI PAUL	MD. ALAM GEER
MD. KURBAN ALI	MS. JAGRITI RAJKUMARI	MISS. ANOWARA MAZUMDAR	NUR ISLAM
SAHIDUL H. SARKAR	KUSH RAM BORA	MISS. MADHUSMITA BAISHYA	<u>BABUL DEKA</u>
GAUTAM SHARMA	MS. DEEPALI KALITA	ABHIJIT DAS	AJOY KR. PHUKAN
MISS. ADITI BHATTACJARJEE	DEEPAK BORA	BIJOY KR. DAS	ATAL TEWARI
DHRUBA BANIA	DIPANKAR PD. BORAH	JAHURUL ISLAM	MISS WAHEEDA REHMAN
GAUTAM CHAUDHURY	RAJESH KR. AGARWAL	MISS. GITUMANI DEKA	N. UNNI K. NAIR
SATYABRAT DEV SARMA	MRS. SACHITRA BORA	MS. HIRANYAMAYEE BARUA	NABADIP BAROOAH
MRS. NIRADA SEAL	SUJOY GOSWAMI	MD. JEHIRUL I. AHMED	J. A. HASSAN
NARAYAN D. BHUYAN	RINKU MAHANTA	MS. PRTIBHA DEKA	MISS SANGEETA SARKAR
KULAJIT DAS	JAIDEEP PURKAYASTHA	MRS. S. BORPATRA GOHAIN	ANJAN KR. DAS
MD. ASLAM KHAN (II)	ZAKIRUL AHSAN	MRS. MANASI DAS	MISS JAYA CHANDA
SAMIUL MUNIR	MISS. RINKI BISWAS	SYED S. FAROOQUE	NITESH BHATRA
SANTANU GOSWAMI	MISS. SHABNAM CHETTRY	PARANGAM N. GOSWAMI	MISS DOROTHY ROY
NARAYAN SHARMA	MISS. MANASHI CHAUDHURY	ANOWAR HUSSAIN	MS. ARPANA BORAH PHUKAN
MS. PANCHALI BRAHMA	SANTANU RAJ GOGOI	ADITYA HAZARIKA	MISS LIPIKA TALUKDAR
MANISH NATH	MISS. SHARMILA DAS	SHIMANTA NEOGI	MISS MEGHALI DEHINGIA
MISS. REHNA BEGUM (II)	MRS. RUPREKHA DAS	RUPAK DHAR	MISS RIMLY BARUAH
MS. RAJU CHETRI	MS. ARPITA PAUL	TAPAS DHAR	MS. BIPASHA DAS
KISHOR KR. BHANSALI	JOY DAS	RAJA JOY PHOOKAN	MS. PRANITA DAS
DIBAKAR BORAH	DHRUPAD KASHYAP DAS	MANOJ KR. SHARMA (I)	ABHIJEET KR. BARUAH
NARESH MARKANDA	MS. SARMISTHA BARUA	ROUSHAN LAL	SULTAN AHMED
MRS. MAITREYEE BORAH	MRS. PRANITA PATHAK	MD. ROFIQL ALOM	MISS BARNALI BARUAH
JAYANTA KR. PARAJULI	MS. MOUSHUMI DAS	MISS. PRANATI DAS	MRS. M. MAZUMDER DEB
BAPAN CHOWDHURY	MS. BULIE SARMAH	RATUL DAS	MS. PANKAJA UPADHYAY
UTPAL KR. KALITA	MS. NANDINI MUKHARJEE	MISS. BAGMITA SARMA	THANESWAR SARMA
MS. APARAJITA SAIKIA	NEERAJ ANAND	MISS. P. R. MAHANTA	ASHIM TALUKDAR
MRS. MEERA H. BORAH	GITARTHA PATHAK	SANTANU BORTHAKUR	ABID ALI
DEBABRATA SAHA	SANKAR P. BHATTACHARJEE	MISS. MITALI BHUYAN	MS. SIMA GUPTA
MS. ANIMITA GOSWAMI	MD. KOHINOOR ISLAM	MISS. SABINA YASMIN	D. N. BHATTACHARYYA
MS. MANOSHI SHARMA	SYED MUSFIQUR RAHMAN	KISHORE KR. HAZARIKA	MISS SUDAKSHINA KHANIKAR
MISS. SATYAWATEE KONWAR	PUSPENDRA KR. MEDHI	MOYNUL H. CHAUDHURY (2)	ASHIMANTA GOSWAMI
MD. JAKIR H. KHAN	SANJIB KR. SINGHA	JONAB ALI AHMED	ANIL SHARMA BHATRA
BIJAN KR. MAHAJAN	MISS. NILAKSHI GOSWAMI	BHASKAR NATH	K. R. PATGIRI
ABHIJIT BHATTACHARJEE (II)	MISS. MANISHA SHARMA	ALIN SARMA	DEBENDRA SAHARIA
ARSHAD CHAUDHURY	GAUTAM RAHUL	KULA PD. GOGOI	RAJIB SARMA
PRANAB KR. DAS	MS. ANITA VERMA	H. M. A. MANNAN LASKAR	MUSTAFA JAMAL QUADIR
MS. MITALEE LAHKAR	TONGPOK PONGENER	BIBHASH PATHAK	MISS MANASKANTA BARUAH
KHANINDRA LAHKAR	ANIL GOHAIN	MD. JYOTSHNA ALI	MISS KAVITA K. JAIN
MS. MANJU BORDOLOI	MISS. ANUJITA BORA	JITU BORAH	TAPAN RANJAN DAS
SUSHANTA S. BAROOAH	SANJAY KR. SINGH	MISS BABITA DAS (II)	TRIDIB KALITA
MS. S. HAZARIKA (BORA)	SANJIB BARUAH	MISS RUNMANI DEKA	MS. MAMONI ROY
MD. ASLAM	MISS. SOBHANA SAIKIA	MISS MURCHAN SARMA	SAIDUL ISLAM
PRANJAL DAS	MISS. MOON BARUAH	ASHOK KR. BORA	MS. SHAMIMA BEGUM
MS. PANNA SHARMA	BRIJESH SHARMA	RANJAN KR. BHARALI	DIPANKAR BAGCHI
MS. MONALISA KONWAR	MISS. RAKHI PATHAK	BIJAY KRISHNA SEN	SHYAMAL AICH
SANDI K. DEORI	RATAN CH. DAS	MISS MEDHA LILA GOPE	MS. KANIKA SINGHA
MS. M. CHAKRABORTY	NABAJIT NARZARY	DR N.G. GOSWAMI	JAGADISH CH. GOGOI
DEBOJIT SENAPATI	SAFIQL HUSSAIN	KASHEM BHUYAN	MISS SWARNALI S. CHAUDHURY
RAJKUMAR T. SINGH	NASIR UDDIN	MISS LIYANA RAHMAN	HARIBRATA CHANDA
MS. B. GHOSH (SEN)	MS. N. M. BORDOLOI (BORA)	M. U. MONDAL	MUKUT CH. BHATTA
MS. TASFIA HUSSAIN	PRAKASH KR. BOTHRA	MISS PARUL DAS	SUJIT KR. ROY
MRS. MEHBOOBA BEGUM	BIJOY CHETIA	JAYABRATA SINHA	RAJU GOSWAMI
JAI KISHAN BAJAJ	SUBHAJIT BANIK	MISS BIJAYA HAZARIKA	NANI G. KUNDU
MS. JAYATI PURKAYASTHA	SAHADEV DAS	MISS SUMITA CHAUDHURY	SHEKHAR CHAKRABORTY
MS. PAREE GOGOI	DR K. UDDIN AHMED	DEBAJIT BARUAH	OM P. AGARWAL
A. M. BARBHUIYA	MD. A. Q. AKANDA	MISS DIPANJANA NANDI	RANABRATA BANERJEE
MISS. ARJUMANDA BHANU	PRADIP KR. AGARWALA	ABDUL KASHIM TALUKDAR	MS. SUMITRA SARMA
MS. KANGKI BORKATAKI	MD. FARID U. BARBHUIYA	BIKASH SARAF	MRS. BANDANA DEKA
BINOY PATHAK	MISS. NIYATI KALITA	MS. AMVALIKA MEDHI	TARUN BORA
NITYANANDA UPADHYAYA	MRS. SADHANA KALITA	BABUL KUMAR DAIMARI	MOTI RAJ ADHIKARI
SANJIT SHIL	ARUP GOSWAMI (II)	MISS IVALINA DEKA	MISS SABBINA YASMIN
MS. JULIE MAHAJITA	MS. ARUNDHATI BORA	SANJIB GOSWAMI	BISWAJIT BURAGOHAIN
MRS. MADHABI SAIKIA	MS. RITAMANI GOSWAMI	SABYASACHI P. CHAUDHURY	MRS. BOBY G. BURAGOHAIN
MISS. BABITA RANI DAS	SHUROT ZAMAL SHEIKH	DEBA KUMAR BORDOLOI	MISS SANGEETA BURAGOHAIN
SANTANU KR. DAS	SUMAN CHETIA	MANINDRA CHANDRA DAS	NEEL KAMAL DEV NATH
MISS. DOLORINA PATHAK	ALAKESH DEV SARMAH	MUL HOQUE AHMED	MISS DIPANNITA CHAKRABORTY
SUBHRANGSU DHAR	RANJIT KR. GOSWAMI	BATU KRISHNA BORAH	NAZMUL I. MAZARBUHUIYA
PARAMA KUMAR GOGOI	JAKIR HUSSAIN SAIKIA	MISS BANDITA DEY	PRASANTA HAZARIKA
MISS. GOPA SUTRADHAR	BHUPEN CH. PEGU	MISS JULI GOGOI	MS. NAZNEEN AHMED
IKBAL AHMED	KUNTAL SHARMA PATHAK	MS. V. N. LASKAR	RIYAJUDDIN ANSARI
SANJIB GOGOI	DEEPAK KEJRIVAL	MISS RANJITA VERMA	SOURAV SHARMA
ABHIJIT BHATTACHARYA (III)	MISS. AMI SAIKIA	HARINARAYAN SARMA	MS. SIMA RANI DEY

MS. SWARNALATA GOSWAMI	AMIT JALLAN	NAYAN JT. SARMA	TILAK R. SARMA
MAINUL H. BARBHYAN	ISTIAQUE ALAM	RITU BARNA DEKA	MD. BAHARUL ISLAM (II)
MUKTI RAM LASKAR	RAJIB CHAKRAVORTY	MS. MOMITA BARAH	MOHENDRA DEKA
MISS BINITA BARUAH	LASHMI N. DIHINGIA	MISS LIPIKA DEVI	MRS. B. DAS SARKAR
RAFICUL ISLAM (II)	RAKESH DUBEY	RITURAJ BISWAS	JONE KR. SENAPATI
MISS KAMALA SINGHA	DEVJYOTI CHOWDHURY	MISS SEEMA CHAKRAVORTY	IFTIQUER RAFIQUE
MISS ANUPAMA ROY	PRIYANKU SUNDI	SATYAJIT K. S. THAKUR	I. A. SHEIKH
BISWAJIT CHAKRABORTY	SUBRATA NATH (II)	DR MATIUR RAHMAN	MISS ELAKSHI DEKA
MD. RAFIKUL ISLAM (III)	MISS GITY KALITA	MRS. P. DUTTA BUJARBARUAH	MD. ABDUL A. ALAMGIR
BINODAN TALUKDAR	ROSHAN MALOO (JAIN)	AMAL KALITA	KAMAL K. GOSWAMI
MISS MINERVA BARTHAKUR	MS. ONTIMA SHARMA	MS. MANJU AGARWALA	BHASKAR JT. DAS
MISS NITU HAWELIA	TAPAN ROY	MOBARAQE HUSSAIN	BIBEKA NANDA GOGOI
RAHUL BEZBARUAH	MOINUL HOQUE ANSARY	PURBADRI BANERJEE	DHRUBOJYOTI CHAKRABORTY
ABU NASERUDDIN AHMED	MD. RAHMAT ALI (II)	MRS. C. BARUAH TALUKDAR	MS. ARUNDHUTI BARUAH
SUMIT DAS	MISS MARY GOGOI	ZAKIR HUSSAIN	ARUNANGSHU DHAR
SANACHOWBA SINGHA	IDRISH CHOWDHURY	MAZHARUL ISLAM	MS. SHABANA A. CHOWDHURY
YUNUSH AHMED	MS. MINAKSHI BHATTACHARJEE	MRIDUL KR. BORAH	TAPAN RANJAN DEURI
MISS RITA DEVI	JYOTIRMOY PATOWARY	MRS. NANDITA NATH	MANOJ KR. SARMA (III)
N. ANIX SINGH	SHEELADITYA	MISS KALPANA TALUKDAR	MRIDUPAWAN GOSWAMI
BANDAN KR. KAR	MADHURYA MAHANTA	BHUPEN KUMAR	AMLAN SARMA
BIKRAM MALAKAR	MISS SHEHNAZ RASUL	MS. MITALI GOGOI	MS. MADHURIMA DUTTA
LALIT KR. MINDA	RASIDUL HUSSAIN	MISS RULI BARUAH	AMIT GOYAL
MD. FAJLEY K.R. AHMED	MISS ANJANA SINGHA	DIGBIJOY MANDAL	DEBASISH SINGHA
AMZAD HUSSAIN	MD. ABUBAKKAR SIDDIQUE	SANTANU PARASHAR	YADAV P. DAS
PHANINDRA KALITA	ABDUL AWAL	MS. MRINALEE BHUYAN	JAGAT CH. BORAH
JITEN PAYENG	SOHEL ALIM	SWAPAN KUMAR DAS	ANGSHUMAN SARMA
MS. KABERI DEKA	JAHID M. A. CHOWDHURY	MS. ALPANA SAIKIA	MS. TINKU SOM
PRADIP KR. KALITA (II)	MISS JULFIYA BEGUM	MISS NASHREEN AHMED	MD. IMRUL HASSAN
SANTANU BORA	MD. HOSNUL HOQUE	MISS NILAKSHI BARMAN	MS. APARAJITA BHUYAN
KARABI KALITA	TRIDIB BAIDYA	SAIKH MD. A. PAHLAVI	BHUPEN SARMA
MISS MANIKA CHOURDHURY	SANTANU KR. SARKAR	SHAH NEWAJ AHMED	BISHWAJYOTI PATHAK
MISS RUMA DAS	PRASANTA S. DEKA	MRS. ABHINANDITA CHAKRABARTY	AZIM H. LASKAR
RAFIQUL ISLAM (IV)	MS. BINITA SWARGIARY	MRS. NIBEDITA SARMAH	MRS. SUNITA MEDHI CHOURDHURY
MASTER SHELIM	MISS SNIGDHA DAS	MANASH HALOI	RANJAN KR. SAIKIA
MRS. SUNITI KALITA	ATANU GANGULY	MISS SUSMITA KANUNGOE	MS. ANJU AGARWAL
MD. NEKIBUDDIN AHMED	BHARGAV SARMA	MS. TEENA SHARMA	MS. JULIE BEGUM
RAJIB BORPUJARI	TALAT H. HAZARIKA	MS. MANISHA SARMAH	RUPAM SARMA
DIGANTA BARMAN	DIPAYAN DUTTA	MISS BIJU RANI KALITA	K. ENATOLI SEMA
SAMIR DA	GHANASHYAM DAS	MISS BARASHA DAS	JASHADHIR DAS
ABDUL HASHEM KHANDAKER	NAYANJYOTI MEDHI	SAMUDRAGUPTA DUTTA	KAJIMUL H. BARUAH
DR TILOK DASGUPTA	MS. MOON MOON LASKAR	MISS KABITA GOSWAMI	MRS. DAISY B. GOGOI
ASHIM KUAMR BARUAH	DILIP DEY	RAJEEB KALITA	UJJWAL KR. DAS
SANJAY SINGH	MANOJ KR. SARMA (II)	TRIDEEP BARUAH	DIGANTA SARMA
PRATIM KR. CHAKRABORTY	MRS. JENNIFER ZAMAN	MS. AFSANA IRFAN	PARTHIV K. GOSWAMI
MOHD. INAM UDDIN	GURVINDER SINGH SODHI	MRS. DIKSHA H. BAROWA	MS. PRITI REKHA BARUAH
NEELOTPAL DEKA	MD. GIASH UDDIN	MS. TRIPTI PATOWARY	MS. MANIKA DAS
MS. RUBINA SULTANA	MS. JULIANA RAHMAN	KRISHNA KT. DAS	MRS. CHINOO ROY SARKAR
PARSWAJYOTI DAS NAIR	MUSTAKIM RAHMAN	NAYAN MONI HAZARIKA	MS. USHA DAS
MS. AYESHA SIDDICA	PRANJAL BORTHAKUR	ZAKIR HUSSAIN (II)	MS. BIJITA SARMA
MS. BHARATI MUKHERJEE	BIPUL KR. DAS	ABDUS S. AKAND	MD. SHAFIQUE KHAN
MS. MALABIKA P. GOGOI	ASHOK KR. BORAH (2)	MRS. SABINA YESMIN (II)	SAMEER AHMED
SRAVAN KR. TALUKDAR	MISS PALLAVI TALUKDAR	MRIDUL MAHANTA	BIKASH JAIN
HIFZUL I. CHOURDHURY	INDRAJEET SHARMA	MRS. SONGITA MAHANTA	
SUSHANTA DAS	SUKUMAR SARMA	ABDUL GONI	

*Suchitra Baro*

*Suchitra Baro*  
And Accepted

Received from the executant,  
satisfied and accepted

Advocate

*Babeb Deka*

Mr/Ms..... will lead  
me/us in the case

Advocate

*Marol Deka*

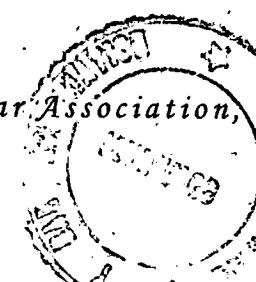
And Accepted

Advocate

Advocate

Advocate

Advocate



NOTICE

14/6/06

For: Sri Babul Diksha.  
Advocate.

Dated 14/6/06.

To, Sr. C.A.S.E,  
Govt. of India.

Re: Original application no. of 2006.

Shri A. Jotwani Singh - Applicant.  
-vs-

The Union of India & Ors - Respondents.

Sir

Please find herewith a copy of original application alongwith a mise for filing before this learned Tribunal and kindly may acknowledged the receipt of the same.

Thanking you,

Copy received by,

yours faithfully,

Sri Babul Diksha  
Advocate.

26  
बेंच नं. १४४ फायर रेज  
Central Administrative Tribunal

27 FEB 2007

गुवाहाटी बैचनी  
Guwahati Bench

52  
Sr (62 SC)  
27.02.07

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI  
BENCH, GUWAHATI

Filed by  
the respondents  
through  
Guwahati Bench

O.A. No. 144 of 2006

Sri Ibotombi Singh

.....Applicant.

-VS-

Union of India & Ors.

.....Respondents.

The written statement on behalf of the  
Respondents abovnamed :

WRITTEN STATEMENT OF THE RESPECTFULLY

MOST RESPECTFULLY SHEWETH

1. That with regard to the statement made in paragraph 1 of the instant application the respondents begs to state that the applicant had on 17.06.1968 under his signature furnished his date of birth as 01.05.1943 which was recorded in his service book. And as per Rules his dates of superannuation would be due on 30.04.2003 on attaining 60 years of age. On 03.05.2005, while perusing his service records the date of birth furnished by the applicant was noticed and subsequently the ap-

Contd....P/

(23)

pliant, as per Rule, was deemed to have retired on 30.04.2003 and was released from service on 31.10.2005, vide this office letter no. B-2/Staff/A.Ibotombi Singh, dated the 26.10.2005 and the payment of salary after 30.04.2003 was also ordered to be recovered, as because Retired Government employees are not entitled to receive salary but are paid monthly pension.

The Copy of the Service Roll Book and office letter No. B-2/Staff/A.Ibotombi Singh dated 26.10.2005 is annexed herewith and marked as Annexure-R-1 & R-2.

2. That with regards to the statement made in paragraphs 2 and 3 of the instant application the answering respondents have no comment.

3. That with regards to the statement made in paragraph 4.1 of the instant application the answering respondent beg to state that the applicant has furnished his date of birth on two occasions and both the dates differ, as appended below-

Date of Birth	Date of Submission of Information
(A) 01.05.1943	17.06.1968
(B) 06.07.1949	26.07.2005

-28-

4

[3]

The date of superannuation in the case of (A) would be due on 30.04.2003 and in the case of (B) due on 30.06.2009, but in the case of (B) his age at the time of entry in the Department on 20.04.1965 would be 15 years 9 months and 13 days old- which is under age viz. below/8 years of age, which means that the service rendered before attaining 18 years of age shall not count for Qualifying Service for calculating pension and other benefits except Compensation gratuity, as laid in Rule 13 (B) of CCS (Pension) Rules. Moreover, the Date of Birth once furnished and recorded in the service book cannot be altered unless sanctioned by the competent authority provided, the request in this regard is made within 5 (five) years of entry into government service. Since, the aforesaid formalities had not been complied with his actual date of superannuation was accordingly calculated to be due on 30.04.2003.

The copies of the Birth Certificate and Qualifying Service is annexed herewith and marked as Annexure-R-3 & R-4.

4. As per office records the applicant joined in the post of mail Peon at Dimapur Post Office on 20.04.1965 and not as stated.

5. That with regards to the statement made in paragraph 4.3 of the instant application the respondent have already stated in 1 and 3 in this instant written statement.

[43]

6. That with regards to the statement made in paragraph 4.4 of the instant application the answering respondents beg to state that the date of birth recorded in the gradation list was not based on the date furnished by the applicant in 17.06.1968 under his signature and duly recorded in the service book.

7. That with regards to the statement made in paragraph 4.5 of the instant application the answering respondents beg to state that the date of birth recorded in the service book as furnished on 17.06.1968 by the applicant was 01.05.1943. Later, it was noticed that age proof was not available, which was called for but the applicant furnished a different date of birth issued on 26.07.2005 by the Sub-Registrar, Imphal Municipal Corporation, certifying the DOB as 06.07.1949. As per Rules DOB once recorded in the service book cannot be altered unless sanctioned by the competent authority and provided the request is made within 5 years of entering service.

8. That with regards to the statement made in paragraph 4.6 of the instant application the answering respondents beg to state that as per office records the applicant's date of entry in service is 20.04.1965 and his date of birth is 01.05.1943. By mistake the DOB has been entered in the gradation list as on 06.07.49. The applicant should have brought this irregularity to the notice of the competent authority for necessary correction.

[53]

9. That with regards to the statement made in paragraph 4.7 of the instant applicant the answering respondents beg to state that since the applicant was released from service on 31.10.2005, the order of the DPS was issued as per Departmental Rules as laid in S.R. 317-B-11-(2) which states that - a retired government servant can retain his quarter for 2 months on payment of normal license fee and another 2 months on payment of double license fee. The applicant was therefore, asked to comply with the same vide this office letter No. D-2/Staff/Quarter/IV/Dmp. Dated the 20.02.2006 (Annexure-R-6).

A copy of the Departmental Rules laid down in S.R-317-B-11(2) and letter No. D-2/Staff/Quarter/IV/Dmp. Dated 20.02.2006 is annexed herewith and marked as Annexure-R-5 & R-6.

10. That with regards to the statement made in paragraph 4.8 of the instant application the answering respondent beg to state that the applicant had represented before the Director of Postal Service, Nagaland, on 24.02.2006 for extending the retention period of the quarter on medical and educational ground, in this regard a medical certificate was also forwarded (Annexure R-7). As per Rules laid down in S.R. 317-B-11-(2)2, on medical and educational ground a retired government servant can further retain his quarter- in addition to the aforesaid period of 4 months- for 2months on payment of 4 times the normal license fee (Annexure-R-8). As

[6]

such the payment was informed for compliance on 06-03-2006.

A copy of the Medical Certificate , Swami's reference and letter dates 6.03.06 are annexed herewith and marked as Annexure-7,8 and 9 respectively.

11. That with regards to the statement made in paragraph 4.9 of the instant application the respondent have already stated in paragraph 9 and 10 in this instant written statement.

12. That with regards to the statement made in paragraph 4.10 of the instant application the answering respondents beg to state that the applicant was released from service on 31.10.2005 on ground of deemed retirement w.e.f 01/05/2003. Retired government servants are not eligible for payment of salary but are paid monthly pension. Hence, the period from 01/05/2003 till 30/09/2005 when he had overdrawing pay and allowances amounting to Rs.2,11,595/- while being eligible for monthly pension and Rs.771/- for the period from 1/10/2001 to 30/04/2003, with the total amount being Rs.2,12,366/- (Two lakhs twelve thousand three hundred sixty six only) was ordered to be recovered from his pensionary benefits.

[73]

13. That with regards to the statement made in paragraph 4.11 of the instant application the answering respondents begs to state that out of the total amount of Rs.2,12,366/- salary overdrawn by the applicant the amount of Rs.1,05,122/- (One lakh five thousand one hundred twenty two) amount sanctioned as DCRG in favour of the applicant was ordered to be debited against the overdrawn amount, (Annexure-R-11) however, till date the order has not been implemented.

A copy of the sanctioned as DCRG is favour of the applicant is annexed herewith and marked as ANNEXURE-R-10.

14. That with regards to the statement made in paragraph 4.12 of the instant application the respondents beg to state that the applicant was given ample time to pay the required license fees, for retention of the quarter in his name, vide this office letter No.D-2/staff/Quarter/IV/Dmp On 20/02/2006 and 06/03/2006, which he failed to do, finally on 16/05/2006 as per Rule, he was asked to vacate the quarter within 7 days <sup>for</sup> failing [REDACTED] to pay the required license fees.

A copy of the letter dated 16/5/2006 is annexed herewith and marked as ANNEXURE-R-11.

15. That with regards to the statement made in the paragraph 4.13 of the instant application the answering respondent beg to state that the based on the date of

[6]

birth furnished by the applicant in his service book his due date of superannuation was calculated to be due on 30/04/2003 and subsequently was released from service on 31/10/2005. The total amount of salary overdrawn by the applicant was Rs.2,12,366/- which was ordered/proposed to be recovered in the following manner-

A. The amount of Rs.1,05,122/- (payable to the applicant as DCRG) was ordered to be debited against the aforesaid overdrawn amount. However, the order has not been implemented till date.

B. The amount of Rs.84,303/- payable to the applicant as GPF, CGEIS and Leave encashment benefits- was proposed to be recovered by requesting the applicant to deposit the said amount to be debited against the overdrawn amount (Annexure-R-13).

C. The remaining balance of over drawn amount of Rs.22,941/- was also proposed to be recovered from the applicant's monthly dearness relief.

A copy of the recovery letter of over payment is annexed herewith and marked as ANNEXURE-R-12.

16. That with regards to the statement made in paragraph 5.i of the instant application the respondent have already stated in 1,3,7,9 and 10 in this instant written statement.

[93]

17. That with regards to the statement made in paragraph 5.2 of the instant application the answering respondents have no comment.

18. That with regards to the statement made in paragraph 5.3 of the instant application the DOB certificate was called from the applicant on 22/07/2005 for providing documentary evidence in support of the date furnished by him on 17/06/1968. However, the applicant furnished a different DOB- which was advantageous to him. The department bound by the Rules and could not entertain the applicant's belated claim.

19. That with regards to the statement made in paragraph 5.4 of the instant application the respondent have already stated in the above noted paragraphs 3,7 and 17.

20. That with regards to the statement made in paragraphs 5.5 and 5.6 of the instant application the answering respondents have no comment.

21. That with regards to the statement made in paragraphs 5.7 and 5.8 of the instant application the respondent have already stated in 9,10 and 14 in this instant written statement.

22. That with regards to the statement made in paragraph 5.9 of this instant application the answering respondents beg to state that as per the Rules of the Department a Retired Government Employee can extend the

[10]

retention period of quarter after paying enhanced license fee. The applicant was informed to comply with the same vide this office letter on the following dates 20/02/2006 and 06/03/2006 and even when the applicant had failed to comply with the same he was finally asked to vacate the quarter.

23. That with regards to the statements made in paragraph 5.10 of the instant application the answering respondents beg to state the applicant has furnished two different dates of birth during his service life-

A. 01/05/1943 furnished by the applicant under his signature in 17/06/1968.

B. 06/07/1949 certified by the Sub-Registrar, birth and death, Imphal Municipal Council on 26/07/2005.

The DOB furnished at a later was advantageous to the applicant, as it would extend the actual date of superannuation by more than 6 (six). Moreover, for changing the DOB it has to be applied within 5 years of entering service and sanctioned by the competent authority. Accordingly, his date of superannuation is 30/04/2003.

24. That with regards to the statement made in paragraph 5.11 of the instant application the respondent have already stated in 9,10 and 14 of this instant written statement.

(11)

25. That with regards to the statement made in paragraph 5.12 of the instant application the answering respondents beg to state that a Government Servant retires on attaining the age of 60 years. In this case the applicant attained it on 30/04/2003 based on the DOB furnished by him on 17/06/1968 and subsequently was retired from service.

26. That with regards to the statement made in paragraph 5.13 of the instant application the answering respondents beg to state that the action of the Department is based on the Rules framed by the government. The respondent further beg to submit that the rounds set forth in the instant application are not tenable in law, as well as, on facts and hence are liable to be dismissed.

27. That with regards to the statement made in paragraph 5.14 of the instant application the answering respondents have no comment. The respondent further beg to submit that the grounds set forth in the instant application are not tenable in law, as well as, on facts and hence are liable to be dismissed.

28. That with regards to the statement made in the paragraph 8.8 and 9 of the instant application the answering respondents beg to state that in view of the facts and circumstances mentioned above the applicant is not entitled to get any relief as well as for interim relief as prayed for and the instant application is liable to be dismissed.

29. That the respondents submits that the application has no merit and as such the same is liable to be dismissed.

-12-

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

I. S.R.I..... I. PANGER NUNG SANG.....  
 Son of..... LATE..... Dr. S. S. SANG..... aged about years, 45 yrs.  
 Resident of village /Moh. ....Kohima.....  
 p.s..... Dist..... at  
 present posted in the office of  
 DIRECTOR OF POSTAL SERVICES do,  
 hereby verify that the statement made in paragraph  
 nos. 2, 4, 5, 8, 11, 12, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 are true to my  
 knowledge and the statement made in paragraph  
 Nos. 1, 3, 9, 10, 13, 14 & 15. information derived  
 from the record , and rest are by way of submission  
 to this Hon'ble Tribunal . I have been authorized to  
 verify the written statement by  
 ....

Verified on

21<sup>st</sup>day of  
February 2007.

Signature of Deponent.

(अई. पांगरनुंगसांग)

(I. Pangernungsang)

निदेशक डाक सेवा

Director of Postal Services

नागालैण्ड कोहिमा - 797 001

Nagaland, Kohima - 797 001

387

## Service Roll

[For inferior servants other than members of the constabulary and for those superior servants for whom no service books are maintained]

1. Name	Sriji A. D. Singh
2. Race, sect and caste	Hindu (Manipuri)
3. Native place [with name of District, Village, Thana and Post Office]	Ukipok Yamdum Leikai P.O. Simphal Thana Simphal Manipur
4. Father's name and residence	D. B. Mukunda Singh, Ukipok Yamdum Leikai, Simphal
5. Date of birth by Christian era as nearly as can be ascertained	15 May 1893
6. Exact height by measurement	5' 4"
7. Personal marks for identification	one black spot on the left cheek
8. Signature or mark of Government servant (with date)	A. D. Singh
9. Signature with date and year and designation of the attesting officer	ADW

Note—The above entries should be renewed or re-attested at least every five years and the signature in lines 8 and 9 should be dated. 17-6-6

### Left hand thumb and finger impressions

—To avoid trouble about pension, take great care, in the following circumstances, that the Service Roll clearly answers the following questions:—

## Circumstances

## Questions

True Copy  
27th March 1940

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39

- 142 - 18/1

DEPARTMENT OF POSTS : INDIA  
OFFICE OF THE DIRECTOR OF POSTAL SERVICES  
NAGALAND : KOHIMA - 797001

No. B-2/Staff A. Ibotombi Singh

Dated at Kohima the 26.10.05

Annexure - R-2  
~~Advocate - A~~  
Annexure - R-10  
6X

ORDER

1. Shri A. Ibotombi Singh, Group D, Dimapur MDG, has attained 60 years of age on 30-04-2003. However, the official was inadvertently allowed to work till date.
2. It is, therefore, ordered that the official will be deemed to have retired on superannuation with effect from 30-04-2003 A.N.
3. The payment of salary, etc. surplus to his monthly pensions paid to the official after 30-04-2003 should be recovered forthwith.

(SHRI L. PANGERNUNGSANG)  
Director Postal Services  
Nagaland, Kohima, 797001

Copy to :

1. The Postmaster, Kohima L.O for information and necessary action.
2. The Sub Postmaster, Dimapur MDG for information and necessary action.
3. The Accountant Divl. Office Kohima for info and necessary action.
- ✓ Shri A. Ibotombi Singh, Group D Dimapur MDG.
5. Office Copy.

(SHRI L. PANGERNUNGSANG)  
Director Postal Services  
Nagaland, Kohima, 797001

*True Copy*  
*Advocate*

Amnesum R-3  
Awarcare R-1

Amnesum R-2  
Awarcare R-1

-15-

BIRTH CERTIFICATE  
(Issued under Section 17/17)

FORM NO. 3  
(See Rule 8)

This is to certify that the following information has been taken from the original record of birth which is the register  
for (Local Area) Imphal Municipal Council  
of Tahsil of Imphal of District Imphal West  
of State Manipur

Name Georgie Lostenbi Singh Registration No. 209 (D) 7 July, 2005  
Sex male Date of Registration 26/7/05

Date of Birth 06-07-49 (Sixth July Nineteen hundred Forty Nine)  
Place of Birth Imphal Permanent Address of Father Uripok Yambam Leikai

Name of Father late Mr. Amuba Singh Name of Mother (A) Parijat Devi

Date 26/7/05

R. J. 26/7/05  
Signature of Issuing Authority

Seal  
Sub-Registrar  
Birth & Deaths  
Imphal Municipal Council  
Imphal

True copy  
Advocate

**CHAPTER III***-16-***Qualifying Service****13. Commencement of qualifying service**

Subject to the provisions of these rules, qualifying service of a Government servant shall commence from the date he takes charge of the post to which he is first appointed either substantively or in an officiating or temporary capacity:

Provided that officiating or temporary service is followed without interruption by substantive appointment in the same or another service or post:

Provided further that—

- (a) in the case of a Government servant in a Group 'D' service or post who held a lien or a suspended lien on a permanent pensionable post prior to the 17th April, 1950, service rendered before attaining the age of sixteen years shall not count for any purpose, and
- (b) in the case of a Government servant not covered by Clause (a), service rendered before attaining the age of eighteen years shall not count, except for compensation gratuity.
- <sup>1</sup> [ (c) the provisions of Clause (b) shall not be applicable in the cases of counting of military service for civil pension under Rule 19. ]

**14. Conditions subject to which service qualifies**

(1) The service of a Government servant shall not qualify unless his duties and pay are regulated by the Government, or under conditions determined by the Government.

(2) For the purposes of sub-rule (1), the expression "Service" means service under the Government and paid by that Government from the Consolidated Fund of India or a Local Fund administered by that Government but does not include service in a non-pensionable establishment unless such service is treated as qualifying service by that Government.

(3) In the case of a Government servant belonging to a State Government, who is permanently transferred to a service or post to which these rules apply, the continuous service rendered under the State Government in an officiating or temporary capacity, if any, followed without interruption by substantive appointment, or the continuous

<sup>1</sup> Inserted by G.I., Dept. of P. & P.W. Notification No. 28/19/2001-P&PW(B), dated the 11th November, 2003 and published as S.O. No. 3205 in the Gazette of India, dated the 22nd November, 2003.

*True Copy*  
*Advocate*

waiting list for the next month and an allotment will be given to him in his turn on the next month's waiting list only.

[ G.I., Dir. of Estates, O.M. No. 12035 (19)90:Pol. II, dated the 1st October, 1990. ]

**Period for which allotment subsists and the concessional period for further retention**

S.R. 317-B-11. (1) An allotment shall be effective from the date on which it is accepted by the officer and shall continue in force until,

- (a) the expiry of the concessional period permissible under sub-clause (2) after the officer ceases to be on duty in an eligible office in Delhi;
- (b) it is cancelled by the Director of Estates or is deemed to have been cancelled under any provision in these rules;
- (c) it is surrendered by the officer, or
- (d) the officer ceases to occupy the residence.

(2) A residence allotted to an officer may, subject to sub-rule (3) be retained on the happening of any of the events specified in Column (1) of the table below for the period specified in the corresponding entry in Column (2) thereof, provided that the residence is required for the bona fide use of the officer or members of his family—

Events	Permissible period for retention of the residence
(1)	(2)
(i) Resignation, dismissal or removal from service, termination of service or unauthorized absence without permission	1 month.
(ii) Retirement or terminal leave	[ Two months on the normal licence fee and another two months on double the normal licence fee. ]
(iii) Death of the allottee	[ 12 months. ] Now 2 years. See SR 317-B-22.
(iv) Transfer to a place outside Delhi	2 months.
(v) Transfer to an ineligible office in Delhi	2 months.

1. *Substituted vide G.I., M.U.A & E, Dir. of Estates, Notification No. 12035/28/96/*  
Pol. II, dated the 19th November, 1996, published as G.S.R. 542 in the Gazette of India, dated  
the 30th November, 1996 and takes effect from 1-1-1997.

2. Substituted vide G.I., M.U.D., Notification No. 12035/1/92-Pl. II, dated 14-5-1992 (G.S.R. 265, dated 30-5-1992).

~~True Copy~~  
~~Associate~~

Annexure - 18 Attorney 6  
SAC/CSA  
- 18 - 18 - 43  
13/C  
NAGALAND: KOHIMA-797001.

DEPARTMENT OF POSTS: INDIA  
OFFICE OF THE DIRECTOR OF POSTAL SERVICES

No:D-2/Staff/Quarter/IV/Dimp

Dated at Kohima on the 20.02.2006

To,  
Shri A.I.Singh,  
Ex-Mail Jamadar,  
Dimapur MDG - 797112.

Sub:- Vacating of T-II staff qtr at Postal Colony, Dimapur.  
Ref:- Your letter No nil dated 07.02.2006.

This is regarding retention of Departmental Quarter at Dimapur Postal Colony. As per rule, period for retention of quarter after retirement is 2 months on payment of normal license fee and another 2 months on payment of double the license fee.

You are therefore, directed to vacate the quarter by 28.02.2006 paying double the normal license fee.

Dimp 20/2/2006  
FOR THE DIRECTOR OF POSTAL SERVICES  
NAGALAND: KOHIMA-797001.

Copy to:-

1. The PM, Kohima IPO for information and necessary action.
2. The SPM, Dimapur MDG for information and necessary action.

True copy  
B  
Parvati



-19-

234/1

44-

X

Amritsar 87

Date 26.02.201

Mr/Mrs/Miss Jayanti Devi wife of Shri S. N. Bod  
Singh, a ~~regular~~ employee of Dhanapur Post of  
Is/was under my treatment for Fracture of right finger

Since 04.02.2006 to date He/She is/was advised

Complete rest for this period and periodic check up for  
Follow up treatment till complete recovery

He/She is medically fit to resume duty from \_\_\_\_\_

DR. A. B. SINGH MUR  
D.B.E.S. (G)  
Reg. No. 6506 (A-101)  
Authorised Medical Advisor  
for Central Govt. Employees  
NAGANAMI  
Doctor's signature & Seal

True Copy  
Advocate

*Annexure - 18* 20  
occupants under the provisions of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971.

2. References have been received from various quarters requesting for regularization of accommodation on re-posting at the last place after the permissible period of eight months is over even in case the date of priority of the officer, for the type of accommodation occupied, is not covered on the date of re-posting in an eligible organization. As such allottees are required to vacate the accommodation to which they are otherwise entitled to, this results in dislocation of the families of the officers concerned.

3. The matter has since been considered by the Government and it has now been decided that where an officer is re-posted within a period of four months beyond the permissible period of eight months, the allotment may be regularized on payment double the normal licence fee for the intervening period, irrespective of the fact that the date of priority of the officer concerned on the date of re-posting is covered or not.

4. All the allotment sections are requested to regularize the allotment on re-posting at the last place accordingly.

5. It has also been decided that action under the PPE Act, 1971 may be initiated immediately after expiry of the retention period permissible under the rules, in respect of officers whose retention period is over.

6. These orders are issued in supersession of all previous orders issued regarding regularization of the accommodation on re-posting at the last place of posting.

[G.I., M.U.D. & P.A., Dte. of Estates, O.M. No. 12035/21/95-Pol.II, dated the 31st July 2000.]

**(5). Retention of General Pool Accommodation on medical/educational grounds.**—As per the provisions of SR 317-B-11 (2), an allottee can retain the Government accommodation for a period of two months on payment of normal licence fee and further two months on payment of twice the normal licence on retirement/terminal leave for the bona fide use of the allottee. No further retention is permissible either on educational or medical grounds.

2. The matter has been reconsidered in the light of the representations received and it has now been decided by the Government that further retention of two months on payment of *four times* the normal licence fee and subsequent two months on payment of *six times* the normal licence fee shall also be permissible on *medical/educational grounds*. Such retention shall be permissible under the provisions of SR 317-B-22 which is being amended simultaneously. The allottee will be required to apply for retention of Government accommodation on medical/educational grounds before the expiry of the initial period of four months, duly supported by documentary proof, along with the Bank Draft, in favour of Assistant Director (Cash), Directorate of Estates, in respect of licence fee.

*True Copy*  
*for* *serve* *cate*

*165*  
*Annexure - 8*  
*18*

DEPARTMENT OF POSTS : INDIA <sup>96</sup> *Annexure G*  
OFFICE OF THE DIRECTOR OF POSTAL SERVICES  
NAGALAND : KOHIMA-797 001 *Ex-cessed G*

No. D-2/Staff/Qtr/IV/Dimp

Dated at Kohima the 06-03-2006 *12/3*

To:

Shri A.L.Singh,  
Ex-Mail Jamadar,  
Dimapur MDG - 797112.

Sub:- Retention of quarter and payment of Licence Fee, permission for 2 months retention i.e. March '06 and April '06.

Ref:- *Your letter no. nil dated 24.02.06.*

This is regarding retention of quarter on medical ground and w.r.t. your letter no. nil dated 24.02.06 at Postal Colony, Dimapur.

In this regard, you are directed to pay double the Licence Fee for the month of *January '06 and February '06* i.e. *Rs.434/- per month x 2 = Rs.868/-*. You are to deposit the amount at Dimapur MDG and to furnish the particulars to this Office.

Further, you are directed to pay four times the normal licence fee i.e. *Rs.868/- per month* for the month of *March '06 and April '06*.

Retention of quarter is permitted upto *April '06 only*.

*(I.Pangerniungsang)*  
Director of Postal Services,  
Nagaland : Kohima - 797001.

Copy to:-

1. The Postmaster, Kohima HQ for information.
2. The SPM, Dimapur MDG for information and to report compliance to this Office.

*(I.Pangerniungsang)*

*True copy*  
*Advocate*

*Amonyam Road  
Aoralekha F*  
*-28- 47- 15/06/06*

DEPARTMENT OF POSTS:INDIA  
OFFICE OF THE DIRECTOR OF POSTAL SERVICES  
NAGALAND:KOHIMA-797001

No. C-2/Pension/ Shri A. Ibotombi Singh

Dated at Kohima, the 08/05/2006

Sanction is hereby accorded to the payment of Rs. 105,122/- (Rs. One lakh five thousand one hundred twenty two ) only being the payment of DCRG payable to Shri A. Ibotombi Singh, Ex- Gr-D, Dimapur MDG who retired on 30.4.2003.

2. The following outstanding amount is to be recovered from the DCRG amount and credited through UCR with appropriate details to facilitate proper classification of accounts.

3. Overpayment of pay & allowances paid to the ex-official w.e.f:-

1/10/01 to 30.4.03	Rs. 771/-
& w.e.f:- 1/5/03 to 30/9/05	Rs. 211,595/-
	Total Rs. 212,366/-

4. Hence, the net amount <sup>Payable</sup> comes to Rs. Nil.

5. For recovery of rest amount, matter has been referred to CO, vide this office letter of even No. dtd. 05/05/2006

The amount is debit able under the head of A/C :- 3201-07-104- Gratuity.

This authority is issued in pursuance of DA(P), N.E. Circle, Shillong memo No. NE/Pension/DCRG/15/06-07/AC-61/05-06/191 dtd. 27/4/2006.

*( I. Pangkang sang )*  
Director of Postal Services  
Nagaland Kohima 797001.

Copy to:-

1. The PM Kohima HQ for inf. n/a.
2. The DA(P) Kolkata ( through the PM Kohima HQ. )
3. The SPM (JISG-1) Dimapur MDG for inf.
4. The Accounts Officer (Pension), O/o the DA(P) Shillong 793001 for inf. wth his memo cited above.
5. O/C

*Repy ✓ 6. Sh. A. Ibotombi Singh, Ex-Gr-D, Dimapur  
MDG c/o SPM Dimapur MDG for Inf.*

*( I. Pangkang sang )*

*True Copy  
Advocate*

DEPARTMENT OF POSTS : INDIA  
OFFICE OF THE DIRECTOR OF POSTAL SERVICES  
NAGALAND : KOHIMA-797 001

Annexure - B - 11  
Parvaneh -

No. D-2/Staff/Qu/IV/Dmp

To,

Shri A.I.Singh,  
Ex-Mail Jamadar,  
Dimapur MDG - 797112.

28-  
16  
Dated at Kohima the 16-05-2006

Sub:- Retention of quarter and payment of Licence Fee-reg.

Ref:- Your letter no. nil dated 27.04.06.

Kindly refer to this Office letter of even no. dated 06.03.06 on the above cited subject. It has been intimated that you have not paid/credited the required licence fee as requested.

As per rule, you cannot be allowed to retain the quarter further. Hence, you are directed to vacate the quarter within (seven) 7 days.

*(I.Pangernungsang)*  
Director of Postal Services,  
Nagaland : Kohima - 797001.

Copy to:-

1. The Postmaster, Kohima HO for information.
2. The SPM, Dimapur MDG for information and to report compliance to this Office.
3. Office Copy.

*(I.Pangernungsang)*  
Director of Postal Services,  
Nagaland : Kohima - 797001.

*True Copy  
Parvaneh*

Annexure - R-13

Annexure - R-12

25/C

xx

**REGISTERED**

24-  
49-

DEPARTMENT OF POSTS INDIA  
OFFICE OF THE DIRECTOR OF POSTAL SERVICES  
NAGALAND KOHIMA 797001

No. C-2/Shri A. Ibotombi Singh

Dated at Kohima, the 25/05/2006

To:-

Shri A. Ibotombi Singh,  
(Ex-Gr-D, Dimapur MDG)  
C/O. SPM (HSG-1) Dimapur MDG-797112

Sub:- Regarding sources of recovery in r/o overpayment of salary paid to you w.e.f 15/5/2003 to 30/9/2005.

The CO, Shillong has directed vide his letter No. Staff/118-14/2005 (IA) dt. 19/5/2006 that pensionary benefits amounting to Rs. 84,303/- payable to you from GPF, Leave Encashment and CGEGIS may be deposited by you to be debited against the overdrawn amount. Remaining balance amount of Rs. 22,941/- to be recovered from your monthly pension.

You are also requested to apply commutation of pension immediately. The application for the same has already been sent to you vide this office letter of even No. dt. 27/10/2005. However a set of application for commutation of pension (in duplicate) is set-aside for ready filled-up and early submission to this office. It is therefore, requested to give your willingness to the above cited direction as well as method of adjustment of over payment amount.

Enclo:- AA

*(I. Pangernangsang)*  
Director of Postal Services  
Nagaland Kohima 797001

Copy to:-

1. The SPM (HSG-1) Dimapur MDG for info. He is also requested to help to filled-up the application of commutation of pension of Shri A. Ibotombi Singh and forward the same to this office at the earliest.

2. O/C

*(I. Pangernangsang)*

*True copy*  
*Advocate*

8 MAY 2001

गुवाहाटी बाबू  
Guwahati Bench

28

Filed by the Applicant  
through Ms. Sanchita Boro  
Advocate  
7.5.07

BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL:  
GUWAHATI BENCH.

O. A. No. 144 of 2006

Sri A. Ibotombi Singh. ....Applicant.

- Versus -

Union of India & others. ....Respondents.

-- A N D --

IN THE MATTER OF:-

An affidavit in reply to the written statements filed on behalf of the respondents.

(Affidavit in reply)

I, Sri A. Ibotombi Singh aged about 59 years son of late A. Amuba Singh, presently residing at Dimapur Postal Colony, P.O.-Dimapur, MDG, in the district of Dimapur, Nagaland do hereby solemnly affirm and state as follows:-

1. That, I am the applicant in the instant application and a written statement filed on behalf of the respondents has also been served upon the counsel of the applicant. I have gone through the same and understood the contents made therein. I do not admit any of the statement made in the written statement which are contrary to and inconsistent with the records of the case, save and except those statements of the written statement which are specifically admitted herein below. The rest which are

*not* <sup>partly</sup> admitted should be treated to have been denied by the deponent.

NABASISH CHAKRABARTY  
NOTARY Govt. of Assam  
Regd. No. KAM-06.  
Panbazar, Guwahati-781001.

06 MAY 2001

Contd... P / 2

2. That with regard to the statement made in paragraph 1 of the written statement, the deponent states that the date of birth of the deponent has been shown as 06.7.1949 by the respondent in the official communications. The deponent as being not the custodian of the service book has no knowledge regarding the date of birth entered in the service book way back in 17.6.1968. The respondent issued the impugned order dated 26.10.2005 that the deponent had reached superannuation on 30.4.03. The deponent vehemently denies the same and says that the respondent authorities before issuing the impugned order dated 26.10.05 to the applicant should have caused a notice before he was reaching superannuation. The respondents authority without notice or intimation cannot force him to retire with retrospective effect.

3. That with regards to the statement made in paragraph 3 the deponent begs to state that at the time of entry in service the deponent produced a copy of the school certificate issued by the Akhoni Junior High School, Imphal. The said school certificate was burnt in the fire caught in his house in the year 1975. So, he could not able to produce the said certificate and any copy of the said school certificate which was produced at the time of entry before this Hon'ble Court. As per my school certificate my date of birth is 6.7.1949, therefore, he approached the Register of birth and death certificate to Govt. of Manipur to issue him a date of birth certificate on the basis of the record. Accordingly, a birth certificate was issued to the deponent by the authority showing his date of birth as 6.7.1949 (annexure- "D" to O.A.). As per the said D.O.B certificate, he would retire on 5.7.2009. The respondent authority arbitrarily and unilaterally cannot take a decision that the deponent has already superannuated. Assuming that the date of birth of the deponent is 1.5.1943., but not admitting, inspite of that the respondent authority should have intimated to the deponent regarding superannuation prior to the retirement. hence, due to the fault

*NABASISH CHAKRABARTI*  
NOTARY Govt. of Assam  
Regd. No. KAM-06.  
Panbazar, Guwahati-781001.

06 MAY 2007

Contd.. P / 3

of the respondent authority he should not be allowed to suffer.

4. That with regard to the avertment made in paragraph 4 of the written statement, the deponent does not want to controvert the facts if record discloses that his date of joining is 20.04.1965.

5. That with regard to the avertment made in paragraph 6 of the written statement, the deponent claims his date of birth is 6.9.1949 as reflected in the gradation list (annexure "E" to O.A.) prepared by the respondent authority as his original copy of the age proof certificate is not available.

6. That with regard to the avertment made in paragraph 7 of the written statement, the deponent states that when he was asked to produce his age proof certificate he approached the competent authority to issue on the basis of records.

7. That with regard to the avertment made in paragraph 8 of the written statement, the deponent states that before issuing the letter dated 22.7.06 (annexure- "C") and impugned order dated 26.10.05 (annexure- "A") he was neither served with any notice regarding date of birth/age proof certificate nor any intimation was made that he would be superannuated on 30.4.03. Hence, the question of bringing to the notice of the competent authority for necessary correction does not arise.

8. That with regard to the avertment made in paragraph 9 and 10 of the written statements, the deponent states that his case is not on same footing with any incumbent who is at the verge of retirement. As the deponent's superannuation is deemed to be w.e.f 30.4.03, so he never got time to prepare himself to settle down some where. So, he can not be equated with

*No such any superannuated incumbents.*

*NABASISH CHAKRABORTY  
NOTARY Govt. of Assam  
Regd. No. KAM-06.  
Panbazar, Guwahati-781001.*

06 MAY 2007

Contd... P / 4

9. That with regard to the avertment made in paragraph 12 of the written statement, the deponent states that if it is presumed that the respondent authority rightly released the deponent from service on 31.10.2005 with retrospective effect w.e.f 30.4.03, inspite of that the respondents can not recover 30 months salary as overdraw of pay and allowance. Whatever the period of service rightly or wrongly utilised by the respondents in continuation of his service has to compensate for that. If the deponent really superannuated on 30.4.03 then his excess period of service rendered by him may be counted as required exigency of service for pension and salary etc.

10. That with regard to the avertment made in paragraph 13 of the written statement, the deponent states that whatever amount recovered as the excess drawai as claim by the respondent authority can not be recovered from him.

11. That with regard to the avertment made in paragraph 14 and 15 of the written statement, the deponent states that he has neither normally retired from service nor getting any retired benefit if he retired from service as they claimed. So, how the respondents expect that he would vacate the quarter within 7 days whereas he is struggling for survival due non receipt of last month salary as well as pension & other benefit if he really retired on 30.4.03. Being a social welfare state, the respondent cannot take such kind of drastic action to the detrimental to him. The service jurisprudence also does not provide such kind of action to be taken.

12. That with regards to the statements made in paragraphs 18, 22, 23 and 25 of the writ petition, the deponent does not offer any comments which are contrary and inconsistence with of records of the case.

*N. Chakraborty*  
NABASISH CHAKRABARTY  
NOTARY Govt. of Assam  
Regd No. KAM-06.  
Panbazar, Guwahati-781001.

06 MAY 2007

Contd... P / 5

13. That with regard to the avertment made in paragraphs 26, 27, 28 and 29 are denied by the deponent.

14. That the deponent begs to submit that in any view of the matter the respondent authority cannot recover the amount seems to be overdraw w.e.f. 1.5.03 to 30.9.05 as he has rendered service for those period. Even, the respondents are legally bound to pay the salary for the October/2005 which till now they have not paid to the deponent.

15. That the statements made in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 are true to my knowledge and the statement made in para ..... are matter of records which I belief to be true and the rest are my humble submission before this Hon'ble court.

And I sign this affidavit on this 7th day of May/ 2007 at Guwahati.

Identified by

Ms. Suchitra Baro.  
7.5.07.

Advocate, at Guwahati.

D E P O N E N T

*Solemnly affirmed and  
declared before me on identification  
of Id. Advocate.*

*NABASISH CHAKRABARTY*  
NOTARY Govt. of Assam  
Regd. No KAM-06.  
Panbazar, Guwahati-781001.

06 MAY 2007