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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A./T.A No. 166/2006

R.A/C.P No.

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SECTION OFFICER (Judl.)

habib
24/10/17

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDERS SHEET

1. Original Application No. 166/06
2. Misc Petition No. _____
3. Contempt Petition No. _____
4. Review Application No. _____

Applicant(S) Dr P.S.S. Valli Khan

Respondant(S) W.D. 2008.

Advocate for the Applicant(S) MR. B. Sinha, S.M. Habibul Haque
& MR. Rohikul Islam

Advocate for the Respondant(S) MR. C.G.S.C. M. U. Ahmed

Notes of the Registry	Date	Order of the Tribunal
	03.07.2006	Post on 10.07.2006.
This application is in form is filed/C F F. Rs 10/- deposited with P. BD No. <u>266/32441</u> Dated <u>29.6.06</u>	mb	
<u>29.6.06</u> Dy. Registrar	29.07.2006 10.07.2006	XXXXXXXXXXXXXXXXXXXX Heard Mr B. Sinha, learned counsel for the applicant and Mr M.U. Ahmed, learned Addl. C.G.S.C. for the Respond- ents.
No steps has been filed for respondents.		Learned counsel for the respondents wanted to file reply statement. Let it be done.
Steps taken on <u>19/7/06</u> Notice & order sent to D/section for issuing to resp. nos. 1 to 5 day regd. A/D post. D/N ^o = 751-755 19/7/06. DT = 24/7/06.	mb	Post on 24.08.2006.

Vice-Chairman

Vice-Chairman

23-8-06

① Service report awaited.

② No Wls has been filed.

m

N

24.08.2006 Present : Hon'ble Sri K.V. Sachidanandan
Vice-Chairman.

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

Post on 14.09.2006.

✓

Vice-Chairman

① Service report awaited.

② No. w/s has been filed /mb/

29

14.09.2006 Present: Hon'ble Sri K.V. Sachidanandan
Vice-Chairman.

The issue involved in this case is
that resignation of the Applicant has not
been considered within three months and
in the meantime, the Applicant withdrew
resignation.
the ~~voluntary retirement~~ Nevertheless it
was not accepted later and he has been
discharged from duty. The grievance is
that he may be re-instated in service with
all benefits.

Mr. B. Singh, learned Counsel for the
Applicant and Mr. M.U. Ahmed, learned
Addl. C.G.S.C. for the Respondents are
present. Mr. Ahmed, learned Addl. C.G.S.C.
for the Respondents submitted that he has
filed reply statement today. Let it be
brought on record if it is otherwise in
order. The Applicant is given liberty to file
rejoinder if any.

Considering the issue involved, I am
of the view that the O.A. to be admitted.
Admit. Post on 30.10.2006.

✓

Vice-Chairman

/mb/

30.10.2006 Present: Hon'ble Sri K.V. Sachidanandan
Vice-Chairman.

Three weeks time is granted to file
rejoinder. Post on 22.11.2006.

✓

Vice-Chairman

13-9-06

18.9.06
W/s filed by
the Respondents
1 to 5

29

27-10-06

W/s filed.
No rejoinder filed.

1a

No rejoinder has
been filed.

21.11.06

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

O.A. No.166 of 2006

DATE OF DECISION: 23.03.2007

Dr Patan Shaik Sha Valli Khan

Applicant(s)

Mr B. Singh, Mr S.M. Habibul Haque
and Mr R. Islam

Advocate(s) for the
applicant(s)

- Versus -

Union of India & Ors.

Respondents

Mr M.U. Ahmed, Addl. C.G.S.C.

Advocate(s) for the
Respondent(s)

CORAM:

THE HON'BLE SHRI K.V. SACHIDANANDAN, VICE CHAIRMAN
THE HON'BLE SHRI TARSEM LAL, 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 to be forwarded for including in the Digest Being complied at Jodhpur Bench? | Yes/No |
| 4. | Whether their Lordships wish to see the fair copy of the Judgment ? | Yes/No |

Vice-Chairman

6/4/07

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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.166 of 2006

Date of Order: This the 23rd day of March 2007

The Hon'ble Sri K.V. Sachidanandan, Vice-Chairman

The Hon'ble Shri Tarsem Lal, Administrative Member

Dr Patan Shaik Sha Valli Khan,
S/o Late P. Ghouse Khan,
C/o D. Sabjan,
Door No.6-397, K.M.H. Street,
P.O.- Kadapa-516001,
District- Kadapa, Andhra Pradesh.

.....Applicant

By Advocates Mr B. Singh, Mr S.M. Habibul Haque
and Mr R. Islam.

- versus -

1. Union of India, represented by the
Secretary to the Government of India,
Department of Biotechnology,
Government of India, and
Chairman, Governing Council of
Institute of Bioresources & Sustainable Development,
Imphal,
Block 2 (7th Floor), C.G.O. Complex,
New Delhi - 110003.
 2. Advisor, Department of Biotechnology,
Government of India & Member, GC & SAC of
Institute of Bioresources & Sustainable
Development, Imphal,
Block 2 (7th Floor), C.G.O. Complex,
New Delhi-110003.
 3. The Director,
Institute of Bioresources & Sustainable Development,
Takeyalpat Institutional Area,
Imphal-795001, Manipur (India).
 4. Scientist-E, Department of Biotechnology,
Government of India & Member,
Institute of Bioresources & Sustainable Development,
Imphal,
Block 2 (7th Floor), C.G.O. Complex,
New Delhi-110003.
- ✓

5. The Senior Administrative Officer,
Institute of Bio resources and Sustainable Development,
Takeyalpat Institutional Area,
Imphal-795001,
Manipur (India).

.....Respondents

By Advocate Mr M.U. Ahmed, Addl. C.G.S.C.

.....

ORDER

K.V. SACHIDANANDAN (VICE-CHAIRMAN)

The applicant was working as Scientist-C in the Institute of Bio resources and Sustainable Development, Imphal (IBSD for short). While so, the applicant was offered a chance to conduct a research course as a Senior Researcher in the Institute of Biotechnology at Centre de Recherche Public-Gabriel Lipmann in Luxembourg for a period of 9 months for which the applicant had applied before being appointed in the IBSD. The applicant had to leave for joining the research course on 01.05.2005. The applicant applied for grant of deputation, which was rejected. The applicant again applied for extraordinary leave without pay for the said period, but the authorities rejected the said prayer. The applicant has successfully completed his period of probation and came into the regular footing. Considering the importance of the said research the applicant finally decided to resign and informed all concerned about the decision in writing. After completing all necessary formalities to leave IBSD, the applicant submitted his resignation on 26.04.2005 and relieved himself of his post and left for Luxembourg with information to the authorities on 18.05.2005. Subsequently, the applicant decided to withdraw his resignation and sent his application on 14.07.2005 to the respondent authorities withdrawing his resignation letter

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submitted earlier. The said withdrawal was within the three months period and long before acceptance by the respondents. The respondents refused to accept the withdrawal of resignation vide letter dated 12.08.2005. The applicant's request for reconsideration of the withdrawal of the resignation fell into deaf ears. However, finally the applicant's resignation letter was accepted on 06.12.2006. Being aggrieved by the said action of the respondents the applicant has filed this O.A. seeking the following reliefs:

- (A) the order dated 06.12.2006 (Annexure-29) passed by the Respondent No.3 be set aside,
- (B) the respondents be directed to accept the applicant's letter dated 14.07.2005 (Annexure-26) withdrawing his resignation dated 26.04.2005 (Annexure-24),
- (C) the respondents be directed to allow the applicant to resume his duties and to treat the intermediary period of absence between 21.02.2006 and the date of resumption of his duties as a period spent on duty for all purposes.


2. The respondents have filed a detailed written statement contending that as per the bilateral agreement entered into by the parties on 27.01.2004 the appointment of the applicant was on contract basis initially for five years. The termination of agreement under clause 4.2 is very clear, but the interpretation of the applicant of the said clause is misconceived. The applicant submitted his letter of resignation on 26.04.2005 and expressed his readiness to pay the sum equivalent to the salary for the short fall notice period i.e. two months and twentyfive days as termination simplicitor (Annexures D/3 & D/4). The applicant left the institute on 27.04.2005 and thereafter the applicant never came back to the institute till date leaving the institute in turmoil. The respondents produced a letter dated 02.05.2005 addressed to the Joint Director, Department of

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Biotechnology, Government of India, New Delhi asking for further steps to be taken in this matter. Though the Department requested the applicant to continue, the applicant did not accede to it nor turned up for duty and left the institute and never came back again, thereby showing insincerity and lack of responsibility, which is unbecoming of a responsible Officer/Scientist. On 06.06.2005 the respondents accepted the resignation of the applicant subject to the proviso that the salary amount equivalent to two months and twentyfive days shall be recovered from the applicant by the institute (Annexure D/8). Instead of remitting the said amount the applicant wrote a letter for withdrawal of his resignation, which was not accepted by the respondents, when however, the payment was waived by letter dated 05.12.2005 and the applicant's resignation accepted. The grievance of the applicant is that his resignation should not have been accepted and the letter of withdrawal of resignation should have been accepted by the respondents, which cannot be appreciated at all as per rules.

3. Heard Mr B. Singh, learned counsel for the applicant and Mr M.U. Ahmed, learned Addl. C.G.S.C. for the respondents. Learned counsel for the parties have taken us to the various pleadings, evidence and materials placed on record.

4. Learned counsel for the applicant argued that the relationship of the applicant and the respondents was through a contract and clause 4.2 stipulated that three months notice is sufficient to quit the job and the applicant is at liberty to withdraw the resignation at any time before the said period. The learned counsel for the respondents, on the other hand, persuasively argued that once a resignation is tendered and the employee act as disloyal and




irresponsible to the institute it is the prerogative of the respondents to accept or dissolve the resignation.

5. We have given our due consideration to the pleadings, arguments and evidence placed on record. The crux point that comes for our consideration is whether the rejection of the withdrawal of resignation is valid or not and whether the respondents could accept the resignation when the resignation has been withdrawn within the stipulated period of three months. Admittedly, the applicant is governed by a contract for which an agreement has been entered into on 27.01.2004. For better elucidation clauses 1.3, 3.3 and 4.2 of the agreement are reproduced below:

"1.3 The services of the party of the first part can be continued on regular basis on completion of the term of five years, if found suitable after review to be carried out by the party of the second part. Such review will normally be completed before expiry of the five years period. If due to some administrative reasons or otherwise the party of the second part is unable to decide about offering regular service after completion of five years, the term of five years may be extended for such terms as may be mutually agreed between the parties.

3.3 The pay and allowances from time to time payable to party of the first part under these presents shall be paid for such time as she/he shall serve under this Agreement and actually perform her/his duties, commencing from the aforesaid date and ceasing on the date of her/his quitting service or on the date of her/his discharge therefrom or on the day of her/his death if she/he shall die while in service.

4.2 Any time after completion of the probation and within five years or its extensions the contract can be terminated by giving three calendar month's notice in writing or three months salary in lieu of notice as termination simpliciter by either party without assigning any reason. In the event a shorter notice is given by either party, a sum equivalent to the salary of the period, notice falls short of three months shall be payable by the concerned party to the other party."



6. Admittedly, as per the agreement the applicant has been appointed on a tenure posting of five years subject to the completion of the probation period. Vide Annexure-15 dated 28.02.2005 the applicant was informed, "I am pleased to inform you that your provisional period in the Institute of Bioresources and Sustainable Development, Imphal has been terminated. I wish you a bright and successful career", which means that the applicant has successfully completed the probation. Therefore, the applicant is entitled to get the benefit as per the agreement. The appointment as a Scientist was on a contract basis initially for a period of five years and in clause 4.2 of the agreement, it is stipulated that at anytime after completion of the probation and within five years of its extensions the contract can be terminated by giving three calendar months' notice in writing or three months' salary in lieu of notice as termination simplicitor by either party without assigning any reason. If a shorter notice is given by either party a sum equivalent to the salary of the period shall be payable by the concerned party to the other party.


7. Admittedly, the applicant sought a fortune by doing research work in Luxembourg for making himself available for a course of nine months and had gone to foreign country by tendering resignation from service. Though the learned counsel for the applicant submitted that the applicant had never gone to Luxembourg this is proved to be incorrect by Annexure D/11, which is a letter sent by the applicant by e-mail on 14.07.2005 from Luxembourg to consider the applicant's withdrawal of resignation, the operative portion of which is reproduced below:

"I have not received any information from your esteemed office regarding the status of my resignation and also the appointment and joining of the Director, IBSD, Imphal.



Then, I proceeded to the scheduled visit to Luxembourg for research work starting from 18th May, 2005. The same information was given to your esteemed office before proceeding to Luxembourg and requested you to kindly adjust about two months of my earned leave and half pay leave as per records of the IBSD, Imphal for the required notice period of three months for the termination of service, in case you decide to relieve me from the service (Ref.No.3)."

8. In the same letter the applicant expressed his difficulties to pay the notice period amount proposed by the IBSD. The revelation of this letter is that the applicant has no intention of withdrawing the resignation, but he was compelled to withdraw the resignation on the ground that the applicant was unable to pay the notice period amount proposed by the respondents. For all these reasons the respondents have rejected the applicant's withdrawal letter and thereafter accepted the resignation letter which according to the respondents has become final. In that refusal letter for withdrawal of resignation the respondents have made it clear that the withdrawal was not accepted on the following grounds:

- (a) The applicant left the institute unauthorizedly without getting an official relieving order from DBT for joining assignment abroad. The applicant was also Scientist-in-Charge of the institute at that time.
 - (b) The applicant's behaviour has been viewed as most irresponsible and insincere since the applicant left the institute even after request from the DBT to continue as Scientist-in-Charge of IBSD till the regular Director joined the institute.
- 

9. From the materials place on record we are also of the view that the applicant was not interested in pursuing the employment of the respondents, but he was a fortune seeker to pursue with his higher studies in the foreign country. Therefore, the applicant's explanation that subsequently he changed his mind for withdrawing the resignation is not in the good spirit of taste, reason and law. Therefore, it cannot be accepted since there is a clear clause at 4.2 of the agreement that the parties are at liberty to waive the three months notice period according to the situation and circumstances. In all fairness we find that the respondents have accepted the resignation waiving the amount to be paid during the notice period and permitted the applicant to sever his relationship of employee and employer.

10. The legal position that has emanated in the given circumstances of the case is whether the respondents were justified in rejecting the withdrawal of the resignation letter of the applicant, which was within the time frame of three months. Since there is a rider in clause 4.2 that either party can dispense with the time schedule prescribed for the notice period of three months and that discretion has been exercised by the respondents for the good reasons of their judgment, we cannot say that the rejection of the withdrawal of the resignation letter and acceptance of the resignation by waiving the amount to be paid for the said period by the applicant, is faulted.

11. The learned counsel for the parties could not cite any decision on either side on this point. Therefore, we are of the considered view that the interference of this court on judicial review

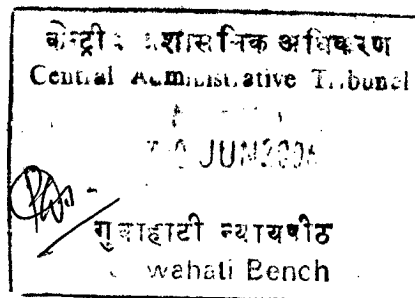
is not called for in this case. The O.A. is, therefore, bereft of any merit and is to be dismissed. Accordingly we do so.

12. However, learned counsel for the applicant submitted that the applicant may be permitted to make a comprehensive representation to the Secretary, Department of Biotechnology, Government of India, of his grievances for re-engagement. The applicant will be at liberty to do so and the said authority or any other competent authority shall consider the same accordingly. We are not giving any direction in view of the above findings.

The O.A. is accordingly dismissed. There will be no order as to costs.


(TARSEM LAL)
ADMINISTRATIVE MEMBER


(K. V. SACHIDANANDAN)
VICE-CHAIRMAN



State : Manipur

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GAUHATI BENCH : GUWAHATI

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

Original Application No. 166 .. of 2006

Dr. Patan Shaik Sha Valli Khan — Applicants

— **Versus** —

The Union of India & Others — Respondents

SYNOPSIS

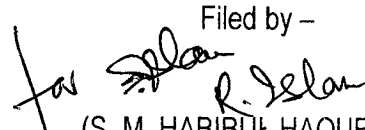
The applicant is an M.Sc. in Botany and a Ph.D. in Plant Bio-technology and a Post-Doctoral Fellow of Luxembourg, Japan and Taiwan. He was working as the Scientist-C in the Institute of Bioresources and Sustainable Development, Imphal (hereinafter referred to as the IBSD), an autonomous body under the Department of Biotechnology, Government of India till he tendered his resignation dated 26.04.2005 under compelling circumstances created for the applicant so to do by the respondents.

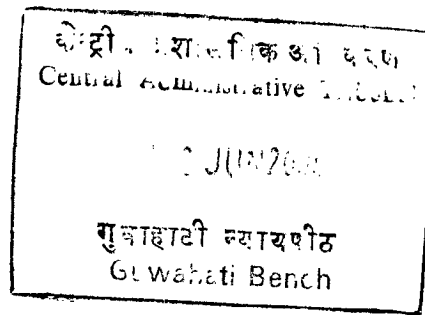
That the treatment meted out to the applicant by the respondents was biased and inimical ever since his appointment. Even then the applicant went on discharging his duties to the best of his efficiently and satisfaction. In the first week of March, 2005 the applicant was informed that he was offered with a chance to conduct a research course as a Senior Researcher in reputed institute like Biotechnology at Centre de Recherche Public-Gabriel Lipmann of a developed country like Luxembourg for a period of 9 months for which he had applied before being appointed in the IBSD. The applicant had to leave for joining the research course on 01.05.2005. As such, he applied for grant of deputation. But the authorities rejected his request. So, the applicant applied for extra-ordinary leave without pay for the said period. But the authorities rejected his prayer for leave too. The respondents rejected the applicant's prayer for grant of deputation and then for grant of extra-ordinary leave despite there being provisions made in Appendix-9 of the FR&SR, Government of India and in Clause B of FR-111 and also in discrimination of the applicant as the respondents are on record of granting such leave to so many others including one Dr. N. C. Talukdar of IBSD itself who was granted such leave even before completion of his probation period and that too almost immediately after he had joined the Institute while the applicant had already completed his period of probation and had come into the regular footing of his appointment when he applied for deputation and then for leave as stated above. Having been so discriminated on the one hand and considering the importance of the said research, the applicant had finally decided to resign and informed all concerned about his decision in writing. The applicant had also completed all necessary formalities to leave IBSD. Accordingly the applicant submitted his resignation dated 26.04.2005 and relieved himself of his post and of the Scientist-in-Charge of the IBSD. Then he left for Luxembourg with information once again to the respondent authorities on 18.05.2005.

Subsequently, however, the applicant decided to withdraw his resignation and accordingly he sent in his application dated 14.07.2005 to the respondent authorities withdrawing the resignation letter he had submitted earlier. The said withdrawal was well within the 3-month notice period and long before acceptance of applicant's resignation. But the authorities refused to accept the withdrawal by raising certain unreasonable arguments vide their letter dated 12.08.2005 while the question here was to accept or not to accept the resignation and of none else. But the authorities did not say anything whether or not they accepted or whether or not they would accept the applicant's resignation. On receipt of their said letter dated 12.08.2005 the applicant prayed before the authorities once again to re-consider his withdrawal of resignation vide letter dated 19.12.2005. But this time, seeing that the applicant shall have to be allowed to join his post unless his resignation was accepted, the respondents, instead of replying to the applicants' prayer for reconsideration of his resignation, hurriedly accepted his resignation vide order dated 06.12.2005.

The facts, however, remain that the authorities did not yet accept the applicants' resignation dated 26.04.2005, did not relieve him of the post on his resignation from it and the 3-month notice period was not yet over when the applicant changed his mind and submitted his prayer withdrawing his resignation as per provisions of the relevant rules. As per standing instruction of the Government, the authorities had to accept the resignation at their earliest if they were inclined to accept it. But they did not do so for over 7 months since the resignation was tendered and they accepted it on 06.12.2006 and that too only when they found that it would be difficult for the respondents to stop the applicant from re-joining his post. Thus they created an obstruction despite there being provisions of rules as well as the rules of law that one may withdraw his resignation provided it is within the relevant notice period and before the acceptance of the resignation and also before the resignor is relieved. The respondent authorities are creating obstruction in the way of the applicant's re-entry to the post even in the face of the fact that the post of Scientist-C that was held by the applicant has since been lying vacant as the respondents failed in all their three attempts to fill up the post; — the respondents, however, made these attempts before the post fell reasonably vacant and which attempts they therefore ought not to have made.

Hence is the present application praying before this Hon'ble Tribunal to be kind to interfere in the matter in the interest of restoration of justice to the applicant.

Filed by –

(S.M. HABIBUL HAQUE),
Advocate, Gauhati High Court.



Filed by
16
S. M. HABIBUL HAQUE
Advocate, Gauhati High Court

**BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GAUHATI BENCH : GUWAHATI**

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

Original Application No. 166 of 2006

1. PARTICULARS OF THE APPLICANT:

Dr. Patan Shaik Sha Valli Khan,
Son of Late P. Ghouse Khan,
C/o D. Sabjan,
Door No.6-397, K.M.H. Street,
P.O. Kadapa-516001, District Kadapa, Andra Pradesh.

2. PARTICULARS OF RESPONDENTS:

(1) Union of India represented by –

The Secretary to the Government of India, Department of Biotechnology, Govt. of India &
Chairman, Governing Council of Institute of Bioresources & Sustainable Development,
Imphal
Block 2 (7th Floor), C.G.O, Complex, New Delhi-110 003.

(2) Advisor, Department of Biotechnology, Government of India & Member, GC & SAC of
Institute of Bioresources & Sustainable Development, Imphal
Block 2 (7th Floor), C.G.O, Complex, New Delhi-110 003.

(3) The Director, Institute of Bioresources and Sustainable Development,
Takeyalpat Institutional Area,
Imphal-795001, Manipur (India).

(4) Scientist-E, Department of Biotechnology, Government of India & Member, Institute of
Bioresources & Sustainable Development, Imphal
Block 2 (7th Floor), C.G.O, Complex,
New Delhi-110 003.

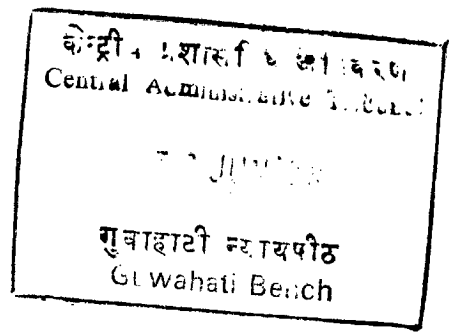
(5) The Senior Administrative Officer,
Institute of Bio resources and Sustainable Development,
Takeyalpat Institutional Area, Imphal-795001, Manipur (India).

3. PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:

The letter No.BT/012/13/NDBD/2001/Part-II, dated 12.08.2005 issued by the Scientist-E,
Department of Biotechnology, Block 2 (7th Floor), C.G.O, Complex, New Delhi-110 003 refusing
to consider the applicant's letter dated 14.07.2005 withdrawing the resignation the applicant had

Contd. to Page-2

PATAN SHAIK SHA VALLI KHAN



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submitted resigning from the post of Scientist-C (Plant Bio-technology) at the Institute of Bioresources and Sustainable Development, Imphal under compelling circumstances stated below and the **order dated 06.12.2005** issued by the Director, Institute of Bioresources and Sustainable Development, Imphal accepting the resignation of the applicant months after the applicant had withdrawn his resignation within the notice period.

4. JURISDICTION OF THE TRIBUNAL:

The applicant declares that the subject matter of the present application is within the jurisdiction of this Hon'ble Tribunal.

5. LIMITATION:

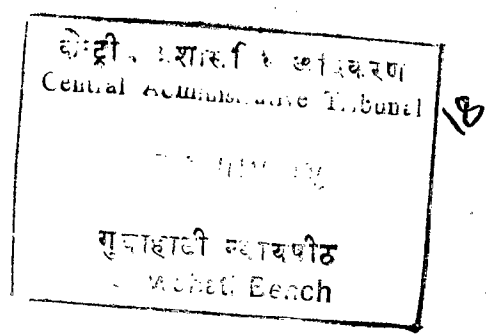
The applicant declares that the present application is within the limitation prescribed in Section 21 of the Administrative Tribunals Act, 1985.

6. FACTS OF THE CASE:

6.1: That the applicant is an M.Sc. in Botany and a Ph.D. in Plant Bio-technology and a Post-Doctoral Fellow of Luxembourg, Japan and Taiwan. He was working as the Scientist-C in the Institute of Bio resources and Sustainable Development, Imphal (hereinafter referred to as the IBSD), an autonomous body under the Department of Biotechnology, Government of India till he tendered his resignation dated 26.04.2005 under compelling circumstances created for the applicant so to do by the respondents. The applicant thereafter left for Luxembourg only after providing the authorities with due information and after the joining of the new Director anticipating the letter of acceptance of the applicant's resignation. But the letter of acceptance of the applicant's resignation from the respondent authorities did not reach the applicant till 14.07.2005 as a result of which the applicant had to change his mind and to withdraw his resignation he had tendered and which resignation was not yet accepted. Besides, the 3-month notice period was also not yet over. Accordingly, the applicant vide his letter dated Luxembourg the 14th July, 2005 withdrew his aforesaid resignation, returned to India and waited for the respondent authorities to accept the withdrawal of the applicant's resignation and to allow him to resume his duties. The said letter of withdrawal dated 14.07.2005 was submitted to the

Person took the matter up

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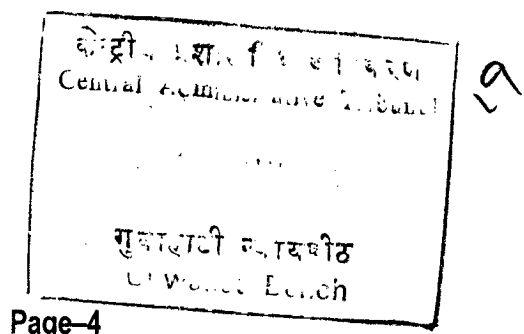
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authorities concerned before the 3-month notice period was over and also long before the resignation was accepted by the authorities; in other words, the aforesaid withdrawal of resignation was submitted well within the 3-month notice period and well ahead of acceptance of the resignation. But as the respondent authorities have been bungling over the matter and thereby gave rise to the cause of action to file this application before this Hon'ble Tribunal, the applicant has been sitting idle at home and passing his and his dependants' days in poverty despite the fact that the post from which the applicant had resigned and subsequently withdrawn his resignation has since been lying vacant till this day of filing this application which also clearly indicates to the fact that the purpose for which post was created has been suffering and all research works attached to it are being continuously hampered.

6.2: That the applicant was initially working as a Fellow in The Energy Research Institute at New Delhi on the scale of pay of Rs.14,070.00 plus other allowances per month. Thereafter he went to Taipei in Taiwan on sabbatical leave from his employers in The Energy Research Institute in New Delhi and joined as a Senior Postdoctoral Fellow with a fellowship value of NTD 60,000 per month (Rs.60,000.00 per month approximately) at the Institute of Botany, Academia Sinica in Taipei. While working in Taiwan the applicant came across advertisement displayed on the website of the Department of Biotechnology, Government of India. The applicant applied for the post of Scientist-E in response to the said advertisement. In response to the application the applicant had submitted in pursuance of the first advertisement referred to above (Annexure-1), the authorities asked the applicant to appear before the Interview-cum-Selection Committee at Imphal on 15.06.2003. Consequent upon this the applicant had to leave Taipei and come to his motherland. Accordingly he left that country, appeared before the said Interview-cum-Selection Committee at Imphal for his selection for the post of Scientist-E. But during the interview session itself the committee told the applicant that he was selected for the post of Scientist-C which the applicant could not accept firstly because it was not the post he applied for and also not the post he was called for interview. Moreover, the said post was far inferior to commensurate the academic qualifications, experience and the status he was already

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holding then. As such, the applicant refused to accept the said offer despite the fact that the applicant was rendered jobless as he had already his job in Taiwan in anticipation of getting the post Scientist-E and was made to sit idle at home. A few months thereafter another advertisement was published by the same authorities on 18-24.10.2003 calling for applications for the post of Scientist-E among others. The applicant applied for the post of Scientist-E in response to the said advertisement. He was accordingly called for the interview and the applicant also appeared before the same, but exclusively for the post of Scientist-E as per advertisement and the applicant's application for it.

A copy each of the aforesaid advertisements is annexed hereto as **Annexure-1** and **2**.

6.3: That even on the second interview the selection committee selected the applicant again for the post of Scientist-C which was the applicant had refused to accept on the earlier occasion as already stated above. But the applicant had to accept it under the compelling circumstances of his being rendered jobless after he left his sabbatical position in Taiwan with the high hopes of rendering his services to his own country, the North-East more particularly. Beside, he was already in India since his first interview as aforesaid in wait for the second chance of appearing before the Interview/selection process in respect of his application he had made for the post of Scientist-E in pursuance of the second advertisement (Annexure-2) as he could not join his previous post before completing his sabbatical leave on which he had gone to Taipei. But again, the Committee as per letter dated 02.01.2004 selected the applicant to the post of Scientist-C, the post the applicant never applied for. The authorities, however, granted five advance increments in the pay scale of Rs.10,000-325-15,200 and other permissible allowances against the approved post of Scientist-E (Plant Biotechnology) in the pay scale of Rs.14,300.00 – 400.00 – 18,300.00 plus other allowances per month and respondent authorities deprived the applicant of the benefit of the pay scale relevant to the post of Scientist-E. The order was nevertheless discriminatory in regard to the applicant's qualification and his earlier pay scale and was also violative of the Clause No.14 of IBSD of the aforesaid

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advertisement and the recruitment policy embodied in the Recruitment Rules & Promotion Policy for the National Institute of Immunology as adopted by the IBSD Society nor in the Fundamental & Subsidiary Rules, Government of India. Despite all these, the applicant had no choice this time but to accept it for the reasons stated above and so he obtained the release order from his previous employers vide Certificate of Employment-cum-Relieving dated 17.01.2004, proceeded to Imphal, signed the prescribed agreement dated 27.01.2004, received the appointment order dated 29.01.2004 and joined the post the same day vide joining report dated 29.01.2004, though with reasons not to be happy with it as already stated above.

A copy each of the aforesaid agreement dated 27.01.2004, Interview-call-letter dated 27.05.2003 and dated 24.11.2003, the Certificate of Employment-cum-Relieving dated 17.01.2004, appointment order dated 29.01.2004 and the Joining Report dated 29.01.2004 is annexed hereto as **Annexure-3, 4, 5, 6, 7 and 8.**

6.4: That after joining the Institute as Scientist-C as aforesaid the applicant found that certain most essential equipment and material required for carrying out the prescribed research works of the Institute were not available there. As such, the applicant submitted lists of required material to the authorities requesting supply of those materials immediately in the interest of enabling the Institute to carry out its research activities which request was repeated subsequently. But the authorities did not attend to those requests and the applicant was kept disabled in this regard resulting in frustration of the objective with which the applicant was appointed and the particular branch of research was opened in the ISBD as stated above. The same request for essential equipment and material was repeated subsequently also as per letters dated 22.04.2004, 24.07.2004, 30.07.2004, 22.10.2004 and 09.11.2004.

A copy each of the aforesaid letters dated 22.04.2004, 24.07.2004, 30.07.2004, 22.10.2004 and 09.11.2004 is annexed hereto as **Annexure-9, 10, 11, 12, 13 and 14.**

6.5: That the respondent authorities had created a two-pronged difficulties for the applicant to work peacefully. They forced the applicant to work with utmost difficulties by not supplying

the required equipments and other necessary materials on the one hand and, on the other, by not providing him with the financial benefits as incidentals of his service as per the provisions the respondent authorities had themselves laid down in the aforesaid advertisement and the agreement leaving the applicant with no choice but to continue even though that was detrimental to the interest of the Institute as well as the applicant. The applicant had in the mean time completed the period of probation as per letter dated 28.02.2005.

A copy of the aforesaid letters dated 28.02.2005 is annexed hereto as **Annexure-15**.

6.6: That to add to the woes of the applicant, the respondent authorities gave the applicant the charge of Scientist-in-Charge of IBSD, Imphal on 28.02.2005 on the eve of superannuation of the Director, IBSD, Imphal (Respondent No.3) with effect from 01.03.2005 without prior information or notice to the applicant in addition to his own duties and in the scale of his own grade of pay vide letter dated 28.02.2005. As the applicant had no choice and also as it was a matter only of a stop gap arrangement for a short period, the applicant took over charge from the out going Director in the forenoon of 01.03.2005 vide certificate of transfer of charge dated 01.03.2005.

A copy each of the aforesaid letters dated 28.02.2005 and certificate of transfer of charge dated 01.03.2005 is annexed hereto as **Annexure-16 and 17**.

6.7: That as per the facts stated above, the applicant continued to serve and perform the duties entailed not only to the post to which he was appointed but also to the post of which he was given the additional charge without pecuniary benefits despite unfavorable situation created by the respondent authorities in running the research works of the Institute on the one hand and in refusing to give him the pecuniary benefits as were necessary to be paid as incidentals of service on the other. And, thus, the applicant never refused or failed even the least to faithfully carry out any order of any of the respondent authorities and/or to sincerely discharge his duties and responsibilities. But, on the contrary, the respondent authorities always

acted unreasonably, arbitrarily and arrogantly and also refused to provide the applicant as well as the Institute with the facilities that were most reasonably required which all together gradually went on creating a situation for the applicant to serve with unreasonable displeasure though without coming into confrontation with the respondent authorities in the instant application.

6.8: That towards the first week of March, 2005 the applicant was informed that he was offered with a chance to conduct a research course as a Senior Researcher in Biotechnology at Centre de Recherche Public-Gabriel Lipmann in Luxembourg for a period of 9 months. The applicant had applied for it when he was made to sit idle after the first interview as already stated above. The field of the said research was a new and wider field of plant-biotechnology for the applicant and the experience of this research provided the applicant could avail it would have greatly helped the research activities of the IBSD itself. It was also the sincere desire of the applicant to provide the Institute (IBSD) with the experience of this research after the applicant was back to his country after completing the said research course at Luxembourg. On receipt of the above information, the applicant prayed before the respondent authorities to grant him deputation for a period of 9 months vide the applicant's letter dated 15.03.2005. The applicant had, in the mean time, already completed the period of probation. But the respondent authorities failed to appreciate the situation and the benefits of the proposed research and refused to grant the deputation prayed for vide their letter dated 08.04.2005 despite there being provisions made in Appendix-9 of the FR&SR, Government of India and in Clause B of FR-111.

A copy each of the aforesaid letters dated 15.03.2005
and 08.04.2005 is annexed hereto as **Annexure-18** and **19**.

6.9: That after having received the letter dated 08.04.2005 (Annexure-19) from the respondent authorities refusing the grant of deputation that was prayed for, the applicant prayed for grant of extra- ordinary leave without pay for 9 months with effect from 01.05.2005 vide letter dated 11.04.2005. By a separate letter dated 11.04.2005 the applicant also simultaneously prayed before the respondent authorities to make necessary arrangements for relieving the applicant from his additional duties of Scientist-in-Charge. Moreover, in anticipation of the order

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relieving the applicant from the additional duties, the applicant completed the other necessary formalities to hand over charge of the post held by the applicant as such vide the letter of handing over charge 11.04.2005 and of handing over charge dated 25.04.2005 and waited for the order granting the said leave as prayed for as the applicant could not afford to delay in joining the course in Luxembourg as delay would automatically mean foregoing the chance of doing the research that was obtained with much difficulties. But the respondent authorities willfully failed to appreciate provisions made for the scientists in Appendix-9 of the FR&SR, Government of India as well as in Clause B of FR-111.

A copy each of the aforesaid letters dated 11.04.2005, 11.04.2005 and 25.04.2005 is annexed hereto as **Annexure-20, 21 and 22.**

6.10: That after waiting for a reasonable time to receive the order granting the leave and the reliever as were prayed for as stated above, there remained no option opened before the applicant to avail the chance other than by resigning from his post and accordingly the applicant submitted his resignation letter dated 26.04.2005 to the Respondent No.1, the Secretary, Department of Biotechnology, Govt. of India together the 'No Dues Certificate' dated 20.04.2005. But the authorities did not inform the applicant about the fate of his letter of resignation he was forced to tender and as the time for joining the new course at Luxembourg was fast elapsing and that the new Director had already joined the IBSD and also as the applicant had already handed over charge to Dr. V. S. Rana (Annexure-22) and had completed other formalities to leave the Institute, the applicant left for Luxembourg with intimation to the authorities concerned vide letter dated 16.05.2005.

A copy each of the aforesaid resignation letter dated 26.04.2005, 'No Dues Certificate' dated 20.04.2005 and letter dated 16.05.2005 is annexed hereto as **Annexure-23, 24 and 25.**

6.11: That applicant subsequently changed his mind and vide letter dated 14.07.2005 withdrew his resignation letter dated 26.04.2005 (Annexure-24) considering especially the facts that the respondent authorities had not yet accepted his resignation, the withdrawal was

possible because the 3-month notice period from the date of submission of the resignation letter was not yet over and that the applicant could not afford to lose his job firstly because the applicant has deep intentions to serve the country with whatever little capacity he has and secondly because he has to support his children in their education and health in his own country, especially in the North-East. Besides, the arena of employment has been getting squeezed with every passing day. Accordingly, the applicant submitted his letter dated 14.07.2005 withdrawing his aforesaid resignation letter dated 26.04.2005.

A copy of the aforesaid letter dated 14.07.2005
withdrawing the resignation is annexed hereto as **Annexure-26**.

6.12: That the respondent authorities did not inform the applicant anything either about the **acceptance of his resignation** (Annexure-24) or about the **acceptance of withdrawal of his resignation** (Annexure-26) for a long time. The Respondent No.4 vide his letter dated 12.08.2005, however, informed the applicant that his withdrawal of resignation was refused by the authorities concerned on baseless and irrelevant grounds. There was, in fact, no reason for the respondents to show or not to show any cause for accepting or not accepting the applicant's resignation because the question here was precisely to accept or not to accept the resignation and nothing else. But that question was not willfully answered and, contrarily, they tried to stain the career of the applicant with bias and concoction. In truth, the actions, activities and integrity of the applicant have always been praised in writing by the applicant's previous employers both in India and abroad. Be as it may, the post in question has still been encumbered by the applicant for all practical purposes and it will remain so until the resignation was expressly accepted in its usual process and without bias or motive.

A copy of the aforesaid letter dated 12.08.2005 is
annexed hereto as **Annexure-27**.

6.13: That it is an established procedure that a post is never treated as vacant until and unless the incumbent is retired, removed, expired, transferred or the incumbent resigns and his/her resignation is expressly accepted by the authorities concerned. For the same reason

such a post can neither be advertised nor filled up. But in the instant case, the respondent authorities advertised the post under concern on 07.09.2005 despite the fact that the letter dated 26.04.2005 (Annexure-24) submitted by the applicant resigning from the said post was not yet accepted and that the matter of withdrawing the said resignation by the applicant vide letter dated 14.07.2005 (Annexure-26) was not yet decided by the authorities concerned. Thus the authorities' acts of not appointing the applicant to the post for which he has applied and to which he was interviewed, not granting the extra-ordinary leave to the applicant despite there being the provision of rules for the same and also despite there being a multitude of instances of granting such leave by the same authorities to other incumbents in the shoes of the applicant, not accepting the withdrawal of resignation of the applicant etc. are enough of a proof of how biased against and discriminatory are the respondents' authorities towards the applicant since the beginning of his employment in the said Institute. To give a precise example of granting such leave to a Scientist of the same Institute, the case of Dr. N. C. Talukdar may safely be referred to who was granted such leave even before completion of his probation period and that too almost immediately after he had joined the Institute.

A copy of the aforesaid advertisement is annexed
hereto as **Annexure-28**.

6.14: That having received the said letter dated 12.08.2005 conveying refusal of the authorities to accept the withdrawal of the applicant's resignation but without accepting the resignation till then, the applicant made another request to the respondent authorities to reconsider the matter vide letter dated 19.12.2006. In the mean time and after the lapse of over 4 months the respondent authorities issued the letter of acceptance of the resignation of the applicant vide their letter dated 06.12.2005. But that too was after over 4 months of submission of the letter dated 14.07.2005 (Annexure-26) withdrawing the said resignation. Consequently the applicant vide his letter dated 19.12.2005 reiterated his request once again for reconsidering his letter withdrawing the said resignation. But the authorities have so far remained silent.

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A copy each of the aforesaid letter dated 06.12.2005 and the letter dated 19.12.2005 is annexed hereto as **Annexure-29** and **30**.

6.15: That having seen the respondent authorities silent about the matter of withdrawal of his resignation for so long and having been sitting idle at home in anticipation of a reasonable action to be taken by the authorities concerned, the applicant as the last resort made an appeal before the Hon'ble Prime Minister of India praying before him as the executive head of the nation to instruct the respondent authorities to accept the withdrawal of the applicant's resignation, to allow him to resume his duties and pay him his salary he is entitled to after granting the extra-ordinary leave he had prayed for etc. vide letter dated 18.04.2006. In turn, the Office of the Hon'ble Prime Minister vide letter dated 04.05.2006 instructed the respondent authorities to take appropriate action. But the authorities have so far failed to take any action on the said instruction. Consequently, the applicant has been forced to sit idle at home without work and income despite the fact that he has withdrawn his resignation well before the 3-month notice period was over and also much before his resignation was accepted by the authorities concerned by going out of the way with bias and motive.

A copy each of the aforesaid letters dated 18.04.2006 and 04.05.2006 is annexed hereto as **Annexure-31** and **32**.

6.16: That in view of the facts of respondent authorities' dealings with the applicant with bias and unreasonableness from the very beginning of his appointment to the post of Scientist-C despite the fact that the applicant had in fact applied for and was also called for interview for the post of Scientist-E, not providing the applicant at the Institute with the necessary equipment and supplies required for carrying out the research works with the basic purpose of which the respondent authorities had appointed the applicant, not accepting the applicant's request for granting the 9-month deputation that was required for doing the higher research in the field allied to the field of activities of the applicant's Institute, not granting the 9-month extra-ordinary leave to the applicant for his going on research works at Luxembourg despite there being the provisions for such leave as per provisions made in Appendix-9 of the FR&SR, Government of

India as well as in Clause B of FR-111, not attending to the repeated requests of the applicant withdrawing his resignation which was submitted within the required time limit of 3-month notice period and much before the resignation was accepted and finally accepting the resignation over 4 months after the resignation letter was submitted and that too only after the respondent authorities received the notices of withdrawal from the applicant and the present failure of the authorities to implement the instruction of the office of Hon'ble Prime Minister of India in the matter of the applicant's prayer for re-consideration of his withdrawal of resignation he had submitted earlier etc. altogether clearly indicate to the fact of how biased the respondent authorities have been against the applicant right from the time of his initial appointment and till now. The failure of the authorities to accept the resignation tendered by the applicant which they should have accepted almost instantly as per rules and then their hurried acceptance of the applicant's resignation much after the relevant notice period was over and only after the letters withdrawing the resignation were received from the applicants more particularly indicate to the facts that the respondent authorities first tried to negate the applicant's chance of going to Luxembourg and doing the higher research there and, when they saw that their said act did not work, they suddenly came up with the untimely and unreasonable act of accepting the resignation so as to cause hindrance in the way of the applicant's re-entry into his job in the aforesaid Institute despite the fact that the post has still been lying vacant and that the respondent authorities could not find any suitable person for the post through the process of selection of candidates they conducted in pursuance of the advertisement dated 07.09.2005 (Annexure-28). They even willfully failed to appreciate the fact that continuance of the vacancy in the said post has been frustrating the very purpose of creation of the post under concern. All these unreasonable acts committed by the respondent authorities with bias and motive against the applicant finally gave rise to the cause of action and the belief that the applicant shall not get justice until and unless he invokes the kindness of this Hon'ble Tribunal to interfere in the matter in the interest of justice; and hence is the present application.

7. GROUNDS:

7.1: The respondent authorities ought not to have appointed the applicant to the post of

Scientist-C with a lower to lower scale of pay despite the facts that he applied for the post of Scientist-E which is a much higher post and which carries a higher salary and not for the post of Scientist-C and that the authorities had also invited him for interview for the post of Scientist-E and not Scientist-C twice and thus put him in a grade of service which was much lower in rank, much inferior to suit the academic and other qualifications of the applicant and which carries a lower to lower scale of pay besides the fact that the applicant did not apply for such a lower to lower post.

7.2: The respondent authorities ought not to have rejected the prayer of the applicant for granting deputation to Luxemburg only for a brief period of 9 months to do a course of higher research in the relevant field considering especially the fact that the fruits of the research would have contributed to the interest of the country to which the applicant and the respondent authorities belong.

7.3: The respondent authorities ought not also to have rejected the applicant's request for grant of extra-ordinary leave especially in view of there being the provisions for grant of such leave in the relevant rules of the Government whose total interest centres round research and development only and also considering the fact that the applicant made the second request after he got his first request for grant of deputation rejected.

7.4: The respondent authorities ought not to have created the situation that forced the applicant to tender resignation from his post in a bid to avail the chance of the aforesaid research. The respondent authorities also ought not to have made willful and inordinate delay in accepting the applicant's resignation whom they themselves forced to take recourse to and they thereby ought not to have created uncertainty in the mind of the applicant regarding his ability to avail the chance of doing the higher research in a reputed institute of a developed country.

7.5: The respondent authorities ought not to have advertised the post held by the applicant before his resignation was accepted if they were not really biased against the applicant.

7.6: The respondent authorities ought not to have rejected the applicant's petition withdrawing the resignation he had submitted earlier especially when the submission of the petition withdrawing the said resignation was much before the acceptance of the resignation by the authorities concerned and well within the 3-month notice period.

7.7: The respondent authorities ought not to have fancied themselves in sitting over the subsequent request of the petitioner to re-consider his withdrawal of resignation which was submitted within the usual notice period and long before the resignation was accepted in a belated hurry and more particularly over the instruction to take appropriate action in the matter as was conveyed to the respondent authorities by the office of the Hon'ble Prime Minister of India.

7.8: The applicant may kindly be permitted to put forth other reasonable ground or grounds, if any, at the time of hearing of the case.

8. DETAILS OF THE REMEDIES EXHAUSTED:

8.1: The applicant declares that the applicant made all out efforts to get his appointment corrected as Scientist-E, to get his pecuniary benefits paid to him by the respondents as well as to get the respondent authorities provide the required equipments and supplies in order to carry out the research works in the Institute peacefully and fruitfully. But the respondent authorities have turned deaf ears to all these requests of the petitioner willfully and with bias in order to disable the petitioner to continue in his post as well as to do the research peacefully and fruitfully.

8.2: The applicant declares further that on receiving a good chance of doing a higher course of research of only 9-month duration in the relevant field in a reputed Institute of a developed country, the applicant first prayed for grant of deputation for 9 months with effect from 01.05.2005. But after having got the prayer rejected, the applicant prayed for grant of extraordinary leave on the same ground. That prayer for leave was also rejected consequent upon

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which the applicant had but to tender resignation. Accordingly, the applicant tendered resignation and requested the authorities to accept it and relieve him within such time that he could leave for Luxembourg latest by 01.05.2005. But the authorities sat tight over it and delayed inordinately in accepting the resignation before which the applicant changed his mind and withdrew his resignation. The respondent authorities, however, refused to accept the withdrawal of the resignation and accepted the resignation in an unholy haste but with an inordinate delay and with bias and motive. The applicant prayed for re-consideration of his prayer for withdrawal of his resignation which prayer was made both before the usual notice period was over and before it was accepted. The office of the Hon'ble Prime Minister of India has also instructed the respondent authorities to take "appropriate" action in the matter. But the authorities have so far been maintaining a mysterious silence on both the said prayers of the applicant for re-consideration and PMO's instruction to take appropriate action. The fact also remains that the respondent authorities have not yet released the applicant from service while they ought to have released him immediately after his resignation was accepted.

8.3: The applicant, in view of the remedial measures he has already taken in the matter, declares that the applicant has taken recourse to all the remedial measures that were departmentally available to him but were of no avail. There is thus no more remedial opportunity before the applicant to take recourse to for meeting his grievances against the respondent authorities other than placing the matter before this Hon'ble Tribunal praying for its kind interference in the matter in the interest of delivering justice to the applicant. The applicant, in view of the facts and circumstances stated above, declares further that the interference of this Hon'ble Tribunal in the matter has become all the more urgent besides being necessary.

9. MATTER NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT:

The applicant declares that he has not filed any writ petition or any other petition or application before any court of law or before any bench of this Hon'ble tribunal nor has he filed any other application, representation or appeal before any other authority in regard to the subject matter of this original application.

10. RELIEF SOUGHT:

In view of the facts and circumstances stated above, the applicant most humbly prays that this Hon'ble Tribunal may be pleased to admit this application, call for the records and issue notices upon the respondents to show cause as to why –

- (A) the order dated 06.12.2005 (Annexure-29) passed by the Respondent No.3 shall not be set aside;
- (B) the respondents shall not be directed to accept the applicant's letter dated 14.07.2005 (Annexure-26) withdrawing his resignation dated 26.04.2005 (Annexure-24);
- (C) the respondents shall not be directed to allow the applicant to resume his duties and to treat the intermediary period of absence between 21.02.2006 and the date of resumption of his duties as a period spent on duty for all purposes; and
- (D) grant such other relief or relieves as to this Hon'ble Tribunal may kindly deem fit and proper on consideration of the facts and circumstances of the case.

11. INTERIM RELIEF SOUGHT FOR, IF ANY:

The applicant prays that pending finalization of the present original application this Hon'ble Tribunal may kindly be pleased to issue an order –

- (A) staying the operation of the order dated 06.12.2005 (Annexure-29) by which the respondent authorities accepted the resignation of the applicant;
- (B) allowing the applicant to resume his duties in the Institute forthwith; and
- (C) any other order or orders as to this Hon'ble Tribunal may deem fit and proper to pass in the interest of justice.

12. PARTICULARS OF THE POSTAL ORDER & OTHE MATERIALS:

12.1: The I.P.O. No. 266 324661, dated 29.06.06 for Rs.50.00 (rupees fifty) only.

12.2: Required number of envelopes and acknowledgement cards.

12.3: Vakalatnama.

12.4: Material papers as per index.

13. LIST OF ENCLOSURES:

- 13.1: Advertisement dated
- 13.2: Advertisement dated 18-24.10.2003
- 13.3: Agreement dated 27.01.2004 between the applicant and the IBSD
- 13.4: Interview call letter for the post of Scientist-E dated 27.05.2003
- 13.5: Interview call letter for the post of Scientist-E dated 24.11.2003
- 13.6: Certificate of Employment –cum- Relieving from TERI, New Delhi dated 17.01.2004
- 13.7: Appointment Order dated 29.01.2004
- 13.8: Joining Order dated 29.01.2004
- 13.9: Representation to the Director, IBSD regarding equipments and supplies dated 22.04.2004
- 13.10: Representation to the Director, IBSD regarding equipments and supplies dated 24.07.2004
- 13.11: Representation to the Director, IBSD regarding equipments and supplies dated 30.07.2004
- 13.12: Representation to the Director, IBSD regarding equipments and supplies dated 22.10.2004
- 13.13: Representation to the Director, IBSD regarding lab assistance dated 22.10.2004
- 13.14: Representation to the Secretary, DBT, through Director, IBSD regarding equipments and supplies dated 9.11.2004
- 13.15: Letter of probation termination dated 28.02.2005
- 13.16: Letter issued by Scientist-E, DBT regarding the handover of additional duties of Scientist-in-charge dated 28.02.2005
- 13.17: Taking over of additional duties of scientist-in-charge by the applicant dated 01.03.2005
- 13.18: Representation to the Secretary, DBT for the deputation on the Foreign Service dated 15.03.2005
- 13.19: Regret letter to the applicant issued by Scientist-E, DBT dated 08.11.2005
- 13.20: Representation to the Secretary, DBT for Extra ordinary Leave dated 11.04.2005
- 13.21: Representation dated 11.04.2005 addressed to the Secretary, department of Biotechnology.
- 13.22: Handing over of additional duties of Scientist-in-charge to Dr. V.S. Rana dated 25.04.2005
- 13.23: No dues Certificate for the applicant dated 20.04.2005
- 13.24: The applicant's resignation letter dated 26.04.2005 submitted to the Secretary, DBT
- 13.25: Remainder regarding the status of resignation of the applicant dated 16.03.2005.
- 13.26: Representation to the Secretary, DBT regarding the withdrawal of resignation dated 14.07.2005
- 13.27: Letter dated 12.08.2005 issued by Scientist-E, DBT.
- 13.28: IBSD, advertisement for the position of Scientist-E dated 07.09.2005
- 13.29: Acceptance of the applicant's resignation dated 06.12.2005
- 13.30: Representation dated 19.12.2005 addressed to the Secretary, DBT regarding the reconsideration of withdrawal of resignation
- 13.31: Representation to the Hon'ble Prime Minister of India to intervene for the acceptance of withdrawal of resignation dated 18.04.2006
- 13.32: Letter from the Hon'ble Prime Minister's Office dated 04.05.2006

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Verification

PATAN. SHARMA SDA WCL 12420

VERIFICATION

I, Dr. Patan Shaik Sha Valli khan, Son of Late P. Ghouse Khan, a resident of K.M.H. Street (Door No.6 397) under Post Office Kadapa-516001 in the district of District Kadapa of the state of Andhra Pradesh, aged about 40 years, do hereby verify that I am the applicant in the accompanying application filed on behalf of myself and, as such, I am acquainted with the facts and circumstances of the case. I do hereby verify further that the statements made in the paragraphs from 1 to 13 together with the copies of documents annexed to the application are true to the best of my knowledge and belief and that I have not suppressed or concealed any material fact or facts relating to the instant case.

And I set my hands in this verification on this 29th day of June, 2006 at Guwahati.

Date: 29th June, 2006

Place: Guwahati

P. S. Sha Valli Khan
Signature of the applicant
29/06/2006
(PATAN. SHAIK SHA VALLI KHAN)

PATAN. SHAIK SHA VALLI KHAN

INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT

(Under Department of Biotechnology, Ministry of Science & Technology, Government of India)
Tatyapat Institutional Area, Imphal-795001 Phone: 0365-2446122, Telex: 03652446120

Advertisement No. 2/50/2003-IBSD

The Institute of Bioresources and Sustainable Development (IBSD) is one of the autonomous institutes under the Department of Biotechnology, Ministry of Science & Technology, Govt. of India. It is a newly created institute to be located at Tatyapat Institutional Area in Imphal with the backdrop of lush green hills. The objective of IBSD is to develop and utilize the rich bioresources of the north-eastern region of the country through the application of modern tools of biology and biotechnology. The Institute is in need of scientific/technical/administrative manpower. Applications are, therefore, invited for the following post:

S.No.	Name of the post	Pay Scale	Number of Post
A. MEDICINAL PLANTS/HORTICULTURAL RESOURCES DIVISION			
1.	Scientist-E	Rs. 14,300-18,300	One
2.	Scientist-C	Rs. 10,000-13,200	One
3.	Scientist-B	Rs. 8,000-13,200	One
4.	Tech Asst.	Rs. 5,500-8,000	One
5.	Laboratory Assistant	Rs. 3,200-4,000	One
6.	Laboratory Attendant	Rs. 2,500-3,200	One
7.	Field cum Farm Attendant	Rs. 2,500-3,200	One
B. MICROBIAL RESOURCES DIVISION			
8.	Scientist-E	Rs. 14,300-18,300	One
9.	Scientist-C	Rs. 10,000-13,200	One
10.	Scientist-B	Rs. 8,000-13,200	One
11.	Tech Asst.	Rs. 5,500-8,000	One
12.	Laboratory Assistant	Rs. 3,200-4,000	One
13.	Laboratory Attendant	Rs. 2,500-3,200	One
C. BIO-RESOURCES DATA BASE UNIT			
14.	Scientist-C	Rs. 10,000-13,200	One
15.	Computer Operator	Rs. 5,500-8,000	One
D. ADMINISTRATIVE/FINANCE AND ACCOUNTS DIVISION			
16.	Sr. Admin. Officer	Rs. 10,000-13,200	One
17.	Sr. Accounts Officer	Rs. 8,000-13,200	One
18.	Stenographer	Rs. 3,000-4,500	One

Details about the minimum qualifications required along with the job requirements for each of the post are as follows:

MEDICINAL PLANTS/HORTICULTURAL RESOURCES DIVISION

Post No. 1: Scientist-E Plant Biotechnology
Essential Qualification: 1st Class M.Sc. in Botany/Biotechnology/Agriculture/Horticulture or equivalent with at least eleven years research experience or Ph.D. in the above subjects with at least ten years research experience in Medicinal and Aromatic Plants/Horticulture/Horticultural plant resources. Desirable: Research experience in biotechnological approaches for conservation, improvement and utilization of Medicinal and Aromatic plants/Horticulture/Horticultural resources. The candidate should be capable of guiding and supervising research programmes of the division. The research experience should be evident from publications in above fields in reputed journals. Job Requirement: Collection, conservation, multiplication and improvement of medicinal & aromatic plant/horticultural resources of the NE region along with bioprospecting for useful products.

Post No. 2: Scientist-C Natural Product Chemistry
Essential Qualification: 1st class M.Sc. in Organic Chemistry/Natural Product Chemistry/Bio-organic Chemistry or equivalent with at least five years research experience or Ph.D. in any of the subjects with four years research experience in isolation and characterization of bioactive natural compounds from plants. Desirable: Research experience in isolation and characterization of bioactive natural compounds from medicinal and aromatic plants as evident from research publications in this area in reputed journals. Job Requirement: To identify bioactive compounds in medicinal and aromatic plants by using TLC/GC/MS/PLC/HP, TLC techniques towards developing herbal products.

Post No. 3: Scientist-B Plant Taxonomy
Essential Qualification: 1st Class M.Sc. in Botany or equivalent with three years experience with specialization in taxonomy or Ph.D. in the above subject with one year experience in the relevant subject. Desirable: Working experience in the field of plant taxonomy/identification of natural flora as evident from publications in reputed journals. Job Requirement: Survey, collection, identification and conservation of various important horticultural/medicinal and aromatic plant resources of NE region.
Post No. 4: Scientist-B Plant Tissue Culture
Essential Qualification: 1st class M.Sc. in Botany/Biotechnology/Agriculture/Horticulture or equivalent with specialization in plant tissue culture with three years experience or Ph.D. with one year post doctoral experience in relevant subject. Desirable: Working experience in plant tissue culture techniques/micro-propagation protocols for mass multiplication of plants. Job Requirement: To develop micro-propagation protocols for rare/endangered/threatened and other economically important plant species of the NE region.

Post No. 5: Technical Assistant
Essential Qualification: M.Sc. in Botany/Biotechnology/Agriculture/Horticulture or equivalent with one year experience of B.Sc. or equivalent with two years experience. Desirable: Experience in working as scientific/technical assistant/laboratory assistant in reputed research organization. Job Requirement: To assist the scientists of the division in pursuing the research work.

Post No. 6: Laboratory Assistant
Essential Qualification: Matriculate or equivalent with Science with three years experience in RSD Laboratories or Diploma in MLT Course. Desirable: Experience in Science & Technology/Sector Organization. Job Requirement: To assist the Scientists of the division as required by the Institute in the operation of the laboratories.

Post No. 7: Laboratory Attendant
Essential Qualification: Class VIII pass from any recognized school. Desirable: Experience in Science & Technology/RSD Organization. Job Requirement: To attend to duties prescribed by the Institute for running the laboratory, the cleaning of the laboratory and equipment, glassware etc. and any other non-technical work assigned.

Post No. 8: Field cum Farm Attendant
Essential Qualification: Class VIII pass from any recognized school. Desirable: Experience in field work/laboratory in Science & Technology/RSD organizations. Job Requirement: To perform field/laboratory work as directed by the Institute.

MICROBIAL RESOURCES DIVISION

Post No. 9: Scientist-E (Microbial Resources)
Essential Qualification: 1st class M.Sc. in Microbiology or equivalent with at least eleven years experience or Ph.D. in above subject with at least ten years experience in the relevant field. Desirable: Research experience in assessment of microbial diversity/development of microbial inoculants/microbial biotransformation/fermentation technology. Job Requirement: To carry out microbiological research for conservation and sustainable utilization of microbial biodiversity of NE region.

Post No. 10: Scientist-C Microbiology (Bioreactor/Bioprocess)
Essential Qualification: 1st class M.Sc. in Microbiology/Bioprocess Technology or M.Tech. in Biotechnological Engineering or equivalent with three years experience or Ph.D. with one year experience in the above field. Desirable: Research experience in development and application of microbial inoculants and bioprocesses for agricultural crops. Job Requirement: To carry out research on development of microbial inoculants and bioprocesses for agricultural crops.

Post No. 11: Scientist-B Microbiology (Mushroom/Fermentation)
Essential Qualification: 1st class M.Sc. in Microbiology/Fermentation Technology or M.Tech. in Biotechnological Engineering or equivalent with three years experience or Ph.D. with one year experience in the above field. Desirable: Knowledge of fermentation technology, improvement and cultivation of indigenous edible mushroom. Job Requirement: To carry out research biotechnological improvement of bacterial/fungal strains for fermentation technology or selection, improvement and cultivation of indigenous edible mushrooms of NE region.

Post No. 12: Technical Assistant
Essential Qualification: M.Sc. in Life Sciences with one year experience of B.Sc. or equivalent with the year experience. Desirable: Experience in working as scientific/technical assistant/laboratory assistant in reputed research organization. Job Requirement: To assist the scientist of the division in pursuing the research work.

Post No. 13: Laboratory Assistant
Essential Qualification: Matriculate or equivalent with Science with three years experience in R & D Laboratories or Diploma in MLT Course. Desirable: Experience in Science & Technology/Sector Organization. Job Requirement: To assist the Scientists of the division as required by the Institute in the operation of the laboratory.

Post No. 14: Laboratory Attendant
Essential Qualification: Class VIII pass from any recognized school. Desirable: Experience in Science & Technology/RSD Organization. Job Requirement: To attend to duties prescribed by the Institute for running the laboratory, the cleaning of the laboratory and equipment, glassware etc. and any other non-technical work assigned.

BIO-RESOURCES DATABASE UNIT

Post No. 15: Scientist-C (Bioresources Database)
Essential Qualification: 1st class M.Sc. in Biological Science/Biotechnology/Bioinformatics with at least five years research experience in RSD or Ph.D. in the above subject with at least four years research experience in bioinformatics/bioinformatics of computer in biological sciences. Desirable: The research experience in bioinformatics and the knowledge of Biotechnology Information System Network (BISNET). Job Requirement: To develop and maintain a computerized data base of the bioresources of NE region and build up expertise in bioinformatics of the Institute.

Post No. 16: Computer Operator (Bioresources Database Unit)
Essential Qualification: B.T. or Degree in Engineering/AMIE in Computer Science/Computer Engineering/Electronics and Communication or equivalent with one year experience or Graduate in any discipline with appropriate qualifications in IT with two years experience. Desirable: Experience in electronic data processing and UNIX/WINDOWS NT/2000, Database making in ACCESS etc. and Programming knowledge in VB/Network management. Job Requirement: To organize information, run and maintain the computer system at the Bioresources Database Unit along with management of computer network of the Institute.

ADMINISTRATIVE/ACCOUNTS & FINANCE DIVISION

Post No. 17: Senior Administrative Officer
1) For deputation: Graduate in any discipline holding analogous post or lower post in the pay scale of Rs. 8,000-13,500/- with 5 (five) years experience or in the pay scale of Rs. 6,500-10,500/- with 8 (eight) years experience in accounts, housekeeping and establishment matters. 2) For Direct Recruitment: Graduate preferably with P.G. Diploma in Personnel Management, recognized course/training in Social Work or passed UPSC examination as Section Officer/Storekeeper/Private Secretary/Stores Purchase Officer in the grade of Rs. 6,500-10,500/- with 8 years experience. Desirable: Knowledge of Computer Applications. Job Requirement: To assist the Director in the administration of the Institute including establishment, personnel, record maintenance, public relations and any other duties assigned for him from time to time.

Post No. 18: Senior Accounts Officer
1) For Deputation: Candidate holding analogous post or Graduate with at least 8 years experience in Accounts Department in Central Government/State Government/PSU/Autonomous Body in the next lower pay scale. Desirable: Knowledge of Govt. Rules and Computer Applications. Job Requirement: To assist the Director and the Sr. Administrative Officer on all matters relating to Finance & Accounts, Budget, Balance Sheet, Financial Statements and any other duties assigned by the Director from time to time.

Post No. 19: Stenographer
Essential Qualification: Matriculate or equivalent with Short Hand speed of 60 wpm and knowledge of typing at the prescribed speed. Desirable: Knowledge of Computer Word Processor/Computer/Good English. Job Requirement: To take Short Hand dictations and transcribe the typing work as Personal Assistant/Private Secretary to the Director of the Institute or to perform work of similar nature as assigned by the Institute from time to time.

General Conditions:
1. Applicants should be Indian nationals.
2. The maximum age of candidates for direct recruitment will be as below:
Scientist-E : Below 55 years
Scientist-C/Sr. Admin. Officer : Below 50 years
Scientist-B/Sr. Accounts Officer/Computer Operator : 35 years
Technical Assistant : Below 30 years
Other group C and group D posts : Below 18-30 years
Relaxation of age in respect of special categories/sports persons under the Govt. of India notification/guidelines will be applicable.

3. The above posts can only be filled up by persons admissible to Central Government employees. Higher interplay may be considered for exceptionally meritorious and deserving candidates.
4. The post of Senior Administrative Officer and Senior Accounts Officer may be filled on deputation (serving) which by direct recruitment. Candidates for both deputation and direct recruitment may apply in response to this notice. There will not be any other notice for direct recruitment.
5. The date for determining the direct recruitment age limit/experience/qualification shall be the closing date published for direct recruitment.

6. Separate applications should be made to made for different posts. A candidate is desirous of applying for more than one post.
7. The period of experience in the requisite discipline/area of work wherever prescribed shall be counted with effect from the date of acquiring the prescribed minimum educational qualification for that discipline.

8. Applications from the candidates working in Government department, public sector organizations, autonomous institutions and government funded research agencies will be considered only if forwarded through proper channel and with a clear certificate that there is no vigilance case pending/being contemplated against him/her and that the applicant will be relieved within one month of receipt of the appointment order. However, applicants may send an advance copy of the application along with requisite fee (wherever applicable) before the last date of receipt of completed application.

9. Only outstation candidates called for interview will be paid to and to single second class railway/ordinary bus fare from the home place of their residence or from the actual place of undertaking the journey whichever is nearer to the place of interview.

10. The incumbent shall be liable to serve anywhere in India or outside.

11. No home providing facility is available with the Institute at present.

12. These posts can also be filled by direct recruitment at the discretion of the Institute in case existing candidates with requisite qualifications and experience are not forthcoming.

13. The Department of Biotechnology, Govt. of India or the competent authority of the Institute will have the right to cancel the candidature of the above posts or the recruitment rules thereof at any time before the process of filling up the posts is completed.

Complete applications in the FORM OF APPLICATION enclosed herewith a passport size photograph (fixed at space shown in the format) with attested copies of all mark sheets, caste certificate, experience certificate, etc. together with a non-refundable fee of Rs. 50/- (Rupee fifty only) (SC/ST candidates are exempted from payment of application fee) in form of Demand Draft/PO in favour of Director, Institute of Bioresources and Sustainable Development should reach the Director, Institute of Bioresources and Sustainable Development, Tatyapat Institutional Area, Imphal-795001, Manipal on or before 15th March 2003.

Applications received after the closing date or without the required copies of certificates and application fee or incomplete in any form and/or missing any information or otherwise will be treated as a disqualification for the post. No re-filing of the minimum prescribed qualifications and experience will vest any right to a candidate for being called for interview. Since it may not be possible to call all the candidates for interview, the applications will be shortlisted for the purpose and the decision of the Institute will be final. The Institute will not entertain any correspondence in this respect and inform equity will not be maintained.

Conveying in any form and/or missing any information or otherwise will be treated as a disqualification for the post. No re-filing of the minimum prescribed qualifications and experience will vest any right to a candidate for being called for interview. Since it may not be possible to call all the candidates for interview, the applications will be shortlisted for the purpose and the decision of the Institute will be final. The Institute will not entertain any correspondence in this respect and inform equity will not be maintained.

Director, IBSD, Imphal

FORMAT OF APPLICATION

- Post applied for;
 - Name of the applicant (In Block Letters);
 - Father's/Husband's Name;
 - Date of Birth (DD/MM/YYYY);
 - Age as on the date of application;
 - Postal address;
 - Permanent Address;
 - Nearest Railway Station;
 - Nationality;
 - Mental Status;
 - Whether belonging to SC/ST/PH/BC (If yes attach certificate)
 - Education Qualification
- | Examination | Board/Agency | Div. | Grade | Year of Passing | Subject |
|---|--------------|------|-------|-----------------|---------|
| 13. *Probation Training undergone, if any and details thereof; | | | | | |
| 14. Present post (Name of the Employer) | | | | | |
| 15. (i) Scale of pay and present pay (and other allowance) (ii) Salary expected | | | | | |
| 16. Total experience (Year/Month) | | | | | |
| 17. Details of research work/experience, if any; | | | | | |
| 18. Publication to your credit; | | | | | |
| 19. Any other relevant information (if you may like to furnish) | | | | | |

DECLARATION
I declare that the above information is true and correct to the best of my knowledge and belief.
Date: _____
Signature of the Candidate _____

* Attached copies of Certificates should be furnished from appropriate authority in support of the claim must be enclosed along with the application.

Advertisement is also available on DBT's website: <http://www.dbtindia.nic.in>

Institute of Bioresources and Sustainable Development (IBSD)

(Department of Biotechnology, Govt. of India)
Takyelpat Institutional Area
Imphal-795001 Manipur (INDIA)
Ph. 0385-2446122 (0) 0385-2446121 (0)
Fax. 0385-2446120 (0) E-mail: ibsd_imp@sancharnet.in

ADVERTISEMENT No. 2/50/2003-IBSD

The Institute of Bioresources and Sustainable Development (IBSD) is one of the autonomous institutes under the Department of Biotechnology, Ministry of Science & Technology, Govt. of India, located at Takyelpat Institutional Area in Imphal. The objective of IBSD is to develop and utilize the rich bioresources of the North-Eastern Region of the country through the application of modern tools of biology and biotechnology. Applications are, therefore, invited for the following posts:

Post No. 1 : 1 (One) Scientist-E : Plant Biotechnology in the Scale of Pay Rs. 14,300-18,300

Essential Qualification: 1st class M.Sc in Botany/Biotechnology/ Agriculture/ Horticulture or equivalent with at least eleven years research experience or Ph.D. in the above subjects with at least ten years research experience in Medicinal and Aromatic Plants/Horticultural Plants Resources.

Desirable: Research experience in biotechnological approaches for conservation, improvement and utilization of Medicinal and Aromatic plants/ Floriculture/Horticultural resources. The candidate should be capable of guiding and supervising research programmes of the division. The research experience should be evident from publications in above fields in reputed journals.

Job Requirement: Collection, conservation, multiplication and improvement of Medicinal & Aromatic Plants/Horticultural Resources of the NE region along with bioprospecting for useful products.

Post No. 2 : 1 (One) Scientist-C: Natural Product Chemistry in the Scale of Pay Rs 10,000-15,200

Essential Qualification: 1st class M.Sc. in Organic Chemistry/Natural Product Chemistry/Bio-organic Chemistry or equivalent with at least five years research experience or Ph.D. in any of the subjects with four years research experience in isolation and characterization of bioactive natural compounds from plants.

Desirable: Research experience in isolation and characterization of bioactive natural compounds from medicinal and aromatic plants as evident from research publications in this area in reputed Journals.

Job Requirement: To identify bioactive compounds in medicinal and aromatic plants by using TLC/GLC/HPLC/HP, techniques towards developing herbal products.

Post No. 3 : 1 (One) Scientist-E: Microbial Resources in the Scale of Pay Rs 14,300-18,300

Essential Qualification: 1st class M.Sc in Microbiology or equivalent with at least eleven years experience or Ph.D. in above subject with at least ten years experience in the relevant field.

Desirable: Research experience in assessment of microbial diversity/ development of microbial inoculants/microbial bio-transformation/fermentation technology.

Job Requirement: To carry out microbiological Research for conservation and sustainable utilization of microbial biodiversity of NE region.

Post No. 4 : 1 (One) Scientist-C: Microbiology (Biofertilizer/Biopesticides) in the Scale of Pay Rs. 10,000-15,200

Essential Qualification: 1st class M.Sc in Microbiology/Agricultural Microbiology or equivalent with at least five years research experience or Ph.D. in above subject with at least four year research experience in the relevant field.

Desirable: Research experience in development and application of biofertilizers/ biopesticides in agricultural crops.

Job Requirement: To carry out research on development of microbial inoculants and biopesticides for agricultural crops.

Post No. 5 : 1 (One) Scientist-C: Bioresources Data Base in the Scale of Pay Rs 10,000-15,200

Essential Qualification: 1st class in M.Sc in Biological Sciences/ Biotechnology/Bio-informatics with at least five years research experience or Ph.D in the above subject with at least four year research experience in bioinformatics/application of computer in biological sciences.

Desirable: The research experience in bioinformatics and knowledge of Biotechnology Information System Network (BTISNET).

Job Requirement: To develop and maintain a computerized data base of the bioresources of NE region and build up expertise/services in bioinformatics of the Institute.

General Conditions:

- Applicants should be Indian nationals.
- The maximum age limits of the candidates for direct recruitment will be as follows:
Scientist-E : 55 years
Scientist-C : 40 years
Relaxation of age in respect of special categories/sports persons under the provisions of India notifications/guidelines will be applicable.
- Reservation of posts for persons with disabilities -3 (three) percent of posts.
- Persons with physical disabilities will have age relaxation upto 5 years.
- Reservation for SC/ST/OBC/PH, if applicable, will be in accordance with the orders issued by the Govt. of India from time to time.
- The above posts carry usual allowances as admissible to Central Government employees. Higher initial pay may be considered for exceptionally meritorious and deserving candidates.
- The date for determining the direct recruitment age limit/experience/ qualifications shall be the closing date prescribed for receipt of applications.
- Separate applications along with fees are to be made for different posts if a candidate is desirous of applying for more than one post.
- The period of experience in the requisite discipline/area of work wherever prescribed shall be counted with effect from the date of acquiring the prescribed minimum educational qualification for that group/grade.
- Applications from the candidates working in Government departments, public sector organizations, autonomous institutions and government funded research agencies will be considered only if forwarded through proper channel and with a clear certificate that there is no vigilance case pending/being contemplated against him/her and that the applicant will be relieved within one month of receipt of the appointment order. However, applicants may send an advance copy of the application along with requisite fee (wherever applicable) before the last date of receipt of completed application.
- Only outstation candidates called for interview will be paid to and from single second class rail fare/ordinary bus fare from the normal place of

INDIAN INSTITUTE OF HUMAN RIGHTS

Green Gate, A 14-15-16, Paryavaran Complex, South of

New Delhi - 110030

Phone : 26532930, 26532850 Fax : 26558609 E-mail

Admission Notice for Distance Learning Course

POST GRADUATE PROGRAM IN HUMAN RIGHTS

Duration : Two Years Eligibility : Graduates

SUBJECTS: Concepts, Theories and Principles of Human Rights, Culture, Vision, International Relations, Democracy and Human Rights, Systems for Protection of Human Rights, Instruments of Human Rights, Refugee Issues, Human Rights in State of Human Rights in India, International Humanitarian Issues and Laws, Religion, Expanding Economic, Social, Cultural, Environment and Development Agenda, Activism, Role of NGOs, Disaster and Emergency Relief, Humanitarian Assistance, People, Drug Abuse, UNHCR, UNHCHR, Amnesty, Red Cross, IHR, PUCL, PUHR, Hi Peace, Non-Violence and Conflict Resolution, Implementing Human Rights Standards and Reforms, Judicial Activism, Public Interest Litigations and Role of Media.

EXAMINATION CENTRES: Ahmedabad, Allahabad, Aurangabad, Bhubaneswar, Chandigarh, Dehradun, Delhi, Guwahati, Hyderabad, Imphal, Jaipur, Jamnagar, Jammu, Port Blair, Panaji, Patna, Pune, Ranchi, Srinagar, Shimla, Tiruvananthapuram, Udaipur, V important places. Annual Examinations will be held in June and December every year.

PROSPECTUS AND ADMISSION FORM: For getting admission form to send a written application with their name and address alongwith P (past) worth Rs. 45/- (Forty Five). Prospectus and form are also available. **LAST DATE:** Completed applications alongwith all documents and Admissions Office by registered post only latest by 20th Dec 2003

The Indian Institute of Human Rights is extremely happy to share with exclusive message sent by The Secretary General of United Nations. "It gives me great pleasure to send my warmest greetings to postgraduate students. The United Nations Charter enshrines our commitment to reaffirm faith in dignity and worth of the human person, in the equal rights of men and women and that aim requires the United Nations, governments, and civil society to act in conformity with standards and to promote human rights education, United Nations covenant of human rights, put legal protections in place, and serve as the basis of national forum for states to share best practice, and human rights remain central to our peace and development work. Many governments, for their part, have created parallel institutions to ensure that human rights conventions are honoured. Others have given their judges, police, and immigration officials. On an individual level, each of us can diversity through cultural dialogue and mutual respect. You, as students of human rights, are an important part of that future. I commend this most important subject. Please accept my very best wishes in your studies."

their residence or from the actual place of undertaking the post, whichever is nearer to the place of interview.

- The incumbent shall be liable to serve anywhere in India or outside.
- No hostel/housing facility is available with the Institute at present.
- These posts can also be filled in the lower grade at the discretion of the Institute in case suitable candidates with requisite qualification and experience are not forthcoming.
- The Department of Biotechnology, Govt. of India or the competent authority of the Institute will have the right to cancel/modify any of the above posts or the recruitment rules thereof at any time before the process of filling up the posts is completed.
- The Institute reserves the right to appoint any person for any post, if found suitable, even if he/she has not applied for the post.

Completed applications strictly in the "FORMAT OF APPLICATION" annexed herewith with a passport size photograph fixed at space shown in the format along with attested copies of all mark sheets, caste certificate, experience certificates, etc. together with a non-refundable fee of Rupees fifty only (Rs. 50/-) SC/ST candidates are exempted from payment of application fee in form of cross Demand Draft/PO favouring the Director, Institute of Bioresources and Sustainable Development should reach the Director, Institute of Bioresources and Sustainable Development, Takyelpat Institutional Area, Imphal-795001 on or before 20th November, 2003.

Applications received after the due date or without the required copies of certificates and application fee or incomplete in any manner will not be entertained.

Canvassing in any form and/or bringing in any influence, political or otherwise, will be liable for disqualification for the post.

Merely fulfilling of the minimum prescribed qualifications and experience will not vest any right on a candidate for being called for interviews. Since it may not be possible to call all the candidates for interviews, the applications will be shortlisted for the purpose and the decision of the Institute will be final. The Institute will not entertain any correspondence in this respect and no interim enquiry will be attended to.

Sr. Administrative Officer
IBSD, Imphal

FORMAT OF APPLICATION

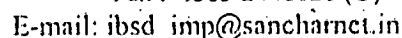
- Post applied for :
 - Name of the applicant (in block letters):
 - Father's/Husband's Name :
 - Date of Birth (DD/MM/YYYY) :
 - Age as on 10-11-2003 :
 - Postal Address :
Pin : E-mail : Telephone: Pin:
 - Permanent Address :
 - Nearest Railway Station:
 - Nationality:
 - Marital Status :
 - *Whether belong to SC/ST/PH/OBC (If yes attach certificate)
 - *Education Qualification
- | Exam passed | Board/University | Div. | %age of passing | Subject |
|-------------|--|------|-----------------|---------|
| 13. | *Professional training undergone if any and details thereof | | | |
| 14. | Present post (Name of the Employer) | | | |
| 15. | (i) Scale of pay and present pay and other allowances (ii) Salary expected | | | |
| 16. | Total experience (Years/Months) | | | |
| 17. | *Details of research work/experience, if any: | | | |
| 18. | *Publication to your credit: | | | |
| 19. | Any other relevant information that you may like to furnish | | | |

DECLARATION

I declare that the above information are true and correct to the best of my knowledge and belief.

Place: Date: Signature of the Candidate

Attested copies of Certificates/testimonials from appropriate authority in support of the claim must be enclosed along with the application.



Attached
 2/2/6
 B. M. H. ABUL HAMEED
 Advocate, Gadhari High.

Time to time and shall whenever required, proceed to any part of India or a place outside India and perform such duties there, as may be assigned to her/him.

3. Remuneration

3.1 The party of the first part shall be granted pay at the rate of Rs. 11,625/- per month (Rupees.. Eleven thousand six hundred and twenty five only) in the scale of pay of Rs. 10,000/- to 32,500/- with effect from 27/01/2014 for holding the post of Scientist- C (Core).

3.2 In addition, the party of the first part shall be eligible to receive allowances such as Dearness Allowance, City Compensatory Allowance, Transport Allowance & House Rent Allowance (if no accommodation is allotted by the party of the second part) etc. in force from time to time as per Rules and Bye-laws of IBSD.

3.3 The pay and allowances from time to time payable to party of the first part under these presents shall be paid for such time as she/he shall serve under this Agreement and actually perform her/his duties, commencing from the aforesaid date and ceasing on the date of her/his quitting service or on the date of her/his discharge therefrom or on the day of her/his death if she/he shall die while in service.

3.4 Notwithstanding anything herein before contained, the party of the first part shall unless otherwise decided by IBSD be entitled to receive in whole or in part, as may be authorized by IBSD the benefits of any improvements/changes that may be adopted by IBSD for its employees subsequent to the date of these presents in the terms and conditions of service to which she/he may belong for the time being and the decision of IBSD in respect of such improvement /changes in the terms and conditions of service of the party of the first part shall operate so as to modify to that extent the provisions of these presents.

4. Termination

4.1 During the probation period, extended or otherwise, the contracts can be terminated by giving one calendar month's notice in writing or one month's salary in lieu of notice as termination simplicitor by either party without assigning any reason. In the event a shorter notice is given by either party, a sum equivalent to the salary of the period, notice period falls short of one month, shall be payable by the concerned party to the other party.

4.2 Any time after completion of the probation and within five years or its extensions the contract can be terminated by giving three calendar month's notice in writing or three months salary in lieu of notice as termination simplicitor by either party without assigning any reason. In the event a shorter notice is given by either party, a sum equivalent to the salary of the period, notice falls short of three months, shall be payable by the concerned party to the other party.

Attested

27/6

(B. M. HABIBUL HAQUE),
Attorney, Gadhari High Court

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(176)

Annexure - 3 (Contd.)

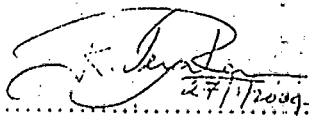
5. Other terms and Conditions.

5.1 Save as otherwise provided in this Agreement, all other terms and conditions of the services will be governed by the provisions of the Rules and Bye laws of IBSD and terms and conditions as set out in schedule-I to this agreement and as amended from time to time.

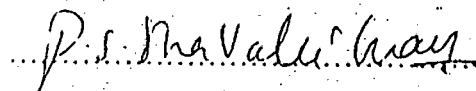
5.2 If any service has been rendered by the party of the first part, in any capacity, to IBSD prior to this agreement, the same will not be considered as a continuation or part of the employment under this agreement. The employment commencing from the date hereinbefore mentioned will be treated as a fresh contract of employment between the Employee and the IBSD.

WITNESS WHEREOF THE PARTY of the first part and the Director, IBSD on behalf of IBSD have hereunto set their hands the day and the year first above written.

Signed by Dr. PATAN SHAILK SINGH VALLI KUNDA Scientist- < the party of the first part
in presence of TE. Y. RAM K., Scientist B. (Mech) IBSD.

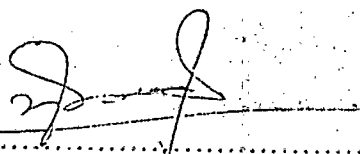

27/1/2024

(Signature of witness)

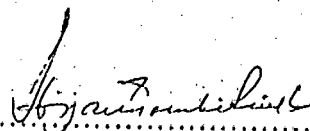


(Dr. PATAN SHAILK SINGH VALLI KUNDA)


Signed by Prof. H. Tombi Singh, Director, IBSD, on behalf of IBSD in the presence
of Dr. Deep Singh, Sr. AO.



(Signature of witness)



(Prof. H. Tombi Singh)
Director,
IBSD, Imphal

Attested

29/6
B. M. HABIBUL HAQUE
Advocate, Gauhati High Court

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Page-23

Annexure-4

Date: Tue, 27 May 2003 14:55:59 +0530 (GMT+05:30)
From: ibsd_imp@sancharnet.in | [This is spam](#) | [Add to Address Book](#)
Subject: @ Interview call letter
To: oinamsingh@hotmail.com, kavindr2@rediffmail.com
CC: pssvkhan@yahoo.com, cnrmala@rediffmail.com, atulvkumar@rediffmail.com,
silori_cs@yahoo.com

Sub: Interview for the post of Scientist -E (Post No.1)
Sir/Madam,

With reference to your application for the post mentioned above, you are informed to appear personally for an interview before the Selection Committee on 15th June, 2003 (SUNDAY) at 3 p.m. in the office chamber of the Director, IBSD.

You are requested to report at the place of interview on the scheduled date at least half an hour before the fixed time, along with the testimonials in original in support of your qualification, experience, age, caste etc. and 'No Objection Certificate' from the present employer (in case of candidates serving in any Govt. or Semi-Govt. organization, and if the application was not originally forwarded through proper channel).

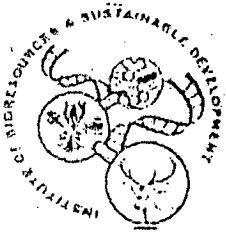
For appearing in the interview you will be paid 2nd Class Railway fare for the journey both ways by the shortest route in due course.

You are requested to kindly acknowledge the receipt of this E-mail at your earliest.

Yours faithfully,
Dr. H. Sigyananda Singh)
Joint Administrative Officer
IBSD, Imphal

Armed

29/6
M. H. ABUL HADUTS
Advocate, Gauhati High Court



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area

Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sanchamnet.in

No.2/50/2003-IBSD

Imphal, the 24th Nov., 2003

To

Dr. Patan Shaik Sha Valli Khan,
S/o. Late P. Ghose Khan, Lorry Owner,
6/72, Khatub Street, Vaiphei, - 516 329.
P.O. Kadapa (Dt.) A.P. PIN- 516329.

Sub: Interview for the post of ScientistE. (Plant Biotechnology).

Sir/Madam,

With reference to your application for the post mentioned above, you are informed to appear personally for an interview before the Selection Committee on 15th Decenber, 2003 at 10 a.m. in the office chamber of the Director, IBSD.

You are requested to report at the place of interview on the scheduled date at least half an hour before the fixed time along with the testimonials in original in support of your qualification, experience, age, caste etc. and 'No Objection Certificate' from the present employer (in case of candidates serving in any Govt. or Semi-Govt. organization, and if the application was not originally forwarded through proper channel).

Outstation candidates will be paid 2nd Class Railway fare and bus fare from Guwahati/Dimapur to Imphal for the journey both ways by the shortest route.

Yours faithfully,

(Kh. Dilip Singh)
Senior Administrative Officer
IBSD, Imphal

Accepted
29/11/03
M. HABIBUL HAQUEE
Advocate, Gauhati High Court



The Energy and Resources Institute

Darbari Seth Block
Habitat Place
Lodhi Road
New Delhi - 110 003

Tel. 2468 2100 or 2468 2111
E-mail mailbox@teri.res.in
Fax 2468 2144 or 2468 2145
India +91 • Delhi (0) 11

North-Eastern Regional Centre
Guwahati
Tel. (361) 234 5395 or 234 4363
E-mail terine@sify.com
Fax (361) 234 5395

Eastern Regional Centre
Kolkata
Tel. (33) 2283 0550 or 2283 0551
E-mail terierc@teri.res.in
Fax (33) 2283 0551

Southern Regional Centre
Bangalore
Tel. (80) 535 6590 to 97
E-mail terisrc@teri.res.in
Fax (80) 535 6589

Western Regional Centre
Panaji, Goa
Tel. (832) 245 6053 or 245 6064
E-mail teriwr@goatelecom.com
Fax (832) 245 6053

TERI North America
Centreville, Virginia
Tel. (+1 571) 522 1580
E-mail teri@igc.org
Fax (+1 571) 522 1581

TERI Europe
London
Tel. (+44 20) 7747 6212
E-mail ritukumar@aol.com
Fax (+44 20) 7839 6174

TERI South-East Asia
Kuala Lumpur, Malaysia
Tel. (+60 3) 7782 5718
E-mail nintech@tm.net.my
Fax (+60 3) 7783 5719

TERI Japan
Tokyo
Tel. (+81 3) 3519 8979
E-mail teri@iges.or.jp
Fax (+81 3) 3519 8978

Ref: AP/01/1033

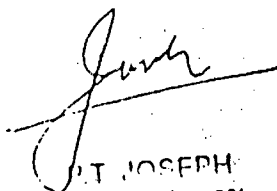
January 17, 2004

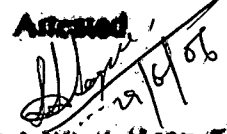
CERTIFICATE OF EMPLOYMENT-CUM-RELIEVING

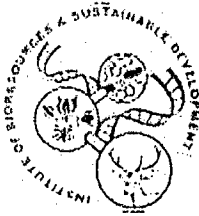
This is to certify that Mr Patan Sheik Sha Valli Khan has been in the employment of The Energy and Resources Institute as per details given below:

Date		Post held
From	To	
11/01/1999	21/07/2001	Research Associate
22/07/2001	16/01/2004	Fellow

He has been relieved from the services of the Institute on 16/01/2004 after settlement of accounts.


J. T. JOSEPH
Assistant Director
The Energy and Resources Institute
Darbari Seth Block, Habitat Place,
Lodhi Road, New Delhi - 110 003

Accepted

29/1/06
M. M. HABIBUL HAQUE
Advocate, Gauhati High Court



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area

Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sanchamnet.in

ORDERS

Imphal, the 29th January, 2004

No. Admn(IBSD)/Appointment/2003-04/460 On the recommendation of the selection Committee held on 15/12/03, Dr. Patan Shaik Sha Vali Khan S/O Late Patan Ghouse Khan is appointed as Scientist-C in the Institute of Bioresources and Sustainable Development, Imphal in the scale of pay Rs. 10,000-325-15,200 with an initial basic pay of Rs. 11,625/- (including 5 advance increments) with admissible allowances under rules on contract basis for five years initially as per Contract Agreement with effect from the date of his joining the Institute.

He will be on probation for one year.

The expenditure is debitable to the Sub-head "Manpower" of IBSD.

Sd/-

(Prof. H. Tombi Singh)
Director/IBSD, Imphal

Memo No. Admn(IBSD)/Appointment/2003-04/460(4)

Imphal, the 29th January, 2004

Copy to:

1. P.S. to the Secretary, DBT, Govt. of India.
2. Accounts Section.
3. Concern Division.
- ✓ 4. Person Concerned.
5. Cashier cum PA to Director/IBSD.
6. Guard File.

(Kh. Dilip Singh)
Sr. Administrative Officer
IBSD, Imphal

Attended

29/1/04
B. M. HADIBUL HAQUE
Advocate, Gauhati High Court

Page-27
40

43

Annexure-8

Date:- 29-01-2004

From,

Dr. P. S. Sha Valli Khan
C/o D. Sabjan
6/397 G.C Street
Kadapa
A.P (India)

To,

The Director,
Institute of Bioresources and Sustainable Development
Imphal (Manipur)

Dear Sir,

Reference : No. Admn(1BSD)/Appointment/2003-04/460 dated 29th January 2004.

With reference cited above, I am pleased to joined as a Scientist-C at Institute of Bioresources and Sustainable Development, Imphal in the scale of pay Rs. 10,000-325-15,200 with an initial basic pay of Rs. 11,625/- (including 5 advance increments) with admissible allowances under rules on contract basis for five years initially as per Contract Agreement with effect from 29th January 2004 before noon.

Thanking you,

Yours sincerely,

P. S. Sha Valli Khan
(P.S. Sha Valli Khan)

29/01/2004

Accepted

M. H. Sibul Hameed
M. H. SIBUL HAMEED,
Advocate, Gauhati High Court

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Receipt No. 1590

Date 22/4/04

Institute of Bioresources and Sustainable Development



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area

Imphal-795001-Manipur (INDIA)

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☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

Dr. P.S.S. V. Khan
Scientist-C (Plant Biotechnology)
IBSD, Imphal-795001

22/04/2004

TO,
The Director
IBSD, Imphal-795001

Sub: Request for the equipment and supplies needed for the Plant Biotechnology Lab establishment at IBSD-Reg

Dear Sir,

I am herewith enclosing the lists of equipment (Annexure-I), glass/plastic ware (Annexure-II) and chemicals (Annexure-III) for the establishment of plant biotechnology lab at IBSD and carry out the research mandate of the group. The requested equipments and supplies are essentially needed to apply molecular markers for the plant genome analysis (DNA isolation, PCR techniques, electrophoresis, staining, photographing and documentation).

I shall be thankful, if you could kindly provide or purchase the same and do needful in this matter.

Yours sincerely

P.S. Sha Valli Khan

(P.S. Sha Valli Khan)

B/c

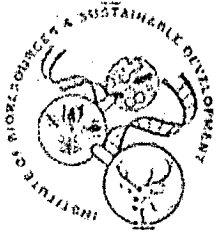
Attested

[Signature]
D. M. HABIBUL HAQUE
Advocate, Gauhati High Court

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Annexure-10

7/10



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area

Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

P.S.S.V. Khan
Scientist-C (plant Biotechnology)
MPHD Division
IBSD, Imphal

Imphal
24/07/2004

Receipt No. 1686

Date. 24/7/04

Institute of Bioresources
and Sustainable Development
Takyelpat, Imphal-795001

To
The Director
IBSD, Imphal

**Sub: Request for the equipment and supplies needed for the Plant biotechnology lab establishment
IBSD-Reg.**

Dear Sir,

Kindly refer my previous letter of request (IBSD office receipt NO: 1590 dated 22/04/2004) with the lists of equipment (Annexure-I), glass/plasticware (Annexure-II) and chemicals (Annexure-III) for the establishment of plant biotechnology lab at IBSD and carry out the research mandate of the group. The requested equipments and supplies are essentially needed to carry out the research work.

I most respectfully submit to you that so far I have not provided required equipment/supplies for the Plant biotechnology Lab establishment. I shall be thankful, if you could kindly do needful in this matter.

Thanking you,

Yours Sincerely

P.S. Sha Valli Khan

(P.S. Sha Valli Khan)

Amended
[Signature]
S. M. H. ABUL HAKIM
Advocate, Gauhati High Court



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)
Takyelpat Institutional Area
Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)
☎ : 0385-2446121 (O)
Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

P.S.S.V. Khan
Scientist-C (Plant Biotechnology)
MPHD Division
IBSD, Imphal

Imphal
30/07/2004

Receipt No. 1704
Date 30/7/04

To
The Director
IBSD, Imphal

Institute of Bioresources
and Sustainable Development
Takyelpat, Imphal-795001

Sub: Request for the equipment related to Establishment of Plant Biotechnology Lab -Reg

Dear Sir,

As you aware that I am working as a Scientist-C (Plant Biotechnology) at IBSD since 2004. As per the IBSD advertisement the prescribe responsibilities of my job are as follows (Ref: Adv: 2/50/2003-IBSD):

Collection, conservation, multiplication and improvement of medicinal and aromatic plants/horticulture resources of NE region along with bioprospecting with useful products.

The research objectives of the ongoing projects in the Medicinal Plant and Horticultural Resources Division are as follows (Annexure I):

Project 1:

Study of genetic homogeneity of the micropropagated plants,
Characterization of Biodiversity of endangered species using biotechnological tools/markers like PCR, RFLP and RAPD
Genome analysis and genetic improvement of the Zingiberaceous taxa.

Project 2:

Diversity assessment using molecular markers

At present, I am working in Plant tissue culture lab in association with the concerned Scientist Dr. H. Sunitibala Devi for the establishment of the cultures as part of the research work to be carried out in the future. Meanwhile, I have already submitted to you a list of request of necessary equipment, chemicals, glassware and plastic ware 2004 for the establishment of Plant Biotechnology Lab (IBSD Office Receipt No: 1590, dated 22/04/2004 and IBSD Receipt No. 1686 dated 24/07/04).

As you aware that the First Meeting of Scientific Advisory Committee (SAC) under the Chairmanship of Prof. M.S. Swaminthan held on 26th April, 2004 in the Department of Biotechnology, New Delhi approved the list of equipment in Phase I for Central Equipment Facility (CEF) and Divisions (Annexure II). I came to know that most of the approved equipment purchased and arrived to IBSD recently by your sincere efforts. The equipment is also ready for installation.

Accepted
24/6/04
Dr. M. S. Swaminthan
Director, Gauhati High Court

In this connection, I request you to kindly provide the minor equipment related to Plant Biotechnology group of MPHD division from the stock of purchased equipment as suggested by First SAC. I am herewith enclosing the list of minor equipment with proper justification and their need of the routine work in the Plant Biotechnology Group (Annexure III). Minor equipment can be installed in the Room NO.11 of the Ground Floor of IBSD. Necessary Power supplies and space already available in this room (Annexure IV). As suggested by first SAC, the group will carry out the Research work with necessary major equipment installed in the Central Equipment Facility (Annexure V)..

I shall be thankful, if you could kindly consider my request and provide the requested minor equipment for the establishment of Plant Biotechnology Lab in the Medicinal Plants and Horticultural resources Division at IBSD. I most respectfully submit that without this facility it is highly difficult to carry out regular work and I may not be able to fulfill the prescribed responsibilities of my job and work for the research objectives of the ongoing projects.

Thanking you

Yours Sincerely

P.S. Sha Valli Khan
(P.S. Sha Valli Khan)

Enclosures:

Annexure I: Research Objectives of Ongoing Research Project 1 and Project 2 at MPHD of IBSD (A Profile-IBSD)

Annexure II: List of approved Equipment for CEF and Divisions by first SAC

Annexure III: List of Minor Equipment necessary for the Plant Biotechnology Lab

Annexure IV: location and plan of Room No. 11 in IBSD for the arrangement of minor equipment

Annexure V: List of Major Equipment can be shared at CEF

Approved
[Signature]
21/4/06
S. M. HABIBUL HAQUE
Associate, Gauri High

Page-32

Annexure - 12



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area

Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

P.S.S.V. Khan
Scientist-C (plant Biotechnology)
MPHD Division
IBSD, Imphal

Imphal
22/10/2004

To
The Director
IBSD, Imphal

Receipt No. 1794
Date 22/10/04
IBSD
Takyelpat Institutional Area
Imphal-795001

Sub: Request for the equipment and supplies needed for the establishment of Plant biotechnology lab at IBSD-Reg.

- Ref:** 1. IBSD office receipt no. 1590 dated 22/04/2004
2. IBSD office receipt no. 1686 dated 24/07/2004
3. IBSD office receipt no. 1704 dated 30/07/2007

Dear Sir,

Kindly refer my previous correspondence (Ref. 1, 2 & 3) with a list of request for equipment, glass/plasticware and chemicals for the establishment of plant biotechnology lab at IBSD. The requested equipments and supplies are essentially needed to carry out the research work and mandate of the plant biotechnology group at Medicinal Plants and Horticultural resources Division of IBSD.

I most respectfully submit to you that so far I have not provided required equipment/supplies for the Plant biotechnology lab establishment. I humbly submit to you that it is highly difficult to carry the research work without facility and chemicals.

I shall be thankful, if you could kindly do needful in this matter.

Thanking you,

Yours Sincerely

P.S. Sha Valli Khan

(P.S. Sha Valli Khan)

Accepted
[Signature]
22/10/04
M. P. SIBUL HANPUB
Advocate, Gauhati High Court

Page-33

u9
Annexure-13



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area

Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

P.S.S.V. Khan
Scientist-C (plant Biotechnology)
And divisional -In charge
MPHD Division
IBSD, Imphal

Imphal
22/10/2004

Receipt No. 1796
Date 22/10/04
To
From
Takyelpat Institutional Area

To
The Director
IBSD, Imphal

Sub: Request for the lab attendants for Plant Biotechnology and Natural Product Chemistry labs at IBSD-Reg.

Ref: 1. IBSD Order No. 2/44/2004-IBSD dated 03/03/2004

Dear Sir,

It is for your kind information that Mr. Rajesh Singh, LAB Attendant, Mr. Surjit Singh, Lab Attendant, Mr. Arun Kumar, Field-cum-Farm Attendant of Medicinal Plants and Horticultural resources Division are working in the Establishment section of Administration division since March 2004 as per the Ref. 1.

I shall be thankful, if you could kindly depute two of them back to their parent division of Medicinal Plants and Horticultural Resources Division at IBSD to carry out their duties at Plant Biotechnology lab and Natural Product Chemistry labs.

Thanking you,

Yours Sincerely

P.S. Sha Valli Khan
(P.S. Sha Valli Khan)

Approved
[Signature]
22/10/04
* S. M. F. ABUL HADUT
Advocate, Gauhati High Court

Page-34

Annexure-14



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area
Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

P.S.S.V. Khan
Scientist-C (Plant Biotechnology)
MPHD Division
IBSD, Imphal

Imphal
09/11/2004

To
The Director,
Institute of Bioresources and Sustainable Development,
Takyelpat Institutional Area,
Imphal - 795001

Receipt No. 1817
Date 9/11/04
Institute of Bioresources
and Sustainable Development
Takyelpat, Imphal-795001

Sub: Request for forwarding a letter to the Secretary, DBT, New Delhi -Reg

- Ref:** 1. IBSD office receipt no. 1590 dated 22/04/2004
2. IBSD office receipt no. 1686 dated 24/07/2004
3. IBSD office receipt no. 1704 dated 30/07/2007
4. IBSD office receipt no. 1802 dated 29/10/2004

Dear Sir,

Most respectfully request you to kindly refer my previous correspondence (Ref.1 to Ref. 4) regarding a request for the required equipment for the establishment of Plant Biotechnology Lab at Medicinal Plants and Horticultural resources Division, IBSD. I would like to bring to your kind notice that I have received no reply from IBSD, Imphal regarding this matter. In this connection, I am herewith enclosing a letter of request with necessary information addressed to Dr. M.K. Bhan, The Secretary, department of Biotechnology, Government of India, ministry of Science and technology, Block-2 (7th floor), C.G.O. Complex, Lodhi Road, New Delhi- 110 003 for the information and necessary action in this matter.

I shall be thankful, if you could kindly forward this letter to the same and do needful in this matter. It is for your information that, an advance copy has been forwarded to The Secretary, DBT, New Delhi.

Thanking you, Sir,

Yours sincerely

P.S. Mevali Khan

(P. S. S. V. Khan)

Amended
22/11
M. HABIBUL HAQUEE
Advocate, Gauhati High Court

Page - 35

Annexure-15

INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area

Imphal 795001-Manipur (INDIA)

☎ : 0385-2446122

☎ : 0385-2446121

Fax : 0385-2446120

E-mail: ibsd_imp@sanchamnet.in

No.2/101/2004- IBSD

Imphal, 28th Feb., 2005

To

Dr. P. S. S. Khan

Scientist 'C' IBSD, Imphal.

Subject:- Termination of provisional period.

Dear Dr.

Khan

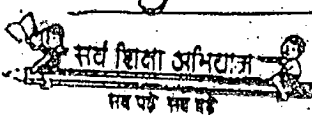
I am pleased to inform you that your provisional period in the Institute of Bioresources and Sustainable Development, Imphal has been terminated. I wish you a bright and successful career.

H. Tombi Singh

(Prof. H. Tombi Singh)
Director, IBSD, Imphal.

Attended

M. Habibul Haque
Advocate, Gauhati High Court



Page-36

Annexure-16

FEB 28 '05 15:02
MOST IMMEDIA

Dr. Mohd. Aslam
Scientist - E
Phone: 24363057
E-mail: aslam@dbt.nic.in

भारत सरकार
विज्ञान और प्रौद्योगिकी मंत्रालय
बायोटेक्नोलॉजी विभाग
ब्लॉक-2, 7 वां तल, सी.जी.ओ. कॉम्प्लेक्स
लोदी रोड, नई दिल्ली-110003
GOVERNMENT OF INDIA
MINISTRY OF SCIENCE & TECHNOLOGY
DEPARTMENT OF BIOTECHNOLOGY
Block-2, 7th Floor C.G.O. Complex
Lodi Road, New Delhi-110003

D.O.No. BT/012/13/NBDB/2001/Part-II

Dated: 28th February, 2005

Dear Prof Singh,

In view of your superannuation today (28th February, 2005) from the post of Director, Institute of Bioresources and Sustainable Development (IBSD), Imphal, you are requested to handover the current charge of the duties of Director to Dr. Patan Shaik Shavalli Khan, Scientist - C, Medicinal Plants and Horticultural Resources Division in IBSD, Imphal w.e.f. 01-03-2005. Dr. Khan will look after the duties of the Director as Scientist-in-Charge of the Institute with his present pay and allowances w.e.f. 01-03-2005 till further orders.

With kind regards,

Yours sincerely,

Sd/-

(Mohd. Aslam)

Prof. H. Tombi Singh,
Director,
Instt. of Bioresources and Sustainable
Development (IBSD),
Takyelpat, Imphal - 795001, Manipur
Fax - 0385 - 2446120

Copy to:-

Dr. Patan Shaik Shavalli Khan, Scientist - C, Medicinal Plants and Horticultural
Resources Division, Instt. of Bioresources and Sustainable Development (IBSD),
Takyelpat, Imphal - 795001, Manipur
FAX - 0385- 2446120

Mohd. Aslam
(Mohd. Aslam)

Amended

M. HABIBUL HAQUEL
Advocate, Gauhati High Court

Page-37

Annexure-17

INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area
Imphal-795001-Manipur(INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

No 2/103/2005-IBSD

Imphal, the 1st March, 2005

In pursuance of D.O. No. BT/012/13/NBDB/2001/Part-II dated 28th February 2005, issued by the Dept. of Biotechnology, Govt. of India. I, **Professor H. Tombi Singh**, am handing over the charge of the office of the Director, Institute of Bioresources and Sustainable Development to **Dr. Patan Shaik Shavalli Khan, Scientist C**, Medicinal Plant and Horticultural Resources Division in IBSD, Imphal with effect from this forenoon of 1st March 2005. The statement of handover charges has been enlisted

H. Tombi Singh

Handing over

P. S. Shaik Shavalli Khan

Taken over

Copy to:-

Dr. Md. Aslam
Scientist-E,
Dept. of Biotechnology, Govt. of India
C.G.O. Complex, New Delhi

Enclosure:

1. Copy of statement of handover charge.

Attested

[Signature]
29/3

(S. M. HADIBUL HAQUE)
Advocate, Gauhati High Court



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area

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☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

I 630 / By (11C) / 2005-02

Imphal, 15th March, 2005

To,
Dr. M.K. Bhan
The Secretary
Department of Biotechnology, Govt. of India,
Ministry of Science and Technology,
Block, 2 (7th Floor)
C.G.O. Complex, Lodhi Road
New Delhi- 110 003

Receipt No. 1513
Date 15/03/2005
Institute of Bioresources
and Sustainable Development
Imphal, Imphal-795001

Sub: Request for the deputation on the Foreign Service without pay-Reg

Respected Sir,

Most respectfully submit to your kind notice that I have been offered a Senior Researcher in Biotechnology position to work at Centre de recherche Public-Gabriel Lipmann, 162 A, Avenue de la Faiencerie, L-1511, Luxembourg, Grand-Duchy of Luxembourg. The tenure of the employment will be for nine months starting from May, 2005 to January, 2006. I will be paid by the foreign employer during the entire Foreign Service. I am herewith enclosing the letter of employment offer for your kind perusal.

I shall be highly thankful, if you could kindly grant me deputation on Foreign Service without pay for nine months starting from 1st May, 2005 to 31st January, 2006.

Thanking you, sir,

Your's faithfully

P.S. V. Khan
(P.S.S. V. Khan) 15/03/2005

Scientist-In Charge
Medicinal Plants and Horticultural Resources Division
Institute of Bioresources and Sustainable Development,,
Imphal - 795001, Manipur

Enclosure:

Letter of employment from Managing Director, CRP-GL, Luxembourg

cc
IBSD file

Forwarded to
P.S. V. Khan
15/03/2005
Y/C Director
Institute of Bioresources
& Sustainable Development
(IBSD), Imphal

Attached

M. HABIBUL HAQUEE
Advocate, Gauhati High Court

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सर्व शिक्षा अभियान

सब पढ़ें सब बढ़ें



Dr. Mohd. Aslam
Scientist-E
Phone: 24363067
E-mail: aslam@dbt.nic.in

D.O.No.BT//012/13/NBDB/2001/Part-II

Dear Dr. Khan

Kindly refer to your letter no. IBSD/Dir(I/C)/2005-02 dated 15th March, 2005 regarding your request for the deputation on the Foreign Service without pay w.e.f. 1st May 2005 to 31st January 2006

2. I regret to convey that your request to proceed on foreign deputation has not been agreed at this time since this is not the opportune time to proceed on deputation.

Yours faithfully

Yours sincerely

Mohd. Aslam
(Mohd. Aslam)

Dr. Patan Shaik Shavalli Khan.
Scientist-in-Charge
Instt. of Bioresources and
Sustainable Development (IBSD)
Takyelpat, Imphal - 795001, Manipur
Fax - 0365 - 2446120

Attested

Dr. M. HADIBUL HATHEE
Advocate, Gauhati High Court

Annexure-19

भारत सरकार

विज्ञान - और प्रौद्योगिकी मंत्रालय

बायोटेक्नोलॉजी विभाग

ब्लॉक-2.7 वा तल, सी० जी० ओ० कम्प्लेक्स

लोदी रोड, नई दिल्ली-110003

GOVERNMENT OF INDIA

MINISTRY OF SCIENCE & TECHNOLOGY

DEPARTMENT OF BIOTECHNOLOGY

Block-2, 7th Floor C.G.O. Complex

Lodi Road, New Delhi-110003

Dated: 8th April, 2005

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Annexure - 20

12 20

Imphal, 11th April 2005

To,
Dr. M.K. Bhan
The Secretary
Department of Biotechnology, Govt. of India,
Block, 2 (7th Floor), C.G.O. Complex,
Lodhi Road, New Delhi- 110 003

Sub: Request for the consideration of 'Extra-Ordinary Leave''-Reg
Ref: 1. D.O. No. BT/012/13/NBDB/2001/Part-II dated 08/04/2005
2. My letter IBSD/Dir i/c/2005-02 dated 15/03/2005

Respected Sir,

Kindly refer the letter from DBT, New Delhi (Ref. 1) for my request regarding deputation on Foreign Service (Ref. 2) for nine months starting from 1st May 2005.

Most respectfully I submit once again to your kind notice that the proposed work in the foreign lab is related to the research work in 'proteomics' subject, the area of a direct and close connection with the sphere of my present duties at IBSD. The proposed study would be highly helpful to strengthen me professionally and this budding institute to take such advanced research programmes in the area of proteomics in the near future.

It is for your kind information that I have completed satisfactorily period of probation in the service and no case of vigilance/inquiry/investigation is pending/ progress against me in the institute.

I sincerely pray you to kindly grant me 'EXTRA-ORDINARY LEAVE' for nine months with effect from 1st May, 2005.

Thanking you, sir.

Your's faithfully

P. S. V. Khan

(P.S.S. V. Khan)
Scientist-C (Plant Biotechnology)
Medicinal Plants and Horticultural Resources Division
Institute of Bioresources and Sustainable Development
Imphal - 795001, Manipur

Enclosure:

1. Letter of probation termination

ANNEXED
[Signature]
29/6
M. H. BIBUL HAJRUL
Advocate, Gauhati High Court

ISSUED

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INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area

Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

IBSD/Div (H.C.) / 2005/05 / 993

Imphal, 11/04/2005

To,
Dr. M.K. Bhan
The Secretary
Department of Biotechnology, Govt. of India,
Block, 2 (7th Floor), C.G.O. Complex,
Lodhi Road, New Delhi- 110 003

Doc. No. 1562
11/4/05
Institute of Bioresources
and Sustainable Development
Takyelpat, Imphal-795001

Sub: Request to relieve me from the Scientist in charge duties of IBSD from 1st May 2005-Reg

Ref: 1. D.O. BT/012/NBDB/2001/Part-II dated 28/02/2005

Respected Sir,

Most respectfully I forward to you a letter of request to kindly relieve me from the charges of duties of Scientist-In-Charge of IBSD, Imphal with effect from 1st May, 2005 in view of personal reasons.

Thanking you, sir.

Your's faithfully

P.S. V. Khan

(P.S.S. V. Khan)
Scientist in Charge

Institute of Bioresources
& Sustainable Development

(IBSD), Imphal.

Enclosures:

Letter of request and necessary documents

Approved

[Signature]
29/6
Dr. M. H. ABUL HAQUEE,
Associate, Gauhati High Court

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Annexure-21 (Contd.)

11th April 2005

To,
Dr. M.K. Bhan
The Secretary
Department of Biotechnology, Govt. of India,
Block, 2 (7th Floor), C.G.O. Complex,
Lodhi Road, New Delhi- 110 003

Sub: Request to relieve me from the Scientist in charge duties of IBSD from 1st May 2005-Reg

Ref: 1. D.O. BT/012/NBDB/2001/Part-II dated 28/02/2005

Respected Sir,

Kindly refer letter from DBT, New Delhi (Ref. 1) to me to take the charges of the duties of previous Director Prof. H. Tombi Singh on 28th Feb, 2005.

Most respectfully I submit to you to kindly relieve me from the charges of duties of Scientist-In-Charge of IBSD, Imphal with effect from 1st May, 2005 in view of personal reasons.

My sincere thanks to you, Dr. S. Natesh, Advisor, DBT and Dr. Md. Aslam, Joint Director, DBT for giving me an opportunity as a Scientist-In charge of DBT's institute for two months (March and April) in my professional career.

It is for your kind information that I am herewith enclosing necessary documents for the handover of the charges of duties of Scientist-In charge for your perusal. I sincerely pray you to kindly instruct IBSD office, Imphal in this matter for further processing.

Thanking you, sir.

Your's faithfully

P.S.S. V. Khan

(P.S.S. V. Khan)

Scientist-C (Plant Biotechnology)
Medicinal Plants and Horticultural Resources Division
Institute of Bioresources and Sustainable Development
Imphal - 795001, Manipur

Enclosures:

1. Statement of Handover Charges
2. Letter for State Bank Of India, Secretariat Branch, Imphal for financial powers

Amended

M. H. ABUL HAQUE
Associate, Gauhati High Court

INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area, Imphal

ORDERS No.3

Imphal, the 25th April, 2005

The Scientist-In-Charge, IBSD, Imphal will be going to outstation from 27th to 30th April, 2005 on official duty to conduct networking programme in Shillong. During these periods, Dr. V.S. Rana will be as Scientist-In-Charge without financial powers.

P.S. N. S. V. Khan
(P.S.S.V. Khan)

Scientist-In-Charge, IBSD, Imphal

Memo No. 1/64-IBSD(WA)/2004 / 017

Dated 25-4-2005

Copt to: 1. Dr. V.S. Rana

2. All Divisional-In-Charge, IBSD
3. Accounts Section
4. Commander, Security Guard.
5. Notice Board
6. Guard File

Amended
22/6
M. H. ABUL HAKIM
Advocate, Gauhati High. Court

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Annexure-23

"NO DUE" S CERTIFICATE

Certify that Shri/Shrimati P.S.V. KHAN, SCIENTIST-C (Plant Biotechnology) of this Institute has no outstanding due against his/her name in respect of the under mentioned items.

1. Pay and Allowances
2. TA/DA
3. Library
4. Computer
5. Loan and Advances
6. Scientific Instruments/ Calculator
7. Departmental Stores

Nil / Nil
20/4/05
Position as on 20-4-2005

Nil / Nil
20/4/05
Position as on 20-4-2005

Nil / Nil
20/4/05
Position as on 20-4-2005

P.S. In Value
Scientist-in-Charge
IBSD, Imphal
Scientist in Charge
Institute of Bioresources
& Sustainable Development
(IBSD), Imphal.

1. Copy to Personal file

Amended
20/6
D. M. HASIBUL HAQUE
Advocate, Guwahati High.

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Annexure-24

1613
Date 26/4/05
To, Secretary, Government of India
Ministry of Science and Technology
Block 2 (7th Floor), C.G.O. Complex,
Lodhi Road, New Delhi-110 003

Imphal, 26th April, 2005

To,
Dr. M.K. Bhan
The Secretary
Department of Biotechnology, Govt. of India,
Ministry of Science and Technology,
Block, 2 (7th Floor), C.G.O. Complex,
Lodhi Road, New Delhi-110 003

Permanently
Dr. P.S. S.V. Iyer

Sub: Tendering resignation from the post of Scientist-C (Plant Biotechnology) at IBSD-Reg.

Ref: DBT letter D.O. No. BT/012/13/NBDB/2001 dated 26/04/2005.

Respected Sir,

Most respectfully and humbly I am to inform you that I am tendering my resignation with a great pain from the post of Scientist-C (Plant Biotechnology) at Medicinal Plants and Horticultural Resources Division, Institute of Bioresources and Sustainable Development, Imphal-795 001, Manipur under following circumstances/facts with immediate effect from 1st May, 2005:

I. Restoration of Scientist-E Post and Grade:

It is for your kind information once again that, IBSD called me for an interview for the post Scientist-E with a pay scale of Rs. 14,300-18,300 after submission of my application in response to its first advertisement (*IBSD Interview letter 1 dated 27/May/2003*). Prior taking up this assignment I was working as a Fellow in a basic scale of Rs. 13640 plus other allowances in The Energy Research Institute (TERI), New Delhi and proceeded on study leave to work in the field of Molecular Biology as a Senior Research Fellow in National Science Council research project under the supervision of Prof. Ching-san Chen, Institute of Botany, Academia Sinica, Taiwan. I have attended the interview at IBSD, Imphal terminating a fellowship worth of NTD 70,000 (equivalent to Rs. 80, 000 per month) half-way in Taiwan with sincere and deep feeling to serve the nation and North-east region. Unfortunately, during interview, the selection committee was unexpectedly offered me verbally lower (Scientist-D) to lower grade of Scientist-C. I humbly rejected their verbal offer and stayed without job for few months at my residence facing many financial problems to support my family.

IBSD called me once again for an interview of the Scientist-E post with a pay scale of Rs. 14,300-18,300 after submission of my application in response to the second advertisement (*IBSD Interview letter 2 dated 24/11/2003*). During the interview, the same selection committee put verbally the shortage of two years research experience against the total of 10 years experience after Ph.D required for the Scientist-E position. I humbly submitted to the committee to consider the required 11 years experience after M.Sc instead of Ph.D in case

Attested

(S. M. HASIBUL HAQUE),
Assistant, Gauhati High Court

Page-46

Annexure-24 (Contd)

they are particular regarding research experience for technical reasons. The same details were given in my application also. The selection committee offered me once again lower to lower grade i.e. Scientist-C (Rs. 10,000-15,200) with five advance increments in the basic pay of Rs. 11625/- against the approved position of Scientist-E [IBSD Advertisement no: 2/50/2003-IBSD, Employment News 18-24 October, 2003 clause no. No.14]. The selection committee with a verbal promise suggested me to join in lower to lower grade of Scientist-C for the time being in a view that they do not have approval for lower grade i.e. Scientist-D post. They verbally assured me that the Scientist-E position will be restored after one year based on the research work progress. I sincerely submit once gain to your kind notice that the appointment should be in a lower grade i.e. Scientist-D, not to be in lower to lower grade Scientist-C, as per IBSD Advertisement no: 2/50/2003-IBSD, Employment News 18-24 October, 2003 clause no. No.14.

At the time of interview, I strongly perceived that the selection committee was trying to enforce their view without relevant clause and superceding the view of screening committee. They and would like to give me appointment in a lower to lower grade without any basis in the place like Manipur, where people deeply feared to do government service from outside. In addition to that as I have terminated my Post Doctoral Fellowship in Taiwan half of the way to attend the interview and I do not have any financial mean to support my family, I have accepted their offer of job in lower to lower grade on compulsion. At the same time I have considered their verbal promise that I will be restored to Scientist-E after one year of service in IBSD. Otherwise I have to render 8 years of service to be promoted as a Scientist-E as per the promotion policy of IBSD.

I humbly submitted this matter to the former Director number of times (IBSD Receipt no.1632 dated 08/06/2004, 1655 28/06/2004, 1802 dated 29/10/2004, 1813 dated 09/11/2004, 1814 dated 09/11/2004). I also submitted this matter to you also verbally in a meeting during the networking meeting held in Delhi 17-18th December, 2004 and also forwarded in writing as per your suggestion (IBSD receipt 1401 dated 07/01/2005, 1563 dated 11/03/2005 to kindly restore me to the approved position of Scientist-E with a pay scale of Rs. 14,300-18,300. I am extremely sorry to inform you that so far I have not received any positive response in this matter from your esteemed office.

II Special (Duty) Allowance:

Central Government Employees who have All India Transfer liability on posting from outside the region to any station in the North-Eastern Region comprising the States of Assam, Meghalaya, Manipur, Nagaland, Tripura, Arunachal Pradesh, Sikkim and Mizoram are admissible to a special compensatory allowance i.e. Special (Duty) Allowance at the rate of 12.5% of the basic pay plus SI plus NPA as per Central Government Fundamental Rules and Supplemental Rules [Swamy's -FR & SR, Part-I, Swamy's Handbook- 2004 Page No. 80 & 285]. IBSD appointed me from outside the North-Eastern Region with all India transfer liability [IBSD Advertisement no: 2/50/2003-IBSD, Employment News 18-24 October, 2003 clause no. No.12, IBSD agreement Part No. 2 (the Duties and Job profile) clause no. 2.2]. IBSD, Imphal is also implementing pay and other usual allowances as admissible to the Central Government Employees under relevant rules and provisions laid down in the

Attested
29/11/06
S. M. H. ABIDUL HAKIM
Advocate, Gauhati High Court

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Annexure-24 (Contd)

Fundamental Rules and Supplemental Rules and Government of India's order/instructions made from time to time [IBSD memorandum no.1/2/2003-IBSD (Pt)/897 dated 16/10/2004].

I humbly submitted this matter to the former Director number of times (IBSD Receipt no.1632 dated 08/06/2004, 1655 28/06/2004, 1802 dated 29/10/2004, 1813 dated 09/11/2004, 1814 dated 09/11/2004). I also submitted this matter to you also verbally in a meeting during the networking meeting held in Delhi 17-18th December, 2004 and also forwarded in writing as per your suggestion (IBSD receipt 1401 dated 07/01/2005, 1563 dated 11/03/2005 to kindly entitle me with Special (Duty) Allowance (SDA) as admissible to all Central Government Employees from the joining date in the IBSD, Imphal. I am extremely sorry to inform you that so far I have not received any positive response in this matter from your esteemed office.

III. Work Environment:

It is for your kind information that I requested to the previous Director number of times for establishing plant biotechnology lab facility and providing essential chemical, equipment, lab supplies and lab assistance to perform my responsibilities. Unfortunately, he always worked for his self interest and remained silent without positive response until his superannuation from the service. (IBSD Receipt no. 1590 dated 22/04/2004, 1686 dated 24/07/2004, 1704 dated 30/07/2007, 1802 dated 29/10/2004 & 1813 dated 09/11/2004, 1351 dated 03/12/2004). As a matter fact, I have done documentation work and involved to work in the field of Plant tissue culture which is not under the direct sphere of my duties for more than one year at IBSD in the active phase of my professional career.

I am extremely sorry to inform you that we have not been provided here proper work environment and basic facilities like uninterrupted water and power supply for research activities. It is pained to note that our repeated requests not reached to your kind notice.

IV. Request for relieving form current duties of Scientist in Charge IBSD

Kindly refer a letter from DBT, New Delhi (D.O. BT/012/NBDB/2001/Part-II dated 28/02/2005) to me regarding the takeover of charges of the duties from previous Director Prof. H. Tombi Singh on 28th Feb, 2005. As per the DBT instruction, I am continuing in these additional responsibilities since 1st March, 2005. DBT, New Delhi instructed me verbally to be as a care taker of the institute to run routine business and not to take major financial decisions. I do agree with them completely and hesitated to pay huge pending bills regarding the purchase of chemicals, equipment, and civil construction work approved by our previous Director with a view to avoid audit problems with Central Government in future.

A lot of pressure is also exerted on me from chemical suppliers for clearing their pending payments regarding supplies without inspecting the files. I also received anonymous telephone calls in the name of Underground armed groups by imposters for the extortion money with a threat of abduction. You are well aware that Manipur is a land of agitation and unpredictably highly insecure place in NE region itself. In addition, I would like to inform

Amended
S. M. HABIBUL HAQUE
Advocate, Gauhati High Court

Page-48

Annexure-24 (contd.)

you that I never requested, desired or proposed or worked as in charge of the institute during the regime of the previous Director also.

Keeping this view it will be highly difficult for me to continue further as a Scientist in charge and in the capacity of Drawing and Disbursing Officer of the institute for a long time. Most respectfully I have already requested you to kindly relieve me from the charges of duties of Scientist-In-Charge of IBSD, Imphal immediately with effect from 1ST May, 2005.

It is for your kind information that I have already enclosed necessary documents (1. Statement of Handover Charges & 2. Letter for State Bank Of India, Secretariat Branch, Imphal for financial powers) regarding the handover of the charges of duties of Scientist-In charge of IBSD for your perusal (IBSD/Dir (i/c)/2005/05/993 dated 11/04/2005). I sincerely pray you to kindly instruct to the IBSD office, Imphal in this matter for further processing.

V. Foreign Deputation/Extra Ordinary Leave without payment

Kindly refer my letter regarding the foreign Deputation without payment (IBSD/Dir (i/c)/2005/02 dated 15/03/2005) and another request for Extra-Ordinary Leave' (IBSD/Dir (i/c)/2005/02 dated 15/03/2005) without payment for nine months with effect from 1st May, 2005 to take the research work in the advanced field of 'proteomics' subject as a Senior Researcher (Plant Biotechnology) at CRP-GL, Luxembourg. The proposed work in the foreign lab is highly advanced area involving 2-D electrophoresis, Microarrays and Yeast Hybrid systems. The work is having a close connection with the sphere of my present duties at IBSD as a Scientist (Plant Biotechnology). The proposed study is highly helpful to strengthen me professionally and this budding institute to take such advanced research programs in the area of proteomics in the near future. In addition, Manipur is a very remote and inaccessible area to get such rare opportunities in the future for the career improvement.

As per my knowledge concern, Department of Biotechnology, always promoted researchers in the country by sponsoring Overseas Fellowship for training. Unfortunately even though, I was offered a prestigious position of Senior Researcher by CRP-GL, Luxembourg. DBT regret to grant me either Foreign Deputation or Extra Ordinary Leave without payment in a compulsion that I am a Scientist in charge of IBSD at present and it is not an opportune time for me (D.O. No. BT/012/13/NBDB/2001/Part-II dated 08/04/2005 & D.O. No. BT/012/13/NBDB/2001/Part-II dated 26/04/2005).

As per DBT instructions, I have forwarded appointment letter to Dr. N.C. Talukdhar, for the position of Scientist-E at IBSD. He is supposed to join at IBSD by May 13th, 2005 as per the appointment letter. DBT would have arranged and suggested him to take the charges of Scientist in charge and granted me EOL without payment so that I would have proceeded for higher training in foreign lab and joined immediately duty afterwards.

This is once again for your kind information in continuation to my previous correspondence that, DBT granted me neither Foreign Deputation nor Extra Ordinary Leave without payment. As a lost option and with a great pain, I tender my resignation from Scientist-C (Plant Biotechnology) at Medicinal Plants and Horticultural Resources Division, Institute of


A. M. J. ABDUL HALIM,
Advocate, Gauhati High Court.

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Annexure-24 (Contd.)

Bioresources and Sustainable Development, Imphal-795 001, Manipur with immediate effect i.e. from 1st May, 2005. I shall be highly thankful, if you could kindly relieve me from the duties immediately from the requested date so that I can take the foreign assignment to financially support to my family and also to develop my professional career.

It is for your kind information that I have completed satisfactorily period of probation in the service and no case of vigilance/inquiry/investigation is pending/ progress against me in the institute as per records. I am herewith enclosing 'no dues certificate' from IBSD also for your perusal.

My sincere thanks to you, Dr. S. Natesh, Advisor, DBT and Dr. Md. Aslam, Joint Director, DBT for giving me an opportunity as a family member of DBT's institute in my professional career for some time.

Thanking you, sir.

Yours sincerely



(D.S.S. V. Khan) 26/04/2005

Scientist-C (Plant Biotechnology)

Institute of Bioresources and Sustainable Development
Imphal

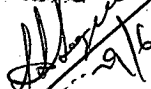
Copy for information to:

1. Director/Scientist-in Charge
2. PSSV Khan personal file

Enclosures:

1. No dues certificate

Approved



Dr. Md. HABIBUL HAQUE,
Advocate, Gauhati High Court

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Annexure-25

Kadapa, 16th May, 2005

To,
Dr. M.K. Bhan
The Secretary
Department of Biotechnology, Govt. Of India
Ministry of Science and Technology
Block, 2 (7th Floor), C.G.O. Complex
Lodhi Road, New Delhi- 110 003

Sub: Tendering Resignation from the post of Scientist-C (Plant Biotechnology) at IBSD-Reg

Ref: 1. IBSD receipt no. 1613 dated 26/04/2005-
2. DBT letter D.O. No. BT/012/13/NBDB/2001 Dated 26/04/2005

Respected Sir,

Most respectfully and humbly request you to kindly refer my previous correspondence to your esteemed office (Ref no. 1 & 2) regarding resignation from the post of Scientist-C (Plant Biotechnology) at Medicinal Plants and Horticultural Resources Division, Institute of Bioresources and Sustainable Development, Imphal,- 795 001, Manipur with immediate effect from 1st May, 2005. I humbly inform you that so far I have not received any information from your office regarding the status of my resignation. I presume that I may be relieved from the post of Scientist-C (Plant Biotechnology) with immediate effect from 1st May, 2005 and proceeding to take foreign assignment to support my professional career and family.

It is also once again for your kind information that I have satisfactorily completed period of probation in the service and no case of vigilance/inquiry/investigation is pending against me in the institute as per records. I also enclosed 'No dues certificate' from IBSD for your kind perusal. As you well aware the clause 4.2 of the agreement between IBSD and me states that 'any time after completion of the probation and within five years of its extension the contract can be terminated by giving three calendar month's notice in writing or three months salary in lieu of notice as termination simplicitor by either party without assigning any reason. In the event a shorter notice is given by either party, a sum equivalent to the salary of the period, notice falls short of three months, shall be payable by the concerned party to the other party'. As per the above clause I am ready to pay the amount after adjusting my balance Earned leave and half-pay leave from the service at IBSD in case if you kindly decide to accept my resignation and relieve me from the service.

At present my contact address in India is DR. P.S.S.V. Khan, C/O, D. Sabjan, 6/397, G.C. street, Kadapa-516 001, A.P. India. pssvkhan@yahoo.com.

Thanking you, sir,

Yours sincerely

P.S. S.V. Khan
(P.S.SV.Khan)

Copy for information to: Director, IBSD, Imphal-795 001.

Accepted
[Signature]
29/5
S. M. HABIBUL HAQUEE
Advocate, Gauhati High Court

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Annexure-26

Luxembourg,
14th July, 2005

To,
Dr. M.K. Bhan
The Secretary
Department of Biotechnology,
Government of India
Ministry of Science and Technology
Block, 2 (7th Floor), C.G.O. complex
Lodhi Road-New Delhi-110 003

14/7/05

Sub: Request to consider the withdrawal of resignation from the post of Scientist-C (Plant Biotechnology) and to continue in the service at IBSD-Reg

Ref:

1. DBT letter D.O. NO BT/012/13/NBDB/2001/Part-II dated 26/04/2005
2. IBSD Receipt no. 1613 dated 26/04/2005
3. My request letter to your esteemed office dated 16/05/2005
4. IBSD office letter no. IBSD/1/10 (37)/2005 dated 22/06/2005

22/6/05
6/5/05

Respected Sir,

Most respectfully request you to kindly refer your esteemed office regret letter to me for granting extra ordinary leave (EOL) w.e.f. from 1st May, 2005 for nine months for carrying research work in Luxembourg in view that I am holding the charges of duties of Scientist-In charge of IBSD, Imphal (Ref. No. 1).

With a great pain, I have submitted to you the letter of my resignation from the post of Scientist-C (Plant biotechnology) at Medicinal Plants and Horticultural Resources Division, Institute of Bioresources and Sustainable Development, Imphal Manipur, w.e.f. from 1st May, 2005 (Ref. No. 2).

I have not received any information from your esteemed office regarding the status of my resignation and also the appointment and joining of the Director, IBSD, Imphal. Then, I proceeded to the scheduled visit to Luxembourg for research work starting from 18th May, 2005. The same information was given to your esteemed office before proceeding to Luxembourg and requested you to kindly adjust about two months of my earned leave and half pay leave as per records of the IBSD, Imphal for the required notice period of three months for the termination of service, in case you decide to relieve me from the service (Ref. No 3).

IBSD office informed me to pay the amount of two months and 25 days salary for stipulated notice period in order to formalize my resignation without adjusting the requested two months leave at IBSD (Ref. No 4). DBT office also well aware that IBSD, Imphal not provided me EPF and other service benefits from the joining of the service. It is also for your kind information that IBSD also not paid me monthly salary after the submission of resignation for the adjustment of leave.

Attested
13. M. h. ABUL HAKU
Advocate, Gauhati High.

Kau 1062

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Annexure-26 (contd)

In this regard, I am very sorry to inform you that it is highly difficult for me to pay the notice period amount proposed by IBSD, Imphal in view of my financial position and highly predicated unemployment after the tenure in Luxembourg. It is also for your kind information that I am still committed to work at growing institute IBSD, Imphal and sincerely interested to take an active role in the mission of NBDB and DBT in the North-East India. Hence, I most respectfully inform you that I withdraw my resignation and sincerely request you to kindly continue me in the service at IBSD, Imphal with effect from 1st May, 2005. Further I most humbly also submit to you the following lines of requests for your kind perusal:

1. Kindly grant me an extra ordinary leave from 1st May, 2005 to 1st Feb, 2006 to pursue ongoing research programme in the new area of systems biology i.e. proteomics in Luxembourg. Your kind gesture of granting EOL will be helpful for my professional career with advance research training.
2. DBT and IBSD offices aware that I have been appointed in lower-to-lower grade as a Scientist-C against the approved position of Scientist-E against the article no. 14 of IBSD advertisement no. 2/50/2003-IBSD, Employment News 18-24, October 2003. I shall be grateful, if you could kindly do needful to restore me to the Scientist-E position.
3. Kindly consider to entitle me with Special (Duty) Allowance as per the article no. of 12 of IBSD advertisement no. 2/50/2003-IBSD, Employment News 18-24, October, 2003, article no. of 2 of agreement between me and IBSD and IBSD memorandum no.1/2/2003-IBSD (Pt)/897 dated 16/10/2004.
4. Kindly do needful to provide me essential chemical, equipment, lab supplies and lab assistance to work and perform my prescribed responsibilities in the plant biotechnology research at IBSD, Imphal.

I shall be highly thankful, if you could kindly consider my requests and do needful in this matter

Thanking you, Sir,

Yours sincerely

P.S. SV. Khan

(P.S.SV. Khan)

14/07/2005

140, Rue de Neudrof

L-22 22 Luxembourg

GD Luxembourg

pssvkhan@yahoo.com

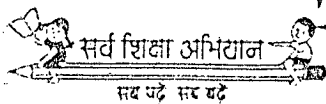
CC:

The Director, IBSD, Imphal for your kind information with reference to IBSD office letter no. IBSD/1/10 (37)/2005 dated 22/06/2005

Amended

[Signature]
22/6
S. M. HASIBUL HAQUE
Advocate, Gauhati High Court

[Signature] 2 of 2



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Annexure - 27

भारत सरकार

विज्ञान और प्रौद्योगिकी मंत्रालय

बायोटेक्नोलॉजी विभाग

ब्लॉक-2, 7 वां तल, सी० जी० ओ० कम्प्लेक्स

लोदी रोड, नई दिल्ली-110003

GOVERNMENT OF INDIA

MINISTRY OF SCIENCE & TECHNOLOGY

DEPARTMENT OF BIOTECHNOLOGY

Block-2, 7th Floor C.G.O. Complex

Lodi Road, New Delhi-110003

No. BT/012/13/NBDB/2001/Part II

Dated: 12th August, 2005

Dear Dr. Khan,

Reference is invited to your e-mail dated 14th July, 2005 addressed to the Secretary, DBT regarding your request to consider the withdrawal of resignation from the post of Scientist-C (Plant Biotechnology) and to continue in the service at IBSD, Imphal,

2. I am directed to convey that your request for considering withdrawal of resignation from the post of Scientist-C (Plant Biotechnology) at IBSD, Imphal has been refused by the competent authority due to the following grounds:

- (a) You have left the institute unauthorizedly without getting an official relieving order from DBT for joining assignment abroad. You were also Scientist-in-Charge of the institute at that time.
- (b) Your behaviour has been viewed as most irresponsible and unsincere since you have left the institute even after request from the DBT to continue as Scientist-in-Charge of IBSD till the regular Director joined the institute.

Yours sincerely,

Mohd. Aslam
(Mohd. Aslam)

Dr. P. S. S. V. Khan,
140, Rue de Neudrof,
L-22 22 Luxembourg
GD Luxembourg, France

Copy for favour of information and necessary action to:

Prof. M. Rohinikumar Singh, Director, Instt. of Bioresources and Sustainable Development (IBSD), Takyelpat, Imphal - 795001, Manipur

Mohd. Aslam
(Mohd. Aslam)

Amended
29/8
S. M. HASIBUL HAQUE
Advocate, Gauhati High Court

Institute of Bioresources and Sustainable Development

(Department of Biotechnology, Government of India)
Takyelpat Institutional Area, Imphal 795 001, Manipur, India
Phone: 0385-2446122 (O), 0385-2446121(O)
Telefax: 0385-2446120, E-mail: ibsd_imp@sancharnet.in

Advertisement No. IBSD/01/2005
Imphal, 7 September 2005

The Institute of Bioresources and Sustainable Development (IBSD) is one of the autonomous institutes under the Department of Biotechnology, Ministry of Science and Technology, Govt of India located at Takyelpat Institutional Area in Imphal. The objective of IBSD is to develop and utilize the rich bioresources of the North-Eastern Region of the country through the application of modern tools of biology and biotechnology. The institute invites the following posts:

Post No. 1: 1 (one) Scientist – E: Plant Biotechnology in the Scale of pay Rs 14,300–18,300.

Essential qualification: 1 class M.Sc. in Botany/Biotechnology/Agriculture/Horticulture or equivalent with at least eleven years research experience or Ph.D. in the above subjects with at least ten years research experience in medicinal and aromatic plants/Horticultural plants resources.

Desirable: Research experience in biotechnological approaches for conservation, improvement and utilization of Medicinal and Aromatic plants/Floriculture/Horticultural resources. The candidate should be capable of guiding and supervising research programmes of the division. The research experience should be evident from publications in above fields in reputed journals.

Job requirement: Collection, conservation, multiplication and improvement of medicinal and aromatic plants/horticultural resources of the NE region along with bioprospecting for useful products.

Post No. 2: 1 (one) Senior Accounts Officer in the Scale of pay Rs 8000–13,500.

For Deputation: Candidates holding analogous post or Graduate with at least 8 years experience in Accounts Department in Central Government/State Government/PSU/Autonomous Body in the next lower pay scale.

Desirable: Knowledge of Govt rules and computer applications.

For Direct Recruitment: Graduate with SAS/CA/ICWA with at least 5 years experience as Pay and Accounts Officer/Accounts Officer/Head of Finance and Accounts Division in Central/State Govt/PSU/Autonomous body.

Desirable: Knowledge of Govt rules and computer applications.

Job requirement: To assist the Director and the Senior Administration Officer on all matters relating to Finance and Accounts, Budget, Balance Sheets, Finance Committees or any other duties assigned by the Director from time to time.

Contd.....

Attended

S. M. HABIBUL HAQUE
Advocate, Gauhati High Court

General conditions

- (1) Applicants should be Indian nationals.
- (2) The maximum age limits for direct recruitment will be as below:
 Scientist-E : 55 years
 Senior Accounts Officer : 35 years
 Relaxation of age in respect of special categories/sports persons under the Govt of India notifications/guidelines will be applicable.
- (3) Persons with physical disabilities will have age relaxation up to 5 years.
- (4) Reservation for SC/ST/OBC/PH, if applicable, will be in accordance with the orders issued by the Govt of India from time to time.
- (5) The above posts carry usual allowances as admissible to Central Government employees. Higher initial pay may be considered for exceptionally meritorious and deserving candidates.
- (6) The date for determining the direct recruitment age limit/experience/qualifications shall be the closing date prescribed for receipt of applications.
- (7) The period of experience in the requisite discipline/area of work wherever prescribed shall be counted with effect from the date of acquiring the prescribed minimum educational qualification for that group/grade.
- (8) Applications from the candidates working in Government departments, public sector organizations, autonomous institutions and government funded research agencies will be considered only if forwarded through proper channel and with a clear certificate that there is no vigilance case pending/being contemplated against him/her and that the applicant will be relieved within one month of receipt of the appointment order. However, applicants may send an advance copy of the application along with requisite fee (wherever applicable) before the last date of receipt of completed application.
- (9) Only outstation candidates called for interview will be paid to and fro single second class rail fare/ordinary bus fare from the normal place of their residence or from the actual place of undertaking the journey, whichever is nearer to the place of interview.
- (10) No hostel/housing facility is available with the institute at present.
- (11) These posts can also be filled in the lower grade at the discretion of the Selection Committee in case suitable candidates with requisite qualification and experience are not forthcoming.
- (12) The Institute will have the right to cancel/modify any of the above posts or the recruitment rules thereof at any time before the process of filling up the posts is completed.
- (13) The Institute reserve the right to appoint any person for any post, if found suitable, even if he/she not applied for the post.

Completed applications strictly in the 'FORMAT OF APPLICATION' annexed here with a recent passport size photograph fixed at space shown in the format along with attested copies of all mark sheets, caste certificate, experience certificates, etc. together with a non-refundable fee of Rupees fifty only (PH/SC/ST candidates are exempted from payment of application fee) in form of cross Demand Draft/IPO in favour of Director, Institute of Bioresources and Sustainable Development should reach the Director, Institute of Bioresources and Sustainable Development, Takyelpat Institutional Area, Imphal 795 001, on or before 20 October 2005.

Applications received after the due date or without the required copies of certificates and application fee or incomplete in any manner will not be entertained.

Canvassing in any form and/or bringing in any influence political or otherwise will be treated as a disqualification for the post.

Contd.....

Annexure

S. M. HABIBUL HAQUE,
 Advocate, Gauhati High Court

Merely fulfilling of the minimum prescribed qualifications and experience will not vest any right on a candidate for being called for interviews. Since it may not be possible to call all the candidates for interviews, the applications will be shortlisted for the purpose and decision of the Institute will be final. The Institute will not entertain any correspondence in this respect and Interim enquiry will not be attended to.

FORMAT OF APPLICATION

1. Post applied for
2. Name of the applicant (in block letters)
3. Father's/Husband's name
4. Date of birth (DD/MM/YYYY)
5. Age as on the date of application
6. Postal address
Pin: E-mail: Telephone:
7. Permanent address Pin:
8. Nearest Railway Station
9. Nationality
10. Marital status
11. Whether belong to SC/ST/PH/OBC (If yes attach certificate)*
12. Educational qualification*

Affix
passport size
photograph

Exam passed	Board/University	Division	Percentage	Year of passing	Subject

13. Professional training undergone if any and details thereof*
14. Present post (Name of the employer)
15. (i) Nature of present employment, i.e. ad hoc/temporary/quasi or permanent
(ii) Scale of pay and present pay and other allowance
16. Total experience (years/months)
17. Details of research work/experience, if any*
18. Publication to your credit*
19. Any other relevant information that you may like to furnish

DECLARATION

I declare that the above information are true and correct to the best of my knowledge and belief.

Place:

Date:

Signature of the candidate

*Attested copies of certificates/testimonials from appropriate authority in support of the claim must be enclosed along with the application.

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Annexure-29

29



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area
Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

Imphal, the 6th December, 2005

1. Dr. P.S.S. V. Khan
C/O. D. Sabjan, 6/397, G.C. Street, Kodapa, Andhra Pradesh-516001
2. e-mail-pssvkhan@yahoo.com
3. P.S.S. V. Khan
140, Rue de Neudrof
L-22 22, Luxembourg, GD Luxembourg

6/12/05

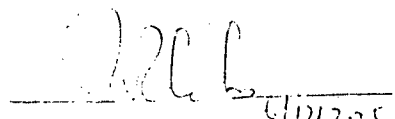
ACCEPTANCE OF RESIGNATION

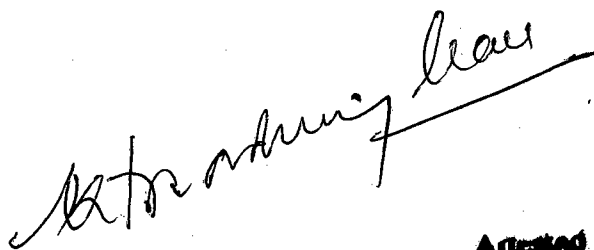
WHEREAS Dr. P.S.S. V. Khan, former Scientists-C (Plant Biotechnology) of IBSD, Imphal had rendered his resignation letter from the said post on 6th May, 2005.

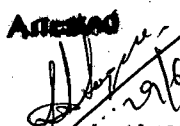
AND WHEREAS the said Dr. P.S.S. V. Khan had resigned with immediate effect from 1st May 2005 from the said post of Scientists-C (Plant Biotechnology) at IBSD, Imphal.

AND WHEREAS the said Dr. P.S.S.V. Khan, had offered to pay salary in lieu of requisite three months NOTICE PERIOD equivalent amount in terms of his service Contract Clause 4:2 but failed to pay the said three month's notice Period amount despite repeated request from IBSD, Imphal.

NOW THEREFORE, I the undersigned being the appointing authority in respect of said Dr. P.S.S. V. Khan, do hereby accept the resignation of said Dr. P.S.S.V. Khan from the post of Scientists-C (Plant Biotechnology) at IBSD, Imphal with effect from 1st May, 2005 and wave off the requirement of said Notice Period salary equivalent thereof in lieu of stipulated Notice period, to avoid any further delays that may ensue.


(Prof. Rohinikumar Singh, M.)
Director, IBSD, Imphal



Attested

Dr. M. HABIBUL HAQUE
Advocate, Gauhati High.

Page-58 (29) (29)

~~20~~
19

Annexure-30

30

Luxembourg,
19th Dec 2005

To,

Dr. M.K. Bhan
The Secretary
Department of Biotechnology,
Government of India
Ministry of Science and Technology
Block, 2 (7th Floor), C.G.O. complex
Lodhi Road-New Delhi-110 003

Sub: Request to reconsider the withdrawal of resignation from the post of Scientist-C (Plant Biotechnology) and to continue in the service at IBSD-Reg

Ref:

1. DBT letter D.O. NO BT/012/13/NBDB/2001/Part-II dated 26/04/2005
2. IBSD Receipt no. 1613 dated 26/04/2005
3. My request letter to your esteemed office dated 16/05/2005
4. IBSD office letter no. IBSD/1/10 (37)/2005 dated 22/06/2005
5. My request Letter to the DBT, New Delhi, dated 14/07/2005
6. DBT letter D.O.no. No. BT/012/13/NBDB/2001/Part II dated 12/08/2005
7. My request letter to Shri Kapil Sibal, Minister of state (IC) Science and Technology and President of IBSD, New Delhi dated 02/09/2005
8. IBSD office letter no. IBSD/1/10 (37)/2005/19 dated 28/08/2005
9. My request letter to Shri Kapil Sibal, Minister of state (IC) Science and Technology and President of IBSD, New Delhi dated 09/11/2005
10. IBSD office letter no. nil dated 06/12/2005
11. IBSD office letter no. nil dated 06/12/2005

Respected Sir,

Most respectfully and humbly request you to kindly refer my previous correspondence and sincere requests regarding the withdrawal of my resignation on 14/07/2005 within notice period from the post of Scientist-C (Plant Biotechnology) and reconsider to continue me in the service at IBSD (Ref. No. 1 to Ref. No. 9).

It is for your kind information that IBSD office kindly informed me the acceptance of my resignation on 06th of Dec 2005 in response to my resignation letter on 26th April 2005 without considering my repeated requests and previous correspondence to the concerned superior authorities in this matter (Ref.10). The Director, IBSD also kindly wipe off the payment of said Notice Period salary in the acceptance letter (Ref 11).

It is once again for your kind information and further consideration that I am still committed to continue and sincerely work at IBSD, Imphal. In this regard, I most humbly and sincerely request you to kindly reconsider to accept my withdrawal of resignation submitted on 14/07/2005 within the notice period and kindly continue me in the service at IBSD, Imphal with effect from 1st May, 2005.

Attested
29/12/05
S. M. HASIBUL HAQUEE
Advocate, Gauhati High Court

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Annexure - 30 Contd.

Further I most humbly also submit the following lines of requests for your kind perusal:

1. Kindly grant me an extra ordinary leave from 1st May, 2005 to 20th Feb 2006 to complete ongoing research programme in Luxembourg.
2. DBT and IBSD appointed me in lower-to-lower grade as a Scientist-C against the approved position of Scientist-E without time frame and against the article no. 14 of IBSD advertisement no. 2/50/2003-IBSD, Employment News 18-24, October 2003. Kindly do needful to restore me to the approved position of Scientist-E.
3. Kindly entitle me Employment Provident Fund (EPF) from the joining date of service i.e. 29th Jan, 2004 as per article no. 3 of agreement between me and IBSD and IBSD memorandum no.1/2/2003-IBSD (Pt)/897 dated 16/10/2004.
4. Kindly entitle me Special (Duty) Allowance from the joining date of service i.e. 29th Jan, 2004 as per the article no. 12 of IBSD advertisement no. 2/50/2003-IBSD, Employment News 18-24, October, 2003, article no. 2 of agreement between me and IBSD and IBSD memorandum no.1/2/2003-IBSD (Pt)/897 dated 16/10/2004.
5. Kindly do needful to provide me essential chemical, equipment, lab supplies and lab assistance to work and perform my prescribed responsibilities in the plant biotechnology research at IBSD, Imphal.

I shall be highly thankful, if you could kindly consider my requests and do needful in this matter

Thanking you, Sir,

Yours sincerely

P.S. SV. Khan

(P.S.SV. Khan)
140, Rue de Neudrof
L-22 22 Luxembourg
GD Luxembourg
pssvkhan@yahoo.com

CC for kind information to:

1. Dr. S. Natesh,
Advisor and Member Secretary, SAC and GC of IBSD
Department of Biotechnology, New Delhi-110 003
2. The Director,
IBSD, Imphal
3. Dr. Md. Aslam,
Scientist-E,
Department of Biotechnology, New Delhi-110 003
4. The Senior Administrative Officer,
IBSD, Imphal

Accepted

29/6
S. M. HABIBUL HAQUE,
Advocate, Gauhati High Court

Kadapa,
18th April, 2006

To,
Dr. Manmohan Singh
The Prime Minister of India
The Prime Minister Office
South Block, Raisina Hill
New Delhi-110 011, India

||

gaur 9
Secretary

Sub: Request to kindly intervene for the acceptance of withdrawal of resignation and continue in the position of Scientist (Plant Biotechnology) at IBSD, Imphal-Reg

Respected Sir,

Most respectfully and humbly beg your pardon to bring the following lines of information and requests for your kind intervention.

I was working as a Fellow at The Energy Research Institute, New Delhi on the basic scale of Rs. 14070 and other allowances and was working as a Senior postdoctoral Fellow with a fellowship value of NTD 70,000 (on sabbatical leave) at Institute of Botany, Academia Sinica, Taipei, Taiwan. While so I was called for interview for the post of Scientist-E with a pay scale of 14,300-18,300 at Institute of Bioresources and Sustainable Development, Imphal-795001, an autonomous institute of Department of Biotechnology (DBT), New Delhi twice i.e on 15/06/2003 and 15/12/2003 after submission of applications and consideration by the members of the screening committees.

The interview cum-selection committee offered me lower to lower post of Scientist-C with five advance increments in the pay scale of Rs.10,000-325-15,200 and other permissible allowances against the approved post of Scientist-E with discrimination against the clause No.14 of IBSD advertisement no. 2/50/2003-IBSD, Employment News 18-24 October, 2003. On the verbal promise of the selection committee, that the approved Scientist-E position would be restored after one year of service in IBSD. I have joined as a Scientist-C on 29th Jan, 2004 with a sincere interest to serve the remote and bioresources rich north-east region of the nation.

I have repeatedly requested to the Director, IBSD, Imphal and The Secretary, DBT, New Delhi for entitling permissible allowances Special (Duty) Allowance from the joining date of service i.e. 29th Jan, 2004 as per the article no. 12 of IBSD advertisement no. 2/50/2003-IBSD, Employment News 18-24, October, 2003, article no. 2 of agreement between me and IBSD and IBSD memorandum no.1/2/2003-IBSD (Pt)/897 dated 16/10/2004, providing essential chemical, equipment, lab supplies and lab assistance to work and perform my prescribed responsibilities in the plant biotechnology research at IBSD, Imphal and to know the status of restoration of Scientist-E position. But all authorities of IBSD and DBT turned down my repeated requests deaf ear without any response.

Attended

[Signature]
D. M. HABIBUL HAQUE
Advocate, Gaurahi High Courts

The Department of Biotechnology, Ministry of Science and Technology, Government of India appointed my client as a Scientist-In-Charge of IBSD, Imphal on 28/02/2005 in view of superannuation of the Director, IBSD, Imphal without prior information or notice or letter of interest. Moreover, the DBT authorities are also well aware the fact that I neither involved in administrative procedures and financial matters of the institute nor hold additional duties of in-charge of the institute during the service of former director, IBSD, Imphal.

As a matter of compulsion and due respect for routine functioning of the institution, I took the charges of additional duties of Scientist-in-charge, IBSD, Imphal as a stop-gap arrangement for a short period of one or two months. Subsequently on 11/04/2005, I have requested to the Secretary, DBT, New Delhi to relieve me from the additional duties of Scientist-in-charge, IBSD, Imphal by the end of April, 2005 due to technical problems. But, there was no response from the DBT office, New Delhi regarding this matter.

Meanwhile, National Research Fund, Luxembourg kindly granted me a prestigious fellowship and travel support to work on a short-term research assignment in the advance field of proteomics at CRP-Gabriel Lippmann, Luxembourg in response to my proposal submitted while I was working as a Fellow in The Energy Research Institute, New Delhi. On that I have applied and requested to the Secretary, DBT repeatedly to grant an extraordinary leave without payment for nine months starting from 01/05/2005. The DBT office, New Delhi regret to grant me the said leave and ruled out the chances of granting extraordinary leave for another six months.

On receiving the regret letter from DBT, New Delhi I have tendered resignation for the position of Scientist-C (Plant Biotechnology) at IBSD, Imphal Manipur as last resort on 26/04/2005 with a great pain and few lines of requests to The Secretary, DBT, New Delhi. I took such unfortunate decision of resignation with great pain for research interest only in the emerging field, as there was no other alternative remained in my hand.

Later in a state of extreme uncertainty, lack of information from the DBT, New Delhi and the IBSD, Imphal offices regarding the status of my resignation, and after joining of the new director of IBSD, Imphal, I proceeded to the scheduled visit to Luxembourg to take up proposed research assignment starting from 18/05/ May, 2005. The same information was given to The Secretary, DBT, New Delhi and the Director, IBSD, Imphal.

Subsequently, I changed my mind and withdrawn letter of resignation within notice period of three months on 14/07/2005 in response to the communication provided by IBSD, Imphal. I most respectfully communicated the same information to The Secretary, DBT, New Delhi and The Director, IBSD, Imphal with a sincere request to kindly continue me in the service at the IBSD, Imphal. Unfortunately, the competent authority in the DBT, New Delhi was refused my sincere request on 12/08/2005 with a different opinion regarding my sincerity and professional behaviour without any record of evidences.

Attested

S. M. HABIBUL HAQUE
Advocate, Gauhati High.

Later IBSD, Imphal also advertised the position of Scientist-E (Plant biotechnology) before the acceptance of resignation and relieving me on 07/08/2005. Subsequently, The Director, IBSD, Imphal informed me that resignation submitted on 26/04/2005 has been accepted on 06/12/2005 without considering my repeated requests and previous correspondence to the concerned superior authorities regarding withdrawal of resignation and also against the recent verdict by The Honourable Supreme Court of India with regard to withdrawal of resignation by employee before acceptance and relieving by the employer. Intentionally the IBSD, Imphal office also not relieved me from the duties of Scientist-C at IBSD, Imphal after formally accepting my resignation.

Further it is for your kind information that The Secretary, DBT, New Delhi and the Director, IBSD, Imphal granted an extraordinary leave to Dr. N.C. Talukdhar Scientist-E of the same institute immediately after his joining in the service at IBSD, Imphal and also during the probation period to take up a short-term research assignment in abroad supported by the national funding agencies. As submitted to your kind notice, I have satisfactorily completed the prescribed one year probation period by 28/02/2005 and also actively involved for the establishment of the budding institute for more than one year with sincere research and committed services towards the growth of the institute. Unfortunately, my senior authorities discouraged and discriminated me in all respects from the beginning and also forcing me to quit from the service at IBSD, Imphal to safe guard their self interests and personal favourism.

Sir, still I am sincerely committed to continue as a scientist to work at IBSD, Imphal. I have repeatedly requesting to the Secretary, DBT, New Delhi and the Director, IBSD, Imphal to kindly reconsider withdrawal of my resignation and allow me to rejoin in the service. I am waiting for positive answer from the DBT and the IBSD, Imphal since, Feb 20th, 2006 to rejoin in the service. At the same time the DBT, New Delhi and the IBSD, Imphal offices also not appointed any candidate in the position of Scientist-E for conducting research work at Institute.

I sincerely request you to kindly intervene and do needful in this matter. Your kind gesture supports my professional career and also promotes biotechnology in the North-east region of the nation to translate the rich bioreosurces into economic resources.

Thanking you, Sir,

Your's sincerely

P.S. Shavalli Khan
(P.S.SV. Khan)

C/O, D. Sabjan

6/397, K.M.H. Street, Kadapa-516001 (P.O and Dt)
Andhra Pradesh, India (pssvkhan@yahoo.com)

CC for kind information and necessary action to:

1. Dr. M.K. Bhan, The Secretary, DBT, New Delhi-110 003
2. The Director, IBSD, Imphal

Attached

[Signature]
22/6
(S. M. HABIBUL HAQUE)
Advocate, Gauhati High Court

Page-63



सत्यमेव जयते

33A

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Amexure-32

प्रधान मंत्री कार्यालय
PRIME MINISTER'S OFFICE

नई दिल्ली-110011
New Delhi-110011

Sub: PETITION OF Sh. P S S V KHAN,
6/397, K.M.H. STREET,
KADAPA-516 001, AP.

A copy of letter datbd 13-APR-2006 received in
this office from Sh. P S S V KHAN is forwarded herewith
for action as appropriate.

(BHIM SAIN)
SECTION OFFICER

SECRETARY, D/O BIO-TECHNOLOGY, M/O SCIENCE & TECHNOLOGY

PMO ID NO. 6/03/2006-PMP-3/1651183

Dated - 04-MAY-2006

Copy for information to :-

/Sh. P S S V KHAN
6/397, K.M.H. STREET,
KADAPA-516 001,
AP.

(BHIM SAIN)
SECTION OFFICER

Attending

S. M. HABIBUL HAQUE
Advocate, Gashan High Court

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BRANCH.

O. A. NO. 166 OF 2006.

Dr. Patan Shaik Sha Valli Khan.

... Applicant.

- Versus -

The Union of India & Ors.

... Respondents.

I N D E X

Sl. No.	Particulars.	Annexure-	Page No.
1.	2.	3.	4.
1.	Written statement on behalf of the Respondent No. 1 to 5		1 - 20
2.	True copy of the Agreement dated 27/1/2004 and order dated 29/1/2004	Annexure-D/1 & D/2	21 - 24
3.	True copy of the letter dated 26/4/2005 and 16/5/2005	Annexure-D/3 & D/4.	25 - 30
4.	True copy of the order dated 25/4/2005 and letter dated 2/5/2005.	Annexure-D/5 & D/6.	31 - 32
5.	True copy of the letter dated 3/5/2005	Annexure-D/7	33
6.	True copy of the letter dated 6/5/2005	Annexure-D/8.	34
7.	True copy of letter dated 22/6/2005 and 20/8/2005	Annexure-D/9 & D/10.	35 - 36
8.	True copy of the letter dated 14/7/2005.	Annexure-D/11	37 - 39
9.	True copy of the letter dated 12/8/2005.	Annexure-D/12	40
10.	True copy of the letter dated 5/12/2005 and 6/12/2005	Annexure-D/13 & D/14 (Colly)	41 - 43
11.	True copy of the Office Memorandum dated 16/10/2004 and 8/12/2004.	Annexure-D/15 & D/16	44 - 45

Filed by 14/9/06
 Molla Ud-Din Ahmed, M.A.B.Sc., LL.B
 Addl. Central Govt. Standing Counsel
 Guwahati Bench

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BRANCH.

O. A. NO. 166 OF 2006.

IN THE MATTER OF

Dr. Patan Shaik Sha Valli Khan.

... Applicant.

- Versus -

The Union of India & Ors.

... Respondents.


- A N D -

IN THE MATTER OF

Written statement on behalf of
Respondent No. 1 to 5.

Most respectfully Sheweth:

1. That, I am the Respondent No. 3 in this application. I know the contents of the application as read over and made known to me. I know the facts of this matter from the records made available to me and also I am associated with the related matter as such, I am authorised to file this written statements on behalf Respondent No. 1, 2, 4 & 5.
2. At the very outset I beg to submit that the present application is not tenable and the relief sought for are irrelevant and very much against the rules and regulations of the Institute of Bioresources and Sustainable Development, Imphal (hereinafter referred to as I.B.S.D., Imphal).


(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Imphal.

79
July 4
Moin Uddin Ahmed, M.A., B.Sc., LL.B.
Addl. Central Govt. Standing Counsel
Gauhati Bench.
14/9/06

3. That, contents of Para No. 1 of the application No. 166/06, the answering respondent No. 3 has no comment to offer.
4. That, contents of para No. 2 of the application, the respondent No. 3 has no comment to offer.
5. That, contents of para No. 3 of the application, the respondent No. 3 has no comment to offer.
6. That, contents of para No. 4, the respondent No. 3 has no comment to offer.
7. That, contents of para No. 5, the respondent No. 3 has no comment to offer.
8. That, contents of para to sub para No. 6.1. of para 6 of the application. It is submitted that,


- (i) The agreement dated 27/1/2004 signed between the applicant and the then Director, IBSD, Imphal Prof. H. Tombi Singh regarding appointment of the applicant as Scientist-C (Plant Biotechnology) on contract basis initially for 5 (five) years vide order bearing No. Admn(IBSD)/Appointment/2003-4/460, Imphal, the 29th January, 2004, clearly stated in regards to the termination of agreement under clause 4.2 which read as "any time after completion of the probation and within 5 (five) years or its extension, the contract can be terminated by giving 3 (three) calendar month's notice in writing or 3 (three) months salary in lieu of notice as termination simplicitor by either party without assigning any reason. In the event a shorter notice is given by either party, a sum equivalent to the salary of the period, notice falls short of 3 (three) months shall be payable by the concerned party to the other party".

True copy of the agreement dated 27/1/2004 and order dated 29/1/2004 are enclosed herewith and marked as Annexure-D/1 & D/2.

- (ii) The applicant tried to interpret the contents of clause 4.2 of the agreement in his own way which is very unfortunate. The applicant submitted his letter of resignation from the post of Scientist-C vide letter dated 26/4/2005 submitted to the Department of Biotechnology New-Delhi, on the subject of tendering resignation from the post of Scientist-C (Plant Biotechnology) of I.B.S.D., Imphal and also requested to be effective the resignation from 1/5/2005 thereby giving shorter notice period of only 5 days i.e. from 26th to 30th April, 2005. In his subsequent letter addressed to Department of Biotechnology (hereinafter referred to as D.B.T.), New Delhi on 16/5/2005, the applicant stated that he is ready to pay the sum equivalent to the salary for the short fall notice period i.e. 2 months and 25 days as termination simplicitor. Hence, the 3 months notice period is to be counted before the effective date of resignation (i.e. 1.5.2005 in the present case) but not after the effective date of resignation as per the contract agreement.

True copy of the letter dated 26/4/2005 and letter dated 16/5/2005 are enclosed herewith and marked as Annexure-D/3 & D/4 respectively.

- (iii) The applicant left the institute from 27/4/2005 to conduct an official networking meeting from 27th to 30th April, 2005 at Shillong, after handing over the responsibilities of Scientist-in-charge of the institute, without financial power, to one Dr. V.S.


(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

Rana, Scientist-B of the institute by the applicant's own decision and thereafter, the applicant never come back again to the institute till date leaving the institute in Turmoil vide order bearing No. 1/64-IBSD(WA)/2004/1017, Imphal, the 25th April, 2005. In regard to the above mentioned facts, the incumbent namely Dr. V.S. Rana, Scientist-B, IBSD, Imphal wrote a letter dated 2/5/2005 to the Jt. Director, Deptt. of Biotechnology, Govt. of India, New Delhi requesting for information as well as asking for help, as what's to be done, so that the smooth functioning of the institutions are not affected.

True copy of the order dated 25/4/2005 and letter dated 2/5/2005 are enclosed herewith and marked as Annexure-D/5 & D/6 respectively.

- (iv) That, in response to the applicant's resignation letter dated 26/4/2005 (at Annexure-D/3), the Department of Biotechnology, New Delhi requested the applicant to continue as Scientist-in-charge of IBSD, Imphal and the applicant would be relieved as soon as the new Director joins the institute vide letter bearing No. DO.NO. BT/012/13/NBDB/2001/Part-II, Dated 3rd May, 2005.

True copy of the letter dated 3/5/2005 is enclosed herewith and marked as Annexure-D/7.

- (v) That, the applicant by ignoring the situation at the institute and without considering the request of the D. B.T., New Delhi left the institute and never come back to the institute again thereby showing his insincerity and lack of responsibility which itself


(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

is a starve example of conduct for unbecoming of a responsible Officer/Scientist to the institute.


- (vi) That, in the process of the institute's efforts to regularize the resignation case of the applicant, the Secretary, D.B.T., Govt. of India and Chairman, IBSD, Governing Council vide letter bearing No. D.O. No. BT/012/13/NBDB/2001/Part-II dated 6th June, 2005 accepted the resignation of the applicant, subject to the proviso that the salary amount equivalent to 2 months and 25 days is to be recovered from the applicant by the institute. Further, it was also instructed that necessary orders accepting the resignation of the applicant from the I.B.S.D., Imphal should be issued only after recovery of the salary amount.

True copy of the letter dated 6/5/2005 is enclosed herewith and marked as Annexure-D/8.

- (vii) That, accordingly vide letter bearing No. IBSD/1/10/(37)/2005, Imphal the 22nd June, 2005 and 20th August, 2005 issued by the Sr. Administrative Officer, IBSD, Imphal to the applicant, the applicant was informed to pay the salary of 2 months and 25 days amounting to Rs. 59,421/- only as termination simplicitor as per clause 4.2 of the agreement signed by both parties.

True copy of the letter dated 22/6/2005 and 20/8/2005 are enclosed herewith and marked as Annexure-D/9 and D/10 respectively.

- (viii) That, the applicant, instead of paying the salary amount for 2 months and 25 days, wrote a letter dated 14/7/2005 to the


(Tongbram Mani Singh)
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Manipur.

Secretary, Deptt. of Biotechnology, Govt. of India requesting to consider the withdrawal of the resignation from the post of Scientist -C of the I.B.S.D., Imphal (Manipur).

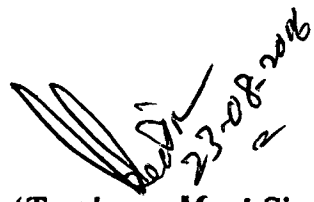
True copy of the letter dated 14/7/2005 is enclosed herewith and marked as Annexure-D/11.

(ix) That, it is further submitted that, however, the Deptt. of Biotechnology, Govt. of India vide letter bearing No. BT/012/13/NBDB/2001/Part-II, dated 12th August, 2005, refused to withdraw the applicant's resignation on the following grounds;

- I) The applicant left the institute unauthorizedly without getting an official relieving order from DBT for joining assignment abroad (violation of service rules).
- II) During the time, the applicant left the institute, the applicant was the Scientist-in-charge as well as the D.D.O. of the institute. (Irresponsible).
- III) The applicant's behavior was viewed as the most irresponsible and insincere.
- IV) The applicant left the institute even after the request from DBT, Govt. of India to continue as Scientist-in-charge of IBSD, Imphal till the regular Director join the institute (violation of orders and disobedience).

True copy of the letter dated 12/8/2005 is enclosed herewith and marked as Annexure-D/12.

(x) That, it is very important to mention that, in the request of the Director, I.B.S.D., Imphal regarding regularisation of the applicant's resignation case, the Secretary, D.B.T. Govt. of


23-08-2006

(Tongbram Mani Singh)
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Manipur.

India and Chairman, Governing Council of I.B.S.D. was pleased to waived off the 2 months 25 days salaries amounting to a sum of Rs. 59,421/- (Rupees fifty nine thousand four hundred twenty one) only of the applicant vide letter bearing No. BT/012/13/NBDB/2001/Part-II, dated, the 5th December, 2005. It is further submitted that, subsequently vide letter being No. IBSD/1/10/(37)/2005, Imphal, the 6th December, 2005 issued/written by the Senior Administrative Officer, I.B.S.D, Imphal, the resignation of the applicant from the post of Scientist-C of the I.B.S.D., Imphal was accepted.

True copies of the letter dated 5/12/2005 and 6/12/2005 are enclosed herewith and marked as Annexure-D/13 & D/14 (Colly) respectively.

9. That, contents of sub para 6.2 of the para 6 of the application, as stated, are wrong and denied. It is submitted that, "Although the applicant applied for the post of Scientist-E, the Selection Committee recommended the applicant for the scientist-C position at I.B.S.D., Imphal looking into his qualification and experience. The applicant accepted the offer of Scientist-C position with 5 advance increments of the grade pay from the IBSD, Imphal. The applicant has to apply for Scientist-E position afresh when the post of Scientist-E is advertised by IBSD, Imphal, if the applicant wants to compete for scientist-E position".

10. That, contents of sub para 6.3 of para 6 of the application, as stated, are wrong and denied. It is submitted that "On the recommendation of the Selection Committee held on 15/12/2003, the applicant was appointed as Scientist-C in I.B.S.D., Imphal as the applicant himself accepted the Scientist-C position with the negotiation of 5-advance increments in the scale of Scientist-C of IBSD, Imphal".

11. That, contents of sub-para 6.4. of the para No. 6 of the application, it is submitted that, the allegations made therein are false and baseless "The minimum requirement of scientific equipments and chemicals are always available in IBSD, Imphal, although the institute is a developing one. All the Scientific equipments and chemicals were purchased only on the requisition and recommendation of the concerned scientist. The supply of minimum scientific equipments and chemicals to the scientist is evident by the research publications produced by the scientists from the institute -without which the research publication would not be possible".

12. That, contents of sub-para 6.5 of the para No. 6 of the application, as stated are wrong and denied. In fact, the applicant was informed/made known about the measures taken up by the I.B.S.D., Imphal for the welfare of the employees by issuing Office Memorandum bearing No. 1/2/2003-IBSD(Pt)/397, Imphal, the 16th October, 2004 and by Office Memorandum bearing No. 1/2/2003-IBSD, Imphal, the 8th December, 2004.

True copies of the Office Memorandum dated 16/10/2004 and 8/12/2004 are enclosed herewith and marked as Anneuxre-D/15 & D/16 respectively.

13. That, contents of sub-para 6.6 of para No. 6 of the application, it is stated that, the allegations made therein is false, baseless, biased and selfish in nature. In fact, in order to run the institute effectively, it is the prerogative of D.B.T., Govt. of India to take up necessary arrangement available with the institute as a stop-gap arrangement, in the interest of the I.B.S.D. and any member/employee of the institute who cannot appreciate the situation may be considered as bias, un-cooperative and selfish.

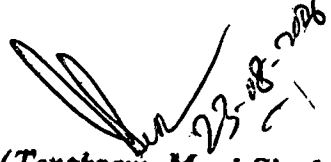
14. That, contents of sub-para 6.7 of para 6 of the application, as stated are wrong and denied. It is submitted that the institute i.e. I.B.S.D., Imphal


(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

provides and tries to provide all the facilities whatsoever permissible as per the rules and norms of the institute. The applicant served himself as the Scientist-in-charge and D.D.O of the institute. Hence, the allegations made in the above mentioned sub-para is concocted, baseless and does not have any reasonable basis.

15. That, contents of sub-para 6.8 of para 6 of the application, as stated are wrong and denied. It is submitted that the allegations made therein as contenable as the applicant did not apply through proper channel i.e. through I.B.S.D., Imphal which is mandatory, as an employee of I.B.S.D., Imphal for undergoing research course as a Senior Researcher of Biotechnology at Centre de Recherche Public-Gabrid Lepmann in Luxembourg. It is further submitted that the authorities of the institute may/are not in a position to send out any employee either on deputation or on leave at the time of stress/crucial situation, like the present one in the larger interest of the institute. Moreover, the authorities of the institute has to perform the administrative function looking into the time and situation for the welfare of the institute as a whole. Furthermore, it is submitted that the institute has its own human resource development programme as one of its objective. The Deptt. of Biotechnology, Govt. of India as well has it own foreign training programme under "DBT Biotechnology Overseas Associateship Award".

16. That, the contents of sub-para 6.9 of para 6 of the application, it is submitted that the applicant failed to understand that "leave cannot be applied as a matter of right" and also wilfully and deliberately tried to absent himself from the temporary grave situation of the institute arising due to the superannuation of the regular Director of the Institute. This shows the insincerity and lack of responsibility of the applicant to the institute. Moreover, the applicant has not followed the rules and regulations of the institute too and should understand that the institute runs by the



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accepted rules and regulations but not by the whims and fancies of the applicant. It is stated that provision made under Appendix-9 of the F.R. & S.R. Government of India and in clause B of F.R.-III mentioned in sub-para 6.9 of para 6 are not even remotely related in the present case in hand.

17. That, the contents of sub-para 6.10 of the para 6 of the application, the respondent No. 3 begs to submit that the applicant being an employee of I.B.S.D., Imphal has to abide by the rules and regulations of the institute and cannot decide himself independently whatever he desires, in regard to matter beyond his authority, without the approval of the competent authority of the institute. The applicant failed to understand that simply giving information can never be equated with approval.

18. That, the contents of sub-para 6.11 of para 6 of the application, it is submitted that the applicant tried to misinterpret the clause 4.2 of contract agreement dated 27/1/2004 (at Annexure-D/1) signed between the 2 (two) parties. The applicant submitted his resignation letter on 26/4/2005 (at Annexure-D/3) with effective date from 1/5/2005 giving notice period of only 5 (five) days i.e. from 26th to 30th April, 2005. The short fall of notice period shall be made good as termination simplicitor by the applicant with the payment of equivalent amount equal to salary for 2 (two) months and 25 days. Hence the 3(three) months notice period is to be counted prior to the effective date of resignation. The acts of the application reflects his immaturity and unsuitability of becoming a responsible member of the institute.

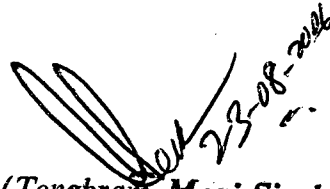
19. That, the contents of sub-para 6.12 of para 6 of the application, the respondent No. 3 denied the statements made therein, the applicant implemented the clause 4.2 of the contract agreement dated 27/1/2004 (at Annexure-D/1) unilaterally by himself. The institute has nothing to say except to abide by the terms and conditions as laid down in the clause 4.2 of the contract agreement mentioned above, signed by both parties.


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Manipur.

20. That, the contents of sub-para 6.13 of para 6 of the application, as stated, are wrong and denied. In fact, the applicant resigned from the post of Scientist-C of I.B.S.D., Imphal w.e.f. 1/5/2005 as per the contract agreement dated 27/1/2004 (at Annexure-D/1) It is further submitted that it is the duty of the institute to fill up the post of Scientist-E, as the institute cannot keep the position vacant for a long time. Hence, the post was advertised. Due to the unavailability of suitable candidate, the Selection Committee advised the institute to re-advertise the position. Furthermore, it is submitted that so far as Dr.N.C.Talukdar's undergoing foreign training under D.B.T's Biotechnology Overseas Associateship Award programme is concerned, Dr. Talukdar has completed all the necessary formalities as per rules of the I.B.S.D., Imphal.

21. That, the contents of sub-para 6.14 of para 6 of the application, the respondent No. 3 denies the statements made therein. The matter of resignation from the post of Scientist-C position of I.B.S.D., Imphal by the applicant was made effective by the applicant himself from 1/5/2005 as per clause 4.2 of the Contract Agreement dated 27/1/2004 (at Annexure-D/1) signed between the applicant and the institute. The payment of shortfall notice period salaries amounting to a sum of Rs. 59,421/- (Rupees fifty nine thousand four hundred twenty one) only was also waived off by the competent authority of the institute. The matter is now clear that the withdrawal of the applicant's resignation from the post of Scientist-C was refused as per rules of I.B.S.D., Imphal and the reasons for refusal was also intimated to the applicant vide letter dated 12/8/2005 (at Annexure-D/12).

22. That, the contents of sub-para 6.15 of para 6 of the applicant, as stated, are wrong and denied. In fact, the institution is taking up appropriate action as per rules of the institute to regularize the applicant's resignation case as explained in the afore mentioned paras.


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Oath Commissioner, (Judicial)
Manipur.

23. That, the contents of sub-para 6.16 of para 6 of the application, the respondent No. 3 denies the statements made therein and dismisses the allegations made therein as false, biasness and frivolous on the following reasons :-

- (1) The applicant himself accepted the offer to the post of Scientist-C at I.B.S.D., Imphal with 5 increments in the grade pay of Scientist-C.
- (2) Deputation is a tripartite agreement, if any one of the parties is not in a position to accept the agreement due to certain unavoidable circumstances or situations arising during the time, the agreement cannot be materialized immediately.
- (3) "Leave of cannot be applied as a matter of right" when the service of the incumbent is unavoidably required by the organisation/institution in the larger interest of the organisation/institution. Hence, the competent authority of the institute may not be in a position to grant leave on compelling grounds due to the stress situations of the institute. Under those circumstances, institute's interest is more important than the individual selfish interest.
- (4) The 3 months notice period is to be counted prior to the effective date of resignation as per clause 4.2 of the contract agreement of I.B.S.D., Imphal. Because of this fact, the provision of "termination simplicitor" was included. The applicant himself also agreed to pay an amount equivalent to 2 months and 25 days salary for the shortfall notice period as termination simplicitor.

- (5) The acceptance or denial of resignation from any post of I.B.S.D., Imphal is to be decided by the clause 4.2 of the contract agreement signed between the employee and employer of the institute. The institute is only to make the process regularised.
- (6) As the sanctioned post cannot remain vacant for a long time in this developing institute, the institute has to take necessary action for appointing those vacant positions.

24. That, the contents of para No. 7 of the application, the grounds set out therein are denied (categorically) because of the following facts:-

25. That, the contents of sub-para 7.1 of para No. 7 of the application, the respondent No. 3 submits that, although the applicant applied for the post of Scientist-E, the Selection Committee recommended the applicant for the post of Scientist-C considering his qualification and experience. The applicant himself accepted the offer to the post of Scientist-C with 5 (five) advance increments in the grade from the institute. It is further submitted that, in the advertisement for the post, it was clearly mentioned that "these posts can also be filled in the lower grade at the discretion of the institute in case suitable candidates with requisite qualifications and experience are not forthcoming".

26. That, the contents of sub-para 7.2 of para No. 7 of the application, the respondent No. 3 submits that the denial of granting deputation to the applicant for taking up foreign assignment is circumstantial and as per rules of the institute. The interest of the institute should be and has to be considered more important than the personal interest for the survival and growth of the institute. In this regard, reference may be made to D.O. No. BT/012/13NBDB/Part-II dated 3/5/2005 (at Annexure-D/7) from the Deptt.


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Oath Commissioner, (Judicial)
Manipur.

of Biotechnology, Govt. of India, requesting the applicant to continue as the Scientist-in-charge of the institute.

27. That, the contents of sub-para 7.3 of para No. 7 of the application, the respondent No. 3 begs to submit that, while pending appointment of regular Director of the institute, the applicant was the Scientist-in-charge and D.D.O. of the institute. The applicant had been informed that he could be relieved as soon as the new Director joins the institute. In such a fluid and uncertain situations of the institute, the leave application as a matter of right by the Scientist-in-charge of the institute is unfortunate and uncalled for. The interest of the institute should be considered more important and should be placed above personal interest.

28. That, the contents of sub-para 7.4 of para No. 6 of the application, the respondent No. 3 states that, the applicant may break the contract agreement signed between the applicant and the institute and may also resign from the post of Scientist-C under clause 4.2 of the agreement (at Annexure-D/1). The anxiety of the applicant for foreign assignment during the difficult times of the institute is not understandable and beyond the comprehension of the authorities of the institute. D.B.T, Govt. of India has also human resource development programme to foreign countries under "DBT Biotechnology Overseas Associateship Award" programme.

29. That, the contents of sub-para 7.5 of Para No. 7 of the application, the respondent No. 3 states that, as per the clause 4.2 of the contract agreement dated 27/1/2004 (at Annexure-D/1), the resignation of the applicant was effected from 1/5/2005. The official processes later on are only to regularise the resignation as per the agreement. The position of Scientist-E, who should also be the Head of Plant Resources Division, cannot be kept vacant for a long time. It becomes imperative to advertise

the position for filling up of the post of Scientist-E in the institute, hence the position was advertised. The applicant may also apply for the position.

30. That, the contents of sub-para 7.6 of para No. 7 of the application, the respondent No. 3 submits that, as per the clause 4.2 of the contract agreement dated 27/1/2004 (at Annexure-D/1), 3 (three) months notice period is to be counted as the period between the date of submission of letter of resignation dated 26/4/2005 (at Annexure-D/3) and the effective date of resignation sought for. However in the present case, the applicant gave only 5 (five) days notice period and was ready to pay the 2 (two) months and 25 (twenty five) days salary amount as the termination simplicitor to the institute as per clause 4.2 of the agreement (at Annexure-D/1). Hence the matter of resignation was effected unilaterally from 1/5/2005 which is valid as per the terms and conditions of the agreement. It is further submitted that the later official processes are only to regularise the resignation issue of the applicant at the institutional level with the Department of Biotechnology, New Delhi.

31. That, the contents of sub-para 7.7. of the para no.7 of the application, the respondent No. 3 submits that, the matter of appointment and termination from service in regard to the I.B.S.D., it has to abide by the terms and conditions as laid down in the contract agreement signed between the employer and employee and the bye-laws for Administration and management of the National Institute of Immunology, New-Delhi, which the I.B.S.D., Imphal adopted till the framing of its own bye-laws. It is further submitted that, the applicant's resignation was effective from 1/5/2005 and unilaterally implemented by the applicant himself and as such the same is valid as per the agreement dated 27/1/2004 (at Annexure-D/1) signed between the 2 (two) parties.


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Para 8. Details of the remedies exhausted.

32. That, the contents of sub-para 8.1 of para No. 8 of the application, the respondent No. 3 submits that, the applicant applied for the post of Scientist-E (Biotechnology) but the Selection Committee recommended him for the post of Scientist-C as per his qualification and experience with 5 (five) increments in the grade pay of Scientist-C. The applicant himself accepted the offer for the post of Scientist-C (Plant-Biotechnology) at I.B.S.D., Imphal. Accordingly, applicant was appointed as Scientist-C at I.B.S.D., Imphal under the terms and conditions as laid down in the "Agreement" dated 27/1/2004 (at Annexure-D/1) signed by both parties. Hence, there is nothing wrong in the appointment of the applicant as Scientist-C against the post of Scientist-E of I.B.S.D., Imphal. It is further submitted that, regarding supply of required equipments and chemicals, although the institute is a developing one, the minimum required equipments and chemicals are purchased and made available as per requisition of the individual scientist. If no equipment and chemical is made available to the applicant, then the question arises, as to how the applicant claim so much research publications and scientific reports from the institute i.e. the I.B.S.D., Imphal.


33. That, the contents of sub-para 8.2. of the para No. 8 of the application, the Respondents No. 3 denies the allegation made therein and further submit that :-

- (1) The institute has its own human resource development programme as one of its objectives which is under active operation since the establishment of the institute.
- (2) DBT, Govt. of India has also human resource development programme of its own particularly to foreign countries under


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Manipur.

"DBT Biotechnology Overseas Associateship Award" programme.

- (3) Because of the unavoidable circumstances arising due to the superannuation of the Director, IBSD, Imphal and also the applicant himself being the Scientist-in-charge and D.D.O. of the Institute, DBT asked the applicant to continue in the same position for some time. The applicant ignore the DBT's request and left the institute w.e.f. 1/5/2005 to achieve his personal gain only. The institute was left behind without Scientist-in-charge and D.D.O.
- (4) Without having any consideration about the fluid situation of the institute, the applicant requested for extra-ordinary leave as a matter of right for achieving his selfish end. The competent authority of the institute failed to grant his extra-ordinary leave under the prevailing fluid situation of the institute.
- (5) Thereafter, taking the advantage of Clause 4.2 of the Contract Agreement signed between the applicant and institute, the applicant submitted his letter of resignation from the post of Scientist-C on 26/04/2005 to DBT, New Delhi with effective date from 01/05/2005 thereby giving notice period of only 5 days. The applicant also stated that he will pay equivalent amount of salary for 2 months and 25 days for the shortfall notice period as termination simplicitor. Hence, the applicants resignation was effected from 01/05/2005 as per terms and conditions of the Contract Agreement signed between the two parties. Whatever official processes continued was only to regularise the applicant's resignation with the institute and DBT as per Clause 4.2 of the Contract Agreement.


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Manipur.

(6) As per the PMO's instruction to take appropriate action, the institute regularised the resignation case of the applicant at an early date by waiving off the amount equivalent to the salary of 2 months and 25 days amounting to a sum of Rs. 59,421/- only for the shortfall notice period as termination simplicitor which the applicant failed to repay to the institute.


34. That, the contents of sub-para 8.3 of the para No. 8 of the application, the respondent No. 3 begs to submit that, whatever remedial measures as claimed by the applicant in the application are unreasonable, baseless and not tenable as per the rules and regulations of the I.B.S.D., Imphal.

35. That, the contents of para 9 of the application are denied for want of knowledge.

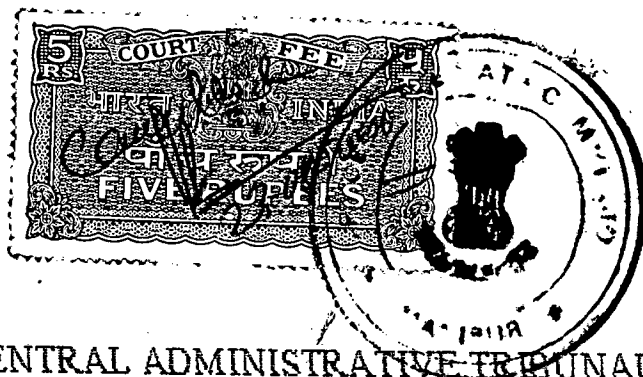
36. The Annexures are the true copies of their original documents.

In the premises stated above the relief sought for in the application are unreasonable, baseless and not tenable in the eyes of law, therefore, the answering respondents prays that, the application be dismissed with costs, as the application is fraught with baselessness, frivolousity and unreasonableness for the ends of justice.

Signature of the Deponent;


23/8/2016
(Prof. M. Rohinikumar Singh)


(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BRANCH.

O. A. NO. 166 OF 2006.

Dr. Patan Shack Sha Valli Khan.

... Applicant.

- Versus -

The Union of India & Ors.

... Respondents.


AFFIDAVIT

I, Shri Dr. M. Rohinikumar Singh, the Director, Institute of Bio-Resources and Sustainable Development, Takyelpat, Institutional Area, Imphal, Manipur, do hereby solemnly affirms as stated as follows :-

1. That, I am the Director, Institute of Bioresources and Sustainable Development, Takyelpat, Imphal and am fully conversant with the fact and circumstances of the case and I am competent to swear this affidavit in support of the written statement, which are based on the records of the Department of Biotechnology, Govt. of India and the Institute of Bioresources and Sustainable Development, Takyelpat, Imphal. This is true to the best of my knowledge.
2. That, the statements made in the foregoing para 1 to 36 are based on the records of the Department of Biotechnology, Govt. of India, New Delhi and Institute of Bioresources and Sustainable Development, Takyelpat, Imphal and those of paras No.1 to 36 are believe to be true on the legal advice received. This is true to the best of my knowledge.


Verified at Imphal on 23rd August, 2006 that the contents of my affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefrom.

Signature of the Deponent,


23/8/2006
(Dr. M. Rohinikumar Singh)


23-08-2006
(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

Identified by


OATH COMMISSIONER
GUWAHATI BRANCH

VERIFICATION

I, Shri Dr. M. Rohinikumar Singh, the Director, Institute of Bioresources and Sustainable Development, Takyelpat, Institutional Area, Imphal, Manipur, is duly authorised and competent to sign this Verification, do hereby solemnly affirm and declare that the statement made in para No. 1 to 36 are true to the best of my knowledge and belief, and these made in para No. 1 to 36 being matter of records, are true to my information derived from and the rest are my humble submission before the Hon'ble Tribunal, I have not suppressed any material facts.

That, I sign this verification today the 23rd August, 2006 at Imphal.

Declarant,

Dated/Imphal,

The 23rd August, 2006.

By: *M. Rohinikumar Singh*

Advocate.

(Prof. M. Rohinikumar Singh)
23/8/2006

Solemnly affirm before me on 23-8-06
at 9 A.M. at the Court premises
by the Deponent who is identified
by A. Dejen Singh, Advocate.
The Deponent seems to understand
the contents fully well on their
being read over and explained to him.

(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.
23-8-2006

INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area
Imphal-795001-Manipur (INDIA)

☎ : 0385-2446121 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

AGREEMENT

Articles of Agreement made on the 27th Jan.....(day) of January..... month
two thousand four between Dr. P. C. A. N. S. H. A. K. S. B. A. L. L. K. U. A. D. W. O. S. I. O.
P. A. Z. A. N. G. H. C. U. E. K. H. A. N...... OF THE ONE PART.

AND

The Institute of Bioresources and Sustainable Development (called IBSD) having its registered office
at Takyelpat, Imphal, Manipur, OF THE OTHER PART.

WHEREAS IBSD has engaged the party of the first part and the party of the first part has agreed to
serve IBSD as Scientist-.....C.....(Core) on the terms and conditions hereinafter contained.


NOW THESE PRESENTS witness and the parties here to respectively agree as follows:

1. Period of Employment:

- 1.1. IBSD hereby appoints the party of the first part as Staff Scientist-.....C.....(Core) for a term
of five years from 27.1.2004..... to 26.1.2009.....
- 1.2. The party of the first part will be on probation during the first year of the period of five years
service. The party of the second part can extend or curtail the period of probation at its
discretion.
- 1.3. The services of the party of the first part can be continued on regular basis on completion of the
term of five years, if found suitable after review to be carried out by the party of the second
part. Such review will normally be completed before expiry of the five years period. If due to
some administrative reasons or otherwise the party of the second part is unable to decide about
offering regular service after completion of five years, the term of five years may be extended
for such terms as may be mutually agreed between the parties.

2. Duties/Job Profile

- 2.1 The party of the first part shall submit herself/himself to the orders of the IBSD under whom
she/he may from time to time be placed by IBSD and shall hold the said appointment for the
term upto two years..... from the date of joining i.e. 27.1.2004..... subject to the provisions
as herein contained.
- 2.2 The party of the first part shall devote her/his whole time to her/his duties assigned by the Director,
IBSD and shall at all times obey the rules and Bye-laws of the Society of IBSD prescribed from

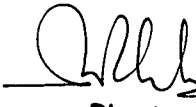

Director
Institute of Bioresources &
Sustainable Development, Imphal


(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

Time to time and shall whenever required, proceed to any part of India or a place outside India and perform such duties there, as may be assigned to her/him.

3. Remuneration

- 3.1 The party of the first part shall be granted pay at the rate of Rs...11,625/- per month (Rupees...Eleven thousand six hundred and twenty five only) in the scale of pay of Rs...11,625/-...with effect from ...2.7.11/2.11.2011...for holding the post of Scientist- C (Core).
- 3.2 In addition, the party of the first part shall be eligible to receive allowances such as Dearness Allowance, City Compensatory Allowance, Transport Allowance & House Rent Allowance (if no accommodation is allotted by the party of the second part) etc. in force from time to time as per Rules and Bye-laws of IBSD.
- 3.3 The pay and allowances from time to time payable to party of the first part under these presents shall be paid for such time as she/he shall serve under this Agreement and actually perform her/his duties, commencing from the aforesaid date and ceasing on the date of her/his quitting service or on the date of her/his discharge therefrom or on the day of her/his death if she/he shall die while in service.
- 3.4 Notwithstanding anything herein before contained, the party of the first part shall unless otherwise decided by IBSD be entitled to receive in whole or in part, as may be authorized by IBSD the benefits of any improvements/changes that may be adopted by IBSD for its employees subsequent to the date of these presents in the terms and conditions of service to which she/he may belong for the time being and the decision of IBSD in respect of such improvement /changes in the terms and conditions of service of the party of the first part shall operate so as to modify to that extent the provisions of these presents.
- ### 4. Termination
- 4.1 During the probation period, extended or otherwise, the contracts can be terminated by giving one calendar month's notice in writing or one month's salary in lieu of notice as termination simplicitor by either party without assigning any reason. In the event a shorter notice is given by either party, a sum equivalent to the salary of the period, notice period falls short of one month, shall be payable by the concerned party to the other party.
- 4.2 Any time after completion of the probation and within five years or its extensions the contract can be terminated by giving three calendar month's notice in writing or three months salary in lieu of notice as termination simplicitor by either party without assigning any reason. In the event a shorter notice is given by either party, a sum equivalent to the salary of the period, notice falls short of three months, shall be payable by the concerned party to the other party.


 Director
 Institute of Bioresources &
 Sustainable Development, Imphal


 (Tongbram Mani Singh)
 Oath Commissioner, (Judicial)
 Manipur.

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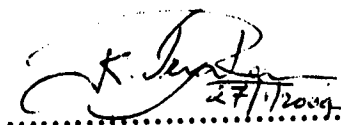
Other terms and Conditions.

5.1 Save as otherwise provided in this Agreement, all other terms and conditions of the services will be governed by the provisions of the Rules and Bye laws of IBSD and terms and conditions as set out in Schedule-I to this agreement and as amended from time to time.

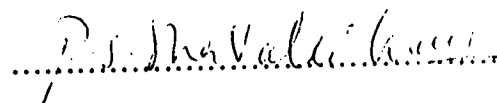
5.2 If any service has been rendered by the party of the first part, in any capacity, to IBSD prior to this agreement, the same will not be considered as a continuation or part of the employment under this agreement. The employment commencing from the date hereinbefore mentioned will be treated as a fresh contract of employment between the Employee and the IBSD.

IN WITNESS WHEREOF THE PARTY of the first part and the Director, IBSD on behalf of IBSD have hereunto set their hands the day and the year first above written.

Signed by Dr. PATAN S. H. A. I. S. S. H. A. V. A. L. L. I. K. H. A. N. Scientist- C the party of the first part
in presence of ... T. E. Y. A. R. A. M. K. ... Scientist. B. (Men) IBSD.

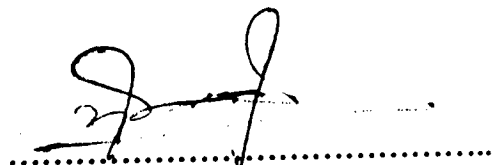


(Signature of witness)

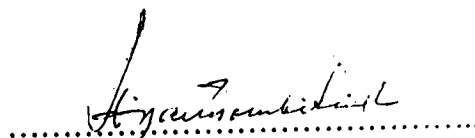


(Dr. PATAN S. H. A. I. S. S. H. A. V. A. L. L. I. K. H. A. N. Scientist- C)

Signed by Prof. H. Tombi Singh, Director, IBSD, on behalf of IBSD in the presence
of ... H. S. D. I. P. S. I. N. G. S. R. A. O. ...




(Signature of witness)



(Prof. H. Tombi Singh)

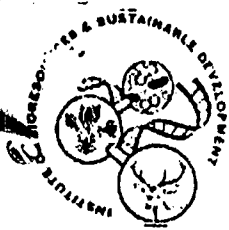
Director,
IBSD, Imphal



Director
Institute of Bioresources &
Sustainable Development, Imphal



(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area
Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

ORDERS

Imphal, the 29th January, 2004

No. Admn(IBSD)/Appoinment/2003-04/460 On the recommendation of the selection Committee held on 15/12/03, **Dr. Patan Shaik Sha Vali Khan** S/O Late Patan Ghouse Khan is appointed as Scientist-C in the Institute of Bioresources and Sustainable Development, Imphal in the scale of pay Rs. 10,000-325-15,200 with an initial basic pay of Rs. 11,625/- (including 5 advance increments) with admissible allowances under rules on contract basis for five years initially as per Contract Agreement with effect from the date of his joining the Institute.

He will be on probation for one year.

The expenditure is debitable to the Sub-head "Manpower" of IBSD.

sd/-

(Prof. H. Tombi Singh)
Director/IBSD, Imphal

Memo No. Admn(IBSD)/Appoinment/2003-04/460(3)

Imphal, the 29th January, 2004

Copy to:

1. P.S. to the Secretary, DBT, Govt. of India.
2. Accounts Section.
3. Concern Division.
4. Person Concerned.
5. Cashier cum PA to Director/IBSD.
6. Guard File.

[Signature]

(Kh. Dilip Singh)
Sr. Administrative Officer
IBSD, Imphal

[Signature]
Director
Institute of Bioresources &
Sustainable Development, Imphal

[Signature]
23-08-2006
(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

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ANNEXURE - 0/3

Annexure - II

103

Receipt No. 1613
 Date 26/4/05
 Institute of Bioresources
 and Sustainable Development
 Imphal, Imphal-795001

Imphal, 26th April, 2005

To,
 Dr. M.K. Bhan
 The Secretary
 Department of Biotechnology, Govt. of India,
 Ministry of Science and Technology,
 Block, 2 (7th Floor), C.G.O. Complex,
 Lodhi Road, New Delhi- 110 003

Dr (i/c) Ale

Sub: Tendering resignation from the post of Scientist-C (Plant Biotechnology) at IBSD-Reg.
Ref: DBT letter D.O. No. BT/012/13/NBDB/2001 dated 26/04/2005

Respected Sir,

Most respectfully and humbly I am to inform you that I am tendering my resignation with a great pain from the post of Scientist-C (Plant Biotechnology) at Medicinal Plants and Horticultural Resources Division, Institute of Bioresources and Sustainable Development, Imphal-795 001, Manipur under following circumstances/facts with immediate effect from 1st May, 2005:

I. Restoration of Scientist-E Post and Grade:

It is for your kind information once again that, IBSD called me for an interview for the post Scientist-E with a pay scale of Rs. 14,300-18,300 after submission of my application in response to its first advertisement (*IBSD Interview letter 1 dated 27/May/2003*). Prior taking up this assignment I was working as a Fellow in a basic scale of Rs. 13640 plus other allowances in The Energy Research Institute (TERI), New Delhi and proceeded on study leave to work in the field of Molecular Biology as a Senior Research Fellow in National Science Council research project under the supervision of Prof. Ching-san Chen, Institute of Botany, Academia Sinica, Taiwan. I have attended the interview at IBSD, Imphal terminating a fellowship worth of NTD 70,000 (equivalent to Rs. 80,000 per month) half-way in Taiwan with sincere and deep feeling to serve the nation and North-east region. Unfortunately, during interview, the selection committee was unexpectedly offered me verbally lower (Scientist-D) to lower grade of Scientist-C. I humbly rejected their verbal offer and stayed without job for few months at my residence facing many financial problems to support my family.

IBSD called me once again for an interview of the Scientist-E post with a pay scale of Rs. 14,300-18,300 after submission of my application in response to the second advertisement (*IBSD Interview letter 2 dated 24/11/2003*). During the interview, the same selection committee put verbally the shortage of two years research experience against the total of 10 years experience after Ph.D required for the Scientist-E position. I humbly submitted to the committee to consider the required 11 years experience after M.Sc instead of Ph.D in case

1



Director
 Institute of Bioresources &
 Sustainable Development, Imphal



(Tongbram Mani Singh)
 Oath Commissioner, (Judicial)
 Manipur.

they are particular regarding research experience for technical reasons. The same details were given in my application also. The selection committee offered me once again lower to lower grade i.e. Scientist-C (Rs. 10,000-15,200) with five advance increments in the basic pay of Rs. 11625/- against the approved position of Scientist-E [IBSD Advertisement no: 2/50/2003-IBSD, Employment News 18-24 October, 2003 clause no. No.14]. The selection committee with a verbal promise suggested me to join in lower to lower grade of Scientist-C for the time being in a view that they do not have approval for lower grade i.e. Scientist-D post. They verbally assured me that the Scientist-E position will be restored after one year based on the research work progress. I sincerely submit once gain to your kind notice that the appointment should be in a lower grade i.e. Scientist-D, not to be in lower to lower grade Scientist-C, as per IBSD Advertisement no: 2/50/2003-IBSD, Employment News 18-24 October, 2003 clause no. No.14.


At the time of interview, I strongly perceived that the selection committee was trying to enforce their view without relevant clause and superceding the view of screening committee. They and would like to give me appointment in a lower to lower grade without any basis in the place like Manipur, where people deeply feared to do government service from outside. In addition to that as I have terminated my Post Doctoral Fellowship in Taiwan half of the way to attend the interview and I do not have any financial mean to support my family, I have accepted their offer of job in lower to lower grade on compulsion. At the same time I have considered their verbal promise that I will be restored to Scientist-E after one year of service in IBSD. Otherwise I have to render 8 years of service to be promoted as a Scientist-E as per the promotion policy of IBSD.

I humbly submitted this matter to the former Director number of times (IBSD Receipt no.1632 dated 08/06/2004, 1655 28/06/2004, 1802 dated 29/10/2004, 1813 dated 09/11/2004, 1814 dated 09/11/2004). I also submitted this matter to you also verbally in a meeting during the networking meeting held in Delhi 17-18th December, 2004 and also forwarded in writing as per your suggestion (IBSD receipt 1401 dated 07/01/2005, 1563 dated 11/03/2005 to kindly restore me to the approved position of Scientist-E with a pay scale of Rs. 14,300-18,300. I am extremely sorry to inform you that so far I have not received any positive response in this matter from your esteemed office.

I. Special (Duty) Allowance:

Central Government Employees who have All India Transfer liability on positing form outside the region to any station in the North-Eastern Region comprising the States of Assam, Meghalaya, Manipur, Nagaland, Tripura, Arunachal Pradesh, Sikkim and Mizoram are admissible to a special compensatory allowance i.e. Special (Duty) Allowance at the rate of 12.5% of the basic pay plus SI plus NPA as per Central Government Fundamental Rules and Supplemental Rules [Swamy's -FR & SR, Part-I, Swamy's Handbook- 2004 Page No. 80 & 285]. IBSD appointed me from outside the North-Eastern Region with all India transfer liability [IBSD Advertisement no: 2/50/2003-IBSD, Employment News 18-24 October, 2003 clause no. No.12, IBSD agreement Part No. 2 (the Duties and Job profile) clause no. 2.2]. IBSD, Imphal is also implementing pay and other usual allowances as admissible to the Central Government Employees under relevant rules and provisions laid down in the


(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.


Director
Institute of Bioresources &
Sustainable Development, Imphal

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Fundamental Rules and Supplemental Rules and Government of India's order/instructions made from time to time [IBSD memorandum no.1/2/2003-IBSD (Pt)/897 dated 16/10/2004].

I humbly submit this matter to the former Director number of times (IBSD Receipt no.1632 dated 04/16/2004, 1655 28/06/2004, 1802 dated 29/10/2004, 1813 dated 09/11/2004, 1814 dated 09/11/2004). I also submitted this matter to you also verbally in a meeting during the networking meeting held in Delhi 17-18th December, 2004 and also forwarded in writing as per your suggestion (IBSD receipt 1401 dated 07/01/2005, 1563 dated 11/03/2005 to kindly entitle me with Special (Duty) Allowance (SDA) as admissible to all Central Government employees from the joining date in the IBSD, Imphal. I am extremely sorry to inform you that so far I have not received any positive response in this matter from your esteemed office.

III. Work Environment:

It is for your kind information that I requested to the previous Director number of times for establishing plant biotechnology lab facility and providing essential chemical, equipment, lab staffs and lab assistance to perform my responsibilities. Unfortunately, he always worked for his self interest and remained silent without positive response until his superannuation from the service. (IBSD Receipt no. 1590 dated 22/04/2004, 1686 dated 24/07/2004, 1704 dated 30/07/2007, 1802 dated 29/10/2004 & 1813 dated 09/11/2004, 1351 dated 03/12/2004). As a matter fact, I have done documentation work and involved to work in the field of Plant tissue culture which is not under the direct sphere of my duties for more than one year at IBSD in the active phase of my professional career.

I am extremely sorry to inform you that we have not been provided here proper work environment and basic facilities like uninterrupted water and power supply for research activities. It is pained to note that our repeated requests not reached to your kind notice.


IV. Request for relieving form current duties of Scientist in Charge IBSD

Kindly refer a letter from DBT, New Delhi (D.O. BT/012/NBDB/2001/Part-II dated 28/02/2005) to me regarding the takeover of charges of the duties from previous Director Prof. H. Tombi Singh on 28th Feb, 2005. As per the DBT instruction, I am continuing in these additional responsibilities since 1st March, 2005. DBT, New Delhi instructed me verbally to be as a care taker of the institute to run routine business and not to take major financial decisions. I do agree with them completely and hesitated to pay huge pending bills regarding the purchase of chemicals, equipment, and civil construction work approved by our previous Director with a view to avoid audit problems with Central Government in future.

A lot of pressure is also exerted on me from chemical suppliers for clearing their pending payments regarding supplies without inspecting the files. I also received anonymous telephone calls in the name of Underground armed groups by imposters for the extortion money with a threat of abduction. You are well aware that Manipur is a land of agitation and unpredictably highly insecure place in NE region itself. In addition, I would like to inform

23-08-2006

(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.


Director
Institute of Biotechnology &
Sustainable Development, Imphal

you that I never requested, desired or proposed or worked as in charge of the institute during the regime of the previous Director also.

Keeping this view it will be highly difficult for me to continue further as a Scientist in charge and in the capacity of Drawing and Disbursing Officer of the institute for a long time. Most respectfully I have already requested you to kindly relieve me from the charges of duties of Scientist-In-Charge of IBSD, Imphal immediately with effect from 1ST May, 2005.

It is for your kind information that I have already enclosed necessary documents (1. Statement of Handover Charges & 2. Letter for State Bank Of India, Secretariat Branch, Imphal for financial powers) regarding the handover of the charges of duties of Scientist-In charge of IBSD for your perusal (IBSD/Dir (i/c)/2005/05/993 dated 11/04/2005). I sincerely pray you to kindly instruct to the IBSD office, Imphal in this matter for further processing.

V. Foreign Deputation/Extra Ordinary Leave without payment


Kindly refer my letter regarding the foreign Deputation without payment (IBSD/Dir (i/c)/2005/02 dated 15/03/2005) and another request for Extra-Ordinary Leave' (IBSD/Dir (i/c)/2005/02 dated 15/03/2005) without payment for nine months with effect from 1st May, 2005 to take the research work in the advanced field of 'proteomics' subject as a Senior Researcher (Plant Biotechnology) at CRP-GL, Luxembourg. The proposed work in the foreign lab is highly advanced area involving 2-D electrophoresis, Microarrays and Yeast Hybrid systems. The work is having a close connection with the sphere of my present duties at IBSD as a Scientist (Plant Biotechnology). The proposed study is highly helpful to strengthen me professionally and this budding institute to take such advanced research programs in the area of proteomics in the near future. In addition, Manipur is a very remote and inaccessible area to get such rare opportunities in the future for the career improvement.

As per my knowledge concern, Department of Biotechnology, always promoted researchers in the country by sponsoring Overseas Fellowship for training. Unfortunately even though, I was offered a prestigious position of Senior Researcher by CRP-GL, Luxembourg. DBT regret to grant me either Foreign Deputation or Extra Ordinary Leave without payment in a compulsion that I am a Scientist in charge of IBSD at present and it is not an opportune time for me (D.O. No. BT/012/13/NBDB/2001/Part-II dated 08/04/2005 & D.O. No. BT/012/13/NBDB/2001/Part-II dated 26/04/2005).

As per DBT instructions, I have forwarded appointment letter to Dr. N.C. Talukdhara, for the position of Scientist-E at IBSD. He is supposed to join at IBSD by May 13th, 2005 as per the appointment letter. DBT would have arranged and suggested him to take the charges of Scientist in charge and granted me EOL without payment so that I would have proceeded for higher training in foreign lab and joined immediately duty afterwards.

This is once again for your kind information in continuation to my previous correspondence that, DBT granted me neither Foreign Deputation nor Extra Ordinary Leave without payment. As a lost option and with a great pain, I tender my resignation from Scientist-C (Plant Biotechnology) at Medicinal Plants and Horticultural Resources Division, Institute of


(Tongbrah Mani Singh)
Oath Commissioner, (Judicial)
Manipur.


Director
Institute of Bioresources &
Sustainable Development, Imphal

Bioresources and Sustainable Development, Imphal-795 001, Manipur with immediate effect i.e. from 1st May, 2005. I shall be highly thankful, if you could kindly relieve me from the duties immediately from the requested date so that I can take the foreign assignment to financially support to my family and also to develop my professional career.

It is for your kind information that I have completed satisfactorily period of probation in the service and no case of vigilance/inquiry/investigation is pending/ progress against me in the institute as per records. I am herewith enclosing 'no dues certificate' from IBSD also for your perusal.

My sincere thanks to you, Dr. S. Natesh, Advisor, DBT and Dr. Md. Aslam, Joint Director, DBT for giving me an opportunity as a family member of DBT's institute in my professional career for some time.

Thanking you, sir.

Your's sincerely

P. S. V. Khan

(P.S.S. V. Khan) 26/04/2005

Scientist-C (Plant Biotechnology)

Institute of Bioresources and Sustainable Development
Imphal

Copy for information to:

1. Director/Scientist-in Charge

2. PSSV Khan personal file

Enclosures:

1. No dues certificate

(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

(Signature)
Director
Institute of Bioresources &
Sustainable Development, Imphal

Annexure - D

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Kadapa, 16th May, 2005

To,
Dr. M.K. Bhan
The Secretary
Department of Biotechnology, Govt. Of India
Ministry of Science and Technology
Block, 2 (7th Floor), C.G.O. Complex
Lodhi Road, New Delhi- 110 003

Sub: Tendering Resignation from the post of Scientist-C (Plant Biotechnology) at IBSD-Reg

Ref: 1. IBSD receipt no. 1613 dated 26/04/2005-
2. DBT letter D.O. No. BT/012/13/NBDB/2001 Dated 26/04/2005

Respected Sir,

Most respectfully and humbly request you to kindly refer my previous correspondence to your esteemed office (Ref no. 1 & 2) regarding resignation from the post of Scientist-C (Plant Biotechnology) at Medicinal Plants and Horticultural Resources Division, Institute of Bioresources and Sustainable Development, Imphal,- 795 001, Manipur. I humbly inform you that so far I have not received any information from your office regarding the status of my resignation. I presume that I may be relieved from the post of Scientist-C (Plant Biotechnology) with immediate effect from 1st may, 2005 and proceeding to take foreign assignment to support my professional career and family.

It is also once again for your kind information that I have satisfactorily completed period of probation in the service and no case of vigilance/inquiry/investigation is pending against me in the institute as per records. I also enclosed 'No dues certificate' from IBSD for your kind perusal. As you well aware the clause 4.2 of the agreement between IBSD and me states that 'any time after completion of the probation and within five years of its extension the contract can be terminated by giving three calendar month's notice in writing or three months salary in lieu of notice as termination simplicitor by either party without assigning any reason. In the event a shorter notice is given by either party, a sum equivalent to the salary of the period, notice falls short of three months, shall be payable by the concerned party to the other party'. As per the above clause I am ready to pay the amount after adjusting my balance Earned leave and half-pay leave from the service at IBSD in case if you kindly decide to accept my resignation and relieve me from the service.

At present my contact address in India is DR. P.S.S.V. Khan, C/O, D. Sabjan, 6/397, G.C. street, Kadapa-516 001, A.P. India. pssvkhan@yahoo.com.

Thanking you, sir,

Yours sincerely,

P.S. The Valley Way
(P.S.S.V. Khan)

Copy for information to: Director, IBSD, Imphal-795 001.

Immediate.

Q. B. Khan
27/5/2005

Q. B. Khan
27/5/2005

Q. B. Khan
Director
Institute of Bioresources &
Sustainable Development, Imphal

Q. B. Khan
27/5/2005
(Tongbram Mani Singh)
Jath Commissioner, (Judicial)
Manipur.

Annexure - 2

61/

INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area, Imphal

ORDERS No.3

Imphal, the 25th April, 2005

The Scientist-In-Charge, IBSD, Imphal will be going to outstation from 27th to 30th April, 2005 on official duty to conduct networking programme in Shillong. During these periods, Dr. V.S. Rana will be as Scientist-In-Charge without financial powers.

P.S. Novalekay
(P.S.S.V. Khan)

Scientist-In-Charge, IBSD, Imphal

Memo No. 1/64-IBSD(WA)/2004/1017

Dated 25-4-2005

- Copt to:
1. Dr. V.S. Rana
 2. All Divisional-In-Charge, IBSD
 3. Accounts Section
 4. Commander, Security Guard.
 5. Notice Board
 6. Guard File

[Signature]
Director
Institute of Bioresources &
Sustainable Development, Imphal

[Signature]
(Tengbra n Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

68-

To

Dr. Mohd. Aslam
Joint Director
Department of Biotechnology
Govt. of India
New Delhi

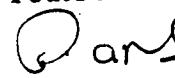
Sir,

I would like to inform you that as per our office orders no. 3, dated April 25, 2005 I have given Scientist-In-Charge, Institute of Bioresources and Sustainable Development, Imphal with out financial power from April 27 to 30, 2005 by Dr. PSSV Khan who was the Scientist-In-Charge before April 27, 2005. He himself informed me that he has submitted the resignation to DBT, New Delhi but he has not given any official information in written to this office till 11.00am dated 02.05.2005. Also, he has not informed me regarding whether he will be joining today or not. As per information I am having he has gone to his home (Hyderabad). I am not having any fund in my hand for the official and research purposes since he left the institute on date 27.04.2005. I am also sending the orders no 3, dated April 25, 2005 given to me for your kind information. I am managing the situation arises due to the same but kindly help me so that I can smoothly run the institute. Kindly send the fax at 0385-2446121 (if any).


This is for your kind information and necessary action please.

Thanking you

Yours faith fully


(Dr. V.S. Rana)
Scientist-B
IBSD, Imphal

02/05/2005


Director
Institute of Bioresources &
Sustainable Development, Imphal


(Tongbrah Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

27-08-2006



आमुख - VI

शिक्षा अभियान

एक पढ़ें सब बढ़ें

Annexure (VI)

भारत सरकार Most Urgent

विज्ञान और प्रौद्योगिकी मंत्रालय 69-

बायोटेक्नोलॉजी विभाग

ब्लॉक-2.7 वां तल, सी० जी० ओ० कम्पलेक्स

लोदी रोड, नई दिल्ली-110003

GOVERNMENT OF INDIA

MINISTRY OF SCIENCE & TECHNOLOGY

DEPARTMENT OF BIOTECHNOLOGY

Block-2, 7th Floor C.G.O. Complex

Lodi Road, New Delhi-110003

Dr. Mohd. Aslam

Scientist-E

Phone: 24363057

E-mail: aslam@dbt.nic.in

D.O.No.BT//012/13/NBDB/2001/Part-II

Dated: 3rd May, 2005

Dear Dr. Khan,

Kindly refer to you communication No.nil dated 26th April, 2005 tendering resignation from the post of Scientist-C (Plant Biotechnology) at IBSD, Imphal alongwith a request to relieve from the duties immediately to take up foreign assignment.

2. In view of the present circumstances, you are requested to continue as Scientist-in-charge of the IBSD till the regular Director joins the institute. It will not be possible to relieve you as of now from the present duties. You could be relieved as soon as the new Director joins the institute.

With kind regards,

Yours sincerely,

Mohd. Aslam
(Mohd. Aslam)

Dr. Patan Shaik Shavalli Khan,
Scientist-in-Charge,
Instt. of Bioresources and
Sustainable Development (IBSD),
Takyelpat, Imphal - 795001, Manipur

Pl put up
7/5

S.D.

22-08-2006

(Tongbram Mani Singh)
Oath Commissioner, (Judicial)

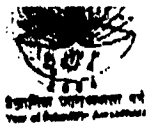
Manipur.

तार / Telegram : 'BIOTECH' दूरभाष / Telephone : 24363012, 24360899 फैक्स / Fax : 011-24362884

Director
Institute of Bioresources &
Sustainable Development, Imphal

Annexure - VII
CAY

MOST IMMEDIATE



Dr. Mohd. Aslam
Scientist - E
Phone: 24363057
E-mail: aslam@dbt.nic.in

D.O.No.BT/012/13/NBDB/2001/Part-II

Dated: 6th June, 2005

Dear Prof. Singh,

Kindly refer to your letter No. 1/16-IBSD (Dr. Khan)/2004 dated 25th May, 2005 regarding the resignation of Dr. P. S. S. V. Khan, Scientist -C from IBSD, Imphal.

2. I am directed to convey the approval of Secretary, DBT and Chairman, IBSD Governing Council to accept the resignation of Dr. PSSV. Khan subject to the proviso that the salary amount equivalent to 2 months and 25 days is recovered by IBSD, from him. Please note that only after recovering this amount, necessary order accepting his resignation may be issued by IBSD.

With kind regards,

Yours sincerely,

Mohd. Aslam
(Mohd. Aslam)

Prof. M. Rohinikumar Singh,
Director,
Instt. of Bioresources and Sustainable
Development (IBSD),
Takyalpat, Imphal - 795001, Manipur
Fax - 0385 - 2446120

For M.A.

[Signature] 9/6/2005

Letter is drafted for
Sending out to Dr. Khan
21/6

[Signature]
Director,
Institute of Bioresources &
Sustainable Development, Imphal

So A.C.E. off
Please initiate recovery
urgently & confirm

(Tongra + Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

हार् / Telegram : 'BIOTECH' / 24363012 / Telephone : 24363012, 24363013 / Fax : 011-24362804

Annexure - VII(a) 17

- 852



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area
Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

No. IBSD/1/10(37)/2005

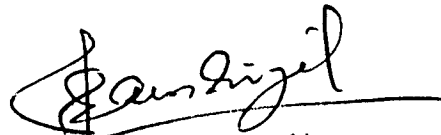
Imphal, the dated 22nd June 2005

Dr. Patan Shaik Sha Valli Khan,
6-72 Khateeb St. Vempalli,
Cuddapah District,
Andra Pradesh

RECOVERY ON ACCOUNT OF STIPULATED NOTICE PERIOD

Dear Dr. Khan,

1. Your attention is drawn to Article 4.2 of the Contract between you and the IBSD.
2. In order to formalize your Resignation, you are requested to pay the salary of Two Months and Twenty Five days through a bank Draft favouring the Director, IBSD at an early date.
3. Please expedite.



(Mahabir Singh Saunriyal)
Sr. Administrative Officer
IBSD, Imphal

Copy to:

Dr. Mohd. Aslam,
Jt. Director,
Department of Biotechnology,
Govt. of India
New Delhi

This has reference to your letter No.
DO No. BT/012/13/NBDB/2001 Part-II
dated 6th June, 2005


(Tongbrun Mani Singh)
Oath Commissioner, (Judicial)
Manipur.


Director
Institute of Bioresources &
Sustainable Development, Imphal



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area

Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

IBSD/1/10(37)/2005/19

Imphal dated 20th August 2005

Shri Patan Shaik Sha Valli Khan,
6-72 Khateeb St, Vempalli,
Cuddapah District,
Andhra Pradesh

RECOVERY ON ACCOUNT OF STIPULATED NOTICE PERIOD

Dear Mr. Khan,

1. Please refer IBSD Letter of even No. dated 22nd June 2005 on the subject cited above.
2. This Institute is yet to receive the stipulated amount in lieu of the mandatory Notice Period as is well known to you. You are, hereby, once again called upon to remit the said amount by 15th of September 2005, failing which, the Institute may be compelled to invoke the necessary Conduct Rules as applicable.

With warm regards and good wishes,

(Mababir Saunriyal)
Senior Admin Offr

Copy to:

Dr. Mohamed Aslam
Jt. Director
Department of Biotechnology
Govt of India, Min of Sci

Director
Institute of Bioresources &
Sustainable Development, Imphal

(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

37

ANNEXURE - D/11

Page 1 of 3

Annexure - 17

Mail :: INBOX: Request to consider the withdrawal of resignation

Date: Thu, 14 Jul 2005 02:55:06 -0700 (PDT)

From: patan shaik sha valli khan <pssvkhan@yahoo.com>

To: mkbhan@dbt.nic.in

Cc: ibsd_imp@sancharnet.in

Subject: Request to consider the withdrawal of resignation

Luxembourg,
14th July, 2005

To,
Dr. M.K. Bhan
The Secretary
Department of Biotechnology,
Government of India
Ministry of Science and Technology
Block, 2 (7th Floor), C.G.O. complex
Lodhi Road-New Delhi-110 003

Sub: Request to consider the withdrawal of resignation
from the post of Scientist-C (Plant Biotechnology) and
to continue in the service at IBSD-Reg

Ref:

- 1.DBT letter D.O. NO BT/012/13/NBDB/2001/Part-II dated 26/04/2005
- 2.IBSD Receipt no. 1613 dated 26/04/2005
- 3.My request letter to your esteemed office dated 16/05/2005
- 4.IBSD office letter no. IBSD/1/10 (37)/2005 dated 22/06/2005

Respected Sir,

Most respectfully request you to kindly refer your esteemed office regret letter to me for granting extra ordinary leave (EOL) w.e.f. from 1st May, 2005 for nine months for carrying research work in Luxembourg in view that I am holding the charges of duties of Scientist-In charge of IBSD, Imphal (Ref. No. 1).

With a great pain, I have submitted to you the letter of my resignation from the post of Scientist-C (Plant biotechnology) at Medicinal Plants and Horticultural Resources Division, Institute of Bioresources and Sustainable Development, Imphal Manipur, w.e.f. from 1st May, 2005 (Ref. No. 2).

I have not received any information from your esteemed office regarding the status of my resignation and also the appointment and joining of the Director, IBSD, Imphal. Then, I proceeded to the scheduled visit to Luxembourg for research work starting from 18th May, 2005. The same information was given to your esteemed office before proceeding to Luxembourg and requested you to kindly adjust about two months of my earned leave and half pay leave as per records of the IBSD, Imphal for the required notice period of three months for the termination of service, in case you decide to relieve me from the service (Ref. No 3).

*Pl. Examine Carefully and Comment
we have already completed all the formalities
for accepting his resignation and get
approval from DBT also. Now, what can
we do in this case?*

[Signature]
16/7/2005

O.S.D.

<http://nwebmail.sancharnet.in/imp/message.php?Horde=0a08f1265ca06303c7f5c13424eb2...> 7/14/2005

[Signature]
(Tongbrah Mani Singh)
Joint Commissioner, (Judicial)
Manipur.

[Signature]
Director
Institute of Bioresources &
Sustainable Development, Imphal

IBSD office informed me to pay the amount of two months and 25 days salary for stipulated notice period in order to formalize my resignation without adjusting the requested two months leave at IBSD (Ref. No 4). DBT office also well aware that IBSD, Imphal not provided me EPF and other service benefits from the joining of the service. It is also for your kind information that IBSD also not paid me monthly salary after the submission of resignation for the adjustment of leave.

In this regard, I am very sorry to inform you that it is highly difficult for me to pay the notice period amount proposed by IBSD, Imphal in view of my financial position and highly predicated unemployment after the tenure in Luxembourg. It is also for your kind information that I am still committed to work at growing institute IBSD, Imphal and sincerely interested to take an active role in the mission of NBDB and DBT in the North-East India. Hence, I most respectfully inform you that I withdraw my resignation and sincerely request you to kindly continue me in the service at IBSD, Imphal with effect from 1st May, 2005. Further I most humbly also submit to you the following lines of requests for your kind perusal:

1. Kindly grant me an extra ordinary leave from 1st May, 2005 to 1st Feb, 2006 to pursue ongoing research programme in the new area of systems biology i.e. proteomics in Luxembourg. Your kind gesture of granting EOL will be helpful for my professional career with advance research training.
2. DBT and IBSD offices aware that I have been appointed in lower-to-lower grade as a Scientist-C against the approved position of Scientist-E against the article no. 14 of IBSD advertisement no. 2/50/2003-IBSD, Employment News 18-24, October 2003. I shall be grateful, if you could kindly do needful to restore me to the Scientist-E position.
3. Kindly consider to entitle me with Special (Duty) Allowance as per the article no. of 12 of IBSD advertisement no. 2/50/2003-IBSD, Employment News 18-24, October, 2003, article no. of 2 of agreement between me and IBSD and IBSD memorandum no.1/2/2003-IBSD (Pt)/897 dated 16/10/2004.
4. Kindly do needful to provide me essential chemical, equipment, lab supplies and lab assistance to work and perform my prescribed responsibilities in the plant biotechnology research at IBSD, Imphal.

I shall be highly thankful, if you could kindly consider my requests and do needful in this matter

Thanking you, Sir,

Yours sincerely

(P.S.SV. Khan)
140, Rue de Neudrof

<http://nwebmail.sancharnet.in/imp/message.php?Horde=0a08f1265ca06303c7f5c13424eb2...> 7/14/2005


23-08-2006

(Forwards) Mani Singh
Oath Commissioner, (Judicial)
Manipur.


Director
Institute of Bioreources &
Sustainable Development, Imphal

39

11

INBOX: Request to consider the withdrawal of resignation


86

L-22 22 Luxembourg
GD Luxembourg
pssvkhan@yahoo.com

CC:
The Director, IBSD, Imphal for your kind information
with reference to IBSD office letter no. IBSD/1/10
(37)/2005 dated 22/06/2005


(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

<http://nwebmail.sancharnet.in/imp/message.php?Horde=0a08f1265ca06303c7f5c13424eb2...> 7/14/2005


Director
Institute of Bioresources &
Sustainable Development, Imphal

40

ANNEXURE - D/12

118

Annexure - X BT SPEED - 1007

भारत सरकार

92

विज्ञान और प्रौद्योगिकी मंत्रालय

बायोटेक्नोलॉजी विभाग

ब्लॉक-2, 7 वां तल, सी० जी० ओ० कम्प्लेक्स

लोदी रोड, नई दिल्ली-110003

GOVERNMENT OF INDIA

MINISTRY OF SCIENCE & TECHNOLOGY

DEPARTMENT OF BIOTECHNOLOGY

Block-2, 7th Floor C.G.O. Complex

Lodi Road, New Delhi-110003

Dated: 12th August, 2005

No. BT/012/13/NBDB/2001/Part II

Dear Dr. Khan,

Reference is invited to your e-mail dated 14th July, 2005 addressed to the Secretary, DBT regarding your request to consider the withdrawal of resignation from the post of Scientist-C (Plant Biotechnology) and to continue in the service at IBSD, Imphal,

2. I am directed to convey that your request for considering withdrawal of resignation from the post of Scientist-C (Plant Biotechnology) at IBSD, Imphal has been refused by the competent authority due to the following grounds:

- (a) You have left the institute unauthorizedly without getting an official relieving order from DBT for joining assignment abroad. You were also Scientist-in-Charge of the institute at that time.
- (b) Your behaviour has been viewed as most irresponsible and unsincere since you have left the institute even after request from the DBT to continue as Scientist-in-Charge of IBSD till the regular Director joined the institute.

Yours sincerely,

(Mohd. Aslam)

Dr. P. S. S. V. Khan,
140, Rue de Neudrof,
L-22 22 Luxembourg
GD Luxembourg, France

✓ Copy for favour of information and necessary action to:

✓ Prof. M. Rohinikumar Singh, Director, Instt. of Bioresources and Sustainable Development (IBSD), Takyelpat, Imphal - 795001, Manipur

Mohd. Aslam
(Mohd. Aslam)

For forward pt.
29/8/2005

Sr. A.O.

File in Dr. Khan's
personal file.

20/8

(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

तार / Telegram : 'BIOTECH' दूरभाष / Telephone : 24363012, 24360899 फैक्स / Fax : 011-24362884

Director
Institute of Bioresources &
Sustainable Development, Imphal

Annexure - XI

102

DEC-2005 10:46

171

P. 01

P. 01



Dr. Mohd. Aslam
Scientist - E
Phone: 24363067
E-mail: aslam@dbt.nic.in

भारत सरकार
 विज्ञान और प्रौद्योगिकी मंत्रालय
 बायोटेक्नोलॉजी विभाग
 ब्लॉक-2, 7 वां तल, सी० जी० ओ० कम्प्लेक्स
 लोदी रोड, नई दिल्ली-110003
 GOVERNMENT OF INDIA
 MINISTRY OF SCIENCE & TECHNOLOGY
 DEPARTMENT OF BIOTECHNOLOGY
 Block-2, 7th Floor C.G.O. Complex
 Lodi Road, New Delhi-110003

No.BT/012/13/NBDB/2001/Part-II

Dated: 5th December, 2005

Dear Prof. Singh,

Kindly refer to your e-mail communication No. IBSD/1/10 (37) 2005 Imphal dated 26th November, 2005 to the Secretary, DBT regarding finalization of resignation of Dr. PSSV Khan from IBSD, Imphal.

2. I am directed to convey that an amount of Rs.59,421/- equivalent to 2 months 25 days salary of Dr. Khan (as notice period salary) may be waived off and a final settlement of the issue should be made immediately.

With kind regards,

Yours sincerely,

Mohd. Aslam
 (Mohd. Aslam)

Prof. M. Rohinikumar Singh,
 Director,
 Instt. of Bioresources and Sustainable
 Development (IBSD),
 Takyelpat, Imphal - 795001,
 Manipur

✓ FAX : 0385 - 2446120

Immediate.

*Pl. put up a draft acceptance
 order of Dr. Khan's resignation
 etc.*

[Signature]
 6/12/2005

Sr. A.O.

[Signature]
 (Tongbram Mani Singh)
 Oath Commissioner, (Judicial)
 Manipur.

Website: <http://www.dbtindia.nic.in> <http://www.btlisnot.gov.in>
 दूरभाष / Telephone : 24363012, 24360899 फैक्स / Fax : 011-24362884

[Signature]
 Director
 Institute of Bioresources &
 Sustainable Development, Imphal

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ANNEXURE - 0/14 (614)

(107) Annexure-XII



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area
Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

IBSD/1/10/(37)/2005

Imphal, the 6th December, 2005

1. Dr. P.S.S. V. Khan
C/O. D. Sabjan, 6/397, G.C. Street, Kodapa, Andhra Pradesh-516001
2. e-mail-pssvkhan@yahoo.com
3. P.S.S. V. Khan
140, Rue de Neudrof
L-22 22, Luxembourg, GD Luxembourg

ACCEPTANCE OF RESIGNATION

Dear Dr Khan,

I am directed to forward the acceptance of by the Director IBSD, Imphal, of your resignation from the post of Scientist-C(Plant Biotechnology), IBSD, Imphal.

With warm regards and best wishes.

(Mahabir Saunriyal)
Senior Administrative Officer
IBSD, Imphal

Enclosure: Acceptance Letter, Resignation.

Copy to:-

Dr. Mohd. Aslam,

Jt Director, DBT, MiO Sc & Tech, GoI.

Distribution

1. Guard File
2. Personal File
3. Accounts Section

Director
Institute of Bioresources &
Sustainable Development, Imphal

(Tongbrah Mani Singh)
Oath Commissioner, (Judicial)
Manipur.

48

ANNEXURE - D/14
(6/14)Letter
Resignation

Annexure - XII (6)

(103)



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area
Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

E-mail: ibsd_imp@sancharnet.in

Imphal, the 6th December, 2005

1. Dr. P.S.S. V. Khan
C/O. D. Sabjan, 6/397, G.C. Street, Kodapa, Andhra Pradesh-516001
2. e-mail-pssvkhan@yahoo.com
3. P.S.S. V. Khan
140, Rue de Neudrof
L-22 22, Luxembourg, GD Luxembourg


ACCEPTANCE OF RESIGNATION

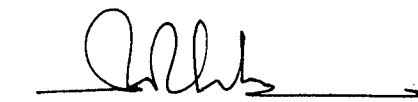
WHEREAS - Dr. P.S.S. V. Khan, former Scientists-C (Plant Biotechnology) of IBSD, Imphal had tendered his resignation letter from the said post on ^{26th April} ~~26th May~~ 2005.

AND WHEREAS the said Dr. P.S.S. V. Khan had resigned with immediate effect from 1st May 2005 from the said post of Scientists-C (Plant Biotechnology) at IBSD, Imphal.

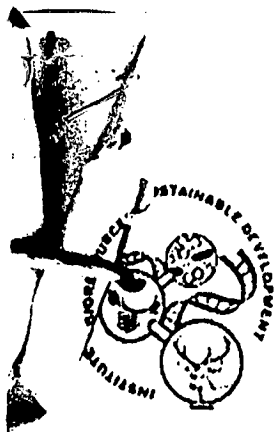
AND WHEREAS the said Dr. P.S.S.V. Khan, had offered to pay salary in lieu of requisite three months NOTICE PERIOD equivalent amount in terms of his service Contract Clause 4.2 but failed to pay the said three month's notice Period amount despite repeated request from IBSD, Imphal.

NOW THEREFORE, I the undersigned being the appointing authority in respect of said Dr. P.S.S. V. Khan, do hereby accept the resignation of said Dr. P.S.S.V. Khan from the post of Scientists-C (Plant Biotechnology) at IBSD, Imphal with effect from 1st May, 2005 and wave off the requirement of said Notice Period salary equivalent thereof in lieu of stipulated Notice period, to avoid any further delays that may ensue.


(Prof. Rohinikumar Singh, M.)
Director, IBSD, Imphal


Director
Institute of Bioresources &
Sustainable Development, Imphal


(Tongbram Mani Singh)
Oath Commissioner, (Judicial)
Manipur.



INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT (IBSD)

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area

Imphal-795001-Manipur (INDIA)

☎ : 0385-2446122 (O)

☎ : 0385-2446121 (O)

Fax : 0385-2446120 (O)

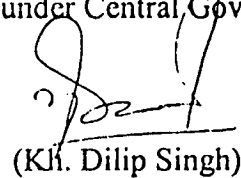
E-mail: ibsd_imp@sancharnet.in

MEMORANDUM

Imphal, the 16th October, 2004

No.1/2/2003-IBSD (pt): 1897 The Institute of Bioresources and Sustainable Development is pleased to implement various allowances as listed below as admissible to the Central Government employees. This is a part of various measures being taken up by the Institute for welfare of the employees.

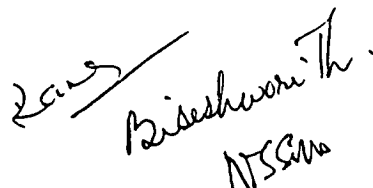
- (a) **Fixation, Regulation of Pay and Service conditions:** These allowances have been implemented as admissible to the Central Government employees under relevant rules and provisions laid down in Fundamental Rules and Supplementary Rules and Govt. of India's order/instructions made from time to time.
- (b) **Medical Attendance and Treatment:** Admissible as provided under Central Service (Medical Attendance) Rules, 1994. Accordingly, individual cases will be considered on receipt of specific proposals from concerned employees.
- (c) **T.A. on first appointment:** T.A. on first appointment will be admissible if necessary claim is made within 3 months of joining with necessary documents as per relevant rules under Central Treasury Rules.
- (d) **Special increment for undergoing sterilization operation:** Central Government employees who undergo sterilization after two or three surviving children may be granted a special increment as admissible under F.R. 27.
2. **Newspaper Allowance** can be considered if specific provisions exist.
3. **Children Education Assistance, Special (Duty) Allowance, Benefits of two HRAs, granting of advance increments to Ph.D./M.Phil holders and restoration of sanctioned posts and grades** can not be considered since they are not applicable in respect of IBSD under Central Govt. rules.

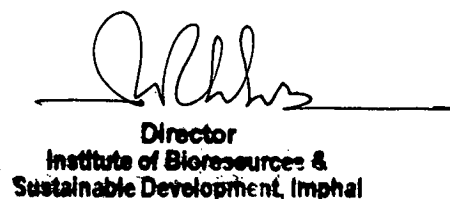

(K.H. Dilip Singh)

Sr. Administrative Officer

Copy to:-

1. The Director, IBSD for kind information.
2. Divisional in-charges for information of the employees of the respective Division.
3. Notice Board.


Bisheshwari Th.
NSCMA


Director
Institute of Bioresources &
Sustainable Development, Imphal


(Tongbram Mani Singh)
Joint Commissioner, (Judicial)
Manipur.

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**INSTITUTE OF BIORESOURCES AND SUSTAINABLE DEVELOPMENT**

(Department of Biotechnology, Govt. of India)

Takyelpat Institutional Area
Imphal-795001-Manipur (INDIA)

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MEMORANDUMImphal, the 8th December, 2004

1/2/2003-IBSD:

In continuation to this Institute's Memorandum of even number 16-10-2004, the Institute of Bioresources and Sustainable Development, Imphal is pleased to implement the following allowance as admissible to the Central Government Employees of India's orders/instructions made from time to time -

- (i) Reimbursement of tuition fees, and
- (ii) Journey fare for children studying at outstation

[Authority : Director, IBSD's approval at note 50 ante in File No. 1/16-IBSD (Dr. Khan)]

(Kh. Dilip Singh)
Sr. Administrative Officer

Copy to :

1. The Director, IBSD, Imphal for kind information.
2. The Divisional in-charge for information of the employees of the respective Division.
- ✓ 3. Personal file of Dr. Khan, Scientist -C.
4. Notice Board.
5. Guard File.

Mani Singh
Joint Commissioner, (Judicial)
Manipur

Director
Institute of Bioresources &
Sustainable Development, Imphal