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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 185/95.....

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SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH
GUWAHATI

ORIGINAL APPLN. NO.	155 OF 1995
TRANSFER APPLN. NO.	OF 1995
CONTEMPT APPLN. NO.	OF 1995 (IN OA NO.)
REVIEW APPLN. NO.	OF 1995 (IN OA NO.)
MISC. PETN. NO.	OF 1995 (IN OA NO.)

.....Niranjan Singh APPLICANT(S)

.....U.O. RESPONDENT(S)

FOR THE APPLICANT(S)	...MR. MR. MR. MR.	N. J. Singh
FOR THE RESPONDENTS	...MR.	S. Ali, Sr.C.A.

OFFICE NOTE	DATE	ORDER
	14.8.95	<p>Mr N.J.Singh (for the applicant (mentioned for urgent admission not in list)).</p> <p>Mr S.Ali,Sr.C.G.S.C for respondents on notice. Applicants seeks reemployment or alternatively reinstatement. His service was however terminated under sub-rule 1 of Rule 5 under CCS(Temporary Service) Rules 1965 by order dated 11.4.83. It is too late in the day to challenge that order and seek reinstatement on principle of dies-non as prayed. The Administrative Tribunals Act was made applicable on 3.3.1986. The applicant should have moved within limitation under Section 21 from that date. Simply because the applicant filed a representation on 16.6.94 to the Director, IB, New Delhi and sought reinstatement on 16.6.94 and it was rejected on 17.11.94, the limitation cannot be revived. Alternatively his prayer that his case may be considered for ^{re-employment} reinstatement, for that purpose the applicant has to apply to the respondents. It does not appear that in his appeal dated 16.6.94 he had made a</p>

14.8.95

request for consideration for reemployment. Thus there is no ground nor any legal grievance which can be entertained by the Tribunal.

The application is therefore summarily rejected. There will be no order as to costs.

30.10.95
Copy of order dtd.
14.8.95 issued to
all concerned side
D/No. 4839-4843
Dtd. 6.11.95.

HB.

DR
Member

DR
Vice-Chair

DISTRICT: IMPHAL
STATE : MANIPUR.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

(APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE
TRIBUNAL ACT, 1985)

Q.A. No. 155 of 1995.

8 BETWEEN

S. Nimai Singh. ... Petitioner.

$\gamma = 1/s$

Union of India and Ors.

... Respondents.

I N D E X

Sl. No.	Annexures.	Contents.	Pages.
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2.	Annexure-A.	Appointment order dt. 17-2-82.	- 14
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Received ^{copy.}
Sale's C.S.L
14/8295

Cont'd...P.2/-

-: (2) :-

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Dated/Gauhati,

14-08-95

N. Jotendro Singh
(N.Jotendro Singh),
Counsel for the Petitioner.

Filed by: S. Nimai Singh
through: Mr. John Doe
15. 8. 95.

DISTRICT:IMPHAL

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GAUHATI BENCH

(Application under Section 19 of the Administrative
Tribunal Act, 1985).

C.A.T. Case No. of 1995.

B E T W E E N

S. Nimai Singh ... Petitioner/Applicant.

- Vs -

Union of India. ... Respondents.

DETAILS OF APPLICATION

1. Particulars of the applicant :

(i) Name : Seram Nimai Singh

(ii) Father's name : (L) S. Iboton Singh

(iii) Designation and : Security Assistant (Terminated) and under the
Office in which employed. Assistant Director, S.I.B.,
Imphal.

(iv) Office address : -do-

(v) Address for service : Langthabal, P.S. &
of all notices. P.O. Singjamei,
Manipur State.

2. Particulars of the respondents ;

(i) Name/designation : 1. Union of India
of the Respondents. represented by

Contd...P.2/-

S. Nimai Singh

-:(2):-

Secretary, Government of
India (Ministry of Home
Affairs), New Delhi.

2. The Director,
Intelligence Bureau,
New Delhi.

3. The Deputy Director,
Subsidiary Intelligence Bureau,
(Kohima), Nagaland.

4. The Assistant Director,
Subsidiary Intelligence Bureau,
Imphal, Manipur.

(ii) Office address : -do-
of the respon-
dents.

(iii) Address for service : -do-
of all notices.

3. Particulars of the Order against which application
is made :

The application is against the termination
order dt.11-4-83 and Memorandum dt. 17-11-94.

(i) Order No. : 13/Est(D.P.)83/526-28.

(ii) Date : 11-4-1983 and 17-11-94.

(iii) Passed by : Assistant Director, SIB, (MHA),
Imphal.

(iv) An appeal presented to the respondents against
the termination order No.13/Est(DP)83/526-28 dated
11-04-1983 and Memorandum dated 17-11-1994 issued
by the Respondent No.4 without assigning any valid
reason.

Contd...P.3/...

S. Nimal Singh

8

-(3):-

4. Jurisdiction of the Tribunal :

The applicant declares that the subject matter of the order or grievance against which he wants redressal is within the jurisdiction of the Tribunal.

5. Limitation :

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

6. Facts of the case :

The facts of the case are given below :

i) That, your applicant is a law abiding citizen of India and a permanent resident of Langthabal, P.O. and P.S. Singjamei, Manipur State and as such he is entitled to all rights, privileges and protections as enshrined in the Constitution of India and other laws for the time being in force in the country.

ii) That, under the Ministry of Home Affairs, Government of India, an organisation called

Contd...P.4/-

S. Nimal Singh

-:(4):-

Intelligence Bureau was established. The Head Quarter of the said organisation is at New Delhi and there are various State units known as Subsidiary Intelligence Bureau. The Central Organisation is headed by a Director, which is equivalent to the post of Inspector general of Police and the State Units are heads by the Deputy Directors which is equivalent to that of the Deputy Inspector General of Police.

iii) That, the class-IV employees in the State Units are appointed by the Head of the State Units according to the exigencies and needs of the local situations.

iv) That, the post of Security Assistant is one of the Class-IV categories of post and the pay scale of the said post is 225-805/-p.m. plus other allowances.

v) That, in the States of Nagaland and Manipur, there is an Unit of the Intelligence Bureau and its Office is located at Kohima.

vi) That, coming to know that a few posts of Security Assistants are lying vacant in the State Unit of Nagaland and Manipur and recruitment in the said post would be done by Respondent No.3 and as

-:(5):-

such your applicant offered his candidature and after due interview he was appointed as Security Assistant joined his service on 1-2-1982. Thereafter, vide Office Order 1223, dated 17-02-1982, the Offer of appointment was communicated w.e.f. 01-02-1982 by Respondent No.4 in the Scale of pay of Rs.226-5-260-290-EB-6-308/-p.m.

A true copy of the aforesaid order dated 17-02-1982 is annexed hereto and marked as Annexure-"A".

vii) That, Thereafter your applicant served as Security Assistant in the S.I.B., Imphal with best of his abilities and discharged his duties sincerely and nothing adverse was known to him.

viii) That, while your applicant was serving satisfactorily, he was surprised to receive a memorandum No.V(7)/82/1712-15, dated 01-09-1982 issued by Respondent No.4 alleging that the applicant do not show any work and he was just passing time and as such he was posted to Pallel/Chandel as a punishment and asked to applicant to explain within 10(tem) days from the date of the receipt of the said memo why he should not be removed from the service failing which it was stated that decision will be taken ex parte.

Contd...P.6/-

S. Niranjan Singh

-:(6):-

A true copy of the said Memo dated 01-09-1982 is annexed hereto and marked as Annexure—"B".

ix) That, against the aforesaid Memo dated 01-09-1982, your applicant submitted his explanation denying the allegations and stating that since he was now to the place that would take some time to get acquainted with the people of the Local. Moreover, while the applicant was in service he was transferred into 3(three) different places within a short period of 3(three) months and it caused a hardship to the present applicant to discharge his duty due to the said frequent transfer and often being an intelligence service it was a difficult to observe a particular place in such a short period therefore the said frequent transfer was arbitrary and malafide.

x) That, to the utter shock and surprise of your applicant he was terminated vide order No. 13/Estt/DP/83/526-28, dated 11-04-1983 by the Respondent No.4 by exercising of power under Rule 5(1) of the Central Civil Services (Temporary Service) Rules, 1965 by giving a month's notice. And from such order it was cleared that the order was passed as punishment on the basis of the allegation as contained in the Memo dated 01-09-1982 (Annexure—"B" hereinabove).

Contd...P.7/-

S. Niranjan Singh

12(7) :-

A true copy of the said termination order dated 11-04-1983 is annexed hereto and marked as Annexure—"C".

xi) That, against the termination order dated 11-04-1983, your applicant preferred a representation to Respondent No.3 (Deputy Director) on 26-05-1983 challenging the validity of the termination order issued by the Respondent No.4.

A true copy of the said representation dated 26-05-1983 is annexed hereto and marked as Annexure-"D".

xii) That, as Respondent No.3 does not taken any positive steps, your applicant requested the respondents verbally to reinstate him in his post and the respondents were also assured the applicant that he would be reinstated to his post. But, nothing was come forth and as such your applicant reminded the respondents by the appeal and representation in the year 1985 and 1988 and lastly on 21-04-1988 but the respondents were taken nothing in this regard.

True copies of Appeal and Representations in the year 1985, 1988 and dated 21-04-1988 are annexed hereto and marked as Annexure—"E" , "F" and "G" respectively.

Contd...P.8/-

S. Niranjan Singh

13

-:(8):-
xiii) That, since 23-5-83 to 16-2-94 he was not mentally sound due to termination of his service and even my wife also divorced from me. So, I could not proceed to the Court timely. If necessary I shall furnish medical certificate later on.

xiv) That, thereafter, your petitioner again preferred a representation on 16-12-94 to the Deputy Director, SIB to dispose the earlier representations and revoke his termination Order dated 12-4-83.

A true copy of the said representation dated 16-2-94 is enclosed herewith alongwith receipt of register letter and marked as Annexure-# " collectively.

xv) That, thereafter your petitioner have again preferred another representation on 16-6-1994 to the Director, Intelligence Bureau, New Delhi (submitted through JD S.I.B. Kohima) for reinstatement of his service by revoking the termination order dated 12-4-83. But to the utter shock and dismay your petitioner have received a memorandum on 17-11-94 stating inter-alia that thereis no fresh ground for consideration of the case of the petitioner.

Contd...P.9/-

S. Nirmi Singh

True and correct copy of the said representation dated 16-6-94 and Memorandum dated 17-11-94 are enclosed herewith and marked as Annexure-"" and "" respectively.

xvi) That, I have preferred another representation to the Director, Intelligence Bureau, New Delhi on 14-4-95 for reconsideration of my service on the ground of my mental dis order for such a long period and further prayed for mistaking me to my service or to appoint any post even to the grade-IV but till today no reply is forthcoming.

xvii) That, being highly aggrieved by the commission and omission on the part of respondent, your applicant begs to prefer this application on the following amongst other grounds :

G R O U N D S

a) That, your applicant submits that the respondents failed to dispose the earlier representations which your applicant have preferred earlier but due to the non-disposal of his earlier representations your applicant have preferred. Another representation on 16-6-94 and while disposing the said latest representation the respondents have failed to appreciate the genuine greivances of your

S. Vinai Singh

-:(10):-

applicant which your applicant have preferred since after his termination and it appears from the memorandum issued on 17-11-94 that the respondents have intentionally withholding the appeals and representations to expire the time limits prescribed by law which is violative of article 14 and 16 of the Constitution of India and the said Memorandum dated 17-11-94 is not a speaking order.

- b) That, your applicant further submits that in a welfare country like India, State has an obligation to safeguard its citizens from unemployment however, by non-disposing of appeal preferred by the petitioner before the competent authority for a pretty long time amounts to discrimination to the petitioner in the matter of public employment.
- c) That, it is the cardinal principle of service jurisprudence that the Executive Authority should be vigorously held to its standard by the action it professes for the justification of their action, in the case in hand, the authority failed to dispose the appeals preferred by the petitioner in time and delay in disposing the appeals preferred by the petitioner is an intentional act on the part of the respondents to spoil the career of the petitioner and now the petitioner has also already overaged to appear for any interview both in the central as well as state services.

16

-:(11):-

d) That, the impugned termination order is of panel nature and delay in disposing the appeals preferred by the petitioner becomes unjust and improper and suffered from infirmity and in such circumstances this Hon'ble Court ought to direct/ compel the respondents to reinstate the petitioner under the principle of dies non or he may be considered for fresh employment irrespective of age bar.

It is further submitted that delay in filing this application may also be condoned.

7. Relief (s) sought :

In view of the facts mentioned in para 6 above, the applicant prays for the following relief (s):

i) Direct the respondents to re-instate the petitioner under the principle of dies-none or consider for fresh employment irrespective of age bar within a stipulated period.

ii) Any other reliefs/cost.

8. Details of the remedies exhausted :

The applicant declares that he has availed of all remedies available to him under the relevant service rules as has been detailed hereinabove.

Contd...P.12/-

S. Arun Singh

-:(12):-

9. Matter not pending any other Courts.

The applicant further declares that the matter regarding which this application has been made is not pending before any Court of law or any other authority or any other Bench of the Tribunal.

10. Particulars of Bank draft/Postal order is respect of the Application Fees :

i) Name of the Bank on which drawn :

ii) Demand Draft No. :

OR

i) Number of I.P.O.(S) : 1 (one)

ii) Name of issuing Post Office : *Guwahati*

iii) Date of issue of Postal order : 1.8.95

iv) Post Office at which payable : *Guwahati*

11. Details of Index :

An index in duplicate containing the details of the documents to be relied upon is enclosed at the front.

12. List of enclosers :

Annexure A to *J*.

Contd...P.12 /-

S. Kumar Singh

-:(13):-

VERIFICATION

I, Seram Nimai Singh, S/o (L) S. Iboton Singh, aged about 39 years old, a resident of Langthabal, P.O. and P.S. Singjamei, Manipur State do hereby verify that the contents from para No.1 to 12 are true to my personal knowledge and belief and that I have not suppressed any material's facts.

Place:- GUWAHATI

S. Nimai Singh

SIGNATURE OF THE APPLICANT.

Date:- 14.8.95

ANNEXURE-"A"

OFFICE ORDER NO.1223 Dated 17-2-82.

The undersigned hereby appoints Shri S. Nimai Singh as Security Assistant in temporary capacity provisionally in this SIB w.e.f. 1-2-82 in the pay scale of Rs. 225-5-260-6-290-EB-6-308/-.

The pay of Shri S. Nimai Singh, is fixed at the state of Rs.225/- p.m. w.e.f. 1-2-82. He will be entitled to draw Special pay/DA/ADA and other allowances as admissible under rules.

Sd/-

(N.C. Bhargava)
Assistant Director.

No.5/PF/553-29

Subsidiary Intelligence Bureau (MNA) Govt. of Manipur.

Kohima 17Feb. 1982.

Copy to :-

1. The A.D.(E) & (G) I.B. New Delhi.
2. The Accounts Br. SIB Kohima(2 copies).
3. Shri S. Nimai Singh, S.A. SIB Imphal.
4. Shri A.K. Srivastava, LDC SIB Kohima.
5. Recruitment of SAs file.
6. Office Order Book.

Sd/- Illegible
Assistant Director.

S. Nimai Singh

ANNEXURE - "B"

No. V(7)/1712-15

Subsidiary Intelligence Bureau

(Ministry of Home Affairs)

Government of India, Imphal

Dated 1st September, 1982.

MEMORANDUM

It is seen that while you were posted at Moreh you did not show any work and just were passing time. Now you have been posted to Pallel/Chandel. Here also you have not been able to show any result or are interested in the work. Your attitude towards the job seems to be casual. You were recruited on 1-2-1982 and still you are under probation.

2. Hence you should explain why you should not be removed from the service within 10 days of the receipt of this memo and in the absence of any explanation from you it would be presumed that you have nothing to explain and action will be taken against you exparte.

Sd/- A.K. Bhargava
Assistant Director.

To

Shri S. Nimai Singh,
SA, Civint Chandel (Through the in-charge)

Copy to :-

1. The Assistant Director/E.SIB, Kohima.
2. PF of Shri Nimai Singh, SA
3. E. Branch, SIB, Imphal.

Sd/-
(A.K. Bhargava)
Assistant Director.

S. Nimai Singh

ANNEXURE - "C"

CONFIDENTIAL

In pursuance of Sub-rule (1) of Rule 5 of the Central Civil Services (Temporary Service) Rules, 1965, I.A. K. Bhargava, Asstt. Director hereby give notice to Shri Seram Nimai Singh, A.A. that his services shall stand terminated with effect from the date of expiry of a period of one month from the date on which this notice is served.

Station: Imphal,
Date 11-4-83

Sd/- A.K. Bhargava
Assistant Director

No.13/Est(DP)/83/526-28

Subsidiary Intelligence Bureau

(M.H.A.) Govt. of India

Dated, Imphal, the 12-4-83

Copy to :-

1. Shri Seram Nimai Singh, S.A. C/o I/C Civint Chandel.
2. D.D., S.I.B. Kohima.
3. N.G.O., SIB, Imphal.
4. P.F.
5. Accounts Branch.

Assistant Director.

S. Nimai Singh

ANNEXURE - "D"

To

The Deputy Director,
Subsidiary Intelligence Bureau,
(Ministry of Home Affairs),
Kohima Station, Govt. of India.

Reference : Assistant Director, Imphal's confidential
Memo No.13/EST(DP)/83/526-28 dt. Imphal
The 12th April, 1983.

Subject:- In the matter of an application praying for reinstatement against a termination order made under the above mentioned reference No. and date.

Most Respectfully sheweth;

1. That, I am (the undersigned your petitioner) a citizen of India and an Indian national now employed as a Security Assistant of Subsidiary Intelligence Bureau at Imphal Station under the Govt. of India.
2. That, I have been serving the Bureau for the last about 2 years since I was appointed by the Assistant Director of Kohima by an office order No.1223 dated 17-2-82 to the above said post w.e.f. 1-2-82.
3. That, while I was on duty I was placed under termination by the said Assistant Director by a confidential Memo made under the above mentioned reference No. and date with effect from 20-5-1983.
4. That, before I was duly terminated from my duty my salary was not given by the said Assistant Director by another Memo No. 13/EST(DP)/83/744 dated, the 30th April, 1983 with effect from 4-5-1983.
5. That, I was not given due chance asking me to show cause under the alleged charges by the said Assistant Director why I should not be terminated from service.
6. That, under the above facts and circumstance my service may kindly be reinstated on the following interalia grounds :-

G R O U N D S

- (1) For that I was not given enough time for show cause notice.
- (2) For that I was terminated while I was on duty.
- (3) For that I was not given my salary for the period ~~to~~ prior to the date of my termination.

Contd...P.2/-

S. Minasi Singh

-:(2):-

- (4) For that I was terminated for no reason.
- (5) For that my termination was violation of the Central Civil Services (Temporary Service) Rules, 1965.
- (6) For that the termination was illegal and illegal.

It is therefore, prayed that the respected Deputy Director may be pleased and take necessary action for reinstating my service in the interest of natural justice.

The undersigned as in duty bound shall ever pray.

Signature of the petitioner

Full Name :- Semam Nimai Singh
(S.A.)

Dated Imphal
The 26th May, 1983.

Designation: Security Assistant.

S. Nimai Singh

ANNEXURE-"E"

Registered with Acknowledgement

To
The Deputy Director,
S.I.R., Kohima, Nagaland.

Sub:- In the matter of termination of
S. Nimai Singh, SA, SIB, Imphal.

Sir,

Please refer to my representation dated the 26th May, 1983 against my termination from service.

In this connection, I again want to draw your Honour's kind attention with a request that I may please be informed the action taken on my representation referred to above.

I am an extremely poor person and facing lot of financial hardship to meet my both ends since last 2 years.

I shall remain highly obliged if favourable action is taken and I again be taken in service.

Yours faithfully,

Sd/-
(S. Nimai Singh)
SA(Terminated) S.I.R., Imphal.

Dated Imphal
The th 1985.

Address
C/o Ng. Khomai Singh, Thangmeiband
Meisnam Leikai, Imphal.

Copy to :-
A.D., S.I. B., Imphal.

Sd/-
(S. Nimai Singh)
S.A. (Terminated) S.I.B., Imphal.

S. Nimai Singh

ANNEXURE-F

To
The Deputy Director,
Subsidiary Intelligence Bureau,
Ministry of Home Affairs,
Kohima Station, Govt. of India.

Ref:- Office Memo No.13/EST(DP)/83/526-28
dated 12-4-83.

Sub:- Representation demanding justice against the
termination order referred above.

Sir,

With utmost respect and honour I beg to submit the following few lines for your kind perusal and necessary action by way of demanding justice in respect of the following few facts.

1. That, I was appointed as Security Assistant in the Subsidiary Intelligence Bureau by the Assistant Director, SIB, Kohima, Government of India on temporary capacity against the post of a clear vacancy with effect from 12-2-82 vide order No.1223 dt.19-2-82, under Office Memo No.5/PF/553-29.
2. That, since the day of appointment, the undersigned was serving the Govt. of India as a Security Assistant, and posted at various place including, Imphal, Moreh, Pallel etc.
3. That, during the period of my service, I have been discharging my official duties as a Security Assistant for about one year and some months.
4. That, however, for the reasons best known to the office of the Assistant Director, SIB, Kohima, my service has been terminated by giving a months notice vide order No.13/Est(DP)/83/526-28 dated 12-4-83, and the same was received by the undersigned on 20-4-83.
5. That, even though, the service was purely on temporary capacity, the termination order is purely in violation of the Art 14 and 16 of the Constitution of India.
6. That, being aggrieved by the said order of termination the undersigned filed various representations by way of demanding justice and also for revocation of the termination order to you and your staff but till date, your good office failed to consider my request and did not take any action in this respect.

Contd...P.2/-

S. Niran Singh

-:(2):-

7. That, the termination order is quite illegal and is very much against the provisions of the Central Civil Services (Temporary Service) Rules, 1965, and as such the same is liable to be revoked.

8. That, now this representation is submitted to you by way of demanding justice and by way of giving notice to the effect that, if you failed to consider my case and revoked the termination order within a period of 10 days from the date of the receipt of this representation, my humble submission is that I shall go to a competent court of law and seek the appropriate remedy for my service and that too without any further notice to you.

In the light of the facts and circumstance submitted above, the respectable Deputy Director, SIB, Kohima, Govt. of India be kind enough to revoke the termination order and reinstate the undersigned in service for the ends of justice.

Yours faithfully,

Sd/-
(Seram Nimai Singh)

S. Nimai Singh

ANNEXURE - "G"

To

Dated 21-4-1988

The Deputy Director,
S.I.B., Kohima.

Subject:- Termination of service my appeal
pending since 1983.

Hon'ble Sir,

With reference to the above, I have the honour
to state that I am a very poor man, nothing to eat. I have
two small children aged 7 years and 4 years and my 60 years
old mother and my wife to feed.

I was illegally terminated from service in 1983.
I filed appeal. And I sent many reminders. But I have not
got my service as yet.

Sir, Kindly be sympathetic to me and reinstate
me in service.

Yours faithfully,

Sd/-
(S. Nimai Singh)
Ex-S.A. SIB, Kohima.

S. Nimai Singh

ANNEXURE - "H"

To

The Deputy Director,
Subsidiary Intelligence Bureau,
(Ministry of Home Affairs),
Kohima Station,
Government of India.

Reff:- Assistant Director,
Imphal's Confidential Memo No.13/EST(DP)/
83/526-28 dated Imphal, the 12th April,
1983.

Sub:- An application praying for reinstatement of
service against the termination order dated
12-4-83.

Sir,

With due respect I, the undersigned, have the honour
to lay down the following few facts for your kind considera-
tion and favourable action.

1. That, I was appointed as Security Assistant in the Subsidiary Intelligence Bureau by the Assistant Director, SIB, Kohima, Government of India on temporary capacity against the post of a clear vacancy with effect from 1-2-82 vide order No. 1223 dated 19-2-82, under office Memo No.5/PF/553-29.
2. That, since the date of my appointment, I was serving the Government of India as a Security Assistant, and posted at various places including Imphal, Moreh, Pallel etc.
3. That, during the period of my service, I have been discharging my official duties as a Security Assistant for about one year and some months.
4. That, however, for the reasons best known to the office of the Assistant Director, SIB, Kohima, my service has been terminated by giving a months notice vide order No.13/EST(DP)/83/526-28 dated 12-4-83, and the same was received by the undersigned on 20-4-83.
5. That, even though, the service was purely on temporary capacity, the termination order is purely in violation of the Art 14 and 16 of the Constitution of India.
6. That, being aggrieved by the said order of termination the undersigned filed various representations by way of demanding justice and also for revocation of the termination order to you and your staff but till date, your good office failed to consider my request and did not take any action in this respect.

Contd...P.2/-

S. Alena Singh

-:(2):-

7. That, the termination order is quite illegal and is very much against the provisions of the Central Civil Services (Temporary Service) Rules, 1965, and as such the same is liable to be revoked.

8. That, now this representation is submitted to you by way of demanding justice and by way of giving notice to the effect that, if you failed to consider my case and revoked the termination order within a period of 10 days from the date of the receipt of this representation, my humble submission is that I shall go to a competent Court of law and seek the appropriate remedy for my service and that too without any further notice to you.

In the light of the facts and circumstances submitted above, the respectable Deputy Director, SIB, Kohima, Government of India be kind enough to revoke the termination order and reinstate the undersigned in service for the ends of justice.

Dated/Imphal,
The 16th Feb., 1994.

Yours faithfully,

(Seram Nimai Singh)

S. Nimai Singh

ANNEXURE - "I"

To

The Director,
Intelligence Bureau,
New Delhi,
(Submitted through Jd. SIB, Kohima).

Subject:- An appeal for-re-instatement in service.

Sir,

With due respect, I submit the following for your kind consideration and favourable action.

That, Sir, I was appointed as Security Assistant, vide SIB Kohima order No.3/EST/RECTT/77(3)-6305 dated 28-1-82 and joined at Moreh under SIB Imphal on 1-2-82. I was transferred from Moreh to Civint Pallel/Chandel on 13-8-1982.

That, Sir, while posted at Chandel I was issued with a Memo dated 1-9-82 by AD, SIB, Imphal, Seeking my explanation as to why I should not be removed from service for not showing any work while posted at Moreh and chandel. In reply to the above memo. I had assured of showing good work and that I may be pardoned for the lapses occurred in the post.

That, Sir, my services were terminated vide AD, SIB, Imphal Confidential order No.13/EST(DP)/83/526-28 dated 12-4-1983 under Sub-rule (1) of Rule 5 of CCS (Temporary Services) Rules, 1965, by giving me one month's notice.

That, Sir, the circumstances leading to the termination is not known to me. It is added here that I was a newly appointed SA posted to a far away outpost from my native village and had home sickness during the initial period.

I represented the matter to DD, SIB Kohima and appealed for my re-instatement vide my application dated 29-5-1983 for which I have not been given any reply.

I am unemployed since my termination and find it difficult to pull on without any source of income and completely depend up on my family members for my livelihood consisting of self wife and two childrens. .

In view of the above circumstances, I request you good self to kindly forgive lapses, if any commitment during my service due to ignorance, immaturity and sense of irresponsibility consider my case sympathetically for re-instatement as security Assistant in IB. In case it is not possible to re-instate I may be considered for fresh employment. I assure that I will discharge my duties with devotion and I may please be pardoned for the post.

Thanking you Sir.

Yours faithfully,

Dated-16-6-1994.

Sd/-
(S. Nimai Singh)
Ex-SA,
SIB, Imphal.

S. Nimai Singh

ANNEXURE - "J"

No.5/PP/553-4633
Subsidiary Intelligence Bureau
(MHA) Govt. of India.

Kohima, the 17th Nov., 1994.

MEMORANDUM

Please refer to your representation/appeal dated 16-6-1994 addressed to Director, IB., New Delhi requesting for re-instatement in service.

2. Your case was taken up duly with the senior formations. Since there is no fresh ground for consideration of the case and as the case is too old, your request could not be acceded to.

Sd/-
Assistant Director,
17-11-94.

To

Shri S. Nimai Singh
S/o Late Iboton Singh
Vill : Langthabal Lep Mayai Leikai
B.P.O. : Langthabal
P.O. : Singjamei
Imphal, Manipur.

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S. Nimai Singh