

**PROCEEDINGS OF THE ORDINARY MEETING OF CANTONMENT BOARD, BELGAUM
HELD ON THURSDAY, THE 12TH DECEMBER 2024@ 1030 HOURS AT THE
OFFICE OF THE CANTONMENT BOARD, BELGAUM**

Members

- Brig. JOYDIP MUKHERJEE
President,
Cantonment Board, Belgaum
- Shri. RAJEEV KUMAR, I.D.E.S.
CEO & Member-Secretary,
Cantonment Board, Belgaum
- Shri. SUDHIR K. TUPEKAR
Nominated Member,
Cantonment Board, Belgaum.

Special Invitees

- Shri. JAGADISH SHETTAR
Hon'ble MP (Lok Sabha),
Belagavi Constituency.
- Shri. IRANNA KADADI
Hon'ble MP (Rajya Sabha),
Karnataka.
- Shri. ASIF (RAJU) SAIT
Hon'ble MLA,
Belagavi (North) Constituency

All Members are present.

No Special Invitees attended the meeting.

The CEO welcomed the President of the Cantonment Board for the meeting.

AGENDA No.01

Monthly Account Statement

	Oct 2024 Rs.	Nov 2024 Rs.
Opening Balance	8,54,66,439.83	8,01,86,014.01
Add: Receipts (+)	3,44,80,131.00	4,04,99,420.00
Total :	11,99,46,570.83	12,06,85,434.01
Deduct : Expenditure (-)	3,97,60,556.82	5,80,13,207.82
Closing Balance	8,01,86,014.01	6,26,72,226.19

Report of Accountant & all concerned files are placed before the Board for noting.

RESOLUTION No. 01

Considered & noted.

AGENDA No.02

Statement of Arrears and Recovery of Revenue.

To consider the Statement of Arrears of Revenue and Taxes for the period ending Oct 2024 & Nov 2024 and recoveries made thereon during the financial year.

Report of Revenue Superintendent & all concerned files are placed before the Board for noting.

RESOLUTION No. 02

Considered & noted.

AGENDA No. 03

A) To consider the Birth and Death Reports for the month of Oct 2024 & Nov 2024.

Sl.No.	Report from	Oct 2024	Nov 2024
	BIRTHS:		
1.	Cantonment area (House)	00	00
2.	Cantonment Board General Hospital	00	00
3.	Military Hospital	18	13
4.	Railway Hospital	00	00
5.	Other Place	00	00
	Total	18	13
	STILL BIRTHS:	00	00

	DEATHS :		
1.	Cantonment area (House)	07	03
2.	Cantonment Board General Hospital	00	00
3.	Military Hospital	00	00
4.	Railway Hospital	00	00
5.	Other Place	00	00
	Total	07	03

B) To consider the footfalls of the Cantonment General Hospital (Allopathic, Ayurveda, Homeopathy, Dental and Radio Diagnosis and Lab Investigations).

Report of Resident Medical Officer & all concerned files are placed before the Board for noting.

RESOLUTION No. 03

Considered & the Board noted that the birth rate at the Cantonment General Hospital remains low. The Member Secretary suggested that a representative from the SEMO should be directed to take monthly meetings of the doctors at the hospital as a Chairperson. These meetings will aim to review progress, identify challenges and submit detailed reports to the Board. This would enable the Board to take necessary actions for improvement.

The President Cantonment Board (PCB) further suggested for arranging professional advice and counseling for the doctors. Additionally, it was emphasized that if performance does not improve despite these measures, appropriate actions will be initiated against the concerned individuals.

The Chief Executive Officer briefed the Board on the footfalls of the Cantonment General Hospital (Allopathic, Ayurveda, Homeopathy, Dental and Radio Diagnosis and Lab Investigations). It was noted that, compared to previous reports, there has been a significant improvements in both the Ayurveda , General OPD departments and Laboratory.

AGENDA No. 04

Noting of Circular Agenda:

To note the decision dated 24.10.2024 taken by the Board by circulation giving approval to the Annual Contract for collection of parking fees from various vehicles in Zone - I, II, III & IV in Belgaum Cantonment Area.

Copy of above-mentioned Circular Agenda is placed before the Board for noting.

RESOLUTION No. 04

Considered & noted.

AGENDA No. 05

Noting of Circular Agenda:

To note the decision dated 24.10.2024 taken by the Board by circulation giving approval to the Disposal of lease hold rights in respect of following shops in Belgaum Cantonment Area on monthly fees basis.

Sl. No.	Shop Nos. and location
1.	Shop Nos. 2,6,7,10,12 to 17 at Grocery Market
2.	Shop Nos. 1,2 and 4 to 10 at Railway Bus Stand
3.	Shop No. H-38, Old Poultry Market
4.	Shop No. 1, Shopping Complex in Office Compound
5.	Staircase between Shop No E21 & E22, Shopping Complex at P. B. Road.

Copy of above-mentioned Circular Agenda is placed before the Board for noting.

RESOLUTION No. 05

Considered & noted.

AGENDA No. 06

Noting of Circular Agenda:

To note the decision dated 14.11.2024 taken by the Board by circulation giving approval to the Providing morning breakfast to SC/ST Conservancy staff.

Copy of above-mentioned Circular Agenda is placed before the Board for noting.

RESOLUTION No. 06

Considered & noted.

AGENDA No. 07

Noting of Circular Agenda:

To note the decision dated 15.11.2024 taken by the Board by circulation giving approval for Termination of parking fees contract in respect of Zone-II parking area located in Belgaum Cantonment Area.

Copy of above-mentioned Circular Agenda is placed before the Board for noting.

RESOLUTION No. 07

Considered & noted.

AGENDA No. 08

Noting of Circular Agenda:

To note the decision dated 02.12.2024 taken by the Board by circulation giving approval for Disposal of lease hold rights in respect of following shops in Belgaum Cantonment Area on monthly fees basis.

Sl. No.	Details of premises and location
1.	Beef Offal Market at GLR Sy.No.251/115
2.	New Poultry Market at GLR Sy.No. 251/698-A
3.	Pork Market at GLR Sy.No. 129
4.	Sulabh Shouchalaya public toilet blocks (H-37) at GLR Sy.No.324/1, near Cattle Market, Belgaum Cantonment.
5.	Octroi Naka Building (H-22) at Ramghat Road GLR Sy.No.57, Belgaum Cantonment.

Copy of above-mentioned Circular Agenda is placed before the Board for noting.

RESOLUTION No. 08

Considered & noted.

AGENDA No. 09

To Note the action taken by the CEO.

During the Board meeting held on 22.10.2024, the Board has given authority to the CEO to procure the Hospital Medical Equipments mentioned in the CBR No. 16 dated 25.09.2024 through GeM. Accordingly, this office has purchased One Electro Cautery Machine amounting to Rs. 1,60,000/- through GeM for Cantonment General Hospital.

The Board may note the same.

RESOLUTION No. 09

Considered & noted.

AGENDA No. 10

Proceedings of the SMC Committee Meetings at Cantonment Board Schools :

To consider the proceedings of the School Management Committee (SMC) Meeting of the Cantonment Board Schools held for the month of September and October i.e. Cantonment Board Marathi Primary / High School, Cantonment Board Urdu Primary / High School and Cantonment Board English Medium School.

All relevant files including Minutes and Proceedings of the Meetings, are placed on the table for the Board's consideration.

RESOLUTION No. 10

Considered & Noted. The Chief Executive Officer discussed the agenda points of the SMC meeting, highlighting the initiatives undertaken by the committee. These included identifying slow learners and arranging special classes for them, organizing training sessions and workshops for both teachers and students, and securing donations in cash and kind for the benefit of students. Additionally, the Educational Auditor has conducted several seminars for teachers to familiarize them with various teaching techniques and modern technologies.

AGENDA No. 11

Submission of Workshop Report of Cantonment Board Schools.

To consider and to note the Workshop Report submitted by all the HMs of Cantonment Board Schools

conducted on 05th Oct, 2024, 16th Oct, 2024, 17th Oct, 2024, 18th Oct, 2024 and 19th Oct, 2024.

The report of all HMs alongwith the relevant papers, is placed before the Board for noting.

RESOLUTION No. 11

Considered & noted the workshops conducted for all Teachers of Cantonment Board Schools.

AGENDA No. 12

Weeding out of obsolete Records in accordance with the Cantonment Board Account Rules, 2020.

Ref: PD, DE, SC, Pune letter No. 367/GEN/Spl. Cam 4.0/SC DE dated 12.09.2024.

The PD, DE, SC, Pune vide their letter u/ref has directed this office to review the files / recording and weeding of files.

In accordance with the directives issued under Special Campaign 4.0 for institutionalizing Swachhata and minimizing pendency in Government offices, effective from 2nd October 2024 to 31st October 2024, it is necessary to weed out old files in the office as per the Cantonment Board Account Rules, 2020. This initiative aims at better space management and beautification of the offices. In this regard, all Section Heads were directed vide Office Order No. 153 dated 08.10.2024 to go through the list of old files, registers etc., and find out the number of files to be identified for weeding of files and registers etc. Accordingly, the Section Heads i.e. Assistant Engineer, Revenue Supdt., Accountant & I/c Sanitary Inspector have completed the identification of files and registers and they have submitted their report for weeding of 50 Nos. of files. They have also given proper certificate in this regard as per Cantonment Board Account Rules, 2020.

The Board may consider and approve the weeding out of obsolete files.

The Report of the Office Supdt. & Despatch Clerk along with the relevant papers are placed on the table.

RESOLUTION No. 12

Considered & Approved.

AGENDA No. 13

Addendum to the MoU between the Ministry of Ayush & Ministry of Defence (DGDE) for Records - Reg.

- Ref: 1. PD, DE, SC, Pune letter No. 7680/Hospital/Ayurveda/Sec'bad/DE dated 23.10.2024.
2. DG DE letter No. 76/12/AYUSH/Ayurveda/C/DE/2022 Vol. VI dated 11.11.2024.
3. DG DE letter No. 76/12/AYUSH/Ayurveda/C/DE/2022 Vol. VI dated 18.11.2024.
4. PD DE, SC, Pune letter No. 7680/Hospital/Ayurveda/Sec'bad/DE dated 02.12.2024.

It is brought to the notice of the Board that the PD, DE, SC, Pune vide their letter u/ref 1, has forwarded a copy of the DG DE letter DG DE letter No. 76/12/AYUSH/Ayurveda/C/DE/2022 Vol. VI dated 21.10.2024 along with the Govt. of India, Ministry of Defence O.M. No. V-15016/3/2022-ADS dated 14.10.2024 with signed copy of the addendum to the MoU between the Ministry of Ayush & Ministry of Defence (DG DE).

The DG DE u/ref 2, has forwarded a copy of the Ministry of Ayush O.M. No. V-15016/3/2022-ADS dated 05.11.2024.

The DG DE u/ref 3, has forwarded a copy of the Ministry of Ayush O.M. No. V-15016/3/2022-ADS dated 11.11.2024 & Central Council for Research in Ayurvedic Sciences, Min of Ayush, Govt. of India letter No. 2-5/2022-CCRAS/Rectt./Vol.1/5031 dated 13.11.2024 wherein it is stated that as per the addendum signed, all the expenditure towards pay, allowances or remuneration, as well as the supply of Ayurvedic medicines to all Cantonment hospitals covered under the MoU, will be borne by the Ministry of Defence.

Therefore, as per the previous MoU, the CCRAS on behalf of Ministry of Ayush will bear the expenditure on the same terms and conditions upto the period ending on 10.10.2024. Thereafter, the revised expenditure will be borne by the Ministry of Defence from 11.10.2024 to 19.04.2026 as per the new addendum of MoU. It is, therefore, requested to Ministry of Defence for further necessary action on the Ayurvedic Medicine and pay and allowances or remuneration at cantonment board hospitals, as per the new addendum of MoU between M/o Ayush and DGDE, M/o Defence.

Further, it is also informed that the MoU between Ministry of Ayush and DGDE, Ministry of Defence does not specify the tenure of the existing staff engaged. Therefore, the same staff (Doctors, Pharmacist,

Therapist and Technician) may be continued till 19.04.2026.

It is informed that the addendum to the MoU between the Ministry of Ayush and DG DE, Ministry of Defence, has been signed on 11.10.2024 extending the tenure of MoU for additional 2 years which is effective from 20.04.2024 to 19.04.2026 with modifications in existing clauses which will come into force with effect from the date of signing the addendum.

The details of modifications are as follows :--

Existing MoU between MoA and MoD/DGDE	Modification in MoU
<p><u>(A) OBLIGATION DUTIES AND UNDERTAKING OF MoA</u></p> <p>(i) MoA will provide one (01) doctor and one (01) Pharmacist for integrating Ayurveda OPD in each of 37 Cantonment Board Hospitals / Dispensaries for a period of two (02) years, as per List - I & II. Thereafter, necessary arrangements will be done by Cantonment Boards. The pay and allowances or remuneration, as the case may be shall be paid by MoA as per extant instructions in force.</p> <p>(ii) MoA will also provide all the technical knowhow from time to time.</p> <p>(iii) MoA will provide free medicines for 10 Cantonment Boards Health establishment (list - II) for a period of two (02) years.</p> <p><u>(B) OBLIGATION DUTIES AND UNDERTAKING OF MoD / DGDE</u></p> <p>(i) MoD / DGDE / CBs will provide space for OPDs, including providing equipments, furniture, medicines (except in 10 Cantonment Boards where medicines will be provided by MoA) and support staff as per MoD guidelines.</p>	<p><u>(A) OBLIGATION DUTIES AND UNDERTAKING OF MoA</u></p> <p>(i) MoA will provide the list of the one (01) doctor and one (01) Pharmacist for integrating Ayurveda OPD in each of 36 Cantonment Board Hospitals / Dispensaries (KhasYol Cantonment has been de-notified) for a period of two (02) years, as per List - I & II. Thereafter, necessary arrangements will be done by Cantonment Boards.</p> <p>(ii) MoA will also provide all the technical knowhow from time to time.</p> <p><u>(B) OBLIGATION DUTIES AND UNDERTAKING OF MoD / DGDE</u></p> <p>(i) MoD / DGDE / CBs will provide space for OPDs, including providing equipments, furniture and support staff as per MoD guidelines.</p> <p>(ii) The pay and allowances or remuneration, as the case may be shall be paid by Cantonment Boards as per extant instructions in force.</p> <p>(iii) Cantonment Boards will provide medicines for all their Health establishment (list-I) for a period of two (02) years.</p>

At present, the Cantonment Board Belgaum is functioning with the Ayurveda Clinic in Cantonment General Hospital by engaging One Ayurveda Medical Officer and One Ayurveda Pharmacist and their pay & allowances/remuneration are being paid by the MoA as under:

Name and designation of the staff and others	Details of pay and allowances / remuneration per month
Dr. Athira Venugopal, Ayurveda General Duty Medical Officer	Rs. 50,000/- per month.
Shri. Sameer Meena, Ayurveda Pharmacist	Rs. 30,000/- per month.

The PD, DE, SC, Pune vide letter u/ref, a copy of Ministry of Defence OM No. 10(1)/2024/D(Medical) 10.09.2024 has forwarded to this office regarding the extension of MoU between Ministry of Ayush & Ministry of Defence(DGDE) & signing of new addendum and requested to take necessary action to release revised rates of remuneration to the Doctors, Pharmacist and Medical Staff as mentioned in sub-para (B) of para 1 of the MoD OM letter dated 10.09.2024. The details of the revised rates of remuneration is as under:

Sl.No	Position	Current Remuneration (per month)	Revised Remuneration (per month)	Reference documents/remarks
1	Specialist	75,000/-	1,00,000/-	All India Institute of Ayurveda advertisement dated 18.12.2023
2	GDMO	50,000/-	75,000/-	Railway Board letter dated 18.11.2021
3	Pharmacist	30,000/-	30,000/-	Not available. Hence, remuneration may remain unchanged
4	Panchkarma Therapist/ Technician	18,000/-	30,000/-	All India Institute of Ayurveda advertisement dated 19.01.2024

Hence, the subject matter is placed before the Board for noting and considering the following expenditures to be spent by the Board for engaging the Ayurveda Doctor (GDMO), Pharmacist as per the revised rates mentioned in the above table from 11.10.2024 to 19.04.2026.

Name and designation of the staff and others	Details of pay and allowances / remuneration per month	Annual expenditure to be spent by the Board.
Dr. Athira Venugopal, Ayurveda General Duty Medical Officer	Rs. 75,000/- per month.	Rs. 9,00,000/-
Shri. Sameer Meena, Ayurveda Pharmacist	Rs. 30,000/- per month.	Rs. 3,60,000/-
Medicines	Rs.25,000/- per month	Rs. 3,00,000/- approx..

The RMO & Office Supdt. report along with the concerned papers are placed on the table.

RESOLUTION No. 13

Considered and resolved to approve the payment of revised rates of remuneration to Ayurveda doctors and pharmacists. Additionally, the expenses for medicines shall also be incurred. These expenditures will be borne by the Board.

AGENDA No.14

Revision of Dearness Allowance.

Ref: State Government of Karnataka Order No. FD 43 SRP 2024(I), Bangalore, dated 28.11.2024.

The State Government of Karnataka vide Order u/ref has enhanced the Dearness Allowance (DA) payable to State Government Employees in the 2018 Revised Pay Scales from the existing 42.50% to 45.25% of Basic Pay for the month of July 2024. As per the Memorandum of Settlement between the Cantonment Fund Servants and Government, the employees of Cantonment Board are also eligible to receive the DA at par with the State Government Employees in which the Cantonment Board is situated. The monetary benefit of the revised rate of dearness allowance is limited to the month of July 2024 only.

Report of Accountant & all concerned files alongwith letter u/ref, are placed before the Board for consideration.

RESOLUTION No. 14

Considered & Approved. Proposal be forwarded to higher authorities.

AGENDA No. 15

Procurement of Materials for Office Civil Works through GeM.

This office has called for the bid through GeM Bid Number: GEM/2024/B/5560591 dated 30/10/2024 for the procurement of materials for office civil works. The Technical bid was opened on 25/11/2024; three suppliers have participated in the bid and qualified for financial bid. Financial bid opened on 28/11/2024. The Details of bids received are as follows:

Sl. No.	Seller Name	Offered Item	Total Price	Rank
1	MARUTI ENTERPRISES	Item Categories : 250 watt Choke Ballast,250 Watt HPsv Lamp,Ignitor,Holder E 40,50 5 Kalpa CT Coil,100 5 Kalpa CT coi	4,66,803.18	L1
2	NIHARIKA ENTERPRISES	Item Categories : 250 watt Choke Ballast,250 Watt HPsv Lamp,Ignitor,Holder E 40,50 5 Kalpa CT Coil,100 5 Kalpa CT coi	4,68,266.00	L2
3	PADMAVATI AGENCY	Item Categories : 250 watt Choke Ballast,250 Watt HPsv Lamp,Ignitor,Holder E 40,50 5 Kalpa CT Coil,100 5 Kalpa CT coi	4,79,809.00	L3

The Board may consider and approve L1 supplier i.e., MARUTI ENTERPRISES for supply of materials for office civil works at Rs. 4,66,803.18.

Report of Local Purchasing Committee is placed before the Board for consideration.

RESOLUTION No. 15

Considered & Approved L1 . The Chief Executive Officer explained the Board about the necessity of purchase of 30 LED street lights for installation, in order to convert the existing sodium vapour street lights into LED street lights.

AGENDA No. 16

Renaming of roads in Belgaum Cantonment.

Ref : 1. CBR No. 39 dated 15.07.2024

2. This office paper publication No. 2/PWD/86/1983 dated 25.10.2024

The Belgaum Cantonment Board vide letter CBR u/ref 1 has approved the proposal for the renaming of certain roads within the cantonment limits as per the instructions of higher authorities after forming BOO for the said purpose.

This office vide letter u/ref 2 has invited objections/suggestions for the renaming of roads through advertisement published in Pudhari, Vijay Karnataka and Indian Express on 26.10.2024 in Belgaum Cantonment. In response to the advertisement, 77 number of representations from residents, Corporators, local organizations and concerned stakeholders have been received. Out of which 61 representations appreciated the steps taken by Cantonment Board for renaming the roads.

Two representations have been received for inclusion of certain names of war heroes, freedom fighters of Karnataka, Celebrities of Karnataka, Saints of Karnataka, Poets of Karnataka, Cricketers from Karnataka etc. One representation suggested to change the road name to represent their community, three representations suggested not to change the certain road names, one representation from Station Headquarters, Belagavi suggested not to change the name of Nolan Marg, One representation received from Hav Shivaji Laxman Patil to Keep the Indian War Heroes names and three representations received for changing the circle name at the junction of Khanapur Road and Havlock Road as Ambedkar Circle and installation of Ambedkar statue, for the naming of circle as Ambedkar Circle, the Nominated Member Shri. Sudhir K. Tupekar has also submitted the representation on 05.12.2024 to this office. The list of objections/suggestion and appreciation received by the applicants is enclosed as Annexure- 'A'.

In view of the above, the subject matter is placed before the Board for its consideration and suitable decision.

Report of Assistant Engineer and all concerned files, alongwith letters u/ref is placed before Board for consideration.

RESOLUTION No. 16

The Chief Executive Officer explained the Board that this office has invited objections/suggestions for the renaming of roads through advertisement in local newspaper. In response to the advertisement, 77 number of representations from residents, Corporators, local organizations and concerned stakeholders have been received. Out of which 61 representations appreciated the steps taken by Cantonment Board for renaming the roads.

According to the suggestions received from the responses, the Board after a detailed discussion, resolved to change the names of the following roads :

Sl.No	Existing Road name	Rename of Roads
1	North Telegraph Road	Belwadi Mallamma Road
2	Smart Road	Shahid Wing Cdr Hanmantrao Sarathi Road
3	Picket Road	Shri. Lance Naik Hanumantappa Road

The Nominated Member Shri. Sudhir Tupekar suggested to change the name of the Queens Garden as Sister Nivedita Garden. After a detailed discussion, the Board decided to change some name of the Garden in Cantonment area such as Queens Garden as Bhagini Nivedita Garden, Post Garden as Gangubai Hangal Garden and Exercise Garden as Bhimsen Joshi Garden.

Additionally, it is resolved that the circle/junction name of Khanapur Road and Havlock Road be changed as Dr. B. R. Ambedkar Circle and the Khanapur Road where the Dr. B. R. Ambedkar Statue is to be installed belongs to State PWD Department. Hence, the decision of the installation of statue at Khanapur Road shall be taken in consultation with State Government authorities.

AGENDA No. 17

Handing over of Class 'C' land bearing GLR Sy. No 4, Belgaum Cantonment to PWD for road widening of Vengurla Road.

Ref: 1. PDDE, SC Pune letter no. 22192/DE/SC/L/Bangalore/Vol-I dated 21.11.2024
2. DEO Bangalore letter No. BEL/CANTT/INFRA/PWD/I/80 dated 13/11/2024
3. Govt. of India, Ministry of Defence letter No. 13015/11/2023/US(I-1) dated 11/06/2024.

To consider the issue of handing over of Class 'C' land bearing GLR Sy. No.04 measuring 97.2103 sqm to the Karnataka State PWD Department for widening of Vengurla Road, Belgaum Cantonment.

As per the survey conducted on 19/08/2024 & 20/08/2024 by the Rep. of DEO Bangalore, Rep. of Cantonment Board, Rep. of PWD Belagavi, the DEO Bangalore vide their letter dt 13/11/2024 has forwarded the proposal to PDDE SC Pune for sanction/working permission of GOI, Ministry of Defence for transfer of Defence land admeasuring 5184.2109 sqm (1.28 acre) in GLR Sy. No 4 (pt), 20(pt), 25(pt), 39-C(pt), & 44 (pt) as mentioned above is required for development of existing PWD road by way of Carriage way, Storm water drain, Central Median and Foot path. Comprising GLR Sy. No. 38, Belgaum Cantonment on permanent basis as per extant Govt policy guidelines issued vide Government of India, Ministry of Defence letter No. 11015/2012D(Lands) dated 02.02.2016 & 21.10.2020 on Equal Value Land or EVI or as decided by the competent authority.

In the said proposal, Class 'C' land bearing GLR Sy. No 4 measuring 97.2103 sqm is involved. Hence, the views/comments of Cantonment Board Belgaum on the said proposal, are required to be forwarded to PDDE SC Pune.

The Board may consider the issue and resolve accordingly.

The concerned papers along with Assistant Engineer's report are placed on the table before the board for consideration.

RESOLUTION No. 17

Considered & resolved to handover the Class 'C' land bearing GLR Sy. No.04 measuring 97.2103 sqm to the Karnataka State PWD Department for widening of Vengurla Road, Belgaum Cantonment on the basis of giving Equal value of infrastructure to Cantonment Board, Belgaum. These views of the Board be forwarded to higher authorities for further necessary action in the matter as per the DEO Bangalore letter u/ref 2.

AGENDA No. 18

Submission of Appeal dated 29.07.2024 by Shri. Shridhar Mallappa Kollappagol, Dresser (Under the Orders of Dismissal).

Ref: CBR No. 14 dated 25.09.2024.

The Board vide CBR u/ref had decided that the Appellant Shri. Shridhar Mallappa Kollappagol, Dresser (Under the Orders of Dismissal) can be allowed to file his written arguments / synopsis, which will

nonetheless aid the Appellate Authority in deciding the Appeal. Hence, the said application of the Appellant was allowed and he was given 07 days time for the submission of the same after receiving the order.

Accordingly, Shri. Shridhar Mallappa Kollappagol, Dresser (Under the Orders of Dismissal) has submitted his written arguments in support of his Appeal vide his application dated 14.10.2024.

The matter is, therefore, brought before the Board for consideration and to take suitable decision as resolved vide CBR u/ref.

All relevant papers are placed on the table.

RESOLUTION No. 18

The Appointing Authority vide Employment Notice No.13/ADM/258 dated 01.06.2016 had invited applications from the candidates for the post of Dresser who have passed Matriculation or equivalent certificate from a recognized Board and have two years of experience in application of plasters in an Orthopedic Unit of Regd./Recognised Hospital.

After the completion of the selection process, Shri.Shridhar Mallappa Kollappagol (*hereinafter referred to as the Appellant*) was provisionally selected for the appointment as Dresser in the Cantonment Board General Hospital, Belgaum vide the Appointing Authority letter No.13/ADM/67/677 dated 12.08.2016 subject to certain conditions one of which, is the Clause No.06 of his appointment letter, which had the following clear and unambiguous condition:

"(6) If at a later stage, it is found that, you are not eligible for appointment in Govt. service for giving false information or false certificate or otherwise and the same is detected during the tenure of your service under the Board, you are liable to be dismissed from the Service as per rule."

The Appellant at the time of his joining the service had submitted two certificates:

1. Provisional Certificate bearing No.SFA 18978 issued by the First Aid Senior Examination dated 06.06.2016 issued by the St. John Ambulance (India), Bangalore.
2. Experience Certificate dated 06.06.2016 issued by the Vijaya Ortho & Trauma Centre (VOTC), Belagavi stating that the Appellant had worked in the said VOTC, Belagavi for the last 02 years prior to 06.06.2016 and that the Appellant has experience in applying plasters and dressing.

The Experience Certificate dated 06.06.2016 submitted by the Appellant stated as under:

"This is to certify that Mr.Shridhar M. Kollappagol has worked in Vijaya Ortho and Trauma Centre, Belagavi since last 2 years. He experienced in applying Plasters and Dressing. He bears good character and Sincere in his work."

The Appointing Authority vide letter No.4/ADM/54/Pers./569 dated 13.09.2023 directed the Appellant to submit the original/non-provisional copy of the Provisional Certificate bearing No.SFA 18978 of the First Aid Senior Examination dated 06.06.2016 issued by the St.John Ambulance (India), Bangalore.

The Appellant did not submit the original/non-provisional certificate. However, the Appellant replied that he had submitted all the requisite documents at the time of joining. He further stated in his reply that he has been asked by the Appointing Authority, after a lapse of almost seven years, to furnish the original certificates, which he does not have in his custody/possession at this stage. He also stated that the original/non-provisional certificates must have been in the custody of this office. The Appellant questioned the Appointing Authority as to under which authority was he granted the appointment to the service. The Appellant requested the Appointing Authority to furnish the names, full details of the selection committee members during his selection process.

The Appointing Authority forwarded the experience certificate dated 06.06.2016 submitted by the Appellant to the Dr.Ravi B. Patil, VOTC, Belagavi to confirm whether the Appellant had worked in their hospital for the preceding two years before 06.06.2016. The Appointing Authority further requested the VOTC, Belagavi to provide the copies of the salary slips and attendance sheets in respect of the Appellant for the said period of his service that hospital vide this office letter no.4/ADM/54/Pers/569 dated 13.09.2023.

The VOTC, Belagavi vide its letter dated 15.09.2023 issued by the Hospital Administrator informed the appointing authority that:

"Mr. Shridhar M. Kollappagol had joined Vijaya Ortho & Trauma Centre, Belagavi as an observer, he was observing the dressing procedures for the period of 14-16 months, he was not an employee of VOTC and as such, he was not paid any salary/remunerations. After 14-16 months, demanding salary/remuneration for observing which the management refused and that he abruptly stopped coming."

The appointing authority directed the Appellant vide its Office letter No.4/ADM/54/Pers./744 dated 15.11.2023 to submit his written explanation with respect to the VOTC, Belagavi's letter dated 15.09.2023, within 03 days.

The Appellant replied vide his reply dated 21.11.2023, wherein he relied back on his earlier reply dated 16.09.2023 and once again, reiterated that he has not been furnished with the names and full details of the members of the selection committee which selected him to the service.

The Appointing Authority did not agree with the explanation given by the Appellant, since it had surfaced that the Appellant had submitted forged documents along with his application for the post of Dresser.

The appointing authority as per the condition at Clause No.06 of his appointment letter, vide Office Order No.143 dated 21.11.2023 imposed the major penalty of dismissal from service w.e.f. 21.11.2023. The said order also read that the same shall ordinarily be disqualification for future employment under the Board whom he was employed at the time of dismissal or any other Board, in accordance with Rule 10(2)(b)(v) of the CBES Rules, 2021. The said appointing authority's Order dated 21.11.2023 is hereinafter referred to as the 'impugned order'.

The Appellant preferred the present Appeal dated 18.12.2023 as per Rule 18(1) of the CBES Rules, 2021 before the Hon'ble Brigadier & Ex-Officio President, Cantonment Board, Belagavi with a prayer to set aside the impugned order, permission for him to lead oral evidence and produce documents and raise additional contentions in support of his case during the hearing of the Appeal and any other relief deemed fit by the Appellate Authority may be granted to him.

As the Appellant has preferred the appeal within thirty days from the date of service of the document based on which the Appointing Authority imposed the penalty. The matter was brought before the Appellate Authority for its decision.

The Appellate Authority vide its Resolution CBR No.13 dated 23.01.2024 decided that a detailed written submission be taken from the Appellant and after perusing all the records and the written submissions of the Appellant, the Appellate Authority can hear the Appellant on merits.

The Appellate Authority informed the Appellant of the said CBR No.13 dated 23.01.2024 vide letter No.13/ADM/67/1104 dated 07.02.2024 to submit his written submissions.

The Appellant vide his letter dated 20.02.2024 submitted the averments and contents of the Appeal along with the documents submitted in support of the same be treated and considered as his written submission.

The Appellate Authority vide its Resolution CBR No.17 dated 13.03.2024 allowed the request made by the Appellant and also decided that all the relevant documents/certificates of the Appellant be verified. It was also decided that following the verification, the necessary actions shall be taken by the Appellate Authority.

The Appellate Authority undertook the verification process wherein the experience certificate dated 06.06.2016 was found to be fake.

The Appellant was given a personal hearing during the meeting of the Appellate Authority held on 15.07.2024 at 1100 hours. The Appellant appeared before the Appellate Authority. The Appellate Authority asked the Appellant as to whether he would like to present any queries or additional facts before it.

The Appellant made oral submissions that when the Appellate Authority carried out its verification process of the certificates submitted by him, the VOTC, Belagavi issued a fake certificate to the Appellate Authority in 2023 and now in 2024. The Appellant contended that instead of justifying their letter dated 15.09.2023, the VOTC, Belagavi has issued another fake certificate. The Appellant further submitted that when he asked the VOTC, Belagavi about the signature on the experience certificate, the VOTC, Belagavi denied signature on the experience certificate issued to the Appellate Authority.

The Appellate Authority informed the Appellant that all the documents/certificates submitted by him have been verified once again, wherein the experience certificated dated 16.06.2016 has established as fake.

The Appellant was asked if he wishes to submit any other facts before the Appellate Authority. The Appellant confirmed that he has submitted the everything he wants. The Appellate Authority vide its Resolution CBR No.33 dated 15.07.2024 resolved that the Appeal be reserved for the judgment/orders in the ensuing Board meeting.

The Appellate Authority convened a Board meeting on 25.09.2024 to pass the orders on the Appeal. However, the Appellant appeared before the Appellate Authority on 25.09.2024 at 1100 hours and filed three interim applications viz.:

1. Application seeking to cross-examine a witness, i.e., the Administrator of the VOTC, Belagavi who had authored the letter dated 15.09.2023.
2. Application seeking to engage a legal practitioner or a retired employee of the Indian Railways, Shri.B.M.Venkatesh who retired as TTI/BAY/SCR.
3. Application to seeking permission to file detailed written arguments.

After hearing the Appellant's oral submission on the three interim applications, the Appellate Authority passed a detailed Resolution No.14 dated 25.09.2024 wherein the following observations and orders were passed:

On the First Interim Application of the Appellant:

The Appellate Authority considering the first interim application filed by the Appellant seeking to cross-examine a witness, i.e., the Administrator of the VOTC, Belagavi made the following observations:

1. The Appellant has filed this interim application seeking the permission of the Appellate Authority to cross-examine a witness at a stage when the Appeal had been reserved and the orders/judgment of the Appeal was about to be pronounced.
2. The perusal of the records show that the Appellant was first served a show cause notice on 16.09.2023 and then on 17.11.2023 to which the Appellant replied but never disputed the letter now mentioned in his interim application nor requested an opportunity to cross-examine the author of the said letter dated 15.09.2023.
3. The Appellant in his appeal memo filed before the Appellate Authority does bring up this issue and does not dispute the authenticity of the letter dated 15.09.2023.
4. The Appellant during the 03 opportunities before the Appellate Authority, i.e., 23.01.2024, 13.03.2024 and 15.07.2024 did not make the request to cross-examine any witness or lead any evidence in his defence.

The Appellate Authority placed its reliance on the judgment of Hon'ble Supreme Court in Lakshman Exports Ltd. Vs Collector of Central Excise (2005) 10 SCC 634 wherein while dealing with the Administrative Law, the principles of natural justice - audi alteram partem and the right of cross-examination, it has been held that the party seeking such cross-examination should seek/request the same at the earliest for being granted such a relief.

Further, the Appellate Authority observed that the Appointing Authority while passing the impugned order or during the Appeal has not adduced any oral evidence of any witness and that the consequent right of cross-examination does not arise.

Further, the Appellant when asked about being desirous of calling any witness/witnesses or producing any documentary evidences in his defence, the Appellant has clearly chosen to refrain from doing so.

Thus, the Appellate Authority rejected the first interim application of the Appellant.

On the Second Interim Application:

The Appellate Authority while considering the second interim application filed by the Appellant seeking

the relief of being represented by a legal practitioner or a retired employee of the Indian Railways, Shri.B.M.Venkatesh who retired as TTI/BAY/SCR made the following observations:

1. The Appellant filed this interim application under Rule 11(8)(a&b) of the CBES Rules, 2021. The Rule 11 of the CBES Rules, 2021 provides a right to the delinquent employee to be represented by a legal practitioner or a retired employee of the Board.
2. This right is to be exercised by the Appellant through an interim application which needs to be filed along with the Appeal Memo itself. If for some reason, if such an interim application/request is not filed/made by the Appellant during the filing of the Appeal, the Appellant ought to have made the request before or during the first personal hearing accorded to him by the Appellate Authority.
3. In this instance, the Appellant has been representing himself throughout, since the first show cause notice was served to him and also that he willingly and being aware of his alleged requirement of legal assistance, voluntarily attended the personal hearings before the Appellate Authority, made submissions and also submitted that he has nothing further to submit, based on which the Appellate Authority had reserved the Appeal for orders/judgment and is about to pronounce the same.
4. The records show that the Appellant himself, after being satisfied about his defence before the Appellate Authority, has submitted that he has said his piece and did not object to the Appeal being reserved for orders/judgment by the Appellate Authority.
5. The interim application filed by the Appellant at such a delayed stage, especially when the Appeal has been heard fully to the satisfaction of the Appellant cannot be entertained.

Thus, the Appellate Authority rejected the second interim application of the Appellant.

On the Third Interim Application:

The Appellate Authority while considering the third interim application filed by the Appellant seeking the permission to file detailed written arguments made the following observations:

1. The interim application has been filed by the Appellant seeking permission of the Appellate Authority to permit him to file his detailed written arguments before the passing of the final order/judgment in the Appeal.
2. It is an established convention in law to allow the parties in a proceedings to file their written arguments/synopsis in furtherance of their contentions.
3. The said request ought to have been made by the Appellant before the Appeal was reserved for orders/judgment by the Appellate Authority.
4. However, as the Appellate Authority has not pronounced the orders/judgment in the Appeal, the Appellant can be allowed to file his written arguments/synopsis, which will nonetheless aid the Appellate Authority to decide the Appeal.

Thus, the Appellate Authority allowed the third interim application of the Appellant and decided to give the Appellant 07 days' time for the submission of his written arguments from the date of receipt of the order on the third interim application.

The Appellant filed his detailed written arguments on 14.10.2024 which has been considered by the Appellate Authority.

The Appellate Authority summarized the gist of the Appeal, the oral submissions and the detailed written arguments filed by the Appellant as under:

1. The Appellant has claimed that he was not given sufficient opportunity for being heard and to defend himself. The Appellant has claimed that as he has not been accorded any opportunity whatsoever to be heard and defend himself, the impugned order needs to be set aside as the same has been issued without complying with the principles of natural justice.
2. The Appellant has further has put forth that post his joining of the service as Dresser with the Board, he has had an unblemished service record till the date of his dismissal vide the impugned order.

3. His personal family background and the fact that the parents of the Appellant are civilian Safaikarmacharis in the Military Hospital, Belagavi. The Appellant has vehemently argued that the family background of an employee plays an important role in deciding the service issues as per the service rules.
4. The Board's Office did not furnish the details sought by the Appellant vide his replies dated 16.09.2023 and 20.11.2023. The Appellant has argued with emphasis that the names and full details of the members of the selection committee is relevant and crucial for him to prepare his defence in the light of the letter dated 15.09.2023 issued by the VOTC, Belagavi
5. The Appellant has claimed that the experience certificate dated 06.06.2016 is a valid one and has disputed the authenticity of the letter dated 15.09.2023 issued by the VOTC, Belagavi. The Appellant has argued in detail that the letter dated 15.09.2023 of the VOTC, Belagavi cannot be the sole basis for passing the impugned order.
6. The Appellant has further claimed that he has not been accorded an opportunity to confront the oral evidence of the witness relied upon by the appointing authority through cross-examination.
7. The Appellant has vehemently argued that the authenticity of the documents produced by him was to be verified by the members of the selection committee prior to his selection and appointment thereafter to the service of the Board and not years down the line. The Appellant has further claimed that the authenticity of the documents submitted by him was verified by the appointing authority before confirming his service post the completion of the probation period.
8. The Appellant has claimed that while he was carrying out his regular duties in an unblemished manner, the appointing authority has issued the impugned order of dismissal to his astonishment.
9. The Appellant has further claimed that the appointing authority has not applied administrative or judicious mind while passing the impugned order.
10. The Appellant has also claimed that the appointing authority in collusion with his ill-wishers has passed the impugned order, causing loss of a well-experienced staff to the workforce.
11. The Appellant has claimed that he has been a secretary of the Board's Kamagar Association, an union movement for the welfare of the subordinate employees and that the impugned order has been passed at the behest of some of the ill-wishing members of the said Association.
12. The Appellant has claimed that there has not been any misconduct on his part to attract any penalty whatsoever.

The Appellate Authority has also considered the citations relied upon by the Appellant which are:

1. Raizada Trilok Nath's Case, SLR 1967 SC 759
2. Modula India vs Kamakhya Singh Deo (1988) 4 SCC 619
3. Union of India vs H. C. Goel AIR 1964 SC 364
4. Nandkishor vs State of Bihar AIR 1978 SC 1277

Based on the facts and circumstances of the Appeal, the Appellate Authority considered the following points while deciding the Appeal:

1. Whether sufficient opportunity was given to the Appellant to present his defence before passing the impugned order?
2. Whether the service record of the Appellant post joining the service of the Board has any bearing on the impugned order?
3. Whether the family background of the Appellant is a relevant factor to be considered while passing the impugned order?
4. Whether the details sought by the Appellant vide his replies dated 16.09.2023 and 20.11.2023 relevant for the preparation of his defence?
5. Whether the letter dated 15.09.2023 issued by the VOTC, Belagavi is authentic?
6. Whether the Appellant has a right of cross-examination of the witness relied upon by the appointing authority?
7. Whether the issuance of the Appointment letter and subsequent confirming of service post the completion of the probation period by the Appellant imply that the certificates provided by the

- Appellant are correct?
8. Whether the appointing authority has applied administrative and judicious mind in passing the impugned order?
 9. Whether the appointing authority has passed the impugned order in collusion with ill-wishers of the Appellant in the Board?
 10. Whether the appointing authority has passed the impugned order in collusion with the ill-wishing members of the Kamagar Association?
 11. Whether there has been a mis-conduct by the Appellant?

Upon the perusal of the materials placed by the appointing authority, the Appeal Memo filed by the Appellant, the oral arguments advanced by the Appellant, the Interim Applications filed by the Appellant, the detailed Written Arguments filed by the Appellant and the citations relied upon by the Appellant, based on the reasons detailed in this order, the Appellate Authority answered the *points for consideration* as under:

1. Affirmative
2. Negative
3. Negative
4. Negative
5. Affirmative
6. Negative
7. Negative
8. Affirmative
9. Negative
10. Negative
11. Affirmative

The Appellate Authority based its order on the following reasons:

1. The materials before this Appellate Authority show that the Appellant was issued an Appointment Letter which contained certain conditions and one such condition is at Clause No.06 of the said Appointment Letter. It is a settled position of the law, that the Appellant agreed to all the conditions in the said Appointment Letter when he chose to join the services of the Board, including the condition imposed under Clause No.06.

2. The said Clause No.06 clearly and unambiguously provides as:

"(6) If at a later stage, it is found that, you are not eligible for appointment in Govt. service for giving false information or false certificate or otherwise and the same is detected during the tenure of your service under the Board, you are liable to be dismissed from the Service as per rule."

There is no indication in the said condition that the confirmation of the service of the Appellant post the completion of the probation period of 06 months would automatically imply that the certificates provided by the Appellant are authentic and cannot be verified at a subsequent date. There have been several instances wherein the employees have been found to have gained their respective employments by unfair means including by submitting false information, fake or forged certificates and the same have been detected by the employers several years subsequent to the joining of the service by such employees. The Appellant's argument that his service with the Board was confirmed upon verification of the certificates submitted by him and thus, hence the said issue should not be raised 7-8 years after he has joined service cannot be considered in this instance.

3. There have been several instances wherein the false information and/or fake/forged documents like certificates were submitted by the employees during their joining of service and this gaining of employment through unfair means was detected several years thereafter and the employees have been held liable for the same and punishments have been handed over to such employees in similar instances. Thus, the arguments canvassed by the Appellant in this regard have no bearing whatsoever in challenging the impugned order before this Appellate Authority on this ground.
4. The files reveal that the appointing authority found that the Appellant had furnished provisional certificates and not the final/non-provisional ones at the time of joining the service and thus, in the first instance issued a direction in writing to the Appellant to furnish the same. The Appellant replied to the said direction vide his letter dated 15.09.2023 choosing not to furnish the original/non-provisional certificates but rather made allegations as to how the Selection Committee selected him in the first place if the certificates were not non-provisional etc., and demanded that the names and

full details of the members of the Selection Committee be provided to him.

5. The files further reveal that the appointing authority made a written query to the VOTC, Belagavi seeking the details like salary slips, attendance register entries, etc., of the Appellant during his service with the VOTC, Belagavi for a period of 02 years before 06.06.2016. The perusal of this letter of the appointing authority clearly shows that there was no bias or prejudice in the mind of the appointing authority against the Appellant at the time of issuing the said letter to the VOTC, Belagavi. The letter of the VOTC, Belagavi dated 15.09.2023 throws much light on the status of the Appellant with respect to the VOTC, Belagavi prior to the Appellant joining the service of the Board. The VOTC Belagavi has stated clearly that the Appellant had joined it as an observer for observing the dressing procedures for a period of 14-16 months, he was not an employee of the VOTC, Belagavi and as such, he was not paid any salary/remunerations. The VOTC, Belagavi has further stated that after 14-16 months, the Appellant began demanding salary/remuneration for observing which the VOTC, Belagavi refused and that the Appellant abruptly stopped going for observations.
6. The records depict that the appointing authority issued one more show cause notice dated 15.11.2023 to the Appellant based on the VOTC, Belagavi's letter dated 15.09.2023 to which the Appellant replied vide his letter dated 20.11.2023. This show cause notice of the appointing authority was accompanied by the letters dated 06.06.2016 and 15.09.2023, this fact has been admitted by the Appellant several times in his Appeal Memo, oral submissions and the detailed Written Arguments filed by him.
7. The perusal of this reply of the Appellant dated 20.11.2023 shows that the Appellant did not offer even an iota of explanation/justification/substantiation in favour of the experience certificate dated 06.06.2016 submitted by him. In the said reply, the Appellant also did not dispute the authenticity of the letter of the VOTC, Belagavi dated 15.09.2023. However, the Appellant chose once again to seek the names and full details of the members of the selection committee which selected him.
8. The records reveal that there were two opportunities given to the Appellant months apart wherein, the Appellant rather than preparing his defence and making the same, chose not to and further sought irrelevant information under the garb of seeking relevant information, which would be necessary for the Appellant to prepare and prove his defence. The records are clear that the appointing authority had supplied the Appellant with the necessary copies of the documents based on which the show cause notice was issued and based on which the impugned order came to be passed.
9. The Appellant during the course of this Appeal has strenuously disputed the authenticity of the VOTC, Belagavi's letter dated 15.09.2023 and surprisingly, not defended the experience certificate dated 06.06.2016 to be authentic. The Appellant's replies, the Appeal Memo, the Interim Applications, his oral arguments and the detailed written arguments do not show any substantiation by the Appellant about his employment and any evidence that the Appellant would desire to bring forth before either the appointing authority passed the impugned order or before this Appellate Authority during the course of this Appeal. The Appellant also did not furnish any evidences and/or furnish a list of witnesses to substantiate that he was indeed under the employ of the VOTC, Belagavi prior to 06.06.2016.
10. This clearly indicates that the VOTC, Belagavi could not have issued the earlier experience certificate dated 06.06.2016 which stated that the Appellant had 'worked' for more than 02 years and also that the Appellant has experience in applying plasters and bandages and subsequently, issue the letter dated 15.09.2023 stating that the Appellant was not an employee and was not paid salary/remuneration.
11. The origins of the said experience certificate dated 06.06.2016 allegedly to have been issued by the VOTC, Belagavi, but clearly denied by it vide its letter dated 15.09.2023 remains unknown. The Appellant during the course of this Appeal has vehemently disputed the authenticity of the VOTC, Belagavi's letter dated 15.09.2023 by stating the said letter dated 15.09.2023 does not bear the name, designation and seal of the person who has signed it on behalf of the VOTC, Belagavi.
12. Since the Appellant has disputed the authenticity of the said VOTC, Belagavi's letter dated 15.09.2023, and the impugned order was passed by the appointing authority on the basis of the said letter, this Appellate Authority, during the course of this Appeal has independently verified all the certificates furnished by the Appellant and not just the alleged experience certificate dated 06.06.2016. During the course of the independent verification, it has been verified to the satisfaction

of this Appellate Authority that the VOTC, Belagavi did not issue the alleged experience certificate dated 06.06.2016 and the VOTC, Belagavi has reiterated the statements made by it in its letter dated 15.09.2023. Hence, the argument of the Appellant that the appointing authority has relied upon the letter dated 15.09.2023 which is a false/fake/forged one has been proved to baseless. In fact, the alleged experience certificate dated 06.06.2016 in the light of the denial made by the VOTC, Belagavi shows that the said and alleged experience certificate dated 06.06.2016 itself is not a genuine/authentic one.

13. The Appellant has argued that there ought to have been an inquiry proceeding against him under Rule 11 of the service rules. The perusal of the records before this Appellate Authority reveals that the post of Dresser is a non-supervisory post and as such the appointing authority itself is the disciplinary authority. The appointing authority based on the evidence before it, obtained after written inquiry with the VOTC, Belagavi, came to be satisfied that the Appellant had submitted a fake/forged experience certificate to gain employment with the Board, passed the impugned order as per the Clause No.06 of the Appointment Letter.
14. Further, the alleged act of the Appellant took place not during the service of the Appellant with the Board but prior to his appointment itself. Though the Appellant has committed misconduct as explained by the Hon'ble Supreme Court in numerous judgements, especially in *State Bank of India and Others vs Palak Modi and another* [(2013) 3 SCC 607], the fact that the same has taken place prior to joining of the service by the Appellant and the appointing authority passing the impugned order as per Clause No.06 of the conditions of the appointment after providing opportunities to the Appellant to file his defence, is in compliance with the principles of natural justice.
15. The Appellant during the course of this Appeal filed an Interim Application seeking an opportunity to cross-examine the witness on whose oral evidence, the appointing authority had passed the impugned order. The records show that the appointing authority did not adduce any oral evidence of any witness and has passed the impugned order on the basis of documentary evidence. The arguments of the Appellant that his right of cross-examination has been denied cannot be entertained as there is no witness who led oral evidence. The Appellant in his replies and/or during this Appeal did not even remotely suggest that he is desirous of calling any witness/witnesses or documentary evidences in his defence. The Appellant instead of putting forth his evidences and witnesses merely has alleged that he has been denied an opportunity to cross-examine a non-existent witness. The Appellant has not sought the summoning of any witnesses or documents by this Appellate Authority to aid in his defence.
16. The records show that the appointing authority has applied its mind before the passing of the impugned order wherein it has not blindly passed the impugned order rather has made efforts to verify the authenticity of the alleged experience certificate dated 06.06.2016 and also gave two opportunities to the Appellant before passing the impugned order.
17. However, the Appellant neither chose to defend the experience certificate dated 06.06.2016 nor offer any evidence whatsoever in his defence, but merely kept on demanding the names and full details of the members of the selection committee that selected him.
18. Further, the Appellant has not placed any evidence before this Appellant Authority to show that the impugned order was passed in a biased manner and also that the appointing authority passed the impugned order in collusion with the alleged ill-wishing employees of the Board or the ill-wishing members of the said Kamagar Association.
19. The records are clear that the appointing authority did not pass the impugned order merely on suspicion that the experience certificate dated 06.06.2016 submitted by the Appellant is a fake/forged one, but undertook verification with the VOTC, Belagavi which ascertained that the truth and then passed the impugned order.
20. The facts and circumstances of this Appeal show that scrupulous care has been taken by the appointing authority and this Appellant Authority, by way of an independent verification of all the certificates submitted by the Appellant, so that an innocent person is not punished.
21. The arguments advanced by the Appellant about his family background though are emotional, the same have no bearing on the appointing authority which passed the impugned order or this Appellate Authority while considering this Appeal.

ORDER

For the reasons discussed in detail above, the following order is passed vide Resolution CBR No.18 dated 12.12.2024:

1. The appeal of the Appellant is hereby dismissed for lack of merits and lack of interest of the Appellant to defend himself wherein the Appellant has not led any oral evidences or produced documentary evidences.
2. The impugned Office Order No. 143 dated 21.11.2023 passed by the appointing authority/disciplinary authority is hereby upheld.
3. The appointing authority is hereby directed to file FIR with the jurisdictional police against the Appellant and unknown persons for submitting/creating a fake/forged experience certificate.
4. The appointing authority is hereby directed to recover all sums of money paid to the Appellant as salaries, allowances, etc., as per Sec.324 of the Cantonments Act, 2006 from the date of his joining the service of the Board till the date of the impugned order.
5. Copies of this order be furnished to the Appellant forthwith.

AGENDA No. 19

Registration of newly purchased Case Backhoe Loader at RTO Belagavi.

This office has purchased Case Backhoe Loader vehicle through GeM on 20.07.2024. The same has been supplied by the Agency. While the Tender for Backhoe Loader was floated on GeM, the motor vehicle registration clause was not mentioned in the tender.

Now the RTO Belagavi has submitted the details of payment for registration of the Case Backhoe Loader vehicle i.e., amounting to Rs. 1,90,742/- towards the purchase of the said vehicle. Accordingly , this office has paid Rs.1,90,742/- to the RTO, Belagavi.

The Board may consider and note the same.

The Store Keeper's report alongwith the relevant papers are placed on the table.

RESOLUTION No. 19

Considered & noted.

With the permission of the Chairperson, the following supplementary agenda was taken up

AGENDA No.20

Creation of Junior Hindi Translator post for compliance/implementation of Official Language Policy of the Central Government-Reg.

Ref: 1) DGDE New Delhi letter No.17(1)/राजभाषा/रक्षा संपदा dated 22-06-2016.

2) (i) PDDE SC Pune letter No.16940/IV/र.सं./पद सृजन/नियुक्ति dated 13-10-2011.

(ii) No.8996/र. भ. /सं.समि./निरी./छा.प.का/बेल.1 dated 02-11-2023.

As per the directions received vide letters u/ref, all the documents coming under section 3(3) of Official Language Act, 1963 has to be issued in bilingual. The documents which come under the above mentioned section are - General Orders, Resolution, Rules, Notifications, Administrative and other Reports, Press Communiques, Contracts, Agreements, Licences, Permits, Information, Tender Form, Tender Notice and Papers to be placed before both the Houses of the Parliament.

Further, with reference to letters u/ref 1 & 2(i), it is stated that for the offices located in region 'B' & 'C' and having employees/officers more than 18 Nos. (excluding group-D), one Junior Hindi Translator post can be created for the compliance/implementation of Official Language Policy of Central Government. The present strength of officers/employees in Belgaum Cantonment Board is 24 (excluding group-D) and this office comes under region 'C'.

This office vide letter No. 4/ADM/54/PR/2193 dated 15.11.2024 had requested The Director, Directorate of Translation, Bangalore to provide State Government of Karnataka Orders along with minimum education qualification and pay scale applicable as per Karnataka Civil Services (Revised Pay) Rules in order to obtain necessary sanction from higher authorities for creation of One Junior Hindi Translator Post for this office. In reply thereto, the Director, Directorate of Translation, Bangalore vide their letter No. BN 103/Administration/H.B/Details/2024 dated 02.12.2024 has forwarded the updated C & R copy of Directorate of Translation, the details of which are as follows:

Sl. No	Designation of post and pay scale	No of Posts			Method of Recruitment	Minimum Qualification
		Permanent	Temporary	Deputation		
9.	Translator (Hindi) -1 (Rs. 65950-124900)	1	-	-	By direct recruitment in accordance with the Karnataka Civil Services (Direct Recruitment by Competitive Examination and Selection)(General) Rules, 2006; or By deputation of a suitable official from any civil service of the State Government or Central Government.	For Direct recruitment or Deputation:- (i) Must be a holder of a M.A (Hindi) in Second class with English as one of the languages at Bachelor's degree level or equivalent Qualification;

Therefore, the creation of one Junior Hindi Translator post is permissible with the approval of the Board.

The Board may consider and approve the same.

Report of Accountant & all concerned files alongwith letter u/ref, are placed on the table.

RESOLUTION No. 20

Considered & resolved that one Post of Junior Hindi Translator in the Pay Scale of Rs. 65950-1650-74200-1900-85600-2300-99400-2700-115600-3100-124900 should be created without surrendering any post. The proposal for creation of the said Post be submitted to the higher authorities.

AGENDA No.21

Establishment: Grant of Additional Increment

In accordance with Karnataka State Government orders, to consider the grant of 3rd additional increment on completion of 30 years of continuous service to the following Cantonment Board employees as per the details mentioned below:

Sl No	Name & Designation	Designation	Date of appointment	Grant of 3 rd additional increment on completion of 30 years of continuous service in one cadre w.e.f.	Existing Pay Scale (in Rs.)	Present Basic drawn in the existing scale (in Rs.)	One additional increment amount to be paid in the existing scale (in Rs.)
1	Shri. Ramesh I Myaginmani	Chowkidar	19-09-1994	03-12-2024	19950-450-20400-500-22400-550-24600-600-27000-650-29600-750-32600-850-36000-950-37900	33450/-	850/-

Report of Accountant & all concerned files are placed before the Board for consideration.

RESOLUTION No. 21

Considered & Approved. The proposal be forwarded to higher authorities.

AGENDA No.22

Grant of Personal Pay and Cash/Lumpsum Award on passing the Hindi Prabodh, Praveen, Pragya and Parangat examination-reg.

REF: Govt of India, Ministry of Home Affairs, Department of Official Language, New Delhi Office Memorandum No.21034/66/2010.O.L. (Trg.) dated 29.07.2011 (annexure 'A') and No.6/4/HINDI BHASHA PARASHIKSHAN/Jan-May/2025-2403 dated 12.11.2024 (annexure 'B').

With reference to above cited letters, the Department of Official Language has sanctioned **Personal Pay equal to one increment** (i.e. increment amount drawn on the date of passing the concerned examination) for a period of **12 months** on passing Prabodh, Praveen & Pragya exams [whichever is final exam for them]. Similarly, Govt. has sanctioned **cash awards/lumpsum awards** which are applicable from the year **2011 onwards** as per rates indicated below on passing Prabodh, Praveen and Pragya examinations of Hindi Teaching Schemes: -

Sl.No.	Hindi Language examination of Hindi Teaching Scheme	Rate of Cash Award in Rs.
A	Prabodh	
1	For securing 55% or more marks but less than 60% marks	400/-
2	For securing 60% or more marks but less than 70% marks	800/-
3	For securing 70% or more marks	1600/-
B	Praveen	
1	For securing 55% or more marks but less than 60% marks	600/-
2	For securing 60% or more marks but less than 70% marks	1200/-
3	For securing 70% or more marks	1800/-
C	Pragya	
1	For securing 55% or more marks but less than 60% marks	800/-
2	For securing 60% or more marks but less than 70% marks	1600/-
3	For securing 70% or more marks	2400/-

Further, Govt of India, Ministry of Home Affairs, Department of Official Language, New Delhi vide Office Memorandum No. 21034/69/2008-रा.भा.(प्रशि) dated 05-02-2021 (annexure 'C') has sanctioned cash award / lumpsum award for passing Hindi Parangat exam of Hindi Teaching Scheme which is applicable from the year **2015-16 onwards** as per rates indicated below: -

D	Parangat	Rate of Cash Award in Rs.
1	For securing 55% or more marks but less than 60% marks	4000/-
2	For securing 60% or more marks but less than 70% marks	7000/-
3	For securing 70% or more marks	10000/-

The PDDE SC Pune vide their letter No.8113/XVIII/DE dated 28.04.2017 (annexure 'D') has intimated that decision regarding payment of cash/lumpsum awards to the employees for passing Hindi examinations of Hindi Teaching Schemes, should be taken at the Board level itself.

In view of the above, the matter is brought before the Board for consideration and approval.

Report of Office Supdt. alongwith concerned papers are placed on the table.

RESOLUTION No. 22

Considered & Approved.

AGENDA No.23

Regarding Retirement age of Doctors working in Cantonment Board General Hospital, Belgaum.

Ref: 1. PD, DE, SC, Pune letter No. 7672/B/XXII/DE dt. 16.06.2023 &

2. DG, DE, New Delhi letter No. 70/SC/Aurangabad/C/DE/2021 dated 25.08.2023.

The Cantonment Board, Belgaum is having two Doctors i.e. one Resident Medical Officer & one Gynaecologist on the sanctioned strength of the Board, out of which one Doctor i.e. Dr. Ravindra B. Anagol, Resident Medical Officer of Cantonment Board General Hospital, Belgaum has attained the age of 60 years and will have to retire on 31.12.2024.

As per the DG, DE & PD, DE letters u/ref, it has been clarified that in accordance with Rule 25 of the Cantonment Board Employees Service Rules, 2021, the retirement age of Doctor / Medical Officers is 65 years and they can be retained in service after attaining the age of 65 years for a period not exceeding one year at a time after taking sanction of the GOC-in-C, the Command. This matter was referred to the Board in it's meeting held on 15.07.2024 and the Board vide CBR No. 61 dated 15.07.2024 has considered and approved the retirement age of Doctors working in Cantonment Board General Hospital, as 65 years. In this regard, the willingness from Dr. Ravindra B. Anagol, Resident Medical Officer, Cantonment Board General Hospital, Belgaum has been obtained in order to retain him in the service on the same post upto the age of 65 years.

The Board may consider and note the same.

Accountant's report along with all relevant papers are placed on the table.

RESOLUTION No. 23

Considered & noted.

AGENDA No.24

Appointment of Advocate for a subject expert in the area of Service Law for representing the Cantonment Board, Belgaum High Court Cases.

The Writ Petitions Nos.102936/2023(S-RES) and 102937/2023(S-RES) filed by Miss. Sapna Parashram Redekar and Miss. Sujata Vasant Kamble and Writ Petition No. 102928/2023(S-RES) filed by Shri. Rajendra Ajagaonkar. The CBLA vide his letter dated 03.12.2024, to represent the said cases a subject expert in the area of service law Shri. K.S. Patil, Advocate, High Court, Dharwad has agreed to represent the Board in all three Writ Petitions for a professional fee of Rs. 2,00,000/- collectively.

In view of the above, the subject matter is brought before the Board for consideration and approval.

The relevant papers are placed on the table.

RESOLUTION No. 24

Considered & Approved.

Sd/-
Chief Executive Officer
Cantonment Board
Belgaum
(Shri. RAJEEV KUMAR, I.D.E.S.)

Sd/-
President
Cantonment Board
Belgaum
(Brig. JOYDIP MUKHERJEE)

Dated the 12th December 2024


Office Superintendent, Cantonment Board, Belgaum.