

Dated Itanagar, the 22nd of Feb' 2023

To,

The Chief Secretary,
Govt. of Arunachal Pradesh,
Itanagar

Sub: Joint Representation against the demand of Null & Void.

Sir,

With due regard and humble submission, we the executive members of the Joint Committee Against Null & Void Demand, representing the Government employees of the 11 (eleven) batches being directly affected by this demand, do hereby submit this representation for your kind and immediate consideration please.

That sir, it has been our conviction to not dignify empty allegations against us in the media by reacting to it, and we have maintained this posture thus far. However, recent developments of alarming nature has caused us to submit this representation articulating our concerns to the Government.

The campaign against the alleged malpractices (read namely sale of question papers) led by the Pan Arunachal Joint Steering Committee (PAJSC), has lost its direction and the fight for a corruption free recruiting system has been hijacked by the unreasonable demand of Null & Void of all exams conducted by APPSC where the alleged sale of question paper or any irregularities has been found since 2014.

We remain acutely aware of our responsibility to serve the people and the state as government employees and even when the demands for "null and void" came to fore and gradually gained momentum fuelled by the social media campaign of PAJSC, we reposed complete faith and confidence on the wisdom of the Government.

However, leveraging public support through their media campaign, and exploiting various circumstantial compulsions, in the meeting held on the 18th of Feb 2023, the PAJSC, various other groups and individuals have succeeded in making the government take all of their 13 point charter of demands into advisement.

Our intention through this representation is to secure indemnity for the innocent government employees/officers who have been recruited by virtue of their hard-work and competence. It is our ardent request that the Government should not be swayed by the tide of overwhelming public opinion and deprive us of our Fundamental Rights or go against the Rules of Natural Justice.

It is a known fact that, should our appointments be annulled, we stand to lose a lot overnight. Our dependants will suffer and our sincere hard-work rescinded. All these facts notwithstanding, we are not asking the Government to overlook malpractices nor that the guilty be left unpunished. We will be punished in gross violation of law and it would be violation of fundamental rights guaranteed under the Constitution of India.

Therefore, in order to secure justice for ourselves, as well as for the job security of all aspirants and candidates who will be part of this recruiting system, we, hereby submit the following points as our appeal/representation to the Government of Arunachal Pradesh.

- 1. We strongly oppose the demand for "null and void" put forward by PAJSC, which the government has agreed to send to APPSC.**

Even though we are stakeholders, we were not made privy to the meeting which took place behind closed doors on the 18th of Feb 2023. Additionally, taking cognisance of the circumstances under which the meeting was convened and decisions arrived upon, we

have reasons to believe that fair considerations might have been compromised. The PAJSC conspicuously exploited every possible means to coerce the Government to take their demands into consideration. Therefore, we pray that the government take back its decision to send the demand of Null and Void to the APPSC for consideration.

2. **We request the government to ensure that injustice is not done while prosecuting the culprits.**

The only way that justice can be done to deserving candidates is by allowing the investigation process to complete. Without proper investigation, the innocent can't be separated from the guilty ones. Painting entire batches in the same colour would be a travesty of the principles of natural justice. Therefore, it's our prayer that the Government take all measures possible to expedite the process of apprehending the guilty and cleaning up the system. Ensuring "*prompt and transparent*" investigation is *sine qua non* for bringing about a just and amicable resolution to this crisis.

3. **Not only is the demand of "null and void" unjust but the scale, dimensions of the negative repercussions of "null and void" are far reaching and severe.**

A. The total number of **977 (Nine Hundred and Seventy Seven)** government employees who will be rendered unemployed overnight are staggering (excluding those arrested):

a. Agriculture Development Officer (2022)	-	41
b. Junior Engineer PHED and UD (2020)	-	64
c. Assistant Engineer Civil (2019)	-	53
d. Junior Engineer Civil and RWD (2022)	-	58
e. Officers recruited in APPSCCE 2017	-	90
f. Horticulture Development officer 2018	-	07
g. PGT (2019)	-	115
h. TGT (2020)	-	403
i. Sub Inspector (2022)	-	94
j. Field Investigator	-	27
k. Assistant Engineer (2017)	-	25

B. Abrupt, en masse termination of so many officers will cripple the State's administrative machinery and will also cause severe strain on the various developmental activities which are going on and these officers are instrumental in their execution and it is also not permissible in law.

C. A predominant number of the employees being affected are teachers (518), which will severely affect our state's education system, which already has acute shortage of well qualified teachers.

D. That, under the purview of null and void, Three (03) Combined Competitive Examinations fall, viz; 2014, 2017 and 2021 besides exams for Doctors, Teachers, Police, Engineers, Agriculture Development Officers, Horticulture Development Officers, Assistant Conservators of Forest, Range Forest Officers, AMDOs, ASOs and many more, accounting for over 2000 officers and officials who are earnestly rendering public services in various parts of our state stand to lose their jobs and cause total disruption of the functioning of government system when there is already a huge shortage of human resource.

E. That Sir, many of us have left our previous jobs as Lecturers, Teachers, Doctors, JEs, AEs, Bank POs, Junior Officers in Police and in Central PSUs and many more to join our current posts to serve the people of our state in a better capacity. Many of the employees have crossed the upper age limit for appearing for exams, while

many are married with children, which makes their chances of appearing and passing fresh exams, practically impossible.

- F. Since a couple of years have lapsed after the recruitment examinations were conducted, many of the employees have financial and familial obligations which will be left unserviceable.
 - G. Financial implications on the State's exchequer will be astronomical. The costs already incurred in terms of recruitment examination, training, salary and social security contributions etc., will be unjustifiable, especially because these government employees have not been proven guilty of malpractice.
 - H. Additionally, not only us but the entire state stands to lose if "null and void" is carried out. The government's institutional setup will lose credibility and will set the condemnable precedence of mobs manipulating the government to capitulate to arbitrary, unjust demands using unconstitutional pressure tactics.
4. **We voluntarily give consent to any level of investigation by competent authority/investigation agency.**

Despite our innocence, it appears that we have been clubbed together with the guilty and summarily convicted. Therefore, in order to establish our innocence and help the ongoing investigations, we voluntarily give our written consent for sanctioning any level/type of investigation against any/all of us, should it be deemed necessary.

5. The Hon'ble Supreme Court has laid down the law in this regard in the case of ***Joginder Pal v. State of Punjab*, (2014) 6 SCC 644 : (2014) 2 SCC (L&S) 333 : 2014 SCC OnLine SC 474 at page 649 in the following words which are binding on the State Govt. " 10.4. Cases which may arise where the selection process is perceived to be tainted may be categorised in the following manner:**

- (i) Cases where the "event" has been investigated.
- (ii) Cases where CBI inquiry took place and was completed or a preliminary investigation was concluded.
- (iii) Cases where the selection was made but appointment was not made.
- (iv) Cases where the candidates were also ineligible and the appointments were found to be contrary to law or rules.

If the services of appointees who had put in a few years of service were terminated, compliance with three principles at the hands of the State was imperative viz. (1) to establish satisfaction in regard to the sufficiency of the materials collected so as to enable the State to arrive at its satisfaction that the selection process was tainted; (2) to determine the question that the illegalities committed went to the root of the matter, which vitiated the entire selection process. Such satisfaction as also the sufficiency of materials were required to be gathered by reason of a thorough investigation in a fair and transparent manner; (3) whether the sufficient material present enabled the State to arrive at a satisfaction that the officers in majority had been found to be part of the fraudulent purpose or the system itself was corrupt.

The above principles of law is applicable to facts of case and therefore, acceptance of Null and Void will be against the law laid and is legally untenable.

Enclosed: Voluntary Self Declarations of Affected Govt. Employees.

Yours sincerely,

Joint Committee Against Null & Void Demand



Er Lige Lollen ,AE(PWD)

Shri Tai Arun ,TDO

Shri Le Khandu Thongdok, HDO

Er Nich Teji , AE (RWD)

Miss Tojum Riba, Statistical Investigator

Shri Nikrun Bui, Circle Officer

Shri Taram Fasing, PGT



Er. Likha Takar, JE (UD&H)

Miss Bamang Siro, ADO

Miss Geepi Zirido, TGT

Miss Miram Gamnoh, JE (RWD)

Shri Tashi Kayi, SI

Er Tejom Jini, JE(PHED)

Shri Nyatum Doke, DIPRO

Dated Itanagar, the 22nd of Feb' 2023

Copy To:

1. The Commissioner to HCM Govt of Arunachal Pradesh for kind information please.
2. The Secretary (AR), Govt of AP for kind information please.
3. The Secretary (APPSC) for kind information please.
4. The President, CoSAAP for kind information and necessary action please.
5. All CBOs of Arunachal Pradesh for information.
6. The President/GS AAPSU for information.
7. The President/ GS ANSU for information.
8. The Chairman PAJSC for information.
9. File

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