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F.No: AINVSACEC-/2012-13/Feb

Date: 24 - 02 – 2013

MOST URGENT

To  
All Teaching and Non-teaching Staff of JNVs, ROs and Head quarters.

Dear friends,

In connection with the letter dated 21-02-13 with the caption MOST URGENT NOTICE - SLP (Civil) No. 19102/2012 – Supreme Court of India sent by ‘AINVSA (Ranchi Jharkhand), we would like Shri Mishra and the Ranchi vidyalaya to answer the following questions as we believe the pension case which is pending in the Hon’ble Supreme Court should not be allowed to exploit the self-respect of the staff.

- Shri Mishra sought the authorization of Shri L.B.Reddy, General Secretay, while he was running the case in the Hon’ble Ranchi High Court. But at the eleventh hour Shri Mishra and the Ranchi school unit of AINVSA created a panic by asking the staff to send an affidavit and a vakalatnama, and collected huge amounts of money for court fee and lawyer charges. They must now explain if they informed the Central Executive Committee of AINVSA and got its approval before proceeding with your collections. If they obtained any such permission, they should kindly make it public without delay. Or their school decided to collect money on its own; it must explain under what conditions it was resorted to do so. Was it not aware of the simple fact that the school unit cannot venture to collect such huge sums?
- Did Shri Mishra and the Ranchi apprise the CEC then of the necessity to file the affidavit and the vakalatnama? If so, they may kindly make public their efforts to inform the CEC and their result.
- After losing the case in the Hon’ble Ranchi court, does Mr Mishra or the Ranchi vidyalaya make any efforts to apprise the Central Executive Committee of AINVSA of the outcome the case and the possible reasons for an unfavourable verdict from the Hon’ble Ranchi High Court? If they sent any letters to the CEC in this regard, they are requested to make them public immediately. If the communication is oral, who did they communicate and what was the feedback?
- After losing the case, did they make any effort to file the case on behalf of the Association instead of Shri P.N.Mishra? Before filing the case, did Shri Mishra or the Ranchi school inform the Association of their intention to file a case in the name of Shri Mishra in the Hon’ble Supreme Court? If they tried, what was the result?
- The affidavits and the vakalatnamas failed to impress the Hon’ble Ranchi Court. Is there any guarantee that the same will not happen now? If Shri P.N.Mishra has filed the case as the Executive Member of AINVSA and not as an individual, won’t that suffice for the Hon’ble Supreme Court to treat him as a representative of thousands of other staff? If he has filed the case as an individual, doesn’t that mean the Ranchi school unit is grossly misusing the collective contributions for an individual? Doesn’t that tantamount to cheating? If Shri Mishra has filed the case in the capacity of the Executive Member of AINVSA, under whose instructions has your school started this fresh attempt to collect the affidavits and the vakalatnamas? If the Hon’ble Supreme Court lawyer, Shri Harish Salve, has asked you to do so, do you have any of his communiqué to support your efforts? Kindly make it public.
- If the staff decides now not to file any affidavits and the vakalatnamas, will it weaken the case? If the staff respond positively, will it strengthen the case? If some staff respond and some do not, what will be the fate of the latter? Do Mr Mishra and the Ranchi vidylaya think that the case of their case will be strengthened by exhibiting the physical strength of staff with their affidavits and the vakalatnamas before the Hon’ble Supreme Court and not on the merits of their case?
- Before filing the case or while filing it, did Shri Mishra and the Ranchi vidyalaya make any efforts to apprise the innumerable stakeholders of their Ranchi case of their fresh efforts to move to the Hon’ble Supreme Court? If you sent any letters or emails, kindly make them public.
- While filing the case why did Shri Mishra or the Ranchi vidyalaya not make any efforts to avoid the huge filing of the affidavits and the vakalatnamas at some phase of the case in future as it would be expensive and time-consume, besides being difficult to procure each employees’ submissions? If they had faced any problems then, kindly enumerate them now for the benefit of all the stake holders.

9. Now the Ranchi school has registered a 'new' AINVSA (Regd. No 153/00082/2012-13). When exactly was the registration made? When the Ranchi school has already had an account in SBI, Dipatoli, Bariyatu, Ranchi with the name 'All India Navodaya Vidyalaya Staff Association, Ranchi' (SB A/c No.30608998878), what made them to register a new AINVSA (Ranchi Jharkhand)? Was this done only to show to the Hon'ble Supreme Court that Shri Mishra had the authorization of AINVSA? Are Shri Mishra and the Ranchi Vidyalaya unaware of the fact that Shri L.B.Reddy has already filed a case on behalf of AINVSA? Isn't this an effort to misappropriate the bank deposit as they please?
10. Why has Shri Mishra and the Ranchi vidyalaya not informed the registration of a 'new' AINVSA to the vidyalayas so far? Was an invitation extended to the vidyalays across the country to come over to Ranchi or any other school/place to form a 'new' executive body? If so, how many vidyalayas responded to their call? The email dated 21-02-13 shows Shri S.K.Jaiswal as the President and Shri Brentius Kisku as the General Secretary along with the names of a few other staff of the JNV, Ranchi as the Secretary, treasurer and Executive Members. How were these people conferred on these responsibilities and by whom? Who are the other CEC members of their 'new' AINVSA? Who nominated them to their present posts? Who was the officer that oversaw the election of these people to their present posts? Were the proceedings recorded? Was the formation of the body circulated to all the JNVs? If so, they are requested to make their correspondence public. If not, kindly explain the reasons for not doing so.
11. Could Shri Mishra and the Ranchi vidyalaya explain why the employees must also send them membership forms along with the affidavits and the vakalatnamas? Isn't this just like asking the stakeholders to sign on a blank paper? Isn't it a brazen effort to ratify the 'new' union and its 'new body' and the old and new bank balances? Two birds at one stroke? Or are they going to submit them to the Hon'ble Supreme Court along with the affidavits and the vakalatnamas? Or are they going to pressurize the NVS Management for granting of long-sought recognition to the Association? Why doesn't their email give any reason for asking the staff to send their membership forms?
- 12. Finally, when all the teaching and non-teaching staff of the JNVs across the country were agitating for achieving their genuine demands and striking indefinitely to safeguard their honour, why was the Ranchi vidyalaya not on strike even for a single day? What moral right does Mr Mishra and the Ranchi vidyalaya have to start a membership campaign when none of them joined the struggle even for a single day?**

The AINVSA appeals to all the teaching and nonteaching staff not to respond to the calls/ emails/ letters of JNV, Ranchi. The email dated 21-02-13 is entirely deceitful. The signatories have made no efforts to explain why they are seeking a fresh set of affidavits and the vakalatnamas. The registration of a new 'AINVSA' at Ranchi is only a brazen attempt to exploit the staff. Its anti-staff stand is clear from its non-participation in the recent Indefinite Strike.

Shri L.B.Reddy has already filed a case on behalf of the Association in the Hon'ble Supreme Court (Case No **556/2012**) The AINVSA once again informs you that Shri Mishra's case is strictly individual. But, he has already collected huge sums of money and still leaving no stone unturned to collect more money. Though the Ranchi school has enough money to help the three petitioners, it is still ordering the staff to send them more money for court fee and other expenses. Unfortunately, the Association that has been striving for years for the welfare of the staff for years is facing a financial crunch. At the same time it is being forced to spare its precious time to counteract the forces that are trying to exploit the anxieties of the staff.

We appeal to you to discuss the contents of this letter with your colleagues and help the Association that stands by you and stand by the Association that fights for your genuine demands.

With kind regards

JAGDISH RAI

L.B.REDDY