

Tele : 25684946  
ASCON : 36832  
E-mail : jdpers@echhs.gov.in

Central Organisation ECHS  
Adjutant General's Branch  
IHQ of MoD (Army)  
Thimayya Marg  
Delhi Cantt -110010

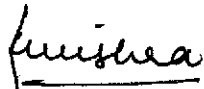
B/49760/AG/ECHS/Vig/2024

04 Jan 2024

RC ECHS, Nagpur  
Vayusena Nagar  
Nagpur - 440007

**INELIGIBILITY OF CANDIDATE**

1. Ref fwg :-
  - (a) Hon'ble High Court Bombay, Nagpur Bench Order dt 05 Sep 2023.
  - (b) RC ECHS Nagpur letter No RC (Nag)/3115/Est dt 06 Sep 2023.
2. The writ petition filed by Lt Nitin Pande (Retd) has been dismissed by Hon'ble Court Bombay vide Court Order under ref at Para 1 (a). Lt Nitin Pande (Retd) has been found to be ineligible for the appt of OIC Polyclinic vide the Court Order stating that the fwg :-
  - (a) The writ petition filed by Lt Nitin Pande (Retd) has been dismissed with no order as to costs and no relief is granted to the petitioner.
  - (b) No relief is granted to the petitioner i.e. Lt Nitin Pande (Retd).
  - (c) Terminal gratuity recd by the petitioner is not part of pension.
  - (d) The response given by HQ Maint Comd, IAF is clear and the petitioner is not eligible for appt as OIC Polyclinic.
  - (e) Drawing of pension means 'Drawing Pension from Defence Estimates through CDA and the petitioner is not drawing the same'. Therefore Petitioner is not eligible for being appt for the post of OIC Polyclinic.
  - (f) The word 'Pension' includes gratuity except when the term pension is used on contradistinction to gratuity, but does not incl dearness relief.
3. Since the offr is not drawing pension from Defence Accounts paid through CDA, he is not eligible to be considered for the post of OIC ECHS Polyclinic across the country.
4. The ibid quoted Court Order is a vindication of the soundness of the HR Policy in this regard of the ECHS and should be used as reference for future.

  
(PK Mishra)  
Col  
Dir (Ops & Coord)  
for MD ECHS

**Copy to :-**

- |                        |   |   |
|------------------------|---|---|
| All Comd HQs           | - | It is requested to disseminate this letter to all Area/Sub Area/Stn HQs under AoR of your HQ. |
| All RCs                | - | It is requested to disseminate this letter to all PCs & respective Stn HQs.                   |
| <b><u>Internal</u></b> |   |   |
| S & A Section          | - | It is requested to upload the same on ECHS Website.   |