

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A./L.A. NO. 303/02

Vs.

The above noted case was decided vide Judgment/Order dated 22-1-2002 by the Bench comprising of :

Hon'ble Mr. Govindan S. Tampi M(A)

Hon'ble Mr. Shankar Raju M(J)

The Applicant(s)/Respondent(s) in the above noted case filed CWP/CMP No. 3381/02 / 5866/02 in the High Court and the Hon'ble High Court vide Order/Judgment dated 08-08-02 has been please to :-

~~(a) Dismiss/admitted the CWP/CMP~~

~~(b) Set aside the Order/Judgment of this Tribunal.~~

(c) stayed the operation of the Judgment of the Tribunal.

~~(d) Modified/Substituted the judgement/order of the Tribunal.~~

~~(e) Disposed the C.M.P./C.W.P.~~

Submitted for perusal of Hon'ble the Chairman and Hon'ble Members of the Bench.

~~HON'BLE CHAIRMAN~~

HON'BLE MR. Govindan S. Tampi M(A)

HON'BLE MR. Shankar Raju M(J)

JOINT REGISTRAR

~~NO CASE~~

FORM NO. 2
CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Report on the Scrutiny of Application

DB

DB

Presented by: Dr. D.C. Vohra and K. Kulbir Prashar
Diary No. 306
Date of Presentation: 14-2-2000
Applicant(s): Blupinder Randam
Group: and others
Respondent(s): Union of Inds.
Nature of grievance: Recruitment
No. of Applicants: 6 No. of Respondents: 14

CLASSIFICATION

Subject: Recruitment No. 15 Department: Defence No. 18 S.B.

1. Is the application in the proper form?
(three complete sets in paper book form in
two compilations).

(PROFORMA/COMPILATION)

2. Whether name, description and address of all
the parties been furnished in the cause
title?

Yes

3. (a) Had the application been duly signed and
verified?

(SIGNED/VERIFIED)

(b) Have the copies been duly signed?

Yes

(c) Have sufficient number of copies of the
application been filed?

No

Understand
NOTE Given

4. Whether all the necessary parties are impleaded?

Yes

5. Whether English translation of documents in a
language other than English or Hindi been filed?

Yes

6. (a) Is the application in time?
(See Section 21)

Yes

(b) Is MA for condonation of delay filed?

MA

7. Has the Vakalatnama/Memo of appearance/00
authorisation been filed?

Yes

8. Is the application maintainable?
(u/s 2, 14, 18 or U/R 6 etc.)

u/s 2, u/s 14, u/s 18

U/R 6, PT u/s, 25 file

9. Is the application accompanied by IPO/DD
for Rs.50/-?

Yes NOT Pld

10. Has the impugned orders original/duly
attested legible copy been filed?

LEGIBLE/ATTESTED

11. Have legible copies of the annexure duly
attested been filed?

LEGIBLE/ATTESTED

12. Has the index of documents been filed and pagination done properly?

FILED/PAGINATION

13. Has the applicant exhausted all available remedies?

14. Have the declaration as required by item 7 of Form-I been made?

15. Have required number of envelopes (file size) bearing full address of the respondents been filed?

16. (a) Whether the reliefs sought for, arise out of single cause of action?

(b) Whether any interim relief is prayed for?

17. In case an MA for condonation of delay is filed, is it supported by an affidavit of applicant?

18. Whether this case can be heard by Single Bench?

19. Any other point?

20. Result of the scrutiny with initial of the Scrutiny Clerk.

The application is in order and may be registered and listed before the Court for admission/orders on ;

- (a) MA for joining - U/R '(5)(a)/4(5)(b)
- (b) MA U/R 6 of CAT Procedure Rules, 1987
- (c) PT u/s 25 under At ACT
- (d) MA for condonation of Delay;

OR

The application has not been found in order in respect at item No(s) mentioned below;

- (a) Item Nos.
- (b) Application is not on prescribed size of paper.
- (c) MA U/R 4(5)(a)/4(5)(b) has not been filed.
- (d) Application/counsel has not signed each page of the application/documents.
- (e) MA U/R 6 has not been filed.

The application might be returned to the applicant for rectification of the defects within 7 days.

SCRUTINY CLERK

SECTION OFFICER

JOINT REGISTRAR

COURT NO. C-I DATE 16/2/20

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL: PRINCIPAL BENCH
AT NEW DELHI 110001

IN RE: OA NO. 303 OF 2000

IN THE MATTER OF:

Bhupendra Kardam & Ors.

MA 372/2000 JT
...APPLICANT
BY DR D C VOHRA
& KULBIR PARASHAR
ADVOCATES

V.

UNION OF INDIA & ORS

...RESPONDENTS
BY GOVT COUNSEL:
TO BE APPOINTED

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DR D C VOHRA & KULBIR PARASHAR
ADVOCATES FOR THE APPLICANT
228 PATIALA HOUSE COURTS
NEW DELHI 110001 PH: 3384820

AT THE 11th DAY OF Feb., 2000

14 Respondents: extra copies will be submitted
after the issue of notice by this Hon'ble Tribunal
vide Proviso of Rule 4 of the CAT Procedure Rules.

(Dr. Vohra)
Adv.

CAT Reg.

प्रधान न्यायाधीश/CAI ()
आज दाखिल किया
Filed on day
14 FEB 2000
दाखिल नं./Filing No...
उपरिनिर्धार/Dy. Registrar

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL (PRINCIPAL BENCH)
AT NEW DELHI 110001

IN RE: OA NO. 303 OF 2000

IN THE MATTER OF:

Bhupendra Kardam & Ors

...APPLICANTS

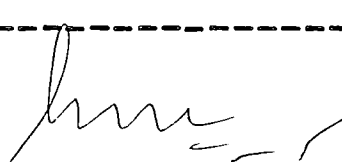
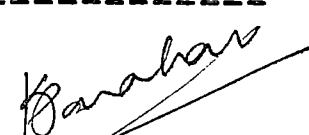
v.

UNION OF INDIA & ORS

...RESPONDENTS

Index to the Paperbook: COMPILATION NO. I

S NO.	PARTICULARS	COURT FEE	PAGES
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03	Index to Compilation-2		18-20
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(Dr D C Vohra/Kubir Parashar)
Advocates for the Applicant

New Delhi: 11/2/2000

1-B
CONTINUES FROM PREPAGE

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05

Umesh Kumar
S/o Shri Mahabeer Singh
Aged 21 Yrs (DOB: 30/6/78)
R/o P-72/5 MES Colony
GE Air Force
Tughlakabad
New Delhi 110019

06

Vijay Sharma
S/o Shri Chander Parkash Sharma
Aged: 23 Yrs (DOB: 16/2/76)
R/o 172/5 WAC Qrs
Subroto Park
Delhi Cantt 110010

...Applicants

v.

01

Union of India
Through the Secretary
Ministry of Defence
South Block
New Delhi 110011

02

The Engineer in Chief
MES/Ministry of Defence
Kashmir House
Shahjahan Road
New Delhi 110011

03

The Commander
Works Engineers (AF)
Palam, Delhi Cantt 110010

[Signature]

04 B.C.

Col. /Verghese (in personal capacity)

MES, Air Force

Palam Delhi Cantt 110010

05

Mr J S Sidhra (in personal capacity)

DCW (B & R), MES

Air Force, Palam

Delhi Cantt 110010

06

Mr Veer Singh (in personal capacity)

Asstt Garrison Engineer

ME Air Force

Palam Delhi Cantt 110010

07

Mr Rattan Pal (in personal capacity)

Admn Officer (II)

MES, Air Force

Palam Delhi Cantt 110010

08

Mr Mahesh Kumar s/o Shri Laxmi Narain

09

Mr Ajay Pal s/o Shri Sukh Lal Yadav

10

Mr Sudesh Kumar s/o Shri Rattan Pal

11

Mr Radhey Shyam s/o Shri Ram Lakhan

12

Mr Anup Singh Rawat s/o Shri J S Rawat

13

Mr Ranjan Kumar s/o Shri Budheshwar Singh

14

Mr Sanjay Singh s/o Shri Veer Singh

...Respondents

(Service to the Respondents Nos. 08-14 to be effected through the Respondent No.3/Office of the Commander Works Engineers (Air Force) Palam, Delhi Cantt 110010)

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI 110001**

IN RE : OA NO _____ OF 2000

IN THE MATTER OF :

Bhupendra Kardam & Ors

... APPLICANTS

V.

UNION OF INDIA & ORS

... RESPONDENTS

MEMO OF PARTIES

01

Bhupendera Kardam
S/o Shri Chhote Lal
Aged 19 Yrs (DOB: 19/9/81)
R/o 76/31 Pinto Park
Delhi Cantt 110010

02

Daya Chand
S/o Shri Tikka Ram
Aged: 27 Yrs (DOB: 15/5/72)
R/o Village Amberhai
House No. 214 Pappan Kalan
Sector 19 PO Palam Village
New Delhi 110045

03

Sanjay Solanki
S/o Shri Mohender Singh Solanki
Aged: 24 Yrs (DOB: 16/4/75)
R/o 75/2 Pinto Park
MES Colony
Delhi Cantt 110010

04

Sunil Sabarwal
S/o Shri Ram Singh Sabarwal
Aged: 20 Yrs (DOB: 19/6/79)
R/o P-72/3 MES Colony
GE Air Force
Tughlakabad
New Delhi 110019

DETAILS OF APPLICATION

01 Particulars of the order against which this application is made

Selection List for recruitment of Mazdoors dated 8/2/2000 placed on the Notice Board by Respondent No.3 (vide Annexure/A1 p.17 rptd.p.46)
Subject in Brief

/neous
considera-
tions

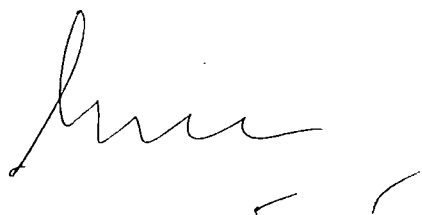
The Respondent/3 advertised the 24 posts of Mazdoors in the MES/Air Force and conducted physical test of 2 km/10 mnts race and 65 kgs of weight lifting but even if the applicants stood 1st/2nd in their batches, they were eliminated in interview for extra-/

02 Jurisdiction of the Tribunal

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

03 Limitation

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



04 Facts of the Case

- (1) The Respondent/3 advertised the posts of 24 Mazdoors vide its requisition form/indent dated 29/10/99 in the pay scale of Rs.2550-55-2-2660-3200 and addressed to the Employment Exchange at Kirby Place, Delhi Cantt. A copy of the said circular issued under the signatures of the Respondent No.7 is placed at Annexure/A2 to this application.
- (2) The Respondent/7 also inserted under his signatures an advertisement in the Navbharat Times of Delhi dated 18/11/99, calling for applications from aspiring candidates for the posts of Mazdoor as aforementioned. A copy of the said advertisement is placed at Annexure/A3 to this application.
- (3) All the six applicants in this OA are registered with the Employment Exchange and their names were sponsored for the posts of Mazdoors in the office of the Respondent/3 as they met the qualification and age requirements set by the Respondent/3 in its circular to the Employment Exchange. Copies of their Identity Cards are placed by the applicants at Annexures/A4 to A9 to this application.
- (4) While the minimum educational requirement for the post of Mazdoor was 8th class pass, the applicants had following educational standards:

S No./Name of the applicant	Education
01 Bhupendra Kardam	9th class pass
02 Daya Chand	12th class pass
03 Sanjay Solanki	10th class pass
04 Sunil Sabarwal	10th class pass
05 Umesh Kumar	10th class pass
06 Vijay Sharma	10th class pass

Copies of the educational certificates of all the candidates/applicants in this OA are placed at Annexures/A10 to A17 to this application.

- (5) While the age requirement for recruitment to the post of Mazdoor with the Respondent/3 is 18-25 years, relaxable till 30 years in the case of SC/ST candidates and by 3 years in the case of OBC, the applicants' ages at the time application were as under:

S No. & Name of Applicant	Age/Date of Birth
01 Bhupendra Kardam	19 yrs (19/9/81)
02 Daya Chand	27 yrs (15/5/72)
03 Sanjay Solanki	24 yrs (16/4/75)
04 Sunil Sabarwal	20 yrs (19/6/79)
05 Umesh Kumar	21 yrs (30/6/78)
06 Vijay Sharma	23 yrs (16/2/76)

- (6) There were about 3500 candidates for selection against 24 posts of Mazdoors in the office of the Respondent/3 who divided them into batches and determined their merit by the following physical tests:

- A. 2 km/10 minutes race
- B. 65 kgs of weight lifting and carry it for 100 metres

- (7) While the applicants Nos. 3 and 6 competed for 12 posts in the general category, the other four applicants competed for the SC/ST/OBC category posts and each one of them stood 1st or 2nd in their batches and formed part of the merit list prepared by the Respondent/3 on the basis of their ranks in two successive lists: one prepared on the basis of the 2 km/10 mnts race and the other prepared on the basis of 65 kgs of weight lifting and carrying it for 100 metres.

- (8) The candidates/applicants Nos. 1,2,4 and 5 had also submitted their Caste certificates with the Respondent/3 and copies thereof are placed at Annexures/A18 to A21 to this application.
- (9) On the basis of their performance, the applicants 01-06 were called for interview during the period 3/12/99 to 23/12/99 for a simple verification of their original certificates relating to education, age and caste etc. Copies of three such interview letters in respect of applicants Nos. 2,3 and 4 are placed at Annexures/A22-A24 to this application. (The other three applicants do not have copies or originals of their interview letters as these were retained by the Selection Committee during their interview)
- (10) The applicants got the shock of their life when on 8/2/2000, the Respondent/3 put up on the notice board the names of 24 persons who were (dubious merit: many of these were not even participants in the two physical tests and many of them had failed in either of the two said tests which were the only criteria fixed by the Selection Committee for appointment as Mazdoors. A copy of the said selection list put up on the Notice Board on 8/2/2000 is placed at Annexure/25 to this Petition.
- (11) The applicants ran hither and thither and met the officers connected with the selections but their pleas fell on deaf ears and inspite of their superior merit known to them during the two physical tests, they were told that it was the interview which really mattered and that the selection made was final and the applicants approached the workers' unions in the office of MES.

(12) During discussions with the office bearers of the ME Workers' Union with Headquarters at Chandigarh, at their Delhi Office, and also with the Scheduled Caste Uplift Union, certain startling facts came to light and some of these are cited hereunder:

- A. Many candidates had been appointed by accepting illegal gratifications/ bribes by officials in the MEA/AF Palam and the cash sums ranged from Rupees 70,000 to 80,000/- or with connections
- B. The specific instances of illegal appointments either on the basis of bribes or on the basis of connections are as under:

S No. in Select List	Name with Father's name	Respondent No. in OA
3.	Mahesh Kr s/o Laxmi Narain	Respt/08
4.	Ajay Pal s/o Shri Sukhlal Yadav	:Respt/09
10.	Sudesh Kr s/o Shri Rattal Pal	:Respt/10
12.	Radhey Shyam s/o Shri Ram Lakhan	:Respt/11
15.	Anup Singh Rawat s/o Shri J S Rawat	:Respt/12
16.	Ranjan Kumar s/o Shri Budheshwar Singh	:Respt/13
17.	Sanjay Singh s/o Shir Veer Singh	:Respt/14

- (13) The applicants/candidates with superior merit on the basis of physical tests found out the following infirmities/illegalities in the selection process conducted under the supervision of Respondent/4 in the office of the Respondent/3:

Respondent/8 is the son of the Driver of the Respondent/5 Mr J S Sidhra, DCW(B&R) who was the Presiding Officer of the Selection Committee

Respondent/9 is one candidate with no merit and has been taken on extraneous consideration because he failed in the 2 km/10 mnts race and never participated in the 65 kgs weight lifting/carrying it for 100 metres

Respondent/10 is the son of the Administrative Officer (II) Mr Rattan Pal who was a member of the Selection Committee/Respt.7

Respondent/11 is the son of the milkvender of Col.B C Verghese/Respondent-4 and runs a shop next to the House of the Respt/4, "Rock View" AF Station/Palam

Respondent/12 is the son of a UDC attached to the Respt/5 who was the Presiding Officer of the Selection Committee

Respondent/13 is the son of the Peon attached with the Presiding Officer/Respondent-5 of the Selection Committee

Respondent/14 is the son of a Member of the Selection Committee Mr Veer Singh Asstt. Garrison Engineer/Respondent No.7

(14)

Two protest letters written by the Workers' Union and the SC Uplift Union dt 7/2/2000 and 8/2/2000 has elicited no response from Respondents/1,2 and 3 who are going ahead with the illegal selection of Respondents No.8 to 14 to the grave disadvantage of the applicants who secured higher merit.

Uide Annexure
- A26 & A27

05. Grounds for relief with legal provisions

(A)

Because the Respondent/3 in its official capacity and the Respondents/4,5,6 & 7 in their personal capacities have misused the powers vested in them and have indulged in corrupt practices involving bribes and connections to favour the Respondents Nos. 8 to 14 in their appointment as Mazdoors even when they had either not appeared in the 2 km/10 mnts race and 65 kgs weight lifting or had even failed in these physical tests, in preference to the claims of the applicants to these posts in view of the facts that they had stood 1st or 2nd in the respective tests among the batches of candidates competing for these posts.

(B)

Because the Respondents/1,2 and 3 have created an unreasonable classification among the competing candidates for the posts of Mazdoors inasmuch as there are two types of candidates eligible for appointment: those who have formed part of the merit list after the 2 km/10 mnts race and 65 kgs of weight lifting and those who can offer bribes of Rs.75000/- or more for the post or have close connections with the members of the Selection Committee including the Respondents/4,5,6 & 7 and such a course is hit by Article 14 of the Constitution, forbidding any unreasonable classification.

(C)

Because the Respondents/4,5,6 and 7 have indulged in arbitrary, malafide and colourable exercise of State power vested in them and have corrupted their official duties by depriving meritorious candidates like the applicants and by selecting Respondents/8 to 14 on extraneous considerations, including illegal gratification, in violation of their conduct rules and in violation of the fundamental rights of the applicants.

(D) Because the applicants/1,2,4 and 5 are Scheduled Caste/candidates and are also meritorious participants and had stood among the first and second positions in the 2 km/10 mnts race and in the 65 kgs weight lifting and have not been given the benefit of Articles 16(4), 46 and 335 of the Constitution and the plethora of the rules and instructions issued by the Govt of India, Deptt of Personnel and Training by the Respondents/1,2 and 3 in the matter of employment with the Union of India.

(E) Because the applicants are qualified in all respects and their names had been duly sponsored by the Employment Exchange and if they are not appointed at the advertised posts for which they competed and stood in the merit list after physical tests, at least two of them would become overage for Govt employment and thus stand to be permanently deprived of employment opportunity with the Govt of India.

(F) Because the interviews conducted by the Respondents/1,2 & 3 were a sham and designed to eliminate meritorious candidates in order to accommodate those persons who were either connected with the Respondents/4,5,6 and 7 (who were in the Selection Board) or who could pay heavy bribes asked from candidates for the posts of Mazdoors in the MES/AF.

(G) Because the selections made are absolutely illegal and unconstitutional and deserve to be quashed and appointments/ to be based on pure merit after the physical test and any other criteria would be against the principles of natural justice and would be unjust, unfair and inequitous.

/need

06 Details of the Remedies exhausted

The applicant declares that he has exhausted all the remedies available to him in the service rules etc. and a chronological summary of the representations made and the responses thereto are cited hereunder:

Date	Particulars	Response
7/2/2000	Protest note by the MES Workers' Union re: the illegal selection of Mazdoors by the Respt/3	Nil
8/2/2000	Protest letter by the Scheduled Caste Uplift Union re: illegal and arbitrary selection of Mazdoors by the MES/Respondent No.3	Nil The Respt/3 is going ahead with the apptt of the illegally chosen persons as Mazdoors in the office MES Air Force Palam Delhi Cantt 110010

**07 Matters not previously
filed or pending with
any other Court**

The applicant further declares that he had not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made, before any court or any other authority or any other Bench of the Tribunal nor any such application writ petition or suit is pending before any of them.

08 Reliefs Sought

In view of the facts mentioned in para 4 above, the applicant seeks the following reliefs:

- (1) A declaration by this Hon'ble Tribunal that the impugned list of selected candidates and put on the notice board on 8/2/2000 is illegal, malafide, arbitrary and unconstitutional;
- (2) An order/direction by this Hon'ble Tribunal calling for the records of the Respondent/3 relating to the recruitment to the MES/Mazdoors to verify the merit list prepared on the basis of 2 km/10 mnts race and lifting of 65 kgs weight and for offering appointment on the basis of this merit list rather than on the basis of subsequent interview designed to eliminate meritorious candidates like the applicants and appointing favourites on extraneous considerations in violations of Articles 14 and 16 of the Constitution;

- (3) The cost of these proceedings be awarded in favour of the Applicant and against the Respondents who have afflicted this avoidable litigation, the mental agony and the expense on the Applicant; and
- (4) Any other or further order may be passed or any other or further relief may be granted to the Applicant by this Hon'ble Tribunal, as may be deemed fit and proper in the facts of the case.

09 INTERIM RELIEF PRAYED

Pending final decision on the application the applicant prays for the following interim relief:

Their Lordships may graciously be pleased to issue an ex parte ad interim injunction restraining the Respondents/1,2 & 3 from appointing any of the persons illegally selected vide its list dated 8/2/2000 or keep six posts of Mazdoors vacant till the disposal of this OA by this Hon'ble Tribunal

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10

PARTICULARS OF POSTAL
ORDER AS APP.FEE

INDIAN POSTAL ORDER NO. 16 956951

DATED THE 14th Dec 1999

ISSUED AT P.O. Constitution House

PAYABLE AT: GPO NEW DELHI

11

LIST OF ENCLOSURES


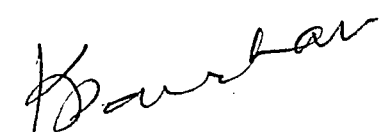
AS PER THE INDEX TO THE COMPILATIONS NOS.1 & 2
THE APPLICATION IS BEING FILED THROUGH ADVOCATES

Signed by all the
APPLICANTS 01-06
on the enclosed sheet

PLACE: New Delhi

DATE: 11/2/2000

THROUGH

 
(DR D C VOHRA & KULBIR PARASHAR)
ADVOCATES FOR THE APPLICANT
228 PATILA HOUSE COURTS
NEW DELHI 110001 PH: 3384820

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Column 11 contd.

- 01- BHUPENDRA KARDAM
S/O. SHRI CHHOTE LAL
R/O. 76/31, PINTO PARK,
DELHI CANTT. 10
- 02- DAYA CHAND
S/O. SHRI TIKA RAM
R/O. VILLAGE AMBERHAI
HOUSE NO. 214, PAPPAN KALAN,
SECTOR 19, P.O. PALAM VILLAGE,
NEW DELHI. 45
- 03- SANJAY SOLANKI
S/O. SHRI MOHENDER SINGH SOLANKI
R/O. 75/2, PINTO PARK,
M.E.S. COLONY,
DELHI CANTT.
- 04- SUNIL SABARWAL
S/O. SHRI RAM SINGH SABARWAL
R/O. P-72/3, M.E.S. COLONY,
G.E. AIR FORCE,
TUGHLAKABAD,
NEW DELHI.
- 05- UMESH KUMAR
S/O. SHRI MAHABEER SINGH
R/O. P/72/5, M.E.S. COLONY
G.F. I.A.F. TUGHLAKABAD,
NEW DELHI. 62
- 06- VIJAY SHARMA
S/O. SHRI CHANDER PARKASH SHARMA
R/O. P/172/5, W.A.C. QRS.,
SUBROTO PARK,
DELHI CANTT. 10.

महेश मशरूम

Ahand.

Sanjay Solanki

Syl

महेश मशरूम

Vijay Sharma

Thrupa

Dr. DEWAN C. VOHRA
ADVOCATE
#2, SHIVALIK APARTMENTS,
ALAKNANDA, Ndw Delhi-110019

Kulbir Parashar
Advocate

CONTINUES FROM PREPAGE

-15-

VERIFICATION

We, the undersigned,

~~son/daughter/wife of Shri~~ (pl. see the enclosed
~~and resident of~~ sheet)

do hereby verify that the contents of this Original
Application are true to our personal knowledge in paras
numbered 1, 4 and 7 and on legal advice in paras other
than the aforementioned and that we have not suppressed
any material fact.

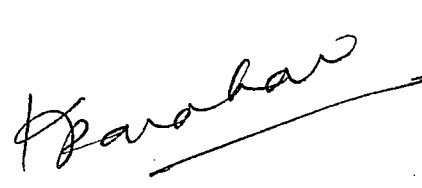
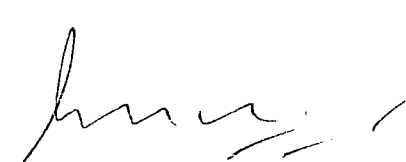
Verified at New Delhi this 11th
day of Feb., 2000.

Signed by all the
APPLICANTS 01-06
on the enclosed sheet

PLACE: New Delhi

DATED: 11/2/2000

THROUGH:


DR D C VOHRA/KULBIR PARASHAR
ADVOCATES FOR THE APPLICANT
228 PATIALA HOUSE COURTS
NEW DELHI 110 001 PH: 3384820

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Verification contd.

- 01- BHUPENDRA KARDAM
S/O. SHRI CHHOTE LAL
R/O. 76/31, PINTO PARK,
DELHI CANTT. 10
- 02- DAYA CHAND
S/O. SHRI TIKA RAM
R/O. VILLAGE AMBERHAI
HOUSE NO. 214, PAPPAN KALAN,
SECTOR 19, P.O. PALAM VILLAGE,
NEW DELHI. 45
- 03- SANJAY SOLANKI
S/O. SHRI MOHENDER SINGH SOLANKI
R/O. 75/2, PINTO PARK,
M.E.S. COLONY,
DELHI CANTT.
- 04- SUNIL SABARWAL
S/O. SHRI RAM SINGH SABARWAL
R/O. P-72/3, M.E.S. COLONY,
G.E. AIR FORCE,
TUGHLAKABAD,
NEW DELHI.
- 05- UMESH KUMAR
S/O. SHRI MAHABEER SINGH
R/O. P/72/5, M.E.S. COLONY
G.F. I.A.F. TUGHLAKABAD,
NEW DELHI. 62
- 06- VIJAY SHARMA
S/O. SHRI CHANDER PARKASH SHARMA
R/O. P/172/5, W.A.C. QRS.,
SUBROTO PARK,
DELHI CANTT. 10.

अनुमति

Anand.

Sanjay Solanki

Sul

3/72/5/2/3/4

Vijay Sharma

Through

DR. DEWAN C. VOHRA
ADVOCATE
2, SHIVALIK APARTMENTS,
ALAKNANDA, New Delhi-110019

Kulbir Parashar
Advocate

T 1 0 2 0 0

T 1 0 2 0 0

CONTINUES FROM PREPAGE

LIST OF SELECTED CANDIDATES
FOR MAZDOORS

17

1. Sh Manoj Kumar S/O Sh Arisal Singh
2. Radhey Shyam S/O Sh Pati Ram
3. Sh Mahesh Kumar S/O Sh Laxmi Narain
4. Sh Ajay Pal S/O Sh Sukh Lal Yadav
5. Sh Sunil Kumar S/O Sh Ramji Dass
6. Sh Chander Pal S/O Sh Yad Ram
7. Sh Mukeshwar Shah S/O Sh Juit. Shah
8. Sh Raj Kumar S/O Sh Ram Dev
9. Sh Padam Singh S/O Sh Dan Singh
10. Sh Sudesh Kumar S/O Sh Rattan Pal
11. Sh Birender Kumar Manjhi S/O Sh Raghunath
12. Sh Radhey Shyam S/O Sh Ram Laxhan
13. Sh Rakesh Kumar S/O Sh Gaya Prasad
14. Sh Naresh Kumar S/O Sh Surjan Singh
15. Sh Anup Singh Rawat S/O Sh J S Rawat
16. Sh Raghubir Singh S/O Sh Meharwan Singh
17. Sh Satyavan Sehrawat S/O Sh Jai Narain Singh
18. Sh Kamal Kant S/O Sh Ganga Datt
19. Sh Birnal S/O Sh Chander Singh
20. Sh Ranjan Kumar S/O Sh Dudeswar Singh
21. Sh Kapil S/O Sh Daya Nand
22. Sh Sanjay Singh S/O Sh Veer Singh
23. Sh Sayad Afzal Hussain S/O Sh Ahmed Hussain
24. Sh Rajesh Kumar S/O Sh Sube Singh

ANNEXURE / A 1



10
3/2

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Dr. Dewan C. Vohra
Advocate

110200

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL (PRINCIPAL BENCH)
AT NEW DELHI 110001

IN RE: OA NO. _____ OF 2000

IN THE MATTER OF:

Bhupendra Kardam & Ors

...APPLICANTS

v.

UNION OF INDIA & ORS

...RESPONDENTS

Index to the Paperbook: COMPILATION II

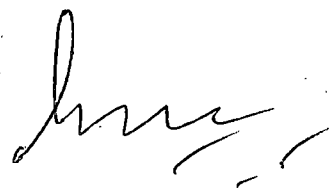
S NO.	PARTICULARS	COURT FEE	Pages
01	Annexure/A2 ----- Circular dt 29/10/99 re: recruitment of Mazdoors in the MES/ Respondent/3		21-23
02	Annexure/A3 ----- Advt in the Navbharat Times dt 18/11/99 re: the recruitment of Mazdoors in the MES/ Respondent/3		24
03	Annexures/A4 to A9 ----- Identity Cards of the applicants re: their registration with the Employment exchange / Government of Delhi		25- 30

INDEX CONTINUED

-2-

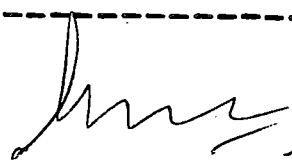

19

S No.	Particulars	C.Fee	Pages
04	Annexures/A10-A17 ----- Certificates of the educational qualifi- cations of the applicants		31-38
05	Annexures/A18-A21 ----- Certificates of the applicants Nos. 1,2, 4 and 5 being SC/ST or OBC		40- 42
06	Annexures/A22 ----- Interview letter dt 16/12/99 issued to the applicant No. 2		43
07	Annexure/A23 ----- Interview letter dt 03 Dec 1999 issued to the applicant No.3		44
08	Annexure/A24 ----- Interview letter dt 23 Dec 1999 issued to the applicant No.4		45
09	Annexure/A25 ----- Selection List dt 8/2/2000 put on the Notice Board		46



INDEX CONTINUED

S No.	Particulars	C.Fee	Pages
10	Annexure/A26 ----- Letter of Protest issued/by the /on 7/2/2000 MES Workers' Union re: illegal selec- tions made by the Respondent/3		47-48
11	Annexure/A27 ----- Letter of Protest issued by the Scheduled Caste Uplift Union on 8/2/2000 re: the illegal selection list issued by the Respondent/3		49
12	Misc. application by the applicant's counsel for allowing the applicants to move their OA as a single application u/r 4(5)(A) of the CAT Procedure Rules 1987		50-51
13	Vakalatnama signed by all applicants		52-53

 
(Dr D C Vohra/Kulbir Parashar)
Advocates for the Applicants

New Delhi: 11/2/2000

Tele: 5665839

Office of the
Commander Works Engineers (AF)
Palam, Delhi Cantt.10.

1267/1603/E1Q

29 Oct. 99

The Sub Regional Employment Exchange
Kirbi Place (Curzon Road),
Delhi Cantt. 10.

ANNEXURE / A2

RECRUITMENT IN THE MES

Dear Sir,

1. Demand for recruitment in MES in respect of the following category is forwarded herewith. Requisite qualifications, scale of pay and other terms and conditions of service are given in the attached requisition form:-

(a) Mazdoor-24 Nos.

2. Nominal roll of suitable candidates may please be forwarded to this HQ by 30 Nov. 99.

3. It is requested that only three times against the existing vacancies should be sponsored.

4. On receipt of Nominal Roll of candidates, necessary interview letter will be issued by this HQ.

5. Please accord TOP PRIORITY.

Encls: Requisition Form.

Yours faithfully,
sd/-
(Rattan Pal)
AO II
for CWE AF Palam

Copy to:

1. The Director Gen. of Employment & Training
Min of Labour & Rehabilitation
24/3, Asaf Ali Road, Kunda Mansion,
New Delhi.
2. The General Secretary
Scheduled Caste Uplift Union
76/31, Pinto Park,
Delhi Cantt.10.
3. The Chairman,
Scheduled Castes Uplift Union
10911, St. Nagar St. No. 2
Block 5-A, Karol Bagh, New Delhi.

contd.. 2.

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Advocate

110200

REQUISITION FORMFOR NOTIFICATION OF VACANCIES FOR CENTRAL GOVT. EMPLOYEES.

1. Office/Department and address :HQ CWE AF Palam
Delhi Cantt. 10
2. Name & Designation of Indenting Officer: :Col B C Werghese, CWE
3. Telephone Number :5665524
4. Date, Time and place of interview :Will be fixed on receipt
of nominal roll of candidates
at HQ CWE AF Palam
5. (A) Designation of post to be filled :Mazdoor (USK)
- (B) Scale of pay and allowance :2550-55-2-2660-60-3200
- (C) Number of posts to be filled. :Mazdoor-24 Nos.

Sl.No.	Category of vacancies	Permanent	Temporary less than 3 months	Temporary between 3 months & One year	Temporary likely to continue Mazdoor.
1	2	3	4	5	6

1. Reserved for Sch. caste/priority/Non priority - - - 4
2. Reserved for Sch. Tribe.Priority/Non priority - - - 2
3. Reserved for OBC - - - 6
4. Un-reserved - - - 12

6. Qualification required : Mazdoor (USK)-8th class pass
(including age)
- Age: Age 18 to 25 years relaxation upto 30 years in case of Scheduled Caste/Scheduled Tribe candidates and 3 years relaxation in the case of OBC candidates.

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Advocate

110200

7. Whether willing to wait and considered : No application from other Exchanges area in case local applications are not available.
8. Any other information considered : Please see relevant. Appendix 'A'
9. Certified that while placing this demand the instructions contained with the orders on special representations in the service have been strictly followed with due regard to the roster maintained in accordance with these orders.

sd/-
(Rattan Pal)
AO II
For CWE AF Palam

Dated: 29 Oct. 99

-
- (a) Posts are temporary for indefinite period, terminate with one month's notice from either side.
- (b) Candidates should be medically fit for general service.
- (c) Candidates will be subject to All India Field Service liability.
- (d) The candidates are required to produce the following original documents at the time of interview:-
- i) Educational/Technical Qualifications.
 - ii) Proof of age/date of birth.
 - iii) SC/ST/OBC certificate where applicable.
- (e) TA/DA will be admissible.

sd/-
(Rattan Pal)
AO II
For CWE AF Palam

Dated: 29 Oct.99

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Dr. Dewan C. Vohra
Advocate

110200

सेंट्रल बैंक
ऑफ इंडियाCentral Bank
of India(भारत सरकार का एक उद्योग)
आइये, एक बेहतर जीवन बनाये

88th year of Service

(A Government of India Undertaking)
Build a better life around us.

आपको अपने विस्तार पटल सी.एच. सारुथ वेस्ट जोन डी.डी.ए.
कार्यालय कॉम्प्लेक्स, नेलसन मंडेला रोड निकट सर्वेश्वर मंदिर,
वसन्त कुंज (विकास सदन शाखा के आधीन) नई दिल्ली

गुरुवार 18 नवम्बर, 1999 सुबह 9:30 बजे

हस्ताक्षर के द्वारा आवेदन पर भारत आमंत्रित करता है।

माननीय श्री पी.के. घोष, उपाध्यक्ष, दिल्ली विकास प्राधिकरण,
अपने कर कमलों द्वारा विस्तार पटल का उद्घाटन करेंगे।

ओम पोपली सी. एल. जैन एम. बी. खुर्जेकर
प्रभारी विस्तार पटल मुख्य प्रबंधक महाप्रबंधक

सै. अ. से.

कमल वक्स इंजीनियर (एयरफोर्स) पालम, दिल्ली छावनी-10 द्वारा अधोलिखित श्रेणी
की नियुक्ति हेतु आवेदन आमंत्रित किए जाते हैं। वेतनमान: रु. 2550-55-2660-60-3200
(क) मजदूर (यूएसके)

योग्यता:

- (1) मजदूर: 8वीं कक्षा उत्तीर्ण।
- (2) वैद्य क्षेत्रीय रोजगार कार्यालय कार्ड।

आयु: 18 से 25 वर्ष, अनुसूचित जाति/अनुसूचित जनजाति के संबद्ध प्रत्याशियों के मामले में
अधिकतम आयु 30 वर्ष तक मान्य है तथा अन्य पिछड़ा वर्ग से संबद्ध प्रत्याशियों के मामले में
अधिकतम आयु सीमा 3 वर्ष तक शिथिलनीय है।

आवेदन प्राप्ति की अंतिम तिथि: 30 नवम्बर 1999

हस्ता./-

(रतन पाल)

एओ-II

स्टेशन दिल्ली छावनी-10
दिनांक: 29 अक्टूबर '99

कृते सीडब्ल्यूई एएफ पालम
डीएवीपी 4000/ 2547/99

कोयला खदान भविष्य निधि स्थान चाहिए

कोयला खदान भविष्य निधि संगठन के लिए कार्यालय तथा ट्रांजिट कैम्प हेतु दिल्ली में
किराया आधार पर स्थान की आवश्यकता है। यह संगठन भारत सरकार का एक स्वायत्त
उद्योग है। भवन का अनुमानित प्लॉट एरिया लगभग 2000-2200 वर्ग फुट होना चाहिए।
1000-1100 वर्ग फुट एमआईजी टाइप प्रत्येक वाले दो मंजिला भवन को प्राथिमानता दी
जाएगी। भवन हस्तक्षेप रहित (इंडिपेन्डेंट) हो तथा प्राथिमानतः प्रशान्त विहार, मधुबन चौक,
पीतम्पुरा आदि में तथा इनके आसपास स्थित हो। इच्छुक पार्टियां कृपया अपने प्रस्ताव पूर्ण
विवरण तथा नियमों एवं शर्तों सहित, इस विज्ञापन के प्रकाशन की तिथि से पन्द्रह दिन के भीतर
अधोहस्ताक्षरी के पास जमा कराएं। प्रस्ताव दो पृथक-पृथक लिफाफों में जमा कराएं एक
लिफाफे में भवन के तकनीकी पक्ष का विवरण यथा अवस्थिति आदि तथा दूसरे लिफाफे में
वित्तीय पक्ष का विवरण जमा कराएं। प्रत्येक लिफाफे पर तकनीकी तथा वित्तीय अंकित करें,
अन्यथा वे स्वीकार्य नहीं होंगे। कार्यालय के पास बिना कोई कारण बताए किसी भी अथवा सभी
प्रस्तावों को स्वीकार/निरस्त करने का अधिकार सुरक्षित है।

सहायक आयुक्त-I,

कोयला खदान भविष्य निधि (सीएमपीएफ),
सम्पर्क कार्यालय, 205, गुरु अर्जुन देव
भवन, रंजीत नगर कमर्शियल कॉम्प्लेक्स
पटेल नगर, नई दिल्ली-110008
फोन: 5706454. (सोमवार से शुक्रवार)

डीएवीपी 925 (4) 99

एयरफोर्स स्टेशन

आफिसर कमांडिंग एयर फोर्स स्टेशन, दादरी, गाजियाबाद (उ.प्र.) द्वारा
अधोलिखित की आपूर्ति/सेवाओं हेतु वर्ष 2000-2001 के लिए एयरफोर्स
स्टेशन, दादरी में स्वीकृत फर्मों/ठेकेदारों/आपूर्तिकर्ताओं के पंजीयन हेतु प्रख्यात
फर्मों से आवेदन आमंत्रित किए जाते हैं।

(क) इंटिग्रेटेड सर्किट्स, ट्रांजिस्टर्स, कैपेसिटर्स तथा अन्य इलेक्ट्रॉनिक्स एवं
इलेक्ट्रिकल सामान की आपूर्ति।

(ख) महिन्द्रा एण्ड महिन्द्रा जीप (पेट्रोल), एम्बेसेडर कार, शक्तिमान ट्रक
मारुति वैन, स्वराज माजदा तथा आइशर कैंटर के रखरखाव हेतु स्पेयर पार्ट्स
आपूर्ति।

(ग) पेंट्स की आपूर्ति (प्रख्यात मेक के अधिकृत विक्रेताओं को प्राथिमानता दी
जाएगी)।

(घ) एमटी वाहनों की मरम्मत-गाजियाबाद/दिल्ली क्षेत्र में पूर्णतः सुसज्जित
रिपेयर वर्कशॉप रखने वाली फर्मों को प्राथिमानता दी जाएगी।

(ङ) डीजी सेट्स/एयर कंडीशनर्स की मरम्मत

(च) ट्रांसपोर्ट की किराये पर प्राप्ति भारत के भीतर वायु सेना की भंडार सामग्री
की ढुलाई के लिए पंजीयन हेतु दिल्ली/गाजियाबाद क्षेत्र की प्रख्यात फर्मों आवेदन
कर सकती हैं।

(छ) एयरफोर्स दादरी में पहले से पंजीकृत फर्मों दोबारा आवेदन न करें।

पंजीयन हेतु आवेदन, वित्तीय सुदृढ़ता/अनुभव के प्रमाण, बिक्री कर तथा-
आयकर अदायगी प्रमाणपत्र विधिवत संलग्न करते हुए, इस प्रकार प्रेषित करें कि
वरिष्ठ संभारतंत्र अधिकारी, एयरफोर्स स्टेशन दादरी, गाजियाबाद (उ.प्र.) के
पास अधिक से अधिक 17 दिसम्बर 1999 तक पहुंच जाएं।

डीएवीपी 7025 (228) 99

DEBTS RECOVERY TRIBUNAL DELHI

3rd Floor, Vasant Tower, Rajendra Place, New Delhi-110008

PROPERTY AUCTION

Property bearing No. D-12, Site IV, Sahibabad Industrial Area, Distt
Ghaziabad (UP) admeasuring 2583 sq. yds. shall be sold by public
auction at 11.30 a.m. on 20.12.1999 at the site, under the orders of the
Recovery Officer, Debts Recovery Tribunal, Delhi for recovery of due
the following matter:

RC No. 15/99

Bank of India

v/s.

M/s. Qualimax Electronics (Pvt.) Ltd. & Ors

The reserve price below which the property shall not be sold
Rs.35,00,000 (Rupees Thirty Five Lacs only).

Intending bidder shall be required to deposit an earnest money of Rs.3.50
lacs (Rupees Three lacs fifty thousand only) by way of Pay Order/Demand
Draft payable at Delhi and favouring the Recovery Officer, DRT, Delhi.
The said deposit shall be adjusted in the case of successful bidder, otherwise
refunded on the date of sale itself.

Successful bidder shall have to deposit 25% of the sale proceeds by way
of pay order/demand draft favouring the Recovery Officer, DRT, Delhi
immediately after the fall of hammer failing which the earnest deposit shall
be forfeited.

The purchaser shall deposit the balance 75% of the sale proceeds alongwith
Poundage Fees @2% upto Rs.1,000 and @ 1% exceeding Rs.1,000/- within
15 days from the date of auction sale. The property is being sold on "As is
where is" basis and subject to conditions prescribed in the Second Schedule
to the Income Tax, 1961 and Rules made thereunder. The highest bid will
be subject to the approval of the Recovery Officer. Further details and
sale proclamation can be obtained from the Manager, Bank of India, G-17
Hauz Khas Enclave, New Delhi-16. (Ph. No. 6563713, 6864083).

Sd/-

(PARAJIT SINGH)

RECOVERY OFFICER

Date: 08.11.1999

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Dr. Dewan C. Vohra
Advocate

110200

विहारी सरकार
GOVT. OF DELHI

फार्म एनएस-10 (बी)
Form X-10 (b)

रोजगार निदेशालय

DIRECTORATE OF EMPLOYMENT

ANNEXURE 1/14

रोजगार केन्द्र

EMPLOYMENT EXCHANGE

श्रेणी—अनुसूचित जाति/अनुसूचित जनजाति/भूतपूर्व सैनिक/विकलांग/अन्य पिछड़ी जातियाँ।
Category—Scheduled Castes/Scheduled Tribes/Ex-Servicemen/Physically Handicapped/O.B.C.

पहचान पत्र
IDENTITY CARD

(यह रजिस्ट्रेशन पत्र है, नियोजक से भेंट करने का परिचय पत्र नहीं)
(Not an introduction card for interview with employer)

1. प्रार्थी का नाम
Name of the candidate..... गुपेन्द्र कदम
2. जन्म तिथि/Date of birth..... 19/11/81
3. पिता/पति का नाम
Father's/Husband's Name..... श्री. दोरेमाल कदम
4. पंजीकरण की तिथि
Date of Registration..... 7/9/98
5. पंजीकरण की संख्या
Registration No..... Nul 21895/98
6. योग्यता/Qualifications..... हाई स्कूल फल
7. एन.सी.ओ. कोड संख्या
N.C.O. Code No..... X.0.2.0
8. व्यवसाय/Occupation..... चालीदार मजदूर
9. पहचान का मुख्य चिह्न
Identification Mark..... मोबाइल नं. 91. निशाज
10. विशेष इन्डोर्समेंट
Special endorsement.....

प्रार्थी के हस्ताक्षर
Signature of Applicant

रोजगार निदेशालय के अधिकारी के हस्ताक्षर
Signature of Emp. Officer

अगला नवीकरण कब होता है
When next renewal is due

लॉग बुक का क्रमांक
Log Book entry No

तारीख सहित नवीकरण लिपिक के हस्ताक्षर
Dated Signature of the renewal clerk

महीना एवं वर्ष
Month and year

[कृप.उ.०/P.T. O.]

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Dr. Dewan C. Vohra
Advocate

110200

ANNEXURE / A5

R. C. No.
 I. C. No.
 Delhi C.
 Other C.

GOVT. OF DELHI
 रोजगार निदेशालय
 DIRECTORATE OF EMPLOYMENT
 रोजगार केन्द्र
 EMPLOYMENT EXCHANGE

फार्म एक्स-10 (बी)
 Form X-10 (b)

श्रेणी—अनुसूचित जाति/अनुसूचित जनजाति/भूतपूर्व सैनिक/विकलांग/अन्य पिछड़ी जातियां ।
 Category—Scheduled Castes/Scheduled Tribes/Ex-Servicemen/Physically Handi-
 capped/O.B.C.

कजिन रोड (कबीर जीस)

पहचान पत्र IDENTITY CARD

(यह रजिस्ट्रेशन पत्र है, नियोजक से भेंट करने का परिचय पत्र नहीं)
 (Not an introduction card for interview with employer)

1. प्रार्थी का नाम
Name of the candidate... Daya Chand
2. जन्म तिथि/Date of birth... 15.05-72
3. पिता/पति का नाम
Father's/Husband's Name... SH. Tika Ram
4. पंजीकरण की तिथि
Date of Registration... 16.12.97
5. पंजीकरण की संख्या
Registration No... NU/23778/98
6. योग्यता/Qualifications... Eight Pass
7. एन.सी.ओ. कोड संख्या
N.C.O. Code No... 102.10
8. व्यवसाय/Occupation... —
9. पहचान का मुख्य चिह्न
Identification Mark... Rt hand to 2nd finger
10. विशेष इन्डोर्समेंट
Special endorsement...

प्रार्थी के हस्ताक्षर Qhand
 Signature of Applicant

रोजगार अधिकारी के हस्ताक्षर
 Signature of Employer

अगला नवीकरण कब होना है
 When next renewal is due

गैजट का क्रमांक नवीकरण
 Log Book entry No.

लिपिक के हस्ताक्षर सहित
 Dated Signature of the renewal clerk

महीना एवं वर्ष
 Month and year

हस्ताक्षर [हस्ताक्षर]
 [हस्ताक्षर]

(M. Kurian Perer)
 Private Secretary
 Army Headquarters
 New Delhi 110011
 Tele: 3019693

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Dr. Dewan C. Vohra
 Advocate

ANNEXURE / 116

फॉर्म एक्स-10 (बी)
Form X-10 (b)

दिल्ली प्रशासन
DELHI ADMINISTRATION

रोजगार निदेशालय DIRECTORATE OF EMPLOYMENT

रोजगार केन्द्र
EMPLOYMENT EXCHANGE, 456, 2/5, नई दिल्ली-1
श्रेणी—अनुसूचित जाति/अनुसूचित जनजाति/पूर्व सैनिक/विकलांग।
Category—Scheduled Castes/Scheduled Tribes/Ex-Servicemen/Physically Handi-
capped.
Curzon Road, New Delhi

पहचान पत्र IDENTITY CARD

(यह रजिस्ट्रेशन पत्र है, नियोजन से भेंट करने का परिचय पत्र नहीं)
(Not an introduction card for interview with employer)

1. प्रार्थी का नाम
Name of the candidate... सत्य लाल
 2. जन्म तिथि/Date of birth... 16-24 1978
 3. पिता/पति का नाम
Father's/Husband's Name... बलदेव लाल
 4. रजिस्ट्रेशन की तिथि
Date of Registration... 13-9-74
 5. रजिस्ट्रेशन की संख्या
Registration No... 11858711
 6. योग्यता/Qualifications... दस्तावेज प्राप्त 10th
 7. एन.सी.ओ. कोड संख्या
N.C.O. Code No... 35820
 8. व्यवसाय/Occupation... अज्ञात
 9. पहचान का मुख्य चिह्न
Identification Mark... 9/9/97
 10. विशेष प्रमाणपत्र
Special endorsement... उप पर 12 का 7 मंजूर
- प्रार्थी के हस्ताक्षर
Signature of Applicant... Satya Lal
- रजिस्ट्रेशन अधिकारी
Sd/- Signature of Emp. Officer
K.G. Mangrew Lohi

अगला नवीकरण कब होना है
When next renewal is due

लॉगबुक का क्रमांक
Log Book entry No.

नवीकरण लिपिक के हस्ताक्षर तारीख सहित
Dated Signature of the renewal clerk

महीना एवं वर्ष
Month and year

A-4489
9/3000

9/9/97 P.T.O.

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Dr. Dewan C. Vohra
Advocate

110200

ANNEXURE [A7]

28

फार्म एक्स-10 (बी)
Form X-10 (b)

दिल्ली सरकार
GOVT. OF DELHI

रोजगार निदेशालय

DIRECTORATE OF EMPLOYMENT

रोजगार केन्द्र
EMPLOYMENT EXCHANGE

श्रेणी—अनुसूचित जाति/अनुसूचित जनजाति/भूतपूर्व सैनिक/विकलांग/अन्य पिछड़ी जातियां।
Category—Scheduled Castes/Scheduled Tribes/Ex-Servicemen/Physically Handi-
capped/O.B.C.

पहचान पत्र IDENTITY CARD

(यह रजिस्ट्रेशन पत्र है, नियोजक से भेंट करने का परिचय पत्र नहीं)
(Not an introduction card for interview with employer)

1. प्रार्थी का नाम
Name of the candidate... SUNIL SABHARWAL
2. जन्म तिथि/Date of birth... 12.06.1979
3. पिता/पति का नाम
Father's/Husband's Name... Sh. RAM SINGH SABHARWAL
4. पंजीकरण की तिथि
Date of Registration... 10 NOV 1998
5. पंजीकरण की संख्या
Registration No... F/205/3/28
6. योग्यता/Qualifications... 10th PASS
7. एन.सी.ओ. कोड संख्या
N.C.O. Code No... X01-10
8. व्यवसाय/Occupation... STUDENT
9. पहचान का मुख्य चिह्न
Identification M... WHITE DOT ON LEFT HAND
10. विशेष इन्डोर्समेंट
Special endorsement...

प्रार्थी के हस्ताक्षर
Signature of Applicant

नियोजक अधिकारी के हस्ताक्षर
Signature of Emp. Officer

अगला नवीकरण कब होना है
When next renewal is due

लॉग बुक का क्रमांक
Log Book entry No

नवीकरण विधिक के हस्ताक्षर तारीख सहित
Dated Signature of the renewal clerk

महीना एवं वर्ष
Month and year

11/2001

[30/03/01/P.T.O.]

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Advocate

110200

ANNEXURE/A8

211224

फॉर्म एक्स-10 (बी)
Form X-10 (b)

GOVT. OF DELHI

Office of the

रोजगार निदेशालय

DIRECTORATE OF EMPLOYMENT

रोजगार

EMPLOYMENT EXCHANGE

श्रेणी—अनुसूचित जाति/अनुसूचित जनजाति/भूतपूर्व सैनिक/विकलांग/अन्य पिछड़ी जातियां।
Category—Scheduled Castes/Scheduled Tribes/Ex-Servicemen/Physically Handicapped/O.B.C.

पहचान पत्र
IDENTITY CARD

(यह रजिस्ट्रेशन पत्र है, नियोजक से भेंट करने का परिचय पत्र नहीं)
(Not an introduction card for interview with employer)

1. प्रार्थी का नाम
Name of the candidate... UMESH KUMAR
2. जन्म तिथि/Date of birth ... 30/6/78
3. पिता/पति का नाम
Father's/Husband's Name... Sh. MAHAVAR SINGH
4. पंजीकरण की तिथि
Date of Registration ... 29/11/99
5. पंजीकरण की संख्या
Registration No... 1889/03/5645
6. योग्यता/Qualifications ... Matric pass
7. एन.सी.ओ. कोड संख्या
N.C.O. Code No ... 80110
8. व्यवसाय/Occupation ... Student
9. पहचान का मुख्य चिन्ह
Identification Mark ... A mark on the left side of the eye
10. विशेष इन्डोर्समेंट
Special endorsement...

प्रार्थी के हस्ताक्षर Umesh Kumar
Signature of Applicant

रोजगार अधिकारी के हस्ताक्षर
Signature of Emp. Officer

अगला नवीकरण कब होना है गिदुक का क्रमांक नवीकरण लिपिक के हस्ताक्षर तारीख सहित
When next renewal is due Log Book entry No. Dated Signature of the renewal clerk

महीना एवं वर्ष
Month and year

Nov. 2002

[कु०पु०उ०/P.T.O.]

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Advocate

110200

ANNEXURE / A9

फॉर्म एक्स-10 (बी)
Form X-10 (b)दिल्ली प्रशासन
DELHI ADMINISTRATION

रोजगार निदेशालय

DIRECTORATE OF EMPLOYMENT

रोजगार केन्द्र

EMPLOYMENT EXCHANGE

श्रेणी — अनुसूचित जाति/अनुसूचित जनजाति/भूतपूर्व सैनिक/विकलांग।

Category — Scheduled Castes/Scheduled Tribes/Ex-Servicemen/Physically Handicapped.

पहचान पत्र
Sub Regional Employment Exchange
Jawahar Road, New Delhi
IDENTITY CARD(यह परिचय पत्र है, नियोजक से भेंट करने का परिचय पत्र नहीं)
(Not an introduction card for interview with employer)

1. प्रार्थी का नाम
Name of the candidate... Vijay Sharma
2. जन्म तिथि/Date of birth... 10-2-1976
3. पिता/पति का नाम
Father's/Husband's Name... Shri. Chander Parkash Sharma
4. पंजीकरण की तिथि
Date of Registration... 25-10-1994
5. पंजीकरण की संख्या
Registration No... NV/81031/94
6. योग्यता/Qualifications... Student of tenth fail
7. एन.सी.ओ. कोड संख्या
N.C.O. Code No... 271/...
8. व्यवसाय/Occupation... Student
9. पहचान का मुख्य चिह्न
Identification Mark... Left eye is short
10. विशेष इन्डोर्समेंट
Special endorsement... ...

प्रार्थी के हस्ताक्षर
Signature of Applicant

Registration Officer

रोजगार अधिकारी के हस्ताक्षर

Signature of Emp. Officer

अगला नवीकरण कब होना है
When next renewal is dueलॉग बुक का क्रमांक
Log Book
entry No.नवीकरण के अधिकारी की हस्ताक्षर
Dated Signature of the
renewal clerkमहीना एवं वर्ष
Month and year

[ह.प.च. P.T.O.]

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of the original documentDr. Dewan C. Vohra
Advocate

110200

ANNEXURE

A10

31

हाई स्कूल परीक्षा-अंक पत्र 0486517 माध्यमिक शिक्षा परिषद् उत्तर प्रदेश, द्वारा संचालित वर्ष १९९८ की हाई स्कूल परीक्षा में निम्नलिखित परीक्षार्थी द्वारा प्राप्त अंकों का विवरण : अनुक्रमांक परीक्षार्थी का नाम 1583906 BHUPENDRA KARDAN विद्यालय/केन्द्र का नाम S C INT COLL GHAZIABAD		जन्मतिथि क्रमांक 19/09/81 0839385 परीक्षा प्रवर्ग, संस्था/व्यक्ति FULL EXAM PRIVATE		
विषय	अधिकतम अंक	प्रश्न-पत्रवार प्राप्तांक	योग	सम्पूर्ण योग एवं परीक्षा फल
HINDI	100	1/13 2/15 3/11	39	190
ENGLISH	100	1/14 2/21	35	FAILED
MATHEMATICS ONE	100	1/02 2/11	13F	
SCIENCE ONE	100	1/16 2/10 26 P/09	35	
SOCIAL SCIENCE	100	1/28 2/15	43	
COM BANKING	100	1/14 2/11	25F	

S. K. Singh
प्रधानाचार्य

जांचकर्ता के हस्ताक्षर द्वारा सिद्ध प्रधानाचार्य दिनांक १८-११-९८ के हस्ताक्षर नोट-आवश्यक सूचना पीछे मुद्रित है। मुहर	श्री सुवासन वर्मा इंटर काबिल पाबिलानाब (बलवंत सिंह) प्रवर सचिव विल मन्त्रालय विल कार्य विभाग हाथिक २६ फरवरी
--	---

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Advocate

110200

Scholar's Register & Transfer Certificate Form

32

Admission File No.....

Withdrawal.....

Transfer Certificate File No.....

M.M.H.V. Inter College Ghaziabad

S. R. REGISTER NO. R3370

Name of the Scholar	Name, occupation and address of	Date of birth of the Scholar	Last institution attended before joining this School
Bhupendra	Father Sh. Chhotay Lal 307 Daulat Pura G. T. Road Ghaziabad.	19.9.81 Nineteenth September Eighty One	Public Happy M. Jr. H. School Ghaziabad.
Nationality	Guardian	One	Leaght of residenc in U.P.
Cast Jatav			S. B.

ANNEXURE / A

Class	Date of admission	Date of promotion	Date of removal	Result and cause of removal e.g. non payment of dues removal of family, expulsion etc.	Year of Session	Conduct and work	Sig. of Head of Institution
VI							
VII							
VIII							
C2 IX	30.8.95	14.5.96	—	— Promoted —	95-96	— Good —	
C2 X	1.7.96	—	30.6.97	— Failed —	96-97	— Good —	
XI							
XII							

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110200

M.M.H.V. Inter College
Ghaziabad

Certified that the above Scholar's Register has been posted upto date of Scholar's Leaving as required by Department Rule

Date 29/10/97

Sd... S. N. Vats

Head of the Institution

In the case of scholar leaving any of class IX to XII the attendance should be entered in the table provided below

Statement of attendance for classes IX & X				Statement of Lecturers XI & XII		Subject		No. of Lectures	
Class	Year	No. of Meetings held	No. of meeting at which percent	Class	Year			d	Attended
IX				XI					
X				XII					

Attested
Principal
M.M.H.V. Inter College
Ghaziabad

Note:— If the scholar has been among the first five in the class, this fact should be mentioned in the column of "Conduct and Work"

Enrolment No. 278433036

Serial No. M
94

33
0009184

National Open School New Delhi

ANNEXURE

1A-12

DAYA CHAND,

Son/Daughter of SH TIKA RAM,

Who has fulfilled the Certification requirements of
National Open School in August 1994 and has passed
in the following subjects:

HINDI

GEOGRAPHY

POLITICAL SC.

ENGLISH

HISTORY

is awarded the Senior Secondary School Certificate.

New Delhi

Dated

07/02/95

[Signature]
Controller of Examinations

[Signature]
Chairman

(M. Kurian Perer)
Private Secretary
Army Headquarters
New Delhi - 110011
Tele :

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Advocate

110200

क्रम संख्या

000003937

SERIAL NO DSC/Comptt/89 /

केन्द्रीय माध्यमिक शिक्षा बोर्ड

Central Board of Secondary Education

दिल्ली सेकण्डरी स्कूल पूरक परीक्षा, 1989

DELHI SECONDARY SCHOOL COMPARTMENTAL EXAMINATION, 1989

यह प्रमाणित किया जाता है कि

This is to certify that DAYA CHAND

अनुक्रमांक

आत्मज/आत्मजा श्री

Roll No. 443423 Son/Daughter of Shri TIKA RAM

जिनकी जन्म तिथि

born on FIFTEENTH MAY NINETEEN HUNDRED & SEVENTY TWO

है, ने बोर्ड द्वारा मार्च/जुलाई 1989 में आयोजित दिल्ली सेकण्डरी स्कूल पूरक परीक्षा

passed the Delhi Secondary School (Compartmental) Examination of the Board held in March/July, 1989

विद्यालय से

from GOVT CO EDU S S SCH SHAHBAD MOHD PUR N DELHI

निम्न विषयों में उत्तीर्ण की :-

in the following subjects :-

- | | | |
|-------------------|---------------------|----------------------|
| 1 *HINDI COURSE A | 2 MATHS | 3 SCIENCE WITH PRAC |
| 4 SOCIAL SCIENCE | 5 SOC USE PROD WORK | 6 PHY & HEALTH EDUCA |

नई दिल्ली

New Delhi

दिनांक 31.08.1990

Dated



परीक्षा नियंत्रक

Controller of Examinations

केन्द्रीय माध्यमिक शिक्षा बोर्ड

Central Board of Secondary Education

* का चिन्ह जिस विषय के आगे लगा है, यह विषय परीक्षार्थी ने पूरक परीक्षा में उत्तीर्ण किया है।

* against a subject indicates that the candidate passed in this subject at the compartmental examination.

(M. Kurian Peter)

Private Secretary

Army Headquarters

New Delhi 110011

Tele :

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Dr. Dewan C. Vohra
Advocate

110200

Board of School Education Haryana



MATRICULATION EXAMINATION

Certified that **SANJAY SOLANKI**

ANNEXURE

son/daughter of **Shri MAHINDER SINGH**

date of birth **SIXTEENTH APRIL ONE THOUSAND**

NINE HUNDRED AND SEVENTY FIVE (16.04.1975)

appeared from **SWAMI DAYANAND MODERN HIGH SCHOOL**

SONEPAT

in the Matriculation Examination of this Board

held in **MARCH 1993**

obtaining **300** marks as indicated below

DETAILED MARKS

Sr. No.	Subject	Marks Obtained	Minimum Pass Marks	Maximum Marks
1	HINDI	033	33	100
2	ENGLISH	047	33	100
3	MATHEMATICS	054	33	100
4	SOCIAL SCIENCE (History, Civics & Geography)	033	33	100
5	SCIENCE (Physics, Chemistry & Life Sciences)	Theory 035 Practical 018	Theory 25 Practical 8	Theory 75 Practical 25
6	Elective Subject ANIMAL HUSBANDRY	Theory 045 Practical 019	Theory 25 Practical 8	Theory 75 Practical 25
TOTAL		300		600

Total Marks obtained (in words) **THREE HUNDRED ONLY**

SUPW GRADE **VERY GOOD**

Detail of Grading given on back

Note: Marks below 33% (Theory & Practical Separately) in

a subject indicate fail and are not included in the total

* Indicates pass with distinction

Mulya Srivastava

SECRETARY

DATED **JULY 5, 1993**

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Mr. Dewan C. Vohra
 Advocate

110200

36

Enrolment No.

277352051



Serial No. M 0014905

National Open School

(Govt. of India)

New Delhi

Secondary School Examination Certificate

ANNEXURE / MS

This is to certify that **SUNIL SABHARWAL**
Son/Daughter of **RAM SINGH SABHARWAL**
passed Secondary School Examination of National Open
School held in **MAY - 1997** *in the following subjects:*

HINDI

SOCIAL SCIENCE

ENGLISH

SCIENCE

MATHEMATICS

His/Her Date of Birth as per records submitted is **19.06.1979**
(In words) **NINETEENTH JUNE NINETEEN HUNDRED & SEVENTY NINE**

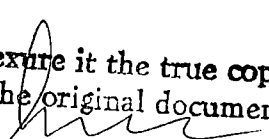
New Delhi

Date **15.01.1998**

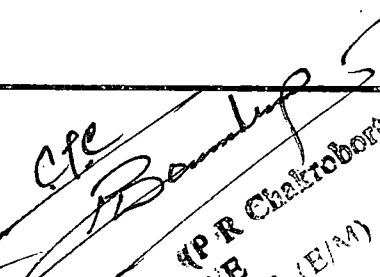

Controller of Examinations


Chairman

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Dr. Dewan C. Vohra
Advocate

110200


P. R. Chakraborty
AGE (E/M)
GE (K)

0410

ANNEXURE

अनुक्रमांक

09/124/0913036

0189296



हाई स्कूल परीक्षा, १९९५

प्रमाणित किया जाता है कि परिषद् के अभिलेखानुसार

UNESH KUMAR

आत्मन श्री

MAHAVIR SINGH

ने जिनकी जन्मतिथि

30TH JUNE NINETEEN HUNDRED SEVENTY EIGHT (30-06-78)

है, मई/जून १९९५ की हाईस्कूल परीक्षा निम्नलिखित विवरण के अनुसार उत्तीर्ण की है -

1-HINDI

2-ENGLISH

3-MATHEMATICS ONE

4-SCIENCE ONE

5-SOCIAL SCIENCE

6-CIVICS

CATEGORY OF MCRAL EDUCATION-A

उत्तीर्ण श्रेणी

SECOND

विद्यालय/केंद्र

JANTA INT COLL KATHWARI MEERUT

प्रमाण पत्र क्रमांक

इलाहाबाद

दिनांक

C903186

REGULAR

30TH JULY, 1995.

Yashwanth Singh

HONOURS का अर्थ सम्बन्धित विषय में विशेष योग्यता है।

HONOURS का अर्थ सामान्य ग्राह्य उत्तीर्ण है।

विषय-विशेष का पूर्ण विवरण पृष्ठ क्रमांक पर अंकित है।

(प्रकाश चन्द्र श्रीवास्तव)

सचिव

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of the original documentDr. Dewan C. Vohra
Advocate

110200

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ANNEXURE (A17)

अनुक्रमांक
19660670005725
62/505/624121

HSIBUP-1997

हाई स्कूल परीक्षा, १९९७

प्रमाणित किया जाता है कि परिषद् के अभिलेखानुसार

VIJAY SHARMA

आत्मज श्री CHANDER PARKASH SHARMA

ने जिनकी जन्मतिथि

10TH FEBRUARY NINETEEN HUNDREN & SEVENTY SIX (10/02/76)

है, मार्च/अप्रैल १९९७ की हाईस्कूल परीक्षा निम्नलिखित विवरण के अनुसार उत्तीर्ण की है -

- | | | |
|---------------|------------------|-------------------|
| 1 HINDI | 2 ENGLISH | 3 MATHEMATICS TWO |
| 4 SCIENCE TWO | 5 SOCIAL SCIENCE | 6 BIOLOGY |

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उत्तीर्ण श्रेणी SECOND

Mr. Dewan C. Vohra 110200

विद्यालय/केन्द्र M A I C USARAHATA SHAHGANG JAUNPUR

प्रमाण पत्र क्रमांक इलाहाबाद
1752169 PRIVATEदिनांक
10/06/1997

'D' का अर्थ सम्बन्धित विषय में "विशेष योग्यता" है।
'HONOURS' का अर्थ "सम्मान सहित उत्तीर्ण" है।
टीप-विषय का पूर्ण विवरण पृष्ठ भाग पर अंकित है।

(दिनेश चन्द्र कनौजिया)
सचिव

ANNEXURE

1A18

39

30 प्र० अनुसूचित जाति तथा अनुसूचित जन-जाति के लिये प्रमाण-पत्र

प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारी श्रीमती सुषमा
सुपुत्र/सुपुत्री श्री दरिद्रा निवासी गाँव/नगर उ० प्र० द० ब० द० प्र० तहसील ७१५
जिला ग० प्र० द० ब० द० प्र० उ० प्र० राज्य की ७१५

जाति के व्यक्ति है। जिसे संविधान (अनुसूचित जाति) आदेश 1950 ई० जैसा कि समय-समय पर संशोधित हुआ।
संविधान (अनुसूचित जन-जाति) आदेश 1967 के अनुसार अनुसूचित जाति/अनुसूचित जन-जाति के
रूप में मान्यता दी गई है।

श्री/श्रीमती/कुमारी श्रीमती सुषमा
गाँव/नगर तहसील जिला/डिवीजन में सामान्यतया रहता है।

स्थान राज्य (उत्तर प्रदेश) तारीख की तसदीक पर जारी किया गया है।

यह प्रमाण-पत्र श्री दरिद्रा की तसदीक पर जारी किया गया है।

स्थान ७१५ हस्ताक्षर श्रीमती सुषमा
दिनांक ११/०१/५१ (कार्यालय श्रीमती सुषमा)

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Dr. Dewan C. Vohra
Advocate

110200

उपायुक्त कार्यालय, दिल्ली प्रशासन, दिल्ली

जाति प्रमाण विभाग-II

ANNEXURE / A19

दिनांक 23-3-90

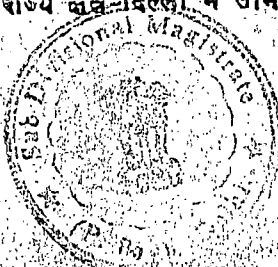


जाति प्रमाण-पत्र

सम संख्या N^o 112113

प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारी देवा चन्द सुपुत्र/पुत्री/पत्नी श्री टीका राम निवासी गांव डोमरुवा नरसिंहगढ़ दिल्ली संघ राज्य क्षेत्र में जाट जाति से सम्बन्ध रखता है/रखती है, जिसे संविधान (अनुसूचित जाति) (संघ राज्य क्षेत्र) आदेश 1951 अनुसूचित जाति तथा अनुसूचित जन जाति सूचियां (संशोधन) 1956 तथा अनुसूचित जाति तथा अनुसूचित जन जाति आदेश (संशोधन) अधिनियम, 1976 द्वारा अनुसूचित जाति के रूप में मान्यता दी गई है।

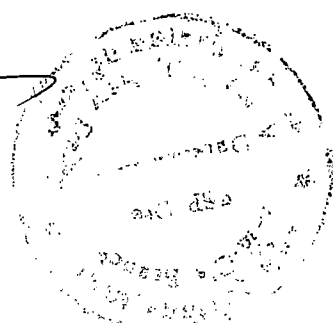
2. श्री/श्रीमती/कुमारी देवा चन्द शोर/अथवा परिवार गांव डोमरुवा नरसिंहगढ़ संघ राज्य क्षेत्र-दिल्ली में सामान्यता रहता/रहती है।



प्रभारी अधिकारी (जोड़ प्रत) वि-II)
Sd/- उपायुक्त, दिल्ली
(Punjabi Bagh) Room No. 145
Tis Hazari Courts, Delhi

CTC

(M. Kurian Peter)
Private Secretary
Army Headquarters
New Delhi 110011
Tele :



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Mr. Dewan C. Vokra
Advocate

110200

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क्रम सं०

दिनांक 10/11/99

165558

569-K-J

उपायुक्त कार्यालय, दिल्ली प्रशासन, दिल्ली

जाति प्रमाण विभाग-II



ANNEXURE/1120

जाति प्रमाण-पत्र

प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारी सुनील सभावाल
 सुपुत्र/पुत्री/पत्नी श्री राम सिंह सभावाल निवासी राम 020 रस 0 क लोनी
पी. 72/3 64A/P दिल्ली संघ राज्य क्षेत्र में जुलाहा जाति से सम्बन्ध रखता है।
 रहती है, जिसे संविधान (अनुसूचित जाति) (संघ राज्य क्षेत्र) आदेश, 1951 अनुसूचित जाति तथा अनुसूचित जन जाति
 सूचियां (संशोधन) 1956 तथा अनुसूचित जाति तथा अनुसूचित जन जाति आदेश (संशोधन अधिनियम, 1976 द्वारा
 अनुसूचित जाति के रूप में मान्यता दी गई है।

2. श्री/श्रीमती/कुमारी सुनील सभावाल शोर/ग्रामवा परिवार उपरोक्त
फते पर संघ राज्य क्षेत्र दिल्ली में सामान्यतः रहता/रहती है।



A. NEDUNCHIAN
 Sub-Divisional Magistrate
 Kalkaji, South District
 37, Institutional Area, Connaught Place
 M.B. Road, Near Batra Hospital
 New Delhi

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Dr. Dewan C. Vohra
 Advocate

(P R Chakroborty)
 AE
 AGS (E/M)
 GE (A) Bhilakabad

110200

ANNEXURE/A21

उत्तर प्रदेश के अन्य पिछड़े वर्ग के लिए 3117 जाति प्रमाण-पत्र का प्रपत्र

प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारी उमेश कुमार
सुपुत्र/सुपुत्री श्री सदावीर सिंह
निवासी ग्राम/कस्बा उखलीवा
परगना सेरठ तहसील व जिला सेरठ
उत्तर प्रदेश राज्य की जगिरी पिछड़ी जाति के व्यक्ति हैं।
यदि जाति उत्तर प्रदेश लोक सेवा अनुसूचित जातियों, अनुसूचित जन-जातियों तथा अन्य पिछड़े वर्गों के
लिए आरक्षण अधिनियम 1994 की अनुसूची एक के अंतर्गत मान्यता प्राप्त है।

यह भी प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारी उमेश कुमार
उक्त अधिनियम 1994 की अनुसूची दो से आच्छादित नहीं है।

श्री/श्रीमती/कुमारी उमेश कुमार तथा/अथवा उनका पति/पति
उत्तर प्रदेश के ग्राम सेरठ तहसील सेरठ
नगर सेरठ जिला सेरठ में सामान्यतया
रहता है।

यह प्रमाण-पत्र इनको श्री जगन्मोहन जैन राव नि
की तसदीक पर जारी किया गया है।

स्थान सेरठ
दिनांक 07/12/96

जगन्मोहन जैन
जिलाधिकारी/अतिरिक्त जिलाधिकारी/सिटी
मजिस्ट्रेट/परगना मजिस्ट्रेट/तहसीलदार

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Dx. Dewan C. Vohra
Advocate

110200

UPC

Delhi Tele: 5665839

Office of the
Commander Works Engineer
(AF)Palam, Delhi Cantt.10

1267/Appt-99/Maz/ 34/P10

16 Dec 99

Daya Chand
Village Amber Hai H.No.214,
Papankalan, Sec.19, PO Palam Village,
New Delhi 110045.

ANNEXURE/A22

RECRUITMENT OF MAZDOOR IN MES

1. Your name has been sponsored by employment exchange Kirbi Place, Delhi Cantt. for employment as regular Mazdoor in this department. Therefore, please attend this office at 1000 hrs. on for interview

OR

1. With reference to this HQ advertisement in News paper for recruitment of Mazdoor. You have applied for the post vide your application dated Nov.99. Therefore, please attend this office at 1000 hrs. on 03 Jan.2000 for interview.

2. Please bring the following certificates (in original with you when you appear for the interview to enable us to consider your case for employment:-

- (a) Employment Exchange Registration Card.
- (b) Educational Qualification Certificate.
- (c) Certificate of age/date of birth.
- (d) SC/ST/OBC/Ex-serviceman/Handicapped certificate issued by the appropriate authorities, if applicable.

3. Please note that no TA/DA will be admissible for the said interview.

sd/-
(RATTAN PAL)
AO II
for CWE(AF)Palam.

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of the original document

Dr. Dewan C. Vohra
Advocate

110200

Tele: 5665839

Office of the
Commander Works Engineers
Air Force Palam,
Delhi Cantt. 10.

1267/Appt-99/Maz/2535/E10

3 Dec 99

Sanjay Solanki s/o. Sh.
Mohinder Singh Solanki
75/2, Pinto Park MES Colony,
D.Cantt.10.

ANNEXURE /A23

RECRUITMENT OF MAZDOOR IN MES.

Your name has been sponsored by employment exchange Kirby Place, Delhi Cantt. for employment as regular Mazdoor in this department. Therefore, please attend this office at 1000 hrs. on _____ for interview.

OR

1. With reference to this HQ advertisement in Newspaper for requirement of Mazdoor. You have applied for the post vide your application dated Nov. 90. Therefore, please attend this office at 1000 Hrs. on 17 Jan 2000 for interview.
2. Please bring the following certificates in original with you when you appear for the interview to enable us to consider your case for employment:
 - (a) Employment Exchange Registration Card.
 - (b) Educational Qualification certificate.
 - (c) Certificate of age/date of birth.
 - (d) SC/ST/OBC/Ex-Serviceman/Handicapped certificate issued by the appropriate authorities, if applicable.
3. Please note that no TA/DA will be admissible for the said interview.

sd/-
(Rattan Pal)
AO II
for CWE AF Palam.

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Dr. Dewan C. Vohra
Advocate

110200

Delhi Tele: 5665839

Office of the
Commander Works Engineer
Air Force, Delhi Cantt.10

1267/Appt-99/Maz/2596/ElC

23 Dec. 99

Sh. Sunil Sabharwal
s/o. Shri Ram Singh Sabharwal

ANNEXURE (A24)

RECRUITMENT OF MAZDOOR IN MSS

1. Your name has been sponsored by employment exchange Kirbi Place, Delhi Cantt for employment as regular Mazdoor in this department, Therefore, please attend this office at 1000 hrs. on _____ for interview.

OR

1. With reference to this HQ advertisement in News paper for recruitment of Mazdoor. You have applied for the post vide your application dated _____ Nov.99. Therefore, please attend this office at 1000 hrs. on 17 Jan 2000 for interview.

2. Please bring the following certificates in original with you when you appear for the interview to enable us to consider your case for employment:-

- (a) Employment Exchange Registration Card.
- (b) Educational Qualification Certificate.
- (c) Certificate of age/date of birth.
- (d) SC/ST/Ex-serviceman/Handicapped certificate issued by the appropriate authorities, if applicable.

3. Please note that no TA/DA will be admissible for the said interview.

sd/-
Rattan Pal
AO II,
for DWE(AF)Palam

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Advocate

110200

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LIST OF SELECTED CANDIDATES
FOR MAZDOORS

- ANNEXURE** / A25
1. Sh Manoj Kumar S/O Sh Arisal Singh
 2. Radhey Shyam S/O Sh Pati Ram
 3. Sh Mahesh Kumar S/O Sh Laxmi Narain
 4. Sh Ajay Pal S/O Sh Sukh Lal Yadav
 5. Sh Sunil Kumar S/O Sh Ramji Dass
 6. Sh Chander Pal S/O Sh Yad Ram
 7. Sh Mukeshwar Shah S/O Sh Juit Shah
 8. Sh Raj Kumar S/O Sh Ram Dev
 9. Sh Padam Singh S/O Sh Dan Singh
 10. Sh Sudesh Kumar S/O Sh Rattan Pal
 11. Sh Birender Kumar Manjhi S/O Sh Raghunath
 12. Sh Radhey Shyam S/O Sh Ram Lakhan
 13. Sh Rakesh Kumar S/O Sh Gaya Prasad
 14. Sh Naresh Kumar S/O Sh Surjan Singh
 15. Sh Anup Singh Rawat S/O Sh J S Rawat
 16. Sh Raghubir Singh S/O Sh Meharwan Singh
 17. Sh Satyavan Sehrawat S/O Sh Jai Narain Singh
 18. Sh Kamal Kant S/O Sh Ganga Datt
 19. Sh Birnal S/O Sh Chander Singh
 20. Sh Ranjan Kumar S/O Sh Dudeswar Singh
 21. Sh Kapil S/O Sh Daya Nand
 22. Sh Sanjay Singh S/O Sh Veer Singh
 23. Sh Sayad Afzal Hussain S/O Sh Ahmed Hussain
 24. Sh Rajesh Kumar S/O Sh Sube Singh



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Dr. Dewan C. Vohra
Advocate

110200



ANNEXURE/A26

CHANDIGARH AREA M.E.S. WORKERS UNION

Recognised by Govt. of India Ministry of Defence OM No. 7 (7) / 91 / D (JCM)

AFFILIATED TO :

Indian National Trade Union Congress & Indian National Defence Workers Federation

Recognised by Govt. of India, Ministry of Defence

Head Office : 233/1, Sector 41-A, Chandigarh

Branch Office : C.W.E. Palam Delhi Cantt.

011-6995865

011-5594613

Ref. No. 22/2000

Dated 7-2-2000

RAM SINGH
(President)MOHINDER SINGH
(Secretary)

श्रीमान मोगींदर अकश्य इंजीनियर
एयर फोर्स पालम दिल्ली कैन्ट-10

विषय:- मजदूर की मर्ती में प्रयास-चार हेतु

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Dr. Dewan C. Vohra
Advocate

110200

निवेदन यह प्रमाण है कि आपने द्वारा मजदूर की मर्ती की गई है।
उन्होंने जो शर्तें रखी गई थी वह जिस इम्मीटवार ने पूरी नहीं की
उसे पेसा लेकर पास किया गया और मर्ती कर लिया गया। और
जिन इम्मीटवारों ने सभी शर्तें पूरी की उन्हें इसलिए पास नहीं किया
गया क्योंकि उन्होंने पेसा नहीं दिया।

आपसे अनुरोध है कि आप इस मर्ती की पूरी गोपनीय रखें
से जागरूक करें, निजुपक्ष रूप से निर्णय लेकर व इस मर्ती
लिख भुगत क्षतिपूर्ति के खिलाल कमिश्नरी करें, उचित
इम्मीटवारों को ब्याप देकर कृतार्थ करें।

मजदूरों की, पाप आप ऐसा करने में सहयोग रहे तो हमें
मजदूरों पर न्याय व अख-हक पर जाने के लिए मजबूर होना
पड़ेगा।

नोट (क) यह अवधि मर्ती जांच कर के रद्द की जाय और दोबारा निजुपक्ष की जाय
की क्षतिपूर्ति के खिलाल जांच आयोग बंधना जाय।

(ख) प्रशासनिक क्षतिपूर्ति की राशियां ने जो बॉर्डर मैम्बर भी थे आपने
पद का दुरुपयोग करते हुए अपने लड़के को मर्ती किया जिसने
कोई भी शर्त पूरी नहीं की।

(ग) श्री बापेइयाजी अंशु राम लेखन मं. नं. 294 गाँव केशव का मूल
निवासी नहीं है, बल्कि वह व्यापार निजुपक्ष क्षतिपूर्ति एवं C.W.E.
पालम के घर में रूक रहा है व उसकी प्रमाण भी C.W.E. की
कोठी के पास है इसव्यति ने डि. 5000/- देकर मर्ती दृष्टा है

कक्ष: 21-



CHANDIGARH AREA M.E.S. WORKERS UNION

Recognised by Govt. of India Ministry of Defence OM No. 7 (7)/91/D (JCM)

AFFILIATED TO:

Indian National Trade Union Congress & Indian National Defence Workers Federation

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Head Office : 233/1, Sector 41-A, Chandigarh

Branch Office : C.W.E. Palam Delhi Cantt.

011-6995865
011-5594613

Ref. No. 22/2000

Dated 7-2-2000

RAM SINGH
(President)

MOHINDER SINGH
(Secretary)

- 2 -

जबकि इस विषय में लाक्षातकार के समय किसी भी प्रकार से बौद्ध एवं वज्र संहिता बौद्ध में भाग नहीं लिया। इसी प्रकार कई विषयों को भी ऐसे में जो 50000/- 636000/- तक ले जाया गया है।

आवश्यक कार्रवाई एवं सुचनाएं हेतु प्रतिलिपि: (महेश सिंह)

(1) चीफ बिजिनेस

रक्षा मंत्रालय

कश्मीर हाउस

इ-एन-सी. बॉम्बे

नई दिल्ली

(2) माननीय रक्षा मंत्री

रक्षा मंत्रालय, भारत सरकार

नई दिल्ली

(3) माननीय श्रम मंत्री

श्रम मंत्रालय, भारत सरकार

नई दिल्ली

(4) मुख्यालय

233/1, सेक्टर 41-A

चण्डीगढ़

(5) डापरेक्टर आल बिजिनेस

लोन्ली कॉम्प्लेक्स नई दिल्ली

(6) श्रीमति निरंजन चौधरी

MLA दिल्ली शाखा

This annexure it the true copy
of the original document

Dr. Dewan C. Vohra
Advocate

110200

THE SCHEDULED CASTE UPLIFT UNION

● दि शैड्यूल्ड कास्ट्स अपलिफ्ट यूनियन

Recognised by M. H. Govt. of India Regd. No. 336

(ALL INDIA SC/ST DEFENCE EMPLOYEES WING)

Ref. SCUU/DEF. E.W./DC/ 5/2000

Dated 8/1/2000

Head "Office"

Corresponding Address

76/31, PINTO PARK

DELHI CANTT-110010



ANNEXURE / A28

Patron :

माननीय

कमान्डर वर्कर्स इजीनियर
(ए एफ) मातेम दिल्ली
हाउस 110010

This annexure is the true copy
of the original document

Dr. Dewan C. Vohra
Advocate

विषय:- मजदूर की भर्ती में भ्रष्टाचार तथा न्याय हेतु

Chairman :

MAH RAM

President :

DAN SINGH

Vice-President

MAH RAM

MUNSI RAM II

General Secretary :

SHHOTE LAL

Joint Secretary :

JARENDER KUMAR I

RAJ KUMAR II

Cashier :

MAH RAM

Leg. Secretary :

Virender Singh

Office Secretary :

Rameshwar Singh

Employment/Secretary :

Shhote Lal

Propaganda Secretary :

Larnam Singh

Auditor :

Rameshwar Singh II

मानवर

110200

निवेदन इस प्रकार है कि आपके द्वारा मजदूर की भर्ती की गई है। इस भर्ती में जो कंडीशन रखी गई थी। वह जिस उम्मीदवारों ने पूरी नहीं की उसे ऐसा लेकर मास किया गया और भर्ती कर लिया गया।

और जिस बच्चे ने सभी कंडीशन पूरी की उन्हें इस वजह से छोड़ दिया गया क्योंकि वह ऐसा नहीं दे सकता था।

आपसे अनुरोध है कि आप इस भर्ती के लिये पूरी जाजबारी व निष्पक्ष रूप से निर्णय लिया जाए। अगर आप ऐसा करेंगे तो इसमें कोई भी त्रुटि नहीं होगी और भ्रष्टाचार करने पर मजदूर होना पड़ेगा।

यह अवधि भर्ती जांच मंडल कर के रद्द किया जाए और दोबारा से नियुक्ति सल्लाह प्राप्त किया जाए। दोषी माने जायें अधिकारियों के विरुद्ध जांच आयोग बंटाया जायें।

प्रशासनिक अधिकारी और रतन माल जो बोर्ड में बैठकर भी हैं। अपने मद का दुरुपयोग करते हैं। अपने लड़के को भर्ती किया जिसने बोर्ड में पूरी नहीं की इसी प्रकार और भी कई केस हैं। जो सब की नजर में हैं।

प्रतिनिधि:-

1- चीफ विजिलेंस

रक्षा मंत्रालय

ई-इन्-सी-जांच

कमिश्नर हाउस

गई दिल्ली 110011

भवदीय
Rameshwar Singh
(General Secretary)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI 110001

MA NO. 372 OF 2000

IN
OA NO. 303 OF 2000

AND

IN THE MATTER OF:

...APPLICANTS

V.

UNION OF INDIA & ORS

...RESPONDENTS

APPLICATION FOR MOVING IN A
JOINT SINGLE ORIGINAL APPLICATION
UNDER SECTION 19 OF THE ATA 1985
READ WITH RULE 4(5)(A) OF THE
C.A.T. PROCEDURE RULES 1987

MOST RESPECTFULLY SHOWETH:

1. That the Counsel for the applicants herein have moved this joint single OA.
2. That the Applicants in this OA have a common and identical grievance having been hurt by the same order/ action of the Respondents

..2

CONTINUES AT NEXT PAGE

51
CONTINUES FROM PREPAGE

-2-

3. That the applicants herein submit that they have a common cause and they are seeking a common relief from this Hon'ble Tribunal and are desirous that they may be allowed to join in together in a single application for the redressal of their grievance.
4. That it will be in the interest of justice and in consonance of the objects of the ATA 1985 if the applicants are allowed to join in a single application.

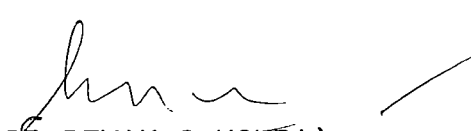
PRAYER

In view of the submission made above, it is most respectfully prayed that this Hon'ble Tribunal may please allow the applicants to move this joint single application for the redressal of a common/identical grievance.


(DR DEWAN C VOHRA)
COUNSEL FOR THE APPLICANTS

VERIFICATION

Verified at New Delhi on this **Eleventh**
day of **Feb.**, 2000.


(DR DEWAN C VOHRA)
COUNSEL FOR THE APPLICANTS

110200

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28/6

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH - NEW DELHI

O.A. No.303/2000 MA372/2000

IN THE MATTER OF:

Shri Bhupendera Kardam & Ors.

.....

Applicant

Versus

Union of India & Others

.....

Respondents

I N D E X

.....

Sl.No.	Particulars	Page. No.	C.Fee
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.....

1. Counter reply on behalf of
the respondents No.1 to 7.

1 to 21

2. Annexure R-I

22 to 23

3. Annexure R-II

24-25

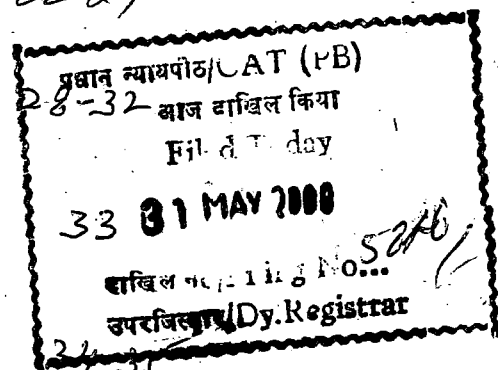
4. Annexure R-III

26-27

5. Annexure R-IV

6. Annexure R-V

7. Annexure R-VI



.....

Meera Chhibber
(MRS MEERA CHHIBBER)

Advocate for the respondent No.1 to 7

A-218, P.V. Hostel, New Delhi

Dated:

31/5/2000

Copy used (Pages 1-35)

done
(31/5/2000)
[Signature]

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH - NEW DELHI

O.A. NO.303/2000


IN THE MATTER OF:

Shri Bhupendera Kardam & Ors. Applicant
Versus
Union of India & Others. Respondents

Counter reply on behalf of the respondents
1,2,3,4,5,6 and 7.

MOST RESPECTFULLY SHOWETH:

I, Col. B.C. Verghese S/o Late C.K. Verghese
working as Commander works Engineers, Air Force Palam,
Delhi Cantt. 110010, hereby declare and state as
under:-

- (a) That in my official capacity, I am well
conversant with all facts and circumstances
of this case.
- (b) That I am fully competent and authorised to
file the counter reply on behalf of the
respondents from Sl.No.1 to 7.
- (c) That I have gone through the present OA and
have fully understood its contents.
-  (d) That except what has been specifically
admitted therein, all other averments/con-
tentions made by the applicants are
specifically denied be as if denied in

seriatum.

- (e) Before offering parawise replies to the present OA the respondents objections/to the maintainability of case.

PRELIMINARY OBJECTIONS.

1. That the application of the applicants is totally misconceived and not at all tenable or maintainable as the selections are made by the duly constituted board on the basis of performance of candidates applicants as such have no prima facie case. Hence the present OA is liable to be dismissed in limine at the outset.
2. That the applicants were fully aware of the procedure being adopted. They have not been selected as they could not qualify in the standard as required for recruitment therefore these are only disgruntled persons who are trying to make baseless allegations as could not find any place in the selections. The law is well settled that those who appear in the selection and fail cannot challenge the selections later on.
3. It is important to mention here that 1 of the applicants had not even qualified in the physical test thus they cannot have any grievance. eg ~~Applicant No. 1~~ Applicant No.5 Umesh Kumar did not even qualify in the physical

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so naturally were not even called for viva and can not have any grievence.

It was not as if other S.C. candidates were not selected those who made the grade were selected and given the appointments. That the brief facts are given hereunder which would a clear picture that application is totally misconceived.

4. That local recruitment sanction for 24 Mazdoors was released by AG's Branch, Army Headquarters vide letter No.15973/NAC/EIC/Org(Civ)(b) dated 28 Jul'99 as conveyed vide Headquarters Chief Engineer, Western Command Engineers Branch Chandimandir letter No.30208/VAC/05/EIO-II dated 12 Oct'99 in favour of Commander Works Engineers, AF Palam for direct recruitment against deficiencies (R-I).

5. That on receipt of LRS the vacancies were notified to the Sub Regional Employment Exchange, Kirby Place, Delhi Cantt-10 on prescribed format (R-2). An advertisement to this effect was also released in three national dailies i.e. The Hindustan Times, Punjab Kesri and Nav Bharat Times (R-3). In turn number of applications were received.

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6. That the required qualifications and age for the candidates was notified as 8th Class passed and 18 to 25 years age with relaxation ~~upto~~ upto 30 years in case of schedule caste/ schedule tribe candidates and 3 years relaxation in the case of OBC candidates as per recruitment rules and prevailing policy of the Govt. on the subject. The candidates were also required to produce valid Regional Employment Exchange Card.
7. That a Board of officers was convened by Commander Works Engineers i.e. the competent appointing authority for category of Mazdoor which was to follow a laid down criteria for making the selections. Copy of the composition of Board and criteria to be adopted is being filed herewith as Annexure (R-4 Colly). The board comprised of Deputy Commander Works Engineer, two Asstt. Garrison Engineers Technical and one Chief D'man for conducting the recruitment test. Admn. Officer was detailed 'In Attendance' just to co-ordinate with the board for administrative duties/arrangements such as preparation of lists and production of applications/certificates etc.
8. That as explained already the board of officers in addition to prescribed qualifications/age was given criteria/guidelines to select the candidates (R-4). The criteria comprised test of stamina by performing 2 K.M. running on road

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within 10 minutes, test of strength by lifting, carrying and unloading a bag of sand weighting 50 Kg. as amended to 60 Kg. before starting the tests for a distance of 50 Mtrs within 5 minutes and finally interview by the board.

In this connection the conditions were required only to qualify stamina/strength test and there was no preference for coming Ist, IInd or IIIrd as no medals were to be awarded. Only their stamina/strength was to be seen and after qualifying the above test-s the selection was finally to be done on the basis of interview.

9. That whole process of screening of 2912 application with documents with regard to qualification/age and conducting several tests in batches and finally taking interview took almost one month. Thereafter, merit list of selected candidates based on marks obtained by them was finally prepared by the Board and appointment letters were issued to them on the basis of selections made by the board and list was also displayed on board. Board proceedings with merit list shall be produced for the perusal of the court.

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10. Every action of selection was totally transparent and ^mconformity with the rules on the subject. It was ensured on every step that selection process should be fair and proper and mandatory for all candidates. The officers of senior rank and high integrity were nominated for impartial conduct of recruitment of candidates thus the allegations are totally baseless and not sustainable in law.
11. That Delhi being the central place a lot of pressure was mounted by various labour unions to get maximum benefits to their candidates by using unscrupulous methods on board members which made the task of selection more difficult but none of the members involved in the process succumbed to their pressures and utmost care was taken for fair selection by the Board. It is relevant to mention here that when the union leaders could not succeed in getting their candidates recruited, they have got filed this OA from their sons without any basis and with ulterior motives to get their wards recruited by putting pressure.
12. That Shri Rattan Pal, Admn. Officer was neither a member of the board nor involved in any way in selection process. The officer was only in attendance whose duties were restricted to making Admn. arrangements and to get clerical job for the board thus the allegations are totally baseless and unsustainable.
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13. That on declaring the names of successful candidates some local unions whose candidates/ sons could not find place in the selection list they started making hue and cry, and raising baseless allegations, spreading rumours to furnish the image of officers involved in selection process and started malicious propaganda based on concocted stories of accepting approach/ bribe and misuse of official position etc. etc. The main target of their tirade was Shri Rattan Pal, Admn. Officer ^{LSm} whose happened to be in merit list coincidently, not because of any misuse of power but on the basis of his own ability/merit. As a matter of fact Shri Rattan Pal, Admn. Officer was the junior most officer and not even involved in any way in selection process nor was in a position to put any undue pressure on senior officer by virtue of his post. There is absolutely no bar or restrictions for the near relatives of the officers of the Deptt. for participating in competition or selection as per merits. The judgements shall be produced at the time of hearing.

14. That no citizen can be deprived of his legitimate right of competing with others on the ground that he happen to be relates to an officer nor can an officer be victimised merely on the ground that selection of his relative as labourer after competing and fulfilling all norms stipulated for the purpose has taken place. After all he

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has completed with others and selected by the board and not by Shri Rattan Pal.

15. That the 'Chandigarh Area MES Worker Union' and 'The Schedule Caste uplift Union' whose protest letters (Page-47 and 48 of OA) have been made as the main source of the complaints on page-10 of OA are unauthorised unions. In this connection copy of Headquarters Western Command Engineers Branch, Chandimandir letter No.32062/1636/ELC-II dated 4 Jun' 98 is produced as (R-5) which clearly states that functioning of this union at CWE AF Palam is highly irregular and illegal. 'Schedule Caste Uplift Union' is unrecognised and no interview/correspondence is permissible with this Union as directed by Min. of Def. vide I.D. No.2371/94/D/JCM of 26.7.94, E-In-C's Branch letter No.27130/WC/ELC(2) dated 10 Aug'94 and Chief Engineer, Delhi Zone letter No.15226-A/1255/ELB(S) dated 24 Aug'94 (R-6 Colly).

16. That all the applicants enumerated at page 1-A of the OA are the sons of the office bearers of above unauthorised unions as is evident from following details. They have actually no case except pressurising the officers by unfair means to get favour in selection and after failing miserably in their unholy task, they have dragged the department in undue litigation which is liable to be dismissed at the outset.

[Handwritten signature]

<u>NAME OF APPLICANT</u>	<u>FATHER'S NAME</u>	<u>RELATES TO UNION</u>
1. Shri Bhupendera Kardem	Sh. Chottey Lal	Gen. Secy. of Sch. Caste Uplift Union (The signatory of complaint page 49 of OA)
2. Sh. Daya Chand	Sh. Tika Ram	Vice President of Sch. Caste uplift Union
3. Sh. Sanjay Solanki	Sh. Mohinder Singh Solanki	Secty. of Chandigarh Area MES Worker Union (The signatory of complaint Page 48 of OA).
4. Sh. Sunil Sabharwal	Sh. Ram Singh Sabharwal	President of Chandigarh Area MES Worker Union.
5. Sh. Umesh Kumar	Sh. Mahabeer Singh	Member of Ex. Body of Chandigarh Area MES Worker Union.
6. Sh. Vijay Shanna	Sh. Chander Prakash Sharma	Member of Chandigarh Area MES Worker Union.

16. That the applicants are trying to take advantage of their father having positions in the union and are making absolutely vague allegations in order to build some pressure on officers. However department is not going to succumb to illegal pressures as selections have been done in accordance with the norms adopted by the selection Board. There is nothing more demoralising for a sincere and honest officers than to hear absolutely vague and general accusation of corruption against them that too without any basis.

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17. That there are absolutely no oral or documentary evidences to substantiate the vague and baseless charges levelled by the applicants against the members of Board. Thus the OA is totally mis-conceived and liable to be dismissed.

PARAWISE REPLIES

- 1.. Para 1 is wrong and denied. The selection has been done by the selection Committee Board who have followed the norms laid down strictly. No case is made out by the applicants and OA is liable to be dismissed at admission stage itself.
- 2 & 3. Para 2 and 3 need no reply.
- 4.1 to 4.5 Para 4.1 to 4.5 needs no reply.
- 4.6 Para 4.6 as alleged are wrong and denied. In total 2912 candidates applied for the selection and the 2 KM running in 10 minutes and lifting of 60 Kg. weight were not the sole criteria for selection but it was only part of the criteria formulated to test the stamina and strength of candidates for which 25 marks were given to all those who qualified in physical.
- 4.7 Para 4.7 as alleged is wrong and denied. It is relevant to mention here that applicant No. 5 ~~was~~ not even qualified in the physical which is evident from the list. Only such of the candidates

were called who qualified in the physical. In fact no grading of 1st or 2nd were given in the above test. Simply their names were included in candidates qualifying these tests giving marks and thereafter the selection out of qualified list was subject to interview as per the criteria formulated and adopted. Copy of the board proceedings with test results shall be produced for the court's perusal if required.

4.8 Para 4.8 is a matter of record. However applicant No. ~~5~~ 5 could not qualify in the physical test itself thus cannot have any grievance.

4.9 Para 4.9 as alleged is wrong and denied. Applicant No. ~~5~~ 5 ~~was~~ not called as they did not qualify in the physical test. The interviews were not restricted to simple verifications and their original certificates but was covered with all the points/queries given in criteria as marks were given for the viva voce also looking at the general aptitude and general questions put to the candidates and their behaviour etc.

4.10 Para 4.10 is absolutely wrong. The averment are absolutely vague and denied. Firstly the weight lifting and running were not the sole criteria as already explained. Secondly all the selected candidates have participated and qualified in all physical tests as well as in the interview as evident

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from test results. It is clarified that lists have been prepared by the selection Board on the basis of criteria laid down. The allegations are absolutely wrong and unsustainable in law.

4.11 Para 4.11 as alleged is wrong and denied in view of the facts as explained above. As already explained, physical test was part of the criteria for final selection and not the sole consideration. It was only to select qualified candidates for conducting the interview i.e. the final phase of selection. Physical test was only for qualifying the candidates for interview. There was absolutely no question of superior or inferior merit as contended by applicants. The applicants never visited this office after selection nor any so called clarification regarding merit or de-merit was explained to them. As a matter of fact their respective fathers are all office bearers of above said unauthorised/unrecognised Unions who are trying to put unnecessary pressure by creating a scene and humiliating thereatening insulting the officers with dire consequences. However since the Board ~~x~~ had acted in a fair manner their griev~~an~~ces are to tally misconceived.

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4.12 Para 4.12 is absolutely wrong and denied. The allegations are totally baseless and vague and made in order to put unnecessary pressure on officers. As already explained selection process

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was fair and proper, strictly conforming to prevailing rules on the subject. The selection board was presided by a Class I Gazetted Officer of the rank of Deputy Commander Works Engineers and concurred by a Senior Officer of full colonel Rank. In addition three Gazetted Officers were the members of the board and this was not a single man show. Allegations of accepting illegal gratifications or 'influenced by the connections' are based on concocted and baseless stories and totally false. Such allegations against senior officer without any basis demoralise the honest officers and actually require condemnations and it is requested that no cognizance be given to such allegations merely based on the gossip amongst 'Unauthorised Union' workers as these are mere allegations without any substance. Simply because the selected candidates happen to be related to some officer or known to some officers does not mean they have been selected due to extraneous reasons.

4.13

Para 4.13 as alleged is wrong and denied. The applicants are only trying to malign the officers with a hope that they would be able to gain some benefit out of it. However the allegations are absolutely wrong and point wise reply is being given. The fact have been twisted and not put up in right perspective. The factual position is as under;-

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a)

Respondents/8 Shri Mahesh Kumar is the son of Shri Laxmi Narayan, MT Driver employed in GE (AF) North Palam. However, due to shortage of MT Drivers he was deputed for a short duration at HQ CWE (AF) Palam and deputed to drive the Jeep of Shri R.C. Trikha, DCWE E/M temporarily who has absolutely no connection with Shri J.S. Sidrah the presiding officer of the board. Therefore the averment is absolutely wrong and denied.

b)

Sub Para (b) is absolutely wrong and denied. Respondent No.9 has fully qualified all tests as is evident from the test reports and merit for final s-election. The contention of applicant is totally false and denied and baseless.

c)

Sub para (c) as alleged is wrong and denied. It is correct that Respondent No.10 is the son of Shri Rattan Pal, Admn. Officer however his father was not a member of the board, He was put simply in attendance for Admn. du-ties and was not involved in selection process. Respondent 10 has been selected on his merits. His father being a very junior officer was in absolutely in no position to pressurise or influence much senior officers of the Board which consisted of Sr. Officers. It is not a sin or illegal act if a son of Admn. Officer not a member of the board, is selected as a labourer on his merit. Non selection of the candidates as Mazdoor merely on the ground that his father is

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Admn. Officer will be certainly the breach of fundamental rights as this cannot be dis-qualifications.

- d) Sub para (d) as alleged is wrong and denied. Respondent 11 is neither a milk vendor nor having any connection with Col. B.C. Verghese nor runs any shop next to the house of the above officer in Rock view Palam. He was a general candidate and selected on his merits. The intentions in defaming the officers just in their self interests can very well be relieved from such baseless/concocted and false stories.

- e) Sub para (e) is wrong and denied. Respondents No:12 is the son of a UDC serving since last 6 years and his duties are rotated in various sections/officers. The UDCs of E-2 section are working under AE Plg/Office Supdt. of respective section and nothing to do with senior officers. Simply doubting the integrity of an officer to give illegal consideration to UDC is not fair specially when the selection has been finalised on the basis of various physical tests/ interview by a board of officers comprising 4 members and concurred by Head of the office of the full Colonel Rank. These are only baseless allegations having no merit and liable to be rejected out right.

f) Sub para (f) is wrong and denied. Respondent No.13 is son of a Daftry working in Drawing Section. His father is an old Group 'D' employee not serving with Presiding Officer/Respondent No.5 of the selection Committee as alleged. Moreover, each and every candidate is the son of any person who may be a peon, officer, shop keeper or so on. No consideration has been given on relationship and selections are made perfectly on merits. There is absolutely no substance in the allegations and all stories are cooked up with ulterior motives to put unnecessary pressure on officers.

g) Sub para (g) is wrong and denied. Respondents No.14 is the son of a member of selection Committee but his father has nothing to do with his selection as he is selected by a group of senior officers and not by a single officer and the selection is based purely on his merits. Simply because he happens to son of a member, it cannot be a dis-qualification.

4.14 Para 4.14 as alleged is wrong and denied. It is agreed that two letters as produced at page 47 and 48 of OA were received from the Chandigarh Area MES Workers Union and the Schedule Caste Uplift Union but no response was considered necessary due to following facts:-

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- i) As already explained in para 13 under heading 'Preliminary objections' these unions are unauthorised/unrecognised as evident from the letter of Min. of Def. ID No.2371/94/D(JCM) dated 26.7.94 and Headquarters Chief Engineer Western Command letter No.32062/1636/El C-II dated 4 June'98 produced as Annexure.
- ii) Secondly, the allegations were false and without any oral or documentary evidence to substantiate the allegations. These kind of vague allegations cannot be encouraged or else the Administration cannot work.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS

- (A) Ground (A) is wrong and denied. All the officers are honest and sincere and having long and clean record of service with high reputation. Utmost transparency has been maintained for proper and fair selection. As a matter of fact, most of the candidates who applied for the post were related to MES (Military Engineer Services) and as such their number in the list was proportionally high. The six candidates whose appointments have been objected in this OA are no exemption but similar to several others related to various deptt. employees including son of President of Schedule Cast Uplift Union who has been selected purely on merits, but surprisingly his name has not been included as respondent, applicants are biased against such candidates as well as deptt. eg

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Sh. Padam Singh son of Shri Dan Singh has been selected at Sl. No. 1615 but his selection has not been challenged so they are challenging the selection of selected candidates only and are leaving those who are sons of their own President which clearly shows. Moreover, as per rules there is no ban on the sons or relatives of MES employees to apply and compete for the post of Mazdoor and there is no disparity between Gazetted or Non Gazetted employees. In the advertisement no such condition was given. The appointment to all selected candidates has been given on merits and they have earned it only after standing in the normal ~~of~~ conditions and competing with others in all respects. No body has been given entry from the back door. After all, only limited number of candidates i.e. only 24 were to be selected from amongst 2912 which involved a long drawn process to make final selection. The disappointment for remaining 2888 candidates was but natural but it does not mean that the officers should be unnecessarily blamed for corruption without giving any evidence or substantiating the same. As already explained the running and weight lifting was only to test the stamina/strength and to qualify the candidates to appear in interview. There was absolutely no provision of giving priority of 1st or 2nd rank as contented by applicants. In fact no such ranking was given as all those who qualified in the physical were given 25 marks. The selected

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candidates have fully competed in all the test and have been selected on merits.

(B) Ground (B) is wrong and denied. There was absolutely no discrimination or unreasonable classification as already explained and evident from the exhibits i.e. criteria formulated/board proceeding and test results/merits list prepared by the Board. It is unfortunate that it has become a general tendency amongst vested interested persons that without considering their own failure they raise false allegations of corruption against office machinery and take the shelter of unauthorised so called Unions. It is requested that no cognisance be taken of such false allegations until and unless proved beyond any doubt. Otherwise such elements will be encouraged and will put unreasonable hurdles in normal functioning of Govt. machinery. Simply their failure in final selection does not mean that they have been licensed in putting false allegations against responsible officers and doing malicious propaganda against govt servants.

(C) Ground (C) is wrong and denied. As already explained every action for fair and proper selection has been taken strictly as per rules. No departure has occurred anywhere as alleged nor any instructions on the subject have been flouted or violated.

(D) Ground (D) is wrong and denied in view of the facts as explained already. The perusal of board proceedings

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and merit lists would reveal, that 200 point roster has strictly been followed and Schedule Caste/Schedule Tribes or OBC candidates have not been deprived of their rights anywhere as alleged. It is however based on merits this appointment cannot have any grievance. Categorywise appointments are appended below:-

a) Gen Category	- 12 Nos
b) Sch. Caste	- 04 Nos
c) Sch. Tribes	- 02 Nos
d) OBC	- 06 Nos

TOTAL = 24 Nos

As clarified earlier the running and weight lifting was only for testing stamina/strength and to qualify for interview. These tests were not the sole criteria for final selection and no ranking i.e. 1st or 2nd was given.

(E) Ground (E) is wrong and denied. The selection has been made on merits. The issues raised are irrelevant and has no bearing with the selection list.

(E) Ground (F) is wrong and denied. The selection has been done on merits based ^{on} criteria already formulated. No rule or administrative instructions on the subject has been violated. Whole process of selection was strictly in the frame work of recruitment rules, standard operating procedure (SOP), convening order and based

Imp

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criteria already formulated.

(G) Ground (G) is wrong and denied. The applicants have not produced a single evidence to substantiate their allegations and simply relied on verbal gossips, concocted stories and irresponsible/false rumours having no base as such it as to be rejected outright.

6 & 7. Para 6 and 7 need no reply.

8. In view of the facts as explained above applicant have not made out any case for interference by this Hon'ble Court and the O.A. is liable to be dismissed with costs.

9. In view of the facts as explained above applicants are not entitled to any relief and the prayer needs to be rejected.

10 to 12. Paras 10 to 12 need no reply.

It is prayed that O.A. may kindly be dismissed with costs.

RESPONDENTS

(Benny C Verghese)
Col
GWE (AF) Palam

THROUGH

Meera Chhibber
MRS. MEEERA CHHIBBER

VERIFICATION:

Verified at New Delhi on this the 29 day of March 2000 that the contents of above reply are true to my knowledge as per records maintained in the office.

RESPONDENTS.

(Benny C Verghese)
Col
CWE (AF) Palam

R-1

Annexure-R-1

1602
1603
1604
1605
1608

Mily Tele : 86/2902

OP-IMMEDIATE
Headquarters
Western Command
Engineers Branch
Chandimandir

19 Oct 99

30208/NB/05/EIC-II

Chief Engineer AF(WAC)
Jalandhar Cantt

Chief Engineer, Chandigarh Zone
Chandigarh

RELEASE OF IRS MAZDOORS (USK)

1. The following LRS as released by AG's Br Army Headquarters vide letter No 15973/NAC/EIC/Org 4(Civ) (b) dated 28 Jul 99 is hereby allotted for direct rect through Employment Exchange, for the deficiencies in the undermentioned GE (AF) formations and units in Field/High Altitude area (HAA) in the category of Mazdoor (USK) :-

<u>Ser</u>	<u>No</u>	<u>Zone/CWSE/GE</u>	<u>No of vacancies of Maz (USK) allotted</u>
1.		<u>CE AF WAC Jalandhar</u>	
		<u>CWE AF Chandigarh</u>	
		GE (AF) Chandigarh	- 17
		GE (AF) Halwara	- 19
		GE (AF) Adampur	- 14
		<u>CWE AF Palam</u>	
		GE AF(S) Palam	- 23 - Reserve
		GE AF Subroto Park	- 04 - 1
		<u>CWE AF Bikaner</u>	
		GE AF Bhisana	- 03
		GE AF Nal	- 13
		GE AF Sirsa	- 01
		<u>CWE AF Ambala</u>	
		GE AF Ambala	- 10
		GE AF Sarsawa	- 04
2.		<u>CE Chandigarh Zone</u>	
		<u>CWE Chandimandir</u>	
		GE 863 EWS (HAA/Fd Area)	- 04
		Total	112

Contd..2/-

Rattan Pal
Adm. Offr.
CWE A.F Palam

2. While making direct recruitment, the provision of the relevant recruitment rules be strictly adhered to. No relaxation in recruitment rules in individual cases is permissible without the prior sanction of the competent authority. Also it may please be noted that recruitment action should be completed within six months from the date of issue of AG's Br letter dated 28 Jul 99.

3. While making direct recruitment, please ensure that select panels which are already drawn and existing in your Zone/CWE's HQ against the above mentioned units should be exhausted first.

4. It will also be ensured that your authorisation as per norms of 1987 for 1996-97 or ceiling fixed as per our letter No 30603/Estt/387/EIC(I) dated 16 Aug 88 and subsequently amended which ever is less is not exceeded under any circumstances. Your attn is also drawn to our RO No 27 dt 18 Mar 98 for strict compliance.

5. A monthly report on utilisation of LRS be submitted to this HQ regularly by 30th of each month till finalisation of rect action.

Authority : AG's Br HQ letter No 15973/NAC/EIC/Org 4 (Civ) (b) dated 28 Jul 99 received under E-in-C's Br HQ letter No 79160/PI/EIC(I) dated 19 Aug 99.

(JS Bakshi)
Lt Col
SO 1 (P) 'A'
for Chief Engineer

Copy to

CWE (AF) Chandigarh
CWE (AF) Palam
CWE (AF) Bikaner
CWE (AF) Ambala
CWE Chandimandir

GE AF Chandigarh
GE AF Halwara
GE AF Adampur
GE AF (S) Palam
GE AF Subroto Park
GE AF Bhisana
GE AF Nal
GE AF Sirsa
GE AF Ambala
GE AF Sirsawa
GE 863 EWS, C/O 56 APO

I/D

EIC-I, EID (DPC)

SN/1

Rattan Pal
Adm. Offr.
CWE A.F Palam

2-2
Tele: 5665839

Annexure R-2
Office of the
Commander Works Engineers (AF)
Palam, Delhi Cantt. 10

1267/1603/E1Q

29 Oct. 99

The Sub Regional Employment Exchange
Kirbi Place (Curzon Road),
Delhi Cantt. 10.

ANNEXURE/A2

RECRUITMENT IN THE MES

Dear Sir,

1. Demand for recruitment in MES in respect of the following category is forwarded herewith. Requisite qualifications, scale of pay and other terms and conditions of service are given in the attached requisition form:-

(a) Mazdoor-24 Nos.

2. Nominal roll of suitable candidates may please be forwarded to this HQ by 30 Nov. 99.

3. It is requested that only three times against the existing vacancies should be sponsored.

4. On receipt of Nominal Roll of candidates, necessary interview letter will be issued by this HQ.

5. Please accord TOP PRIORITY.

Encls: Requisition Form.

Yours faithfully,

sd/-

(Rattan Pal)

AO II

for CWE AF Palam

Copy to:

1. The Director Gen. of Employment & Training
Min of Labour & Rehabilitation
24/3, Asaf Ali Road, Kunda Mansion,
New Delhi.

2. The General Secretary
Scheduled Caste Uplift Union
76/31, Pinto Park,
Delhi Cantt. 10.

3. The Chairman,
Scheduled Castes Uplift Union
10911, St. Nagar St. No. 2
Block 5-A, Karol Bagh, New Delhi.

contd.. 2.

C.T.C.
Rattan Pal
Adm. Offr.
CWE A.F Palam

Annexure-R-3

1604

1616 1602

Tele - 5665839

REGISTERED

Office of the
Commander Works Engineer (AF)
Palam, Delhi Cantt-10

29 Oct 99

1267/1604/ELO

The Director of Advertisement & Visual Publicity
Ministry of Information & Broadcasting
2nd Floor, P.T.I. Building
Parliament Street,
New Delhi

ADVERTISEMENT OF RECRUITMENT IN THE MES : MAZDOOR

Dear Sir,

1. Twenty ^{four} ~~seven~~ (24) Mazdoors are required for appointment. Full text of advertisement is forwarded herewith as per Appx 'A' attached. It is requested that this may please be released to to undermentioned News Papers for publication on any one day between 15 & 16 Nov 99 :-

- A) The Hindustan Times, New Delhi
- B) Punjab Kesri
- C) Nav Bharat Times

2. It is requested to please release the advertisement under advise to this office. The expenditure is debitable to 1/799/02. The debit be raised against CWE AF Palam Delhi Cantt and bill together with a copy of respective News Papers to expedite payment of your advertisement bill.

Yours faithfully,

Encls: As above.
(10 Sheets)

(Rattan Pal)
AO II
For CWE AF Palam

29/10

E.T.C.
Rattan Pal
Adm. Offr.
CWE A.F Palam

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(77)

CONDENSED VERSION OF ADVERTISEMENT

Commander Works Engineer (AF) Palam, Delhi Cantt-10 invites applications for appointment of the following category in the pay scale of Rs.2550-55-2660-60-3200 :-

a) Mazdoor (USK)

QUALIFICATION:

1. Mazdoor : 8th Class pass.
2. Valid Regional Employment Exchange Card.

AGE: Age 18 to 25 years relaxation upto 30 years in case of Scheduled Caste/Scheduled Tribe Candidates and 3 years relaxation the case of OBC Candidates.

LAST DATE OF RECEIPT OF APPLICATIONS : 30 Nov 99

Station : Delhi Cantt-10

Dated : 29 Oct 99

h

(Rattan Pal)
AO II
For CWE AF Palam

h

T.C

Rattan Pal
Adm. Offr.
CWE A.F Palam

Amex R-4

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PART I ORDER
BY

COL B C VERGHESE, CWE (AIR FORCE) PALAM, DELHI CANTT-10

Srl No.01

Dated 01 Jan 2000

INTERVIEW FOR MAZDOOR (USK) AGAINST LRS

1. A Board of Officers composed as under will assemble on 03 Jan 2000 at 1000 hrs for the interview of Mazdoors who have submitted their applications by 30 Nov 99 as per our advertisement in the news papers for appointment in the Deptt against LRS.

Presiding Officer : Shri Joginder Singh Sidrah, EE DCWE B/R

Members

1. Shri V S Tomar, AE AGE 'T'
GE (South) AF Palam
2. " B S Bisht, AE AGE 'T'
GE (North) AF Palam
3. " R N Dewan, Chief & D/Man
CWE AF Palam

In attendance of Shri Rattan Pal, AO II of HQ CWE AF Palam.

2. Board proceedings duly completed should be submitted by 24 Jan 2000 in quaduplicate.

[Signature]
(B C Verghese)
Col
CWE (AF) Palam

DISTRIBUTION

1. Shri Joginder Singh Sidrah, EE DCWE B/R
CWE AF Palam
2. " V S Tomar, AE AGE 'T'
GE (South) AF Palam
3. " B S Bisht, AE AGE 'T'
GE (North) AF Palam
4. " R N Dewan, Chief D/Man
CWE AF Palam
5. " Rattan Pal, AO II
CWE AF Palam

1/D

File No. 1267/Appt-99/Maz/ELO

[Signature]

[Signature]
Rattan Pal
Adm. Offr.
CWE A.F Palam

Adm.
CWE A.F Palam

Tele - 5665524

Office of the
Commander Works Engineer (AF)
Palam, Delhi Cantt-10

1267/Appt-99/Maz/07 /E10

01 Jan 2000

The Presiding Officer

INTERVIEW FOR RECRUITMENT FOR THE POST OF MAZDOORS

1. Interview for the post of Mazdoor has been held on 3 Jan 2000 onwards. The vacancy of Gen/SC/ST/OBC is as under:-

Gen	-	11 Nos
SC	-	04 Nos
ST	-	02 Nos
OBC	-	06 Nos
<u>Total</u>	-	<u>23 Nos</u>

2. The details of test to be conducted is enclosed as per Appx 'A'.

3. The board be finalised by 24 Jan 2000 and proceedings submitted duly completed in all respects.

lms
(B C Verghese)
Col
CWE (AF) Palam

A.T.C.
[Signature]
Rattan Pal
Adm. Offr.
CWE A.F Palam


2
30
Appx A' 81

DETAILS OF TESTS TO BE CONDUCTED FOR RECRUITMENT OF
MAZDOOR/CHOWKIDAR/PEON/SAFAIWALA

1. This office has been allotted certain vacancies for recruitment to the above categories. To ensure that the selection process is fair, a proper procedure of selection will be adopted which is mandatory for all candidates. Presiding Officers and Members of the Board will ensure that the stipulated tests are conducted as under before selecting any pers :-

- (a) Verification documents for qualification, age, category etc.
- (b) Test of stamina: Approx 2 K.M. running on road within a time of 10 minutes for those selected from para 1(a) above.
- (c) Test of Strength: Only selected indls from above two categories will undergo test of lifting, carrying and unloading a bag of sand weighing 50 Kg for a distance of 50 Mtrs within 5 Minutes.
- (d) Interview by the Board: Those selected from the above tests will be interviewed regarding their family background, financial position, dependents and so on.

2. A final proceedings will be prepared by the board giving the details of each indl's ~~by the~~ performance in the tests conducted, to the undersigned within 10 days of completion of the tests.

E.T.C.

Rattan Pal
Adm. Offr.
CWE A.F Palam

Tele - 5665524

Office of the
Commander Works Engineer (AF)
Palam, Delhi Cantt-10
03 Jan 2000

1267/Appt-99/Maz/ 3 /E10

The Presiding Officer
Shri Joginder Singh Sidrah, EE DCWE B/R

INTERVIEW FOR RECRUITMENT FOR THE POST OF MAZDOORS

1. Reference this office letter No.1267/Appt-99/Maz/07/E10 dated 01 Jan 2000.
2. The following amendment may please be made in Appx 'A' to this office letter quoted above:-

(a) Para 1(c) line 3 of Appx 'A'

FOR "50 Kg"

READ 60 "70 Kg"

Imp

Imp
(B C Verghese)
Col
CWE (AF) Palam

R.P.
[Signature]
Rattan Pal
Adm. Offr.
CWE A.F Palam

Tele : 5665524

Office of the
Commander Works Engineers (AF)
Palam, Delhi Cantt 110010

1267/Appt-99/Maz/ 12 /EIO

22 Jan 2000

The Presiding Officer

INTERVIEW FOR RECRUITMENT FOR THE POST OF MAZDOOR

1. Reference this office letter No 1267/Appt-99/Maz/07/EIO dated 01 Jan 2000.

2. Following amendment may please be made to above quoted letter:-

For "Gen - 11 Nos"

Read " Gen - 12 Nos"

(B C Verghese)

Col

Commander Works Engineers

Rattan Pal

Adm. Offr.

CWE A.F. Palam

Tele No : 2902

Annex R-5
Headquarters
Western Command
Engineers Branch
Chandimandir-134107

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29
31

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32062/1636/EIC-II

94 Jun 98

Chief Engineer
Air Force (WAC)
Jalandhar Cantt

MALPRACTICES IN THE RECRUITMENT OF CHOWKIDARS,
PEONS AND MT DVR : STAGING DHARNA BY CHANDIGARH
AREA MES WORKERS UNION BRANCH OFFICE CWE PALAM

1. Reference CWE(AF) Palam telegrams letter No 1711-A/23/EIO dt 12 May 98, 1711-A/29/EIO dt 18 May 98 and letter No 1711-A/Chd/25/EIO dt 04 May 98.

2. CWE(AF) Palam letter dt 04 May 98 ibid has only been received in this HQ on 23 May 98. The functioning of Chandigarh Area MES Workers Union Branch at CWE (AF) Palam is highly irregular and illegal. In this connection please connect this HQ letter No 32062/1596/EIC-II dt 07 Nov 97.

(RG Gharu)
AO-I
for Chief Engineer

Copy to: -

CWE(AF) Palam - for info wrt above.

Rattan Pal
Adm. Offr.
CWE A.F Palam

TELEPHONE 3292204

Annex-Rb 535 85
34
Headquarters
Chief Engineer Delhi Zone
Delhi Cantt

15226-A/1255 /E1B(S)

24 Aug 94

CWE Delhi
CWE (P) Delhi
CWE Utilities
CWE R/R Hosp
ESD Delhi

SCHEDULED CASTE UPLIFT UNION

1. A copy each of the following letter is forwarded herewith for your information and necessary action as directed therein:-

- a) Min of Def ID No 2371/94/D(JCM) dt 26.7.94
- b) E-in-C's Br letter No 27130/WC/E1C(2) dt 10.8.94

2. You are requested to please ensure that no interview/correspondence is made with unrecognised bodies including Scheduled Caste Uplift Union as directed in the above referred letters.

Encls/As above (on reverse)

Copy to:-

Engineer-in-Chief's Br (E1C/2)
ARMY HEADQUARTERS
DHQ PO NEW DELHI-110011

- ref your HQ letter No 27130/
WC/E1C(2) dt 10 Aug 94 referred
to above.

Headquarters
CE Western Command
Chandimandir

- Alongwith a copy each of the
above referred letters for
information please.

CWE (AF) Palam

- do - *a necessary action*

All GES

E1D (Local)
E1C (Local)
E1O (Local)

alongwith a copy each of the
above referred letter for
information and compliance of
the instructions contained
therein.

CLO c/o ESD Delhi

alongwith a copies of above
letters for information.

GE (S) Palam
GE (N) Palam
GE Subroto Park
GE (AF) Tughlkabad

Alongwith copies of above
letters for necessary action.

15280/Ply/E1B(S)
15209/E1B(S)

E1 (Basic)

E.T.C.
Rattan Pal
Adm. Offr.
CWE A.F Palam

Copy of Min of Def ID No 2371/94/D(JCM) dated 26.7.94 addsd to
Dir (Pers'C')/E-in-C's Br and received under E-in-C's Br letter
No 27130/WC/E1C(2) dated 10 Aug 94

**Illegal recognition of Scheduled Caste
Uplift Union**

It has come to the notice of this Ministry that Zonal Chief Engineer, Delhi Zone is providing the opportunities of negotiations and correspondence to the Scheduled Caste Uplift Union. In this connection, a copy of CE Delhi Zone letter No 15280/PLY/162/E1B(S) dated 01.02.94 is enclosed. The Scheduled Caste Uplift Union is neither recognised Union nor the facility of correspondence/interview has been granted to this Union.

2. As per the existing orders no interview/correspondence is to be made with the unrecognised bodies. E-in-C's Branch are requested to instruct Zonal Chief Engineer, Delhi Zone, to adhere to these instructions strictly.

Dir (Pers'C')/E-in-C's Br

Sd/ x x (M L Salhotra)

M of D ID No 2371/94/D(JCM) dt 26.7.94.

Under Secretary

Copy of E-in-C's Br letter No 27130/WC/E1C(2) dated 10 Aug 94
addsd to CE Delhi Zone

ILLEGAL RECOGNITION OF SCHEDULED CASTE UNION

1. A copy of Min of Def ID No 2371/94/D(JCM) dt 26.7.94 is forwarded herewith.

2. You are requested to ensure that no interview/correspondence is made with unrecognised bodies including Scheduled Caste Uplift Union.

Encl: One

Sd/ x x x (B Thirumala Rao)

AO I

SO Engrs/Pers(E1C/2)
for E-in-C's Br

L.T.C.
[Signature]
Rattan Pal
Adm. Offr.
CWE A.F Palam

MO
9/2/94

17/11/94/E10

[Signature]

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A. NO. 303 of 2000

In the matter of :-

Shri Bhupender Kardam & Ors. Applicants

Vs.

Union of India & Ors.

Respondents

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Sl. NO.	Particulars of the documents	P. Nos.
1.	Counter reply on behalf of the respondents 8- 14	1- 6

Dt.

New Delhi

प्रधान न्यायाधीश, सी. (B)
माननीय न्यायाधीश
हि. नं.
- 6 JUL 2000
हस्ताक्षर: 0...6783
उपरनिर्देशक/Dy. Registrar

Through:-

A.K. Bhardwaj,
Advocate

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A. NO. 303/ 2000

In the matter of :-

Bhupendra Kardam & Ors. Applicants

Vs.

Union of India & Ors. Respondents

Counter reply on behalf of the respondent

Nos. 8- 14

Most respectfully sheweth:-

Preliminary objections :-

(i) On having appeared in the selection unsuccessfully, the applicants can not challenge the selection.

(ii) The applicants are backed by the Union office bearers & are reflecting their own efforts & intentions to get selected in which they could not succeed.

Parawise reply:-

1. That the O.A. filed by the applicants is misconceived, baseless & unfounded. On having participated in the selection unsuccessfully, the applicants can not challenge the same.

2- 3 No comments.

4.1- 4.5 Need no reply.

(2)

6. That the answering respondents are not aware that total how many candidates appeared in the selection. However the answering respondents had appeared in the race & Weight lifting test & qualified the same.

7. No comments.

8. No comments.

9. No comments. It is for the department to answer that whether the applicants had appeared in the interview or not.

10. That the contents of para 10 of the O.A. are wrong & incorrect hence the same are denied. A. respondents It is submitted that the had undergone the selection successfully & their selection is proof of the same. The answering respondents had participated in the physical events as well as interview. If the applicants could not be selected they can not find fault with the selection of the respondents. When as per applicants 3500 candidates had appeared 3476 candidates were to be rejected & only 24 were to be selected.

11. Denied for want of knowledge .

12. That the answering respondents had no money to pay to any one. Could the answering respondents have this much money they could better thing to do some independent business . The applicants have made baseless & wild allegation. They are referring to incident which they themselves must have made unsuccessfully. The allegations made in para 12 of the O.A. are wrong, incorrect & false hence the same are denied.

13. That the contents of para 13 of the

90

(3)

O.A. are wrong incorrect & far from the truth hence the same are denied. The answering respondents are selected in respondents (1- 7) department through a very fair & transparent selection. There is no illegality in the selection of answering respondent.

13.1 That the answering respondents are not aware that on what post & under whose the father of respondent No. 8 is employed in the department. The service of the respondent No. 8 in the department in which the selection is made can not stand in his way. The respondent No. 8 had not approached his father to extend any help in his selection nor the father of said respondent was concerned about his selection.

13.2 That the contents of para 13.2 the O.A. are absolutely wrong , incorrect & false hence the same are denied. When the applicants themselves failed in the selection, they are finding fault with the selection of everybody. The respondent No. 9 qualified all the events of selection. His selection by the department is proof of his performing all the events.

13.3 That the answering respondents had never seen the father of respondent No. 11 associated with the selection.

13.4 That the contents of para 13.4 of the O.A. are incorrect . Father of respondent No. 11 is not a milk vendor. He never supplied milk to Col. B.C. Verghese.

13.5 That the father of the respondent No. 12 was not even aware that the said respondent was appearing in the selection. The respondent No. 12 is not aware

[Signature]

(4)

about the section of respondent department in which his father is posted. He does not know the officer under whom his father is working.

13.6 That the contents of para 13.6 of the O.A. are wrong & incorrect hence the same are denied. The father of the respondent No. 13 is Daftry working in Drawing section.

13.7 That the answering respondents never found the father of the respondent No. 14 associated with the selection. The father of the respondent No. 14 was not ever aware that the said respondent was participating in the selection. The father of respondent No. 14 never wanted him to join any department as Class IV employee he has high ambition for his son like any other father. But the respondent No. 14 on his own participated in selection & could be selection.

14. Denied for want of knowledge.

5A That the contents of para 5A of the O.A. are wrong incorrect & false hence the same are denied. No power has been misused by any one in selection of answering respondents. The answering respondents are selected on the basis of their performance in the selection.

5B) That the allegations made in para 5B of the O.A. are wrong incorrect & false hence the same are denied. The answering respondents are selected on the basis of their performance in the selection. All the candidates appeared as one class & there are no separate classes.

5C) That the contents of para 5C of the O.A. are wrong incorrect & misconceived hence the same are

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(5)

It is respectfully submitted that there was no element of malic, colourable exercise of power, in selection of the answering respondents . Answering respondents are selected on their merit & on the basis of their performance in the selection.

D) That the answering respondents that are not aware/ who were at Nos. 1- 2 . The answering respondents were fore- runners. There was no much difference in fore runners in race & carrying the weight. In both the events it was not possible that who were No. 1 & 2. Answering respondents can also say that they were at No. 1 & 2 because the difference was not even of seconds in fore runners.

E) No comments

F) That the contents of para F of the O.A. are wrong, incorrect & misconcieved hence the same are denied. It is submitted that the selection was purely based on merit & performance in the selection trest.

G) That the contents of para G of the O.A. are again wrong, incorrect, false & frivolous hence the same are denied. It is most respectfully submitted that the selection was absolutely fair, transparent , in accordance with the rules & as per constitution.


6-7 No comments.


8- 9 The O.A. is misconcieved, baseless and devoid of merits hence deserves to be dismissed with cost.

10- 12 Formal

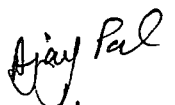
(6)

It is most respectfully prayed that their lordships of the Hon'ble Tribunal may graciously be pleased to dismiss the O.A. with cost.


1 Ranjan Kumar


2 Santay Singh


3 Santay Singh


4 Ajay Pal

5 महेन्द्र कुमार
6 Sudhansu

7 Anil Prasad
Anil Prasad

Verification:-


Respondents 8- 14


Verified at New Delhi on _____


that the contents of above counter reply are true & correct & nothing is false therein.

Respondents

8- 14


1 Ranjan Kumar


2 Santay Singh


3 Santay Singh

4 Ajay Pal

5 महेन्द्र कुमार

6 Sudhansu

7 Anil Prasad
Anil Prasad

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: AFFIDAVIT OF DASTI SERVICE/COUNSEL MEMO
COUNTER /REJOINDER /ADDI. AFFIDAVIT ETC.

IN

OA NO. 303 OF 2000

NEXT DOH: 18/9/2000

IN THE MATTER OF

Bhupender Kardam & Ors

...APPLICANTS
BY DR D C VOHRA /
KULBIR PRASHAR /
RAJAKUMAR
ADVOCATES

V.

UNION OF INDIA & ORS

...RESPONDENTS

thru' Ms Meera
Chhibber, Counsel
for the Govt/Respt.1

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DR. D.C. VOHRA / KULBIR PRASHAR / RAJKUMAR
COUNSEL FOR THE APPLICANT

PHONES : 6464188, 6253892, 3384820 & 3381161

NEW DELHI DT THE 10th DAY OF Sept., 2000

COPY TO THE COUNSEL FOR THE RESPONDENTS:

Ms Meera Chhibber, Standing Counsel for the
Govt of India/Respondent-1 at CAT New Delhi
Residence/Office: A-218 PV Hostel New Delhi 110003

affidavit/Dy. Registrar

18 SEP 2000

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Copy received
for Mrs. Meera Chhibber
Advocate.
18/9/2000
CAT TAR SINGH
C.D.C.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: Rejoinder

IN

OA NO. 303 OF 2000

IN THE MATTER OF :

Bhupinder Kardam & Ors ... APPLICANTS -

V.

UNION OF INDIA & ORS ... RESPONDENTS

Index to Enclosures

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01	Annexure/J-1		
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Copy of the CAT
Judgement in OA
No. 1547/95 dt
1/3/99 in a
similar matter

05-20

02	Annexure/J-2		
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Copy of the Rules
relating to the
recruitment of
Mazdoors (unskilled)
issued by the
Respondents
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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: OA NO. 303 OF 2000

IN THE MATTER OF:

Bhupinder Kardam & Ors

...PETITIONERS

V.

UNION OF INDIA & ORS

...RESPONDENTS

REJOINDER TO THE REPLY
SUBMITTED BY THE RESPONDENT /UOI
UNION OF INDIA IN THE OA (Respts/1,2&3)

MOST RESPECTFULLY SHOWETH:

The applicants submit this rejoinder on the presumption that the reply has been filed only on behalf of the Respondents/UOI (Respts/1,2 and 3) as the Union of India has no locus standi to reply on behalf of the Respondents 4-7 who have been impleaded in their personal capacities and should now be proceeded ex-parte because despite summons they have not filed any reply to the OA as in the case of the other Respondents viz., Respondents 8 to 14.

Preliminary Objections

Introductory para is formal and needs no rejoinder by the applicants.

01 Para 1 is denied because the rules do not provide for any interview which has been conducted to favour certain applicants in violation of the law.

02 Para 2 is wrong and denied because the applicants are aware of the fact that the Respondents/1,2 & 3, acting through the persons of Respondents 4-7, have violated the rules which have no provision for any interview.

03 Para 3 needs no comments as it is a matter of record with the Respondents/1,2 & 3 who have bungled in the process of recruitment of the Mazdoors.

04 Para 4 needs no comments being matter of record.

7 98

- 05 Para 5 of the reply is a matter of record and needs no comments by the applicants.
- 06 Para 6 of the reply is a matter of record and needs no comments by the applicants.
- 07 Para 7 of the reply is correct to the extent that a board was constituted but it is false that the Administrative Officer/Respt.7 was merely 'in attendance': he influenced the selection of events alongwith the Respondents 4,5 and 7 who have been impleaded in their personal capacities but ~~has~~/not submitted any replies to the notice of this Hon'ble Tribunal and the Respt/UOI is protecting them without any locus standi.
- 08 Para 7 of the reply is not admitted to the extent that it avers as under:

"...the selection was finally to be made on the basis of interview:

(Emphasis added)

do
Rules/~~not~~ provide for any interview for the recruitment of Mazdoors and such a question has been decided by this Hon'ble Tribunal on the case/ Kulbir Singh v. Union of India OA 1547/95 decided on 1/3/99 (Annexure/J-1). A copy of the excerpts from relevant rules is placed at Annexure/J2 hereto.

- 09 This para is denied as stated and the Respondents/UOI should be directed to produce their records for verification/adjudication, as per their own statement/averment.
- 10 Para 9 of the reply is false and denied and it is submitted that the recruitment was not at a transparent affair and became shrouded in mystery and corruption at the time of interview which is not provided in the rules.
- 11 Para 10 of the reply is false and denied: the Union referred to herein is a recognised one (vide Annexures/J3-J6-correspondence); In any case this para is irrelevant for the matter at issue in this OA.

-2A-

- 12 Para 12 of the reply is denied because Union of India cannot defend Mr Rattan Pal/ Defendant-7 who has been impleaded in his personal capacity.
- 13 Para 13 of the reply is false and denied for reasons mentioned in para 12 above.
- 14 Para 14 of the reply is denied as the same is an exercise in verbosity and has no relevance with the matter at issue.
- 15 Para 15 of the reply is false as stated and it is denied for reasons stated in para 10 above.
- 16 Para 16 of the reply is false as stated and it is vehemently denied by the applicants who find this para as irrelevant for the matter at issue in this OA
- 16(repeated) This para is absolutely false and it is denied: the relation of father and son in certain cases is not the issue. The issue is the selection process in violation of the rules and this violation is not denied by the Respondents anywhere in the reply and thus the applicants' averments stand admitted.
- 17 Para 17 of the reply is denied as stated: the records of the Respondents would reveal how the recruitment process was vitiated and how the Rules were violated.

Parawise Comments

- 01 Para 1 of the reply is wrong and denied: the rules do not provide for interview which was conducted for eliminating meritorious persons
- 02-03 These paras do not need any comments.
- 4.1- These paras of the reply need no comments.
- 4.5
- 4.6 This para is denied as stated: the applicants are questioning the conduct of interview as this was against the Rules.
- 4.7 This para is a matter of record: it is denied as stated by the Respondents.

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No administrative instruction for interview for the recruitment of mazdoors if not provided in the rules can be/criterion for selection as already pointed: in fact, the averment made by the Respt-UOI is a vital admission that they have violated the rules by illegally introducing interview.

4.8 This para of the reply being a matter of record needs no comments by the applicants.

4.9 This para of the reply is a matter of record and does not need any comments by the applicants.

4.10 This para of the reply is absolutely false and it is vehemently denied by the applicants who reiterate the averments made in the corresponding para of the OA.

4.11 This para is patently false and it is very emphatically denied by the applicants who submit that the conduct of interview was not to "select qualified candidates" for the post of Mazdoors but to select 'favoured' candidates who were connected with the Respondents/4 to 7 (Respondents/8 to 14 are lesser qualified on the basis of physical merit as provided in the rules) and thus it was a case of nepotism, favouritism and corruption which needs to be not merely quashed but also investigated so that the guilty are brought to the book by the VC/CBI or through departmental inquiries under the rules.

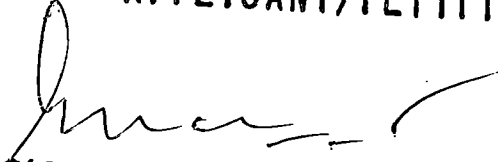
4.12 This para of the reply is patently false and denied: Merely because a person is Class-I Gazetted Officer does not ipso facto mean that he cannot be corrupt or indulge in favouritism. Surely there are extraneous reasons in the selection of Respts/8-14 due to the handiwork of Respondents/4-7 who are now hiding behind the apron-strings of the Respts/1,2 & 3 with official capacities and have not replied.

4.13 This para is absolutely false and it is denied and the averments made in the corresponding para of the OA is reiterated. The factual position (so-called) is merely evading the matter at issue and all the sub-paras (a) to g) are irrelevant for the adjudication of the OA viz., why interviews were taken when the rules do not make any such provision.

- 5(A) This para is wrong and denied and the averment made in para 5A of the OA is reiterated.
- 5(B) This para is wrong and denied and the averment made in para 5B of the OA is reiterated.
- 5(C) This para is patently false and denied: the selection was made in violation of the rules.
- 5(D) This para of the reply is a matter of record and the applicants would abide by what the records reveal except the escalation of marks given to selected candidates through the illegally conducted interview, not part of Rules.
- 5(E) This para is wrong as stated and is denied by the applicants who submit that 'merit' doesn't include the process of 'interview', not provided in the rules.
- 5(F) This para is false as stated and it is denied by the applicant who submit that the so-called SOP cannot over-ride the rules.
- 5(G) This para is absolutely false and it is denied: the evidence is Respondents' own admission that interview was conducted in violation of the rules which do not provide for any 'interview'.
- 6-7 These paras do not need comments.
- 8-9 These paras are denied and the prayer clauses are reiterated.
- 10-12 These paras are formal
It is prayed that OA may be allowed with heavy costs.

22/05/24
APPLICANT/PETITIONER

THROUGH


(DR D C VOHRA/MS KIRAN SINGH)
ADVOCATES FOR THE PETITIONER

NEW DELHI: 100900

4/102

VERIFICATION

I, Bhupinder Kardam applicant No.1
in OA No. 303/2000 pending adjudication in
this Hon'ble Tribunal, do hereby verify that the
contents of this Rejoinder to the counter reply filed
by the Respondents Union of India are true to my
personal knowledge and on legal advice and that I have
not suppressed any material fact.

Verified at Noida this 10th
day of Sept 2000

PLACE:

Noida

DATE:

100900

THROUGH

PLACE:

Noida

DATE:

100900

APPLICANT No.1 for self
and for others

DR D C VOMRA/KULBIR PARASHAR
COUNSEL FOR THE
PETITIONER/applicants

O.A. NO. 1547/1995

New Delhi this the 18th day of March, 1999.

HON'BLE SHRI JUSTICE S. VENKATARAMAN, VICE CHAIRMAN

HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

1. Kulbir Singh S/O Mohkam Singh,
D/60 Ambedkar Vihar,
Johripur Extension,
New Delhi-110094.

ANNEXURE / J-1

2. Sunil Kumar S/O Devpal Singh,
A/25, Durgapur Extension,
Shahdara,
Delhi-110093.

... Applicants

(By Dr. D. C. Vohra, Advocate)

-Versus-

1. Govt. of National Capital
Territory of Delhi through its
Chief Secretary,
5, Sham Nath Marg,
Delhi-110054.
2. The Commissioner of Transport,
Govt. of NCT of Delhi,
5/9 Sham Nath Marg,
Delhi-110054.
3. Shri P. R. Sharma,
PA to the Commissioner,
Transport Deptt./Authority,
Govt. of NCT of Delhi,
5/9 Sham Nath Marg,
Delhi-110054.
4. Shri S. S. Gangotra,
Jt. Director,
Transport Deptt.,
Govt. of NCT of Delhi,
5/9 Sham Nath Marg,
Delhi-110054.
5. Shri Nathu Singh,
Jt. Director,
Transport Deptt.,
Govt. of NCT of Delhi,
5/9 Sham Nath Marg,
Delhi-110054.
6. Shri Rambir Singh,
Head Constable,
Transport Deptt.,
Govt. of NCT of Delhi,
5/9 Sham Nath Marg,
Delhi-110054.

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Advocate

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Examiner, Judicial Deptt.
Central Administrative Tribunal

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7. Shri Ashok Dabas,
Trainee Head Constable,
Transport Deptt.,
Govt. of NCT of Delhi,
5/9 Sham Nath Marg,
Delhi-110054.
8. Shri Arvind Kumar,
Trainee Head Constable,
Transport Deptt.,
Govt. of NCT of Delhi,
5/9 Sham Nath Marg,
Delhi-110054.
9. Shri Jai Bhagwan,
Trainee Head Constable,
Transport Deptt.,
Govt. of NCT of Delhi,
5/9 Sham Nath Marg,
Delhi-110054.
10. Shri Shashi Kant,
Trainee Head Constable,
Transport Deptt.,
Govt. of NCT of Delhi,
5/9 Sham Nath Marg,
Delhi-110054.
11. Shri Ram Singh,
Trainee Head Constable,
Transport Deptt.,
Govt. of NCT of Delhi,
5/9 Sham Nath Marg,
Delhi-110054.
12. Shri Beer Singh,
Trainee Head Constable,
Transport Deptt.,
Govt. of NCT of Delhi,
5/9 Sham Nath Marg,
Delhi-110054.

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Advocate
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.... Respondents

(By Shri Rajinder Pandita, Advocate)

O R D E R

Shri Justice S. Venkataraman :

The Government of National Capital Territory of Delhi had called for names of persons who were registered with the employment exchange for recruitment as Head Constables in the office of the 2nd respondent. The applicants' names had been sponsored along with other names. As per the

1-2
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[Signature]
Additional Judicial Deptt.
Delhi-110054

recruitment rules, 40 per cent of the vacancies in the grade of Head Constables had to be filled up by promotion from the Cadre of Foot Constables and 60 per cent had to be filled up by direct recruitment. Aggrieved by the commencement of the recruitment process for the post of Head Constables, some Foot Constables filed O.A. No. 1834/94 for quashing the recruitment rules contending that the posts of Head Constables had to be filled up 100 per cent by promotion. In O.A. 1834/94 the Tribunal had passed an interim order restraining the announcement of the results in the recruitment process. The applicants who had been successful in the written examination, got themselves impleaded as respondents in O.A. 1834/94. In that case, the Tribunal by an order dated 3.5.1995 permitted the publication of the results but made the same subject to the outcome of O.A. 1834/94. When the results were announced the applicants found that their names had been excluded. They had sought to challenge the selection made on grounds of corruption and irregularities by filing M.A. No. 1580/95 in O.A. 1834/94. But the Tribunal declined to go into those allegations in that application and directed the present applicants to file a separate application. Consequently, the applicants have filed this application challenging the entire selection process as well as the results announced by the respondents.

2. The main grounds on the basis of which the applicants have challenged the selection made by the official respondents are :

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- (1) as per recruitment rules no oral interview is required to be held but the committee concerned held an interview only to manoeuvre the results and to select the candidates who could not have been selected on the basis of the marks obtained by them in the written test;
 - (2) the respondents have given relaxation in the physical norms prescribed under the rules though such relaxation could not have been given;
 - (3) candidates have been selected either by accepting bribe of Rs.60,000/- per^{ea} seat or due to influence, vide publicity had been given in newspapers to the corruption involved in selecting candidates for the posts of Head Constables; and
 - (4) the respondents have issued four lists of selected candidates adding and subtracting names.

During the pendency of the application the applicants impleaded respondents 3 to 6, who are all official respondents, by their names on the ground that they are responsible for the corruption in the selection. Respondents 7 to 12 who are stated to be selected candidates and who have been appointed have also been impleaded on the ground that it is those respondents who have secured appointment by corrupt and illegal

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means. The learned counsel for the applicants submitted that the applicants are challenging in this application only the selection of respondents 7 to 12.

3. The respondents in their reply have taken an objection that the present application is not maintainable under Section 52 (b) of the Government of National Capital Territory of Delhi Act, 1991. With regard to the various grounds urged by the applicants, the respondents have repeatedly asserted that the recruitment has been done as per rules; that the applicants themselves had asserted in O.A. 1834/94 that the selection process had been carried on in accordance with rules; and that it is not open to them to now contend that there is anything irregular in that selection. There has been a general denial of other allegations. The respondents who have been impleaded by name have not filed any separate reply.

4. Section 52 on the basis of which the respondents have contended that this Tribunal has no jurisdiction to entertain this application reads as under :

"52. Contracts and suits. - For the removal of doubts it is hereby declared that -

- (a) all contracts in connection with the administration of the Capital are contracts made in the exercise of the executive power of the Union;
- (b) all suits and proceedings in connection with the administration of the Capital shall be instituted by or against the Government of India."

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5. A plain reading of the above Section indicates that only suits and proceedings in connection with the administration of the Capital should be instituted by or against the Government of India. The suits and proceedings referred to in clause (b) must be in relation to contracts in connection with the administration of the Capital to which there is a reference in clause (a). Clause (a) and clause (b) will have to be read conjointly. The present proceedings cannot be said to be proceedings in connection with the administration of the Capital. The learned counsel for the respondents conceded that the Union of India is in no way concerned with the recruitment process and that it is entirely the Government of National Capital Territory which is concerned with the recruitment. In these circumstances, the contention that the application should have been filed against the Union of India and that this Tribunal has no jurisdiction to entertain this application, cannot be sustained.

6. Though one of the applicants has filed an affidavit alleging that respondent No.7, Ashok Dabas, paid bribe to respondent No.3, P. R. Sharma, through his grand-father; that respondent No.8, Arvind Kumar, has paid bribe to respondent No.3 through a clerk named Bhardwaj; that respondent No.9, Jai Bhagwan, who had secured low marks has been favoured by respondent No.4 as he was known to the 4th respondent's driver; that one Shashi Kant has been shown favour in relaxation of height though he was not entitled for the same; that respondent No.11, Ram

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Singh, has been shown favour as he is the brother of one Ramblr Singh, respondent No.6, who is a head constable, obviously all these allegations could not have been on personal knowledge. It would be very difficult to accept the allegation of corruption made by candidates who were not successful and quash the selection on that basis. Though we may not be able to record any positive finding that the selection has been vitiated on account of corruption, we would be pointing it out a little later that the selection of some of the candidates arouses serious suspicion about the bona fides of the selection process.

7. It is no doubt true that the applicants have produced some newspaper reports to show that there were allegations of corruption in the selection process, but newspaper reports cannot be made the basis for recording any finding on the allegations made by the applicants.

8. As regards the allegation by the applicants that several lists of successful candidates were issued by the respondents, the applicants have not placed any material to support that contention. The learned counsel for the applicants drew our attention to Annexures-13, 14 and 15 and submitted that they show that three lists were issued of the successful candidates. Annexures 13 and 14 are shown to be final lists of selected candidates for the post of Head Constables (General) and there is also an indication that those lists are meant for interview (oral test). In Annexure-13, there are 58 numbers while in

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Annexure-14, three more numbers have been added. Annexure-15 is the final list of SC and ST candidates. That list is also for interview. Though in the list of selected candidates who were to be called for interview three names appear to have been included, these are not the final lists of candidates who were selected for purposes of appointment. We do not think that on the basis of these lists we can hold that the list of candidates finally selected for appointment was changed.

8. The main ground on the basis of which the learned counsel for the applicants questions the validity of selection is that though the recruitment rules do not contemplate the holding of any oral interview and the selection had to be made only on the basis of written test, the respondents have resorted to oral interview only to see that candidates who were not eligible for selection on the basis of merit in the written test were selected for appointment.

9. The recruitment rules provide that the post of Head Constable is to be filled up 40 per cent by promotion from amongst Foot Constables and 60 per cent by direct recruitment through a selection process consisting of physical and/or written tests. As per rules, direct recruitment to the post of Head Constable had to be done only by physical test and written test. The rules do not contemplate the conduct of any oral interview, in addition to the written test.

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10. The respondents have not specifically pleaded in their reply as to whether an interview could have been held to select the candidates, apart from the physical test and the written test. The fact that an interview was held is not disputed. The respondents in their reply except stating that the selection process was in accordance with rules, have nowhere stated as to on what authority the oral interview was held. During the course of arguments, the learned counsel for respondents also did not point out any authority for the committee concerned holding oral interview. He, however, sought to point out that the applicants themselves in their reply in O.A. 1834/94 in which they were respondents, had asserted that the selection was held in accordance with rules and that there was no contravention of the rules and contended that it was not open to them to now contend that there was violation of the rules.

27-1

11. In O.A. 1834/94 the Foot Constables who were the applicants had contended that prescription of 60 per cent for direct recruitment was unconstitutional and illegal. It was also contended that as the post was shown as non-selection in column 5 of the schedule to the recruitment rules, there could not have been any direct recruitment. It is in that context the present applicants pleaded that the recruitment was in accordance with the rules. At that stage there was no occasion for the applicants to examine whether the prescription of interview to select candidates by direct recruitment was in accordance with rules or not. There is no bar for the

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applicants to now contend that there could not have been any interview and that by such illegal interview their right to selection on the basis of their merit in the written examination has been defeated.

12. After hearing arguments in part, we had given a direction to the respondents to produce all relevant records pertaining to the recruitment. The learned counsel for the respondents produced certain records before us and submitted that he was producing the entire records in connection with the recruitment. When we enquired him as to how the interview was held and as to how many marks had been allotted for interview and when we wanted to see the records pertaining to the interview, the learned counsel for respondents submitted that no marks were allotted for the interview. When we specifically enquired him as to whether for purposes of selection no marks had been given for interview, he replied in the affirmative and submitted that relevant records could be perused.

13. The records produced by the respondents consist of two files - one file contains the list of selected candidates for the post of Head Constables (General) containing the roll numbers and the marks obtained in the written test, as well as another list of SC/ST candidates who had been selected, with relevant particulars. That file also contains the particulars of the physical measurements of 138 candidates. The list of the selected candidates with roll numbers and marks is not signed by any officer. As the respondents themselves have produced these

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lists, we have to rely upon the same. Another file contains various papers mostly pertaining to the cases pending before this Tribunal as well as the letters issued to the candidates either requiring them to appear for physical fitness or offering appointment. The only relevant document in this file is the proceedings of the meeting of the Staff Selection Board held on 11.10.1994 and 12.10.1994. These proceedings show that out of 20 vacant posts in direct recruitment quota, 14 posts had to be filled up by general candidates. The applicants belong to general category and as such we have to take into consideration only the selection with regard to this category. At this juncture, we may mention that one of the grounds urged is that an SC candidate has been given relaxation with regard to the norms prescribed for physical examination. This is denied by the respondents. Whatever that may be, that cannot be a ground urged by the applicants as they can challenge only the selection of general category candidates.

14. The Staff Selection Board in its meeting recorded that out of 582 candidates called for physical test, 146 candidates passed the test; that they were subsequently called for written test which was conducted on 25.9.1994; that among them, 68 candidates (59 general and 9 SC) qualified in the written test; that the candidates passing the written test were called for interview before the Staff Selection Board on 11/12.10.1994; that the interviews were aimed to test the general knowledge/viva voce of

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the candidates: that some of the candidates were found successful. The list of successful candidates with their roll numbers is annexed to the minutes.

15. The marks obtained by the 14 general category candidates who have been shown as the selected candidates in the minutes of the Board are as hereunder :

<u>Roll No.</u>	<u>Marks obtained</u>
1126	50
1079	53
1127	40
1021	53
1094	46
1140	52
1111	41
1023	40
1025	40
1026	44
1036	54
1028	44
1081	55
1083	50

The above table is prepared on the basis of the list showing the marks obtained by the various candidates produced by the respondents.

16. If no marks had been allotted for interview and if the selection had been made entirely on the basis of the marks obtained in the written test, then the first 14 candidates as per merit with their roll numbers and marks should have been as hereunder :

<u>Roll No.</u>	<u>Marks Obtained</u>
1042	57
1081	55
1050	55
1036	54
1021	53

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By the Board of Examiners

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1140
1096
1083
1126
1136
1112
1034

53
53
52
51
50
50
50
49
48

17. It will be seen that among the finally selected candidates only 7 would be eligible for selection on the basis of merit as per the marks obtained in the written test. 7 others who were included in the select list could not have been selected on the strength of the marks obtained in the written test. It is, therefore, obvious that the Staff Selection Board must have prescribed some marks for the interview and taking into consideration the marks obtained by the candidates they have prepared the final list, but the respondents have not produced those records pertaining to the conduct of the interview. The only inference that could be drawn is that those records, if produced, would support the plea of the applicants that at the time of interview attempts had been made to manoeuvre the results of the candidates who would not have been eligible for selection only on the basis of the marks obtained in the written test. The non-production of those records arouses serious suspicion about the fairness of the selection. Whatever that may be, if we proceed on the basis that no marks were allotted for the interview, then 7 of the candidates who have been included in the final select list could not have been selected on the

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अध्यक्ष, म. प्र. वि. बोर्ड
Examiner, M. P. V. Bd.
अध्यक्ष, म. प्र. वि. बोर्ड
Examiner, M. P. V. Bd.

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basis of the marks obtained by them in the written test and 7 others who have been selected have been left out.

18. Though in this application, the entire selection process is challenged, the applicants have not impleaded all the candidates who have been selected and appointed, as parties to this application. It may be noted that in O.A. 1834/94 the Tribunal permitted the announcement of the results of the selection subject to the result of that application and in view of that order, appointments have been made only subject to the result of that application. This application has been filed much later and the appointments are not subject to the result of this O.A. As such, without all the appointed candidates being impleaded, the entire selection cannot be quashed even if some irregularity is found in the selection process. As such, though on the material placed before us we find that 7 candidates could not have been selected on the basis of the marks obtained by them, as there were many who had scored higher marks, we cannot quash the appointment of all those candidates except of those who have been impleaded as parties in this case.

19. Among the applicants, only the 2nd applicant with roll No. 1112 who had secured 49 marks was entitled to be included in the select list and his exclusion is without any justification. So far as the first applicant is concerned, he had secured only 40 marks in the written test. There are many who had

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Secretary, Judicial Deptt.
Court of Sessions, District
Administration Tribunal

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secured more than 40 marks and as such, even if the selection of any of the respondents who do not come within the merit list is quashed, the first applicant would not be entitled to any relief. This Tribunal cannot quash the selection only in public interest. It is only if the applicants' right is affected by the selection, the Tribunal can quash the selection of respondents. As such at the instance of the first applicant, the selection of respondents cannot be quashed.

20. Among the private respondents, respondent No.7, Ashok Dabas, who is shown as Ashok Kumar in the select list has secured 54 marks in the written test and he is eligible for selection on the basis of merit. One Shashi Kant is impleaded as respondent No.10, but no general candidate of the name of Shashi Kant has been selected. We find that no one by that name is selected even in the SC/ST category. Respondent Nos. 8, 9 and 11 have each secured only 40 marks and they were not eligible to be included in the select list on the basis of the marks obtained by them in the written test. So far as respondent No.12, Beer Singh is concerned, he has obtained 50 marks and was eligible for inclusion in the select list on the basis of his merit.

21. The point that requires to be considered is as to whose selection among the respondents 8, 9 and 11 requires to be quashed in order to enable the 2nd applicant to be appointed. In a case where two or more candidates secure the same marks, the normal rule

अनुसूचित जाति/वर्ग के उम्मीदवार

(Signature)

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Advocate

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is to select the eldest among them. In the instant case, there is no material on record to point out as to who among respondents 8, 9 and 11 is the youngest one. As such, we have to give a direction to the respondents 1 and 2 to cancel the selection and appointment of the youngest among respondents 8, 9 and 11 in order to appoint the 2nd applicant.

22. For the above reasons, this application is allowed in part. The respondents are directed to cancel the selection and appointment of the youngest among respondents 8, 9 and 11 and select and appoint the 2nd applicant in that vacancy. This shall be done within a period of two months from the date of receipt of a copy of this order. No costs.

(K. Muthukumar)
Member (A)

(S. Venkataraman)
Vice Chairman

/as/

NOT ATTESTED

Examination, Medical Officer,
Central Board of Secondary Education,
New Delhi

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Advocate

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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

Essential:
1. 8th class pass.
2. Should have a good physique

18 to 25 years (Relaxable for Government servants upto 35 years in accordance with instructions/ orders issued by the Central Government).

750-12- Non- 870-12- selection. 12-940.

General Central Services Group 'D' Non-gazetted, Industrial, Non-ministerial.

32459*- (1989) 26. Mazdoor (unskilled)

Note 1: The crucial date for determining the age limit shall be the closing date for receipt of applications from the candidates in India (other than those in the Andaman and Nicobar Islands and Lakshadweep).

* Existing Chattray Surlingar in unskilled grade to included

** Subject to variation dependent on work load.

Note 2: In the case of recruitment made through the Employment Exchanges the crucial date for determining the age limit shall be the last date upto which the Employment Exchanges are asked to submit the names.

General Central Services Group 'D' Non-gazetted, Industrial, Non-ministerial.

800-15- 1010-15- 20-1150.

18 to 25 years (Relaxable for Government servants upto 35 years in accordance with instructions/ orders issued by the Central Government).

Note 1: The crucial date for determining the age limit shall be the closing date for receipt of applications from the candidates in India (other than those in the Andaman and Nicobar Islands and Lakshadweep).

* Subject to variation dependent

Note 2: In the case of recruitment made through the Employment Exchanges, the crucial date for determining the age limit shall be the last date upto which the Employment Exchanges are asked to submit the names.

ANNEXURE

2 118

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Advocate

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TELEPHONE : 3292204

Headquarters
Chief Engineer Delhi Zone
Delhi Cantt-10

15225-A/1271/EIB(S)

15 Feb 95

CWE Delhi
CWE(P) Delhi
CWE Utilities
CWE R/R Hosp
ESD Delhi

ANNEXURE

J-3

SCHEDULED CASTE UPLIFT UNION

1. Refer to our letter No 15225-A/1271/EIB(S) dt 24 Aug 95.
2. In this connection a Copy of Min of Def D(JCM) Note No 237/94/D(JCM), dt 12 Dec 95 received under E-in-C's Branch letter No 27133/WC/LIC(2) dated 02 Feb 95 is forwarded herewith for your further necessary action.
3. The certain limited purposes for which the above Union has been recognised by Min of Home Affairs are indicated in letter circulated vide our letter No 15225-A/1220/EIB(S) dated 03 Jul 93.

(R S Rawat)
Capt
Adm Offr
For Chief Engineer

Copy to :-

E-in-C's Branch (EIC-5²)
Army HQ , DHQ PO New Delhi

ref above.

Headquarters
Chief Engineer West Comd
Chandimandir

ref E-in-C's Branch letter cited above. E-in-C's branch letter No 27133/WC/LIC(2) dt 10 Aug 94 may kindly be referred to wherein direction have been issued that correspondence/interview is not with un-recognised bodies in scheduled caste uplift Union. May the matter please be clarified.

HQ CE WAC (AF) CWE (AF) Palan , GE (N) Palan , GE(S) Palan,
Jalandhar ,
GE (AF) Tughalabad , 15280/Ply/EIB(S), 15209/EIB(S),
15280-3/EIB(S), EID(Local) EIO, EI (Basic) ,

MES-11330
Shri B B Shanberkar, SA
HQ CE Delhi Zone

CLD, c/o ESD Delhi Delhi Cantt-10

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Advocate

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22A 121

22A

Copy of E-in-C's Br letter No 27133/WC/E1C(2) dated 02 Feb 95
admd to HQ CE Western Command with a copy to HQ CE Selhi Zone

RECOGNITION OF THE SCHEDULED CASTE UPLIFT UNION:
MEETING/INTERVIEWS AND CORRESPONDENCE ON GRIEVANCES
OF SC/ST EMPLOYEES

1. A photo-stat copy of Min of Def D (JCM) Note No. 237/94/D(JCM) dated 12 Dec 95 is forwarded herewith for your further necessary action.

Sd/ x x x x (B T RAO)

AO I
SO 3 Engrs Pers
Engr in Chief

MINISTRY OF DEFENCE
D (JCM)

Subject:- Recognition of the Scheduled Caste Uplift Union :
Meeting/Interviews and correspondence on grievances
of SC/ST employees

Reference MOD ID Note No 2371/94/D(JCM) dated the
25th July, 1994 on the above subject.

2. As per the information furnished by E-in-C's Br vide their communication No. 27133/WC/E1C(2) dated 31.07.95, It appears that the Union is not recognised by the MOD. However, the said Union has been recognised by the MHA vide their letter No. 12/8/53-SCT(I) dated 20.02.59 for certain limited purpose. In case recognition accorded by MHA still continues, E-in-C's Br. may deal with this Union appropriately in accordance with MHA letter ibid.

Sd/ x x (A.K. Sethi)
Under Secretary
301 1250

E-in-C's Branch
E1C(2)

MOD ID No 237/94/D(JCM) dated 12.12.1995

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100900

122
Tele Mil : 2902

Head
Waste
Engin
Chand

32057/1706/EIC-II

General Secretary
The SC Uplift Union
76/31 Pinto Park
Delhi Cantt

ANNEF

THE SCHEDULED CASTE UPLIFT UNION

Sir,

1. Reference your letter No SCUU/DEF E/

2. It is intimated for your info that in E-in-C's Branch Army HQ letter No 2713 02 Feb 96 have already been communicated Chief Engineer Delhi Zone letter No 15226 15 Feb 96.

You

(MS
AO-I
for Chief

Copy to :-

Chief Engineer
Delhi Zone
Delhi Cantt

1. Further to this HQ letter No 32 dated 19 Aug 97.

2. A copy of the Scheduled C letter No SCUU/DEF E/W/DC/13/ is fwd herewith for your info action.

3. You are requested to take in accordance with Min of Def D D(JCM) dated 12 Dec 95 copy circ letter No 15226-A/1274/ETB(S) union is recognised by MIA for purpose.

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Advocate

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123 124

(173)

Tele : 3019107

ARMY HEADQUARTERS
Engineer-in-Chief's Branch
HQ PO NEW DELHI-110011

27133/WC/EIC(2)

02 FEB 96

Chief Engineer
HQ Western Command
CHANDIMANDIR

ANNEXURE

RECOGNITION OF THE SCHEDULED CASTE UP
MEETING/INTERVIEWS AND CORRESPONDENCE
OF SC/ST EMPLOYEES

1. A photostat copy of Min of Def D(JCM)
dated 12 Dec 95 is forwarded herewith for your
action.

Encl : One

Copy to :-

CE DELHI ZONE - alongwith enclosures for
DELHI CANTT

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copy of the original document

Advocate

100000

MINISTRY OF DEFENCE
D(JCM)

12425
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Subject:- Recognition of the Scheduled Caste uplift Union: meeting/interviews and correspondence on grievances of SC/ST employees.

Reference MOD ID Note No. 23/1/94/D(JCM), dated the 26th July, 1994, on the above subject.

2. As per the information furnished by E-in-C's Br. vide their communication No. 27133/WC/EIC(2) dated 11.07.95, It appears that the Union is not recognised by the MOD. However, the said Union has been recognised by the MHA vide their letter No. 12/8/58-SCP(1) dated 20.02.59 for certain limited purpose. In case recognition accorded by MHA is still continues, E-in-C's Br. may deal with this union appropriately in accordance with the MHA letter *ibid*.

(A.K. Sethi)
Under Secretary
201 1250

E-in-C's Branch
EIC (2)

MOD ID No. 237/94/D(JCM), dated 12.12.1995

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Advocate

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The following were present :-

Office Side

- (a) Col. Brajesh Kumar, Chairman
- (b) Sh KC Aggarwal, SAO
- (c) Sh KC Dua, EE
- (d) Major RP Dairhwal, Supt(Pore)

Union Office Side

- (a) Sh Chhotey Lal (Gen. Secy)
- (b) Sh Yed Ram (Chairman)
- (c) Sh Dan Singh (President)
- (d) Sh Narendra Kumar (Joint Secy)
- (e) Sh Tikka Ram (V. President)
- (f) Sh MSA Khan (B. Secy)
- (g) Sh Rameshwar (Member)
- (h) Sh Harnam Singh (P. Secy)

ANNEXURE

2. The mandate of SC/ST liaison offr was explained in detail which might be of assistance to them in preparing for or applying for admission to examinations/selections held for recruitment to services ; and
 (a) to bring to the notice of suitable candidates the vacancies intimated to them by any appointing authority or any examinations for recruitment to services which they could usefully enter or submit their applications direct to the appointing/selecting authorities.
 (b) to advise the candidates on any matter which might be of assistance to them in preparing for or applying for admission to examinations/selections held for recruitment to services ; and
 (c) that it will not be for them to press the claims of any individual candidates who should approach on a query from the union office side members regarding personnel problems. It was explained that the liaison officer has no role to play & concerned administrative/authority may be contacted. However, any points given to him can be fed to respective formations.
3. The Chairman thanked all the members attending the meeting for their valuable co-operation.

Distribution :-

1. CC Command
 2. CC Eastern Command,
 Chandimandir.

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AD-II
 SO3 Engr (Pore) EIB

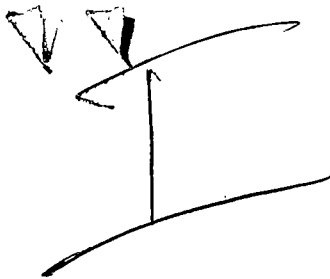
UD 703 / Gen / SC / ST / 30 / 1216 / (A-4)

24 Apr 90

125

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Advocate



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126

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH,
NEW DELHI.

OA No. 303/2000 MA 372/2000

IN THE MATTER OF:-

Shri Bhupendera Kardam & others. Applicant.

Versus

Union of India & Ors. Respondents.

I N D E X

S.No.	Particulars	Page	Court Fees.
1.	Affidavit of Col. B.C. Verghese	1-2-	
2.	Affidavit of Sh. J.S. Sidrah with Annexure	1-4- 3-10 1-4- 11	
3.	Affidavit of Veer Singh with Annexure	1-2- 11-16 1-4- 17-	
4.	Affidavit of Rattan Pal	1-2- 17-18	

the matter is listed
for review in 3. Court.
Kindly put it on the
file
10/10/2000

New Delhi

10.10.2000

Filed by

Counsel for the Resp Official
MRS. MEERA CHATURVEDI

Meera Chaturvedi

आपका स्वागत है/आपका स्वागत है (PB)
आपका स्वागत है/आपका स्वागत है (PB)

Filed Today

10 OCT 2000

104.75
Registrar

Recd copy
10/10/2000

10/10/2000
3pm

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P

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
OA NO 303/2000 MA 372/2000

IN THE MATTER OF :

Shri Bhupendera Kadam & Others..... Applicant

Versus

Union of India & Others..... Respondents.

AFFIDAVIT

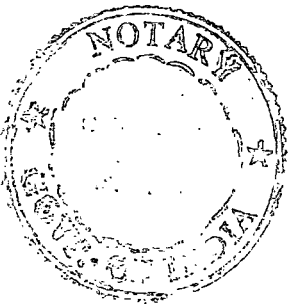
1. I, Col B C Verghese S/O Late Shri C K Verghese working as Commander Works Engineers, Air Force Palam, Delhi Cantt-110010, do hereby solemnly affirm and declare as under:-

(a) That in my official capacity as well as personal capacity, I am well conversant with all facts and circumstances of this case.

(b) That the recruitment of personnel done by HQ CWE (AF) Palam is completely official as per the instructions received from the higher HQ on the subject. The procedure followed has been according to the rules and regulations on the subject issued by Govt of India time to time. Whatever actions done by the undersigned in the matter was purely official and there is no personal angle to it. Hence the reply given by me in the OA dated 29/03/2000 should be the reply in my personal capacity also.

(c) That in my official capacity I have already submitted counter reply on behalf of the respondents 1, 2, 3, 4, 5, 6 & 7 covering all points raised in above OA on 29/03/2000-.

(d) That all averments/contentions made by the applicant against me in personal capacity as respondents No 4 through above OA are wrong and denied.



Contd.....2/-

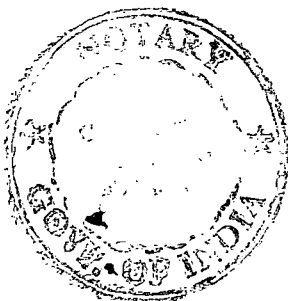
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(e) That the contents of para 4.13 of above OA are false and denied. The selection process was conducted by a board of officers convened by me in the capacity of Commander Works Engineer Air Force Palam and nowhere I have supervised or intervened in the selection process. It is false that the respondent/11 is the son of the milk vendor of the undersigned or runs a shop next to my official residence in "Rock View" Air Force Station Palam as alleged. He was a general candidate and selected on merits and is not known to me at all.

(f) That the allegation made vide para 5(A) against me is false and denied. The undersigned has performed bonafide duty in the capacity of Commander Works Engineer strictly adhering the prevailing rules & regulations on the subject. The applicants have not produced even a single proof to substantiate their allegation.

(g) That the allegation made vide Para 5(C) is false and denied as clarified vide Para (d) and (c) above.

(h) That the allegation made vide para 5(F) is false and denied as no candidate was related to me in any way.



Verification

[Signature]
Deponent

Verified at Delhi on the 10 day of Oct 2000 that the contents of above affidavit are true and correct to the best of my knowledge and belief.

I identify the deponent who has signed/put T in my presence.

[Signature]
(ATIA SINGH)

[Signature]
Deponent

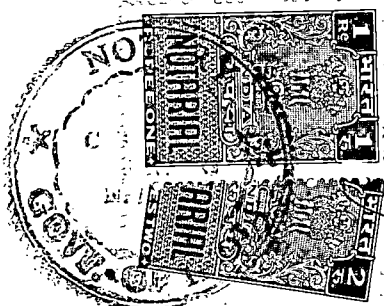
G. B. ARYA
Advocate/Notary
Parliament Street Court
New Delhi

SOLEMNLY AFFIRMED
SWORN BEFORE ME

at *[Signature]*
387/92

NOTARY PUBLIC
N.C.T. OF N. DELHI.

10 OCT 2000



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
OA NO 303/2000 MA 372/2000

128
2

IN THE MATTER OF :

Shri Bhupendera Kadam & Others..... Applicant

Versus

Union of India & Others..... Respondents.

AFFIDAVIT

I, JS Sidrah working as Deputy Commander Works Engineer in the office of Commander Works Engineer Air Force Palam, Delhi Cantt, do here by solemnly affirm and declare as under:-

1. That I have performed by official duty in selection of mazdoor shown in list dated 8/2/2000 placed on the notice board by Respondent No 3. Respondent No 3 vide his Part I order No 1 dt 01 Jan 2000 Annexure/1 has convened a Board of Officers for the interview of mazdoors who have submitted their applications by 30 Nov 99 as per advertisement in the news papers for the appointment in the department. Respondent No 3 by his letter No 1267/Appt-99/Maz/07/E1O dt 01 Jan 2000 Annexure/2 amended vide letter No 1267/Appt-99/Maz/8/E1O dt 03 Jan 2000 Annexure/3 informed me as Presiding Officer that interview for the mazdoor has been held on 03 Jan 2000 onwards. Along with others details, the details of test to be conducted were enclosed with the Respondent No 3 letter No 1267/Appt-99/Maz/07/E1O dt 01 Jan 2000 Annexure /2& 3.

2. That I as Presiding Officer of the Board of officers has acted entirely according to the instruction issued by the Respondent No 3 vide his Part I order No 1 dt 01 Jan 2000 Annexure /1 and letter No 1267/Appt-99/Maz/07/E1O dt 01 Jan 2000 Annexure /2 amended vide letter No 1267/Appt-99/Maz/8/E1 dt 03f Jan 2000 Annexure/3.



2.../-

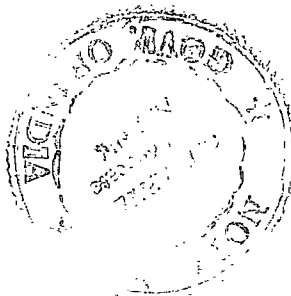
3. That the allegations put vide para 13 is wrong and denied. Respondent /8 Shri Mahesh Kumar is Son of Shri Laxmi Narayan, MT Driver employed in GE(AF) North Palam. However, Shri Laxmi Narayan was deputed to drive the department Jeep of Shri R C Trikha, DCWE E/M to perform official duty who has absolutely no connection with me. Therefore the allegation is absolutely wrong and denied.

4. That sub para 13(e) is wrong and denied. Respondent No 12 is the son of an UDC serving since last 6 years and his duties are rotated in various sections/officers. I have three sections i.e. E2, E5 & E6 under me. There are two junior officers to me, AE Plg and Chief Draft Man looking after these sections. The UDCs of E2 section are working under AE Plg/Office Supdt of respective section and nothing to do with me directly. I have completed 38 years of service at the time of interview and have conducted lot of selection board of officers at other stations. No such allegation has ever been put on me. To give illegal consideration to UDC is not fair especially when selection has been finalised on the basis of various physical tests/interview by a board of officers comprising 4 officer members and concurred by Head of Office. These are baseless allegations having no merit and denied.

5. That sub para 13(f) is wrong and denied. Respondent No 13 is Son of Daftry serving in Drawing section. His father is an old Group D employee and not serving with me. However each and every candidate is the son of any person who may be a UDC, Peon or Daftry so on. No consideration has been given to relationship and selections have been made perfectly on merits. There is absolutely no substance in the allegations and stories are cooked up with ulterior motive to put unnecessary pressure on officers.

6. That para 5(A) is wrong and denied. I have 38 years of long and clean record in service with high reputation and have conducted lot of such selection board of officers during my service. Utmost transparency has been maintained for proper and fair selection. As a mater of fact, most of the candidates who applied for the post selected were related to MES employees and as such there number in the list was proportionately high. The 6 candidates whose selection has been objected in the OA are no exemption but similar to several others related to various department employees including son of President of Schedule Cast Uplifts Union who has been selected purely on merits, but surprisingly his selection has not been objected. Applicant are biased against such candidates as well as

3.../-



deptt e.g. Shri Padam Singh son of Shri Dan Singh has been selected but his selection has not been challenged as they are challenging selection of other selected candidates only and are leaving those who are sons of their own President. The selection of all the candidates has been done on merits and they have earned it only after competing with others in all respects. No body has been given entry from back door. The officer has been unnecessary blamed for corruption without giving any evidence or substantiating the same. The running & weight lifting test were conducted only to test the stamina/strength and to qualify the candidates for the interview. There was absolutely no provision of giving priority of 1st or 2nd rank as contended by applicants. In fact no such ranking was given as well as those who qualified in the physical test were given 25 marks. The selected candidates have fully competed in the tests and have been selected on merits. As mazdoor is the feeding category on promotion to highly skilled technicians, they are required to be intelligent in addition to stout, As such during selection of mazdoor for recruitment they are required to pass physical test as well as intelligent test. Since in this case no written test has been made mandatory, intellect was tested through interview.

7. That Para 5 (B) is wrong and denied. There was absolutely no discrimination or unreasonable classification as evident from test results/ merit list prepared by the board. It is unfortunate that it has become the tendency amongst vested & interested persons that without considering their own failure they raise false allegations of corruptions against official machinery and take the shelter of unauthorized so called union.

8. That Para 5 (C) is wrong and denied. Every action for fair and proper selection has been taken strictly as per guidelines provided by the department to the Board. No departure has occurred any where as alleged nor any instructions given to the board have been violated.

9. Para 5 (D) is wrong and denied. The perusal of board proceeding and merit list reveal that selection of Schedule Caste/Schedule Tribes or OBC candidates have been done strictly as per rules. The running and weight lifting was only for testing stamina/strength and to qualify for the interview, this test was not the sole criteria for final selection and no ranking i.e. 1st and 2nd was given as per guidelines given to the board.



B2
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10. That Para 5 (F) is wrong and denied. The selection has been done on merits based on criteria already formulated. No rules/ instructions on the subject has been violated. Whole process of selection was strictly in the framework of guidelines provided to the board.

11. That Para 5 (G) is wrong and denied. The candidates have not produced a single evidence to substantiate their allegation and simply relied on verbal gossips, concocted stories and irresponsible/ false rumors having no base as such it denied in toto.

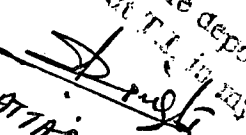
12. That the enclosed annexure is the true copy of the original documents.

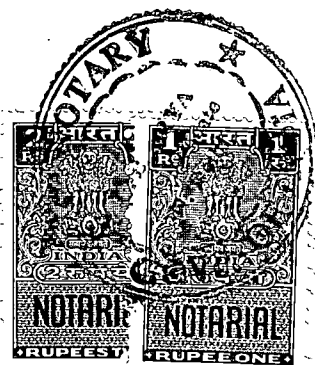

Deponent

Verification

Verified at Delhi on the 30th day of Sept 2000 that the contents 5 of above affidavit are true and correct to the best of my knowledge and belief.


Deponent.

I identify the deponent who has
signed/put T.L. in my presence

(ATTARSINGH)



SOLENNLY AFFIRMED
SWORN BEFORE ME
NOTARY PUBLIC
M.C.T. OF N. DELHI
G. B. ARYA
Advocate/Notary
Parliament Street 387/92
New Delhi

10 OCT 2000

PART I ORDER
BY

COL B C VERGHESE, CWE (AIR FORCE) PALAM, DELHI CANTT-10

Srl No. 01

Dated 01 Jan 2000

INTERVIEW FOR MAZDOOR (USK) AGAINST LRS

1. A Board of Officers composed as under will assemble on 03 Jan 2000 at 1000 hrs for the interview of Mazdoors who have submitted their applications by 30 Nov 99 as per our advertisement in the news papers for appointment in the Deptt against LRS.

Presiding Officer : Shri Joginder Singh Sidrah, EE DCWE B/R

Members : 1. Shri V S Tomar, AE AGE 'T'
GE (South) AF Palam
2. " B S Bisht, AE AGE 'T'
GE (North) AF Palam
3. " R N Dewan, Chief & D/Man
CWE AF Palam

In attendance of Shri Rattan Pal, AO II of HQ CWE AF Palam.

2. Board proceedings duly completed should be submitted by 24 Jan 2000 in quaduplicate.

(B C Verghese)
Col
CWE (AF) Palam

DISTRIBUTION

1. Shri Joginder Singh Sidrah, EE DCWE B/R
CWE AF Palam
2. " V S Tomar, AE AGE 'T'
GE (South) AF Palam
3. " B S Bisht, AE AGE 'T'
GE (North) AF Palam
4. " R N Dewan, Chief D/Man
CWE AF Palam
5. " Rattan Pal, AO II
CWE AF Palam

I/D

File No. 1267/Appt-99/Maz/E10



G. B. ARYA
Advocate/Notary
Parliament Street Co-
New Delhi

Notary Seal
New Delhi 110001

80/192

70 OCT 2000

8/13/00

Tele - 5665524

Office of the
Commander Works Engineer (AF)
Palam, Delhi Cantt-10

01 Jan 2000

1267/Appt-99/Maz/01/E10

The Presiding Officer

INTERVIEW FOR RECRUITMENT FOR THE POST OF MAZDOORS

1. Interview for the post of Mazdoor has been held on 3 Jan 2000 onwards. The vacancy of Gen/SC/ST/OBC is as under:-

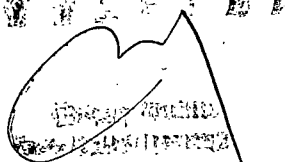
Gen - 11 Nos
SC - 04 Nos
ST - 02 Nos
OBC - 06 Nos
Total - 23 Nos

2. The details of test to be conducted is enclosed as per Appx 'A'.
3. The board be finalised by 24 Jan 2000 and proceedings submitted duly completed in all respects.

(B C Verghese)
Col
CWE (AF) Palam



Photo Unit Copy
17 FEB 2001



687/92

C. D. ARYA
Advocate/Notary
Parliament Street Co-
New Delhi

NO COPY

Tele - 5665524

Office of the
Commander Works Engineer (AF)
Palam, Delhi Cantt-10
03 Jan 2000

1267/Appt-99/Maz/ 8 /E10

The Presiding Officer
Shri Joginder Singh Sidrah, EE DCWE B/R

INTERVIEW FOR RECRUITMENT FOR THE POST OF MAZDOORS

1. Reference this office letter No. 1267/Appt-99/Maz/07/E10 dated 01 Jan 2000.

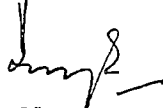
2. The following amendment may please be made in Appx 'A' to this office letter quoted above:-

(a) Para 1(c) line 3 of Appx 'A'

FOR "50 Kg"

READ 60 "70 Kg"

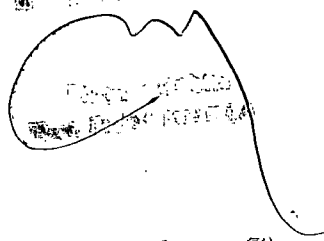
dyg-


(B C Verghese)
Col
CWE (AF) Palam

C. D. ARYA
Advocate/Notary
Dallmunt Street, Calcutta
100001



PROCESSED
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387-2

19 0 OCT 2000

A/p/26 1986 10

DETAILS OF TESTS TO BE CONDUCTED FOR RECRUITMENT OF
MAZDOR/CHOWKIDAR/PEON/SAFAIWALA

1. This office has been allotted certain vacancies for recruitment to the above categories. To ensure that the selection process is fair, a proper procedure of selection will be adopted which is mandatory for all candidates. Presiding Officers and Members of the Board will ensure that the stipulated tests are conducted as under before selecting any pers :-

- (a) Verification documents for qualification, age, category etc.
- (b) Test of stamina: Approx 2 K.M. running on road within a time of 10 minutes for those selected from para 1(a) above.
- (c) Test of Strength: Only selected indls from above two categories will undergo test of lifting, carrying and unloading a bag of sand weighing 50 Kg for a distance of 50 Mtrs within 5 Minutes.
- (d) Interview by the Board: Those selected from the above tests will be interviewed regarding their family background, financial position, dependents and so on.

2. A final proceedings will be prepared by the board giving the details of each indl's performance in the tests conducted, to the undersigned within 10 days of completion of the tests.



PHOTO STAT COPY
NOTED

RECEIVED
10 OCT 2000

G. B. ARYA
Advocate/Notary
Parliament Street, New Delhi

10 OCT 2000

387/92

137
(11)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
OA NO 303/2000 MA 372/2000

IN THE MATTER OF

Shri Bhupendera Kadam & Others.....Applicant

Versus

Union of India & Others.....Respondents.

AFFIDAVIT

1. I, Veer Singh S/O Latesh kishan singh working as AGE "Tech" in GE AF Gurgaon, do hereby solemnly affirm and declare as under:-

(a) That I was deputed as a member of board of officers for interview of candidates who had applied for the post of mazdoor convened by Commander Works Engineer, Air Force, Palam vide Part I Order No 01 dated 01 Jan 2000 (R-1).

(b) That subsequently Commander Works Engineers, Air Force Palam had directed vide his No 1267/Apptt-99/Maz/07/EIO dt 01 Jan 2000 amended vide No 1267/Apptt-99/Maz/8/EIO dt 03 Jan 2000 to conduct test of candidates for recruitment of mazdoor. The details of test to be conducted were also communicated (R-2 & R-3).

(c) That my son named Sanjay Singh had also applied for the post in response to an advertisement issued by Commander Works Engineer, Air Force Palam and published in Navbharat Times dated 18 Nov 1999 (Page 24 of OA) purely in his personal capacity.

(d) That applicants allegation "influenced by the connection" vide Para 4.12 A and B is false and denied. Selection process was fair and proper, strictly conforming to rules on the subject. The board was presided by a Class I Gazetted Officer and concurred by a Senior Military Officer and this was not a single man show.



Contd...2/-

(e) That the para 4.13 is absolutely wrong and denied. Although Sh Sanjay Singh (Respondent No 14) is my son but I had no role in getting him selected by personal influence. He has been selected purely on his merits. Simply because he happened to be my son does not mean that he has been selected due to extraneous reasons.

(f) That para 5 (A), (B) and (C) of OA are false and denied. Utmost transparency was maintained for proper and fair selection. All the selected candidates including my son (Respondent No 14) had appeared in all the tests through normal quo and their selection was done purely on merits. No misuse of power or influence of personal relation has taken place as alleged. As already clarified the tests were conducted by a board of officers and not by a single officer. No consideration of "closed connection" as alleged was done or any departure from the rules occurred anywhere as alleged.

(g) That para 5 (G) is wrong and denied. The applicants have not produced a single evidence to substantiate their allegations.



Verification

Verified at Delhi on the 09th day of Oct 2000 that contents of above affidavit are true and correct to the best of my knowledge and belief.

Deponent

Deponent

I Identify the Deponent who has signed/put T. in my presence

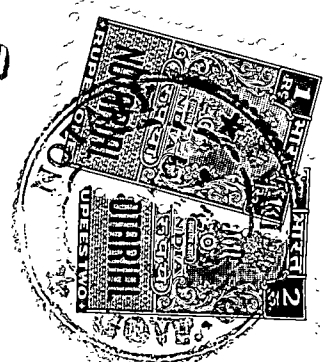
(ATTAR SINGH)

SOLEMNLY AFFIRMED
SWORN BEFORE ME

NOTARY PUBLIC
N.C.T. OF N. DELHI.

387/92

G. B. ARYA
Advocate/Notary
Parliament Street Court
New Delhi



PART I ORDER
BY

COL B C VERGHESE, CWE (AIR FORCE) PALAM, DELHI CANTT-10

Srl No. 01

Dated 01 Jan 2000

INTERVIEW FOR MAZDOOR (USK) AGAINST LRS

1. A Board of Officers composed as under will assemble on 03 Jan 2000 at 1000 hrs for the interview of Mazdoors who have submitted their applications by 30 Nov 99 as per our advertisement in the news papers for appointment in the Deptt against LRS.

Presiding Officer : Shri Joginder Singh Sidrah, EE DCWE D/R

Members

1. Shri V S Tomar, AE AGE 'T'
GE (South) AF Palam
2. " B S Bisht, AE AGE 'T'
GE (North) AF Palam
3. " R N Dewan, Chief & D/Man
CWE AF Palam

In attendance of Shri Rattan Pal, AO II of HQ CWE AF Palam.

2. Board proceedings duly completed should be submitted by 04 Jan 2000 in quadruplicate.

(B C Verghese)
Col
CWE (AF) Palam

DISTRIBUTION

1. Shri Joginder Singh Sidrah, EE DCWE B/R
CWE AF Palam
2. " V S Tomar, AE AGE 'T'
GE (South) AF Palam
3. " B S Bisht, AE AGE 'T'
GE (North) AF Palam
4. " R N Dewan, Chief D/Man
CWE AF Palam
5. " Rattan Pal, AO II
CWE AF Palam

I/D

File No. 1267/Appt-99/Maz/E10



A. B. ARYA
Advocate/Notary
Parliament Street Court
New Delhi

Photo Stat Copy

ATTACHED

Notary Public
New Delhi (INDIA)

10 OCT 2000

387/92

Tele - 5665524

Office of the
Commander Works Engineer (AF)
Palam, Delhi Cantt-10

01 Jan 2000

1267/Appt-99/Maz/07 /E10

The Presiding Officer

INTERVIEW FOR RECRUITMENT FOR THE POST OF MAZDOORS

Interview for the post of Mazdoor has been held on 3 Jan 2000 onwards. The vacancy of Gen/SC/ST/ODC is as under:-

Gen - 11 Nos
SC - 04 Nos
ST - 02 Nos
ODC - 06 Nos
Total - 23 Nos

2. The details of test to be conducted is enclosed as per Appx 'A'.
3. The board be finalised by 24 Jan 2000 and proceedings submitted duly completed in all respects.

Long
(B C Verghese)
Col
CWE (AF) Palam



B. C. ARYA
Advocate/Notary
Bachchan Street Camp
New Delhi

Photo Stat Copy
ATTACHED

Notary Public
New Delhi (INDIA)

387/92

10 OCT 2000

Tele - 5665524

Office of the
Commander Works Engineer (AF)
Palam, Delhi Cantt-10

03 Jan 2000

1267/Appt-99/Maz/ 8 /E10

The Presiding Officer
Shri Joginder Singh Sidrah, EE DCWE B/R

INTERVIEW FOR RECRUITMENT FOR THE POST OF MAZDOORS

1. Reference this office letter No.1267/Appt-99/Maz/07/E10 dated 01 Jan 2000.

2. The following amendment may please be made in Appx 'A' to this office letter quoted above:-

(a) Para 1(c) line 3 of Appx 'A'

FOR "50 Kg"

READ 60 "70 Kg"

amp

amp
(B C Verghese)
Col
CWE (AF) Palam

U. D. ARYA
Advocate/Notary
Parliament Street Cantt
New Delhi



Photo Stat Copy
A T T E S T E D

amp
Notary Public
New Delhi

70 OCT 2000

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142
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DETAILS OF TESTS TO BE CONDUCTED FOR RECRUITMENT OF
MAZDOR/CHOWKIDAR/PEON/SAFAIWALA

1. This office has been allotted certain vacancies for recruitment to the above categories. To ensure that the selection process is fair, a proper procedure of selection will be adopted which is mandatory for all candidates. Presiding Officers and Members of the Board will ensure that the stipulated tests are conducted as under before selecting any pers :-

- (a) Verification documents for qualification, age, category etc.
- (b) Test of stamina: Approx 2 K.M. running on road within a time of 10 minutes for those selected from para 1(a) above.
- (c) Test of Strength: Only selected indls from above two categories will undergo test of lifting, carrying and unloading a bag of sand weighing 50 Kg for a distance of 50 Mtrs within 5 Minutes.
- (d) Interview by the Board: Those selected from the above tests will be interviewed regarding their family background, financial position, dependents and so on.

2. A final proceedings will be prepared by the board giving the details of each indl's by the performance in the tests conducted, to the undersigned within 10 days of completion of the tests.



887/92

G. B. AKIA
Advocate/Notary
Parliament Street Cor
New Delhi

Part: Sub Capt
A F I E D

Notary Public
New Delhi 110001

70 OCT 2000

143
17

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI
OA NO 303/2000 MA 372/2000

IN THE MATTER OF:-

Shri Bhupendera Kardam & Others..... Applicant

Versus

Union of India & thers..... Respondents.

AFFIDAVIT

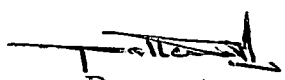
I, Rattan Pal S/O Late Sh Ran Singh retired as Admn Officer from Commander Works Engineer Air Force Delhi Cantt -100010 on 30.6.2000. do hereby solemnly affirm and declare as under :-

- (a) That I was deputed as a member "in attendance" in a board of officers convened by Commander works Engineer, Air Force for selection of Mazdoor.s
- (b) That I had no roll in selection process as I was performing only admin duties related to the above board in the capacity of member" in attendance".
- (c) The contents of para 4(1) & 4(2) are correct being matter of records.
- (d) The contents of Para 4.13 related to respondent No 10 are not correct and denied except that he is my son. As already explained I had no role in his selection . He has been selected by a group of senior officer and not by a single officer and the selection was based purely on his merits. Simply because he happens to be my son, it cannot be a disqualification.
- (e) That the contents of Para 5 (A) & 5(C) are false and denied . The appointment to all selected candidates including respondent No 10 i.e. my son has been given on merits and they have earned it only through normal queo and I had absolutely no role in his selection as alleged. The applicants have not produced a single proof to substantiate their allegation of any malafide exercise or misusing powers

Contd..2/-

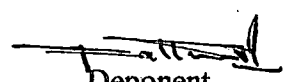


(f) That allegation made by para 5(F) is false and denied . I was simply a member "in attendance" and had no role in selection process


Deponent

Verification

Verified at Delhi on the 04th day of Oct 2000 that contents of above affidavit are true and correct to the best of my knowledge and belief.


Deponent



SOLEMNLY AFFIRMED
SWORN BEFORE ME

NOTARY PUBLIC
N.C.T. OF N. DELHI.

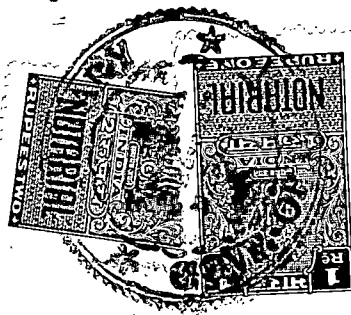
G. D. ARYA

Advocate/Notary

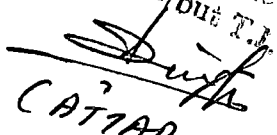
Parliament Street Court
New Delhi

387/92

30 OCT 2000



I identify the Deponent who has
signed/out T.I. in my presence.


(ATTAR SINGH)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH,

NEW DELHI

OA NO 303/2000 MA 372/2000

IN THE MATTER OF :-

Shri Bhupender Kardam & Others.....Applicant.

Versus

Union of India & Others.....Respondents.

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3.	Affidavit of Shri Sudesh Kumar S/O Shri Rattan Pal(Respondent No 10)	5 to 6
4.	Affidavit of Shri Radhey Shyam S/O Shri Ram Lakhan(Respondent No 11)	7 to 8
5.	Affidavit of Shri Anup Singh Rawat S/O Shri JS Rawat(Respondent No 12).	9 to 10
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7.	Affidavit of Shri Sanjay Singh S/O Shri Veer Singh(Respondent No 14).	13 to 14

Filed by

Sh:

A. K. Bhargava

Advt

New Delhi

Mar' 2001.

Copy and page 1-14

(Dr. Vohra)

Advt

9/4/01

प्रधान न्यायाधीश/Chief Justice
काज दाखल किया
Filed Today
9 APR 2001
न्यायिक अधिकारी/3199
अधीक्षक/Registrar

146

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

OA NO 303/2000 MA 372/2000

IN THE MATTER OF :

Shri Bhupendra Kardam & othersApplicant

Versus

Union of India & OthersRespondents.

AFFIDAVIT

1. I, Mahesh Kumar S/O Shri Laxmi Narain (Respondent No 03) do hereby solemnly affirm and declare as under:-

(a) That I am the son of Shri Laxmi Narain serving in Garrison Engineer (North) AF Palam.

(b) In response to an advertisement published in Nov Bharat Times of India Dated 18 Nov 99, I had applied for the post of Mazdoor. I was called for the physical test/interview and verification of certificates by a board of officers convened by Commander Works Engineer, Air Force Palam. I had appeared before the board and competed in all tests/interview alongwith other candidates.

(c) The allegations made against me vide para 4.12 of above OA are absolutely false and denied. I have been selected on merits based on my performance in all physical/stamina tests and interview. I was fulfilling all conditions prescribed for appointment and given performance to my best ability in all tests/interview. No illegal method i.e. use of connection or bribe as alleged have been followed by me. This seems to be more figment of imagination of the applicants who could not qualify.

(d) Para 4.13 is false and denied. The allegation is simply made to tarnish the image of my father who is an honest junior low paid employee. He has absolutely no link with respondent/5 the presiding officer of the board nor is serving under him as alleged. My father is serving in a different Division i.e. Garrison Engineer (North) AF Palam and due to shortage of drivers in HQ's office attached temporarily with Shri RC Trikha, DCWE E/M. The allegation is, therefore, absolutely false.

(e) Para 5(A) is false and denied. I have earned the appointment on merits after standing in the normal conditions and competing with other in all respects. No corrupt practice as alleged has been adopted by me nor may father used any connection.

Contd.....2/-

(f) The allegations in para 5(c) of OA against me is false and denied. No fundamental right has been violated of the applicants as alleged due to my selection which was purely on merits and the better performance than others in all physical/stamina tests. No illegal method or any corrupt method has been followed as alleged.

१
गिरीश कुमार

Deponent

(Respondent No 08)

Verification

Verified at Delhi on the _____ day of Mar 2001 that the contents of above affidavit are true and correct to the best of my knowledge and belief.

१
गिरीश कुमार

Deponent.

ATTESTED

NOTARY PUBLIC
DELHI



20 MAR 2001

(3)

148

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH NEW DELHI

OA NO 303/2000 MA 312/2000

IN THE MATTER OF:

Shri Bhupendera Kardam & Others.....Applicant

VERSUS

Union of India & Others.....Respondents.

AFFIDAVIT

1. I, Ajay Pal S/O Shri Sukh Lal Yadav (respondent No 9), do hereby solemnly affirm and declare as under:-

(a) That in response of an advertisement published in Nav Bharat Times of Delhi dated 18.11.99, calling for applications for the posts of Mazdoor under CWE Air Force Palam, I had applied for the same. I was fulfilling the basic requirements for the above post i.e. age, academic qualification and good physique.

(b) That I was called by CWE Air Force Palam with directions to appear before a board of officers for tests/interview and verification of documents/certificates.

(c) That I appeared on due date and time and participated in all the physical/stamina tests conducted by the board alongwith other candidates. I also appeared before the board for interview and produced requisite certificates.

(d) That I have competed the aforesaid tests as normal ~~candidate~~ candidate alongwith others and given performance to the best of my ability. I never know any member of the board nor I meet any body to get favour.

(e) The allegations in Para 4.12 are absolutely false and denied. I have been selected purely on merits based on my better performance through normal queue. I was a poor unemployed youth and I had neither bribed nor used any connection as alleged.

(f) The allegation in para 13.2 is false and denied. I have participated in all the physical/stamina tests as conducted by the board and can be verified from the records of the board. There is absolutely no truth in the allegation as I fulfilled all requirements and given performance to my best ability.

Contd.....2/-

148 (4)

(g) The allegations in Para 5(A) are false and denied. My selection was purely on merits and I have never indulged in any corrupt practice for getting the appointment as alleged.

(h) The allegations in Para 5(c) & (f) are false and denied as my appointment has not been done on account of any extraneous consideration or I had offered any illegal gratification as alleged. Being a poor and resourceless candidate. I could not even imagine for any corrupt practice as alleged.

J. Singh

Deponent
(Respondent No 9)

Verification

Verified at Delhi on the _____ date of Mar 2001 that the contents of above affidavit are true and correct to the best of my knowledge and belief.

J. Singh

Deponent.

ATTESTED

NOTARY PUBLIC
DELHI

20 MAR 2001



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

OA NO 303/2000 MA 372/2000

IN THE MATTER OF :

Shri Bhupendera Kadam & Others..... Applicant

Versus

Union of India & Others..... Respondents.

AFFIDAVIT

1. I, Sudesh Kumar S/O Sh Rattan Pal (Respondent No 10 in above OA), do hereby solemnly affirm and declare as under:-

(a) That I am the son of Sh Rattan Pal, Retired Admin Officer from Commander Works Engineer, Air Force. My father was deputed as a member "in attendance" in a board of officers convened by Commander Works Engineer, Air Force Palam for selection of Mazdoors for which I was also a candidate.

(b) That I had appeared before the board and took part in recruitment process purely at my own and in individual capacity, My father had no roll in selection process nor I ever requested him to help me in selection. By virtue of enjoying independent citizen rights and conforming to the conditions/requirements of the recruitment I was fully entitled to take part in selection process through normal "Queo".

(c) The allegations made against me vide Para 4.12 are absolutely false and denied. I have been selected purely on merits after competing all physical tests/interview through normal queo. I have neither bribed nor used any connection therein. Nothing has been produced by the applicants to substantiate the charge.

(d) The fact given in Para 4.13 that I am the son of Administrative Officer Sh Rattan Pal is correct. My father was simply "member in attendance" and had no role in selection process. Simply because I am the son of Admin Officer does not deprive me my legitimate right to compete in recruitment test of Mazdoor."



6

151

Contd.....2/-

- 2 -

(e) The allegation put forth in Para 5(A) of OA against me is totally false and denied. No corrupt practice either of connection or bribe has been used and I had fully competed in all tests/interview and selected purely on merits. It is no sin to be son of an Admin Officer who was not having any role in selection process.

(f) The allegations put forth in Para 5(c) of OA against me is false and denied. In fact the applicants themselves by putting such allegations without any proof to substantiate are violating my fundamental rights to appear in selection test. My legitimate rights of a citizen can not be eliminated only due to the reason of being a son of Admin Officer.

Sudhu
Deponent

(Respondent No 10)

Verification

Verified at Delhi on the _____ day of Feb 2001 that the contents of above affidavit are true and correct to the best of my knowledge and belief.



ATTESTED

**NOTARY PUBLIC
DELHI**

20 MAR 2001

Sudhu
Deponent

152

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

OA NO 303/2000 MA 762/2000

IN THE MATTER OF:

Shri Bhupendra Karam & OthersApplicant

Versus

Union of India & Others.....Respondents.

AFFIDAVIT

1. I, Radhey Shyam S/O Shri Ram Lakhan (Respondent No 11), do hereby solemnly affirm and declare as under:-

(a) That I had applied for the post of Mazdoor in response to an advertisement published in Newspaper by Commander Works Engineer Air Force Palam as I was fulfilling all the requirements prescribed therefor.

(b) That on receipt of a call letter I appeared before board of Officers and competed in all physical/stamina tests and interview conducted by the board convened by Commander Works Engineer, Air Force Palam.

(c) That I performed all competitions to the best of my ability alongwith other candidates and got success in getting selection purely on merits. Neither I know any member of the board nor used any connection or other corrupt practice as alleged.

(d) The allegation made vide Para 12 is totally false. As already explained. I have not taken help of any so called connection nor bribed to any body as falsely stated in above para. I have fulfilled all the requirements and got selection on merits based on my better performance.

(e) The allegation made vide para 13 is absolutely false. I am neither son of any milk vender nor having any connection with Col BC Verghese. Moreover, myself or any of my relative is not running any shop in rock view Palam as alleged. This is highly restricted area and I have not even seen this area. I had simply applied for the post as a normal candidate and got the selection on merits.. Being son of a milk vender of Col BC Verghese or running any shop is only a figment of the imagination of the applicants and a concocted story.

Contd/-.....2/-

8
153

(f) Para 5 (A) is false and denied. My selection was totally based on my performance and I have competed each and every physical/stamina test and interview conducted by the board.

(g) Paras 5(c) & (f) are false and denied. I have participated in all the tests/interview and got selection on merits.

राधेश्याम PS

Deponent

(Respondent No 11)

Verification

Verified at Delhi on the _____ day of MAR 2001
that the contents of above affidavit are true and correct to the
best of my knowledge and belief.

राधेश्याम PS

Deponent



ATTESTED
NOTARY PUBLIC
DELHI

20 MAR 2001

(9)
154

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
OA No 303/2000 MA 372/2000

IN THE MATTER OF :

Shri Bhupindera Kardam & OthersApplicant

Versus

Union of India & OthersRespondents

AFFIDAVIT

1. I, Anup Singh Rawat S/O Shri J S Rawat (Respondent No 12) in above OA) do hereby solemnly affirm and declare as under :-


- (a) That I am the son of Shri J S Rawat, who is serving in the capacity of UDC in Commander Works Engineer (AF) Palam office.
- (b) In response to an advertisement in Nav Bharat Times of Delhi dt 18 Nov 99 calling for applications from aspiring candidates for the post of Mazdoor by Commander Works Engineer Palam, I had applied for the same as I met the qualification and age recruitment for the post.
- (c) That I was called for physical test/interview and verification of certificates by a board of Officers convened by above HQ. I had appeared before the board and competed in physical test/interview to the best of my ability. I had applied and appeared in recruitment process at my own and no any held in this regard was taken from my father. Moreover, my father being a junior employee was not having any say or link with the recruitment process.
- (d) Para 4.12 is false and denied. I have been selected purely on merits based on the results of physical test/interview competed by me and not on the basis of any connection or bribe as alleged.



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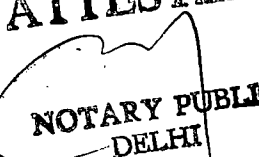
- (e) Para 4.13 (e) is false and denied. My father is not directly working under Respondent No 5. My father is serving in E-2 Section which is being headed by Asstt. Engineer (Planning). The respondent No 5 is the senior officer incharge of three sections i.e. E-2, E-5 and E-6 Section which are headed by two Gazetted Officers i.e. Asstt Engineer (Planning) and Chief Draftsman. As such my father having junior post folio of UDC is not directly serving under respondent No 5 as alleged but serving under O/Supdt of E-2 Section under Asstt Engineer (Plg). Moreover, I have not taken any sort of help or assistance or used his official position for my selection. I had fully competed in all tests/interview as conducted by the board and not followed any illegal method as alleged.
- (f) Para 5 (A) of OA is false and denied. No corrupt practice of connection or bribe has been used and I had fully competed in all tests/interview and got appointment on merit.
- (g) Para 5 (c) of OA is false and denied. I have been selected on merits which has earned only after competition in all tests/interview conducted by the board after standing in the normal conditions. No illegal method or any corrupt practice has been followed as alleged.


Deponent
(Respondent No 12)

Verification

Verified at Delhi on the _____ day of MAR 2001
that the contents of above affidavit are true and correct
to the best of my knowledge and belief.



ATTESTED

NOTARY PUBLIC
DELHI

20 MAR 2001


Deponent

156

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
OA No 303/2000 MA 372/2000

IN THE MATTER OF :

Shri Bhupendera Kardam & Others.....Applicant

Versus

Union of India and OthersRespondent

AFFIDAVIT

1. I, Ranjan Kumar S/O Shri Dudheshwar Singh
(Repondent No 13 in above OA) do hereby solemnly affirm
and declare as under :-

(a) That I am the son of Shri Dudeshwar Singh, who
is serving as Daftry (Group "D" employee) in the
Office of Commander Works Engineer (AF) Palam in
Drawing Section.

(b) That I had appeared before the board and
completed in all tests/interview as conducted by
the board of Officers which was convened by
Commander Works Engineers (AF) Palam for selecting
the candidates for the post of Mazdoor.

(c) That the allegations made vide para 4.12 (A) and
(B) against me are totally false and denied. Offering
of bribe of huge amount of Rs 80,000/- or use of
connection of my father who is simply a junior low
paid employee are totally false allegations based on
figment of imagination. I have rightly completed
in all the tests/interview conducted by the board
to my best ability and earned the appointment purely
on merits. No illegal or corrupt practice either of
bribe or connection has been adopted by me as alleged.

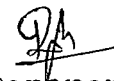
(d) Para 4.13 (f) is absolutely false and denied.
Neither my father is peon nor attached with Respt/5.
He is serving as Daftry in Drawing Section headed by
Chief Draftsman and has no direct link with Respdt/5
as alleged.

Conted page....2/-



(e) Para 5(4) is false and denied. I have earned the appointment by competing in all tests/ interview at my own purely on merits. I have not used any illegal method i.e. connection or bribe as alleged.

(f) Para 5(c) of OA is false and denied. The allegation that my selection by the board of officers has violated fundamental rights of other candidates is absolutely untrue as I have been selected after competing all tests/interview as an ordinary candidate purely on the basis of my performance. My father is a junior low paid employee and in no way in a position to use connection with Repdts or to offer bribe as alleged.


Deponent
(Respondent No 13)

Verification

Verified at Delhi on the _____ day of MAR '2001
that the contents of above affidavit are true and
correct to the best of my knowledge and belief.


Deponent



ATTESTED


NOTARY PUBLIC
DELHI

20 MAR 2001

(13)
158

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
OA No 303/2000 MA 372/2000

IN THE MATTER OF :

Shri Bhupendera Kardam & Others Applicant

Versus

Union of India and others Respondents

AFFIDAVIT

1. I, Sanjay Singh S/O Shri Veer Singh (Respondent No 14 in above), do hereby solemnly affirm and declare as under :-

- (a) That I am the son of Shri Vir Singh, who was serving as Asstt Engineer in GE A/F (South) and now retired.
- (b) That I had applied/appeared before the board of Officers and competed in all the tests/interview to my best ability and as a normal ordinary candidate. I have absolutely not misused the position of my father or taken his help in my selection.
- (c) That allegation against me vide para 4.12 are absolutely wrong and denied. These are totally baseless as I have neither bribed any officer nor used any sort of connection or adopted any illegal method to get through the selection. I have taken part in all tests/interview in normal condition and my better performance was the base of my selection.
- (d) Para 4.13 as alleged is wrong and denied. The applicants moto seems to be to tarnish the image of my father by falsely implicating him in my selection. My father had nothing to do with my selection which has been conducted by a group of Officers headed by a senior officer. My selection was purely on merits. Simply because I was the son of a junior officer happened to be a member of the board, it was not a disqualification for me to appear in the test for selection of Mazdoor.



- 159 (24)
- (e) Para 5 (A) is false and denied. I have not bribed any officer nor they ever demanded. I have actually participated and completed in all tests/interview and selected on merits.
- (f) The allegation vide para 5 (A) against me is false and denied. No illegal practice either of bribe or connection as alleged has been used. There is not a slight evidence to substantiate the charge. The applicants moto seems to be to defame me and my father by putting false and ugly allegations just to cover up their own failure and inferior performance.
- (g) The allegations against para 5 (c) are false and denied due to the reasons amply explained in preceding paras.

SANJAY Singh

Deponent
(Respondent No 14)

Verification

Verified at Delhi on the _____ day of _____ 2001
that the contents of above affidavit are true and
correct to the best of my knowledge and belief.

SANJAY Singh

Deponent

ATTESTED



NOTARY PUBLIC
DELHI

120 MAR 2001

160
01/06

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: AFFIDAVIT OF DASTI SERVICE/COUNSEL MEMO
COUNTER /REJOINDER /ADDL AFFIDAVIT ETC

IN

OA NO. 303 OF 2000

NEXT DOH: 1/6/2001

IN THE MATTER OF

Bhupinder Kardam & Ors

APPLICANTS
BY DR D C VOHRA /
KULBIR PRASHAR /
RAJAKUMAR
ADVOCATES

V.

UNION OF INDIA & ORS

RESPONDENTS

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DR. D.C. VOHRA / KULBIR PRASHAR

COUNSEL FOR THE APPLICANT

PHONES : 6464188, 6253892, 3384820 & 3381161

NEW DELHI DT. THE 22nd DAY OF May 2001

COPY TO THE COUNSEL FOR THE RESPONDENTS:

Ms Meera Chhiber, Addl Standing Counsel for the Central
Govt at the CAT/New Delhi 110001/Respondents-4-7
(in personal capacities)

Received
a copy
30/5/2001

बिबिल नं./Filing No.
उपरजिस्ट्रार/Dy Registrar

Filed Today
30 MAY 2001
5057

16/7

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: OA NO. 303/2000 WITH MA NO. 372/2000

IN THE MATTER OF:

BHUPINDER KARDAM & ORS ...APPLICANTS

V

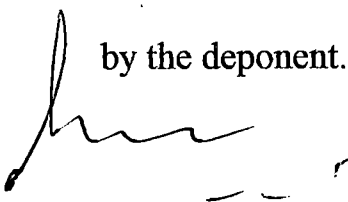
UNION OF INDIA & ORS ...RESPONDENTS

REJOINDER AFFIDAVIT BY THE APPLICANT/1
NO.1 TO THE COUNTER AFFIDAVIT FILED BY
THE RESPONDENT NO. 4 TO OA NO.303/2000

I, Bhupender Kardam, son of Shri Chhote Lal, aged 19 years and
resident of 76/31 Pinto Park Delhi Cantt, Delhi 110010, Applicant No/1
in the above noted OA solemnly affirm and declare as under:

01 That I am the applicant no.1 and am aware of the facts and
circumstances of the case and thus fully competent to swear this affidavit

02 That I have gone through the contents of the counter affidavit filed by
the answering respondent and I submit that the averments made therein are
absolutely false and misleading and the same are very emphatically denied
by the deponent.



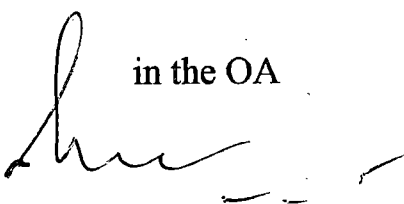
03 That the para wise comments of the deponent to the counter affidavit of the answering respondents are as under:

(a) This para of the counter affidavit is formal and does not need any comments by the applicants.

b) This para of the counter affidavit of the answering respondent is an absolutely false as stated and it is vehemently denied by the applicants who submit that the answering respondent who headed the Selection Board influenced selections which needs to be quashed on this short ground alone because the answering respondent mixed up his official and personal capacities and harmed the interests of the applicants who had higher merit than the favored persons who were selected for extraneous considerations.

c) This para is patently false as stated by the answering respondent and the same is vehemently denied by the applicants who reiterate the averments made by them in the OA about the mala fide role of the answering respondent in the selection process by misusing his official position in the Selection Board which needs investigation by the Respondent/Union of India.

(d) This para of the counter affidavit of the answering respondent is absolutely false and the same is vehemently denied by the applicants who reiterate the averments made by them in respect of the answering respondent in the OA



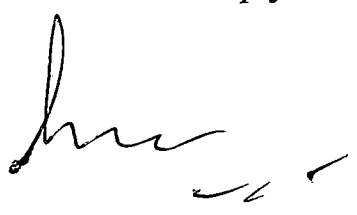
163

e) This para relating to para 4(13) of the OA is denied as totally false and the reiterates the contents of the corresponding para of the OA and the facts stated stand proved beyond doubt by the affidavits submitted by some other answering respondents.

f) This para relating to para 5(A) of the OA is absolutely false and is denied by the applicants who reiterate para 5(A) of the OA and submit that the answering respondent did not at all perform his duties bona fide but misused his official position to favour persons connected with him in some capacity or the other.

g) This para relating to Para 5(C) of the OA is patently false and it is vehemently denied by the applicants who reiterate the averments made by them in the corresponding para of the OA and the role of the answering respondents stands proved by the admissions made by the favored answering respondents; the answering respondent had become law unto himself and had given a complete go by to the rules and regulations which did not provide any interview for the post of Mazdoors .

(h) This para relating to para 5(F) of the OA is denied as false by the applicants who reiterate the contents of the corresponding para of the OA. The relation of the candidates selected by the answering respondents have been amply demonstrated in the corresponding para of the OA.



164

In view of the submissions made above, the deponent submits that the answering respondent has not been able to show any cause why the relief prayed by the deponent be not granted to the applicants in the above noted OA No. 303/2000 in the interest of justice.

Dr. Dewan C. Vohra
DEPONENT

VERIFICATION

I, the above named deponent, do hereby say on solemn affirmation that the contents of my above affidavit are true and correct on my knowledge and on legal advice, no part of it is false and nothing material has been suppressed therefrom.

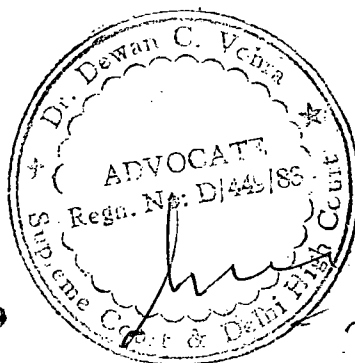
Verified at New Delhi this 22nd day of May 2001.

Dr. Dewan C. Vohra
DEPONENT

ATTESTED

Dr. Dewan C. Vohra
Dr. DEWAN C. VOHRA
ADVOCATE
2, SHIVALIK APARTMENTS,
ALAKNANDA, New Delhi-110019

22 MAY 2001



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: OA NO. 303/2000 WITH MA NO. 372/2000

IN THE MATTER OF:

BHUPINDER KARDAM & ORS

...APPLICANTS

V

UNION OF INDIA & ORS

...RESPONDENTS

REJOINDER AFFIDAVIT BY THE APPLICANT/I
NO.1 TO THE COUNTER AFFIDAVIT FILED BY
THE RESPONDENT NO.5 TO OA NO.303/2000

I, Bhupender Kardam, son of Shri Chhote Lal, aged 19 years and
resident of 76/31 Pinto Park Delhi Cantt, Delhi 110010, Applicant No/1
in the above noted OA solemnly affirm and declare as under:

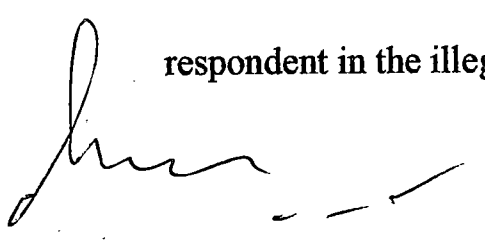
01 That I am the applicant no.1 and am aware of the facts and
circumstances of the case and thus fully competent to swear this affidavit

02 That I have gone through the contents of the counter affidavit filed by
the answering respondent and I submit that the averments made therein are
absolutely false and misleading and the same are very emphatically denied
by the deponent.

166

03 That the para wise comments of the deponent to the counter affidavit of the answering respondents are as under:

- 1) This para of the counter affidavit of the answering respondent is absolutely false as stated and it is vehemently denied by the applicants who submit that the answering respondent who headed the Selection Board influenced selections which needs to be quashed on the short ground that he never acted according to the instructions of the Union of India and mixed up his official and personal capacities and harmed the interests of the applicants who had higher merit than the favored persons who were selected for extraneous considerations.
- 2) This para is patently false as stated by the answering respondent and the same is vehemently denied by the applicants who reiterate the averments made by them in the OA about the mala fide role of the answering respondent in the selection process by misusing his official position as presiding officer of the Selection Board whose proceedings got vitiated and needs a thorough inquiry/investigation by the Respondent/Union of India and deserves to be quashed by this Hon'ble Tribunal.
- 3) This para of the counter affidavit of the answering respondent relating to para 13 of the OA is absolutely false and the same is vehemently denied by the applicants who reiterate the averments made in the corresponding para of the OA. in respect of the role of the answering respondent in the illegal selection process over which he presided.



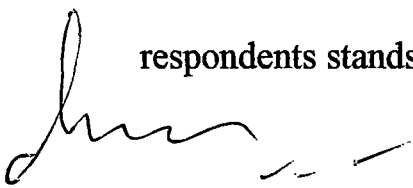
167

In fact, the allegations against the answering respondent stands proved beyond doubt on the his own admission by and also vindicated and stand corroborated by the affidavit submitted by the respondent/8 whose closeness is a fact and a favour has surely been shown by the answering respondent to the respondent /8 in the latter's illegal selection..

4) This para relating to para 4(13) (e) of the OA is denied as totally false and, apart from reiterating the contents of the corresponding para of the OA, the applicants submit that the elaboration given by the answering respondent indicates how closely aware about the favoured respondent/12 who has been selected in the illegally conducted selection process conducted under the answering respondent, as the presiding officer.

5) This para of the counter affidavit relating to para 13(f) of the OA is patently false and the same is vehemently denied by the applicants who submit that the answering respondent has picked up persons from amongst the persons serving him in his one personal capacity or another (such as the son of his Daftry, the respondent 13) and there is no doubt that he has favoured their selection of their sons as Mazdoors in preference to the more deserving candidates. The applicants deny that they have cooked up stories with ulterior motives; they have brought to the notice of this Hon'ble T Tribunal the stark realities and the acts of corruption, nepotism and favourtism indulged in the answering respondent.

6) This para relating to Para 5(A)) of the OA is patently false and it is vehemently denied by the applicants who reiterate the averments made by them in the corresponding para of the OA and the role of the answering respondents stands proved by the admissions made by the favored among



other answering respondents; the answering respondent had become law unto himself and had given a complete go by to the rules and regulations which did not provide any interview for the post of Mazdoors; in fact the so called transparency in selection averred by the answering is only to the extent that the corrupt practices indulged by him and his other colleagues, who have been impleaded in this OA are transparent and clear as day light. The 'selection on merit' criterion repeatedly mentioned by the answering respondent cannot be limited to the sons and relations of only those persons who are closely working with the answering respondents. It is incumbent on the Respondent/Union of India to inquire against the conduct of the answering respondent rather than defending, his misdeeds and misconduct in the selection process which deserves to be quashed.

7 This para relating to para 5(B) of the OA is denied as false by the applicants who reiterate the contents of the corresponding para of the OA.

The relation of the candidates selected by the answering respondents have been amply demonstrated in the corresponding para of the OA.

8-11 These paras relating to paras 5C, 5D, 5F and 5G of the OA are absolutely false and are denied by the applicants who reiterate the contents of the foregoing paras of this rejoinder as well as the contents of the corresponding para of the OA; the entire selection process conducted by the Respondent/5 is a sham and farce and deserves to be quashed in toto and conducted afresh in accordance with the rules and regulations

12 This para of the counter affidavit needs no comments by applicants

169

In view of the submissions made above, the deponent submits that the answering respondent has not been able to show any cause why the relief prayed by the deponent be not granted to the applicants in the above noted OA No. 303/2000 in the interest of justice.

राजेश चंदन
DEPONENT

VERIFICATION

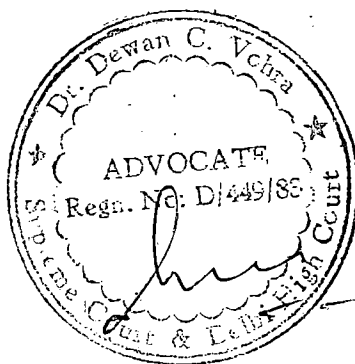
I, the above named deponent, do hereby say on solemn affirmation that the contents of my above affidavit are true and correct on my knowledge and on legal advice, no part of it is false and nothing material has been suppressed therefrom.

Verified at New Delhi this *22nd* day of May 2001.

राजेश चंदन
DEPONENT

ATTESTED

[Signature]
DR. DEWAN C. VOHRA
ADVOCATE
2, SHIVALIK APARTMENTS,
ALAKNANDA, New Delhi-110019



22 MAY 2001

170
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: OA NO. 303/2000 WITH MA NO. 372/2000

IN THE MATTER OF:

BHUPINDER KARDAM & ORS

...APPLICANTS

V

UNION OF INDIA & ORS

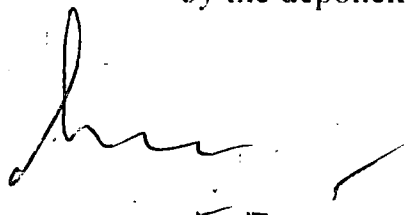
...RESPONDENTS

REJOINDER AFFIDAVIT BY THE APPLICANT/1
NO.1 TO THE COUNTER AFFIDAVIT FILED BY
THE RESPONDENT NO. 6 TO OA NO.303/2000

I, Bhupender Kardam, son of Shri Chhote Lal, aged 19 years and
resident of 76/31 Pinto Park Delhi Cantt, Delhi 110010, Applicant No/1
in the above noted OA solemnly affirm and declare as under:

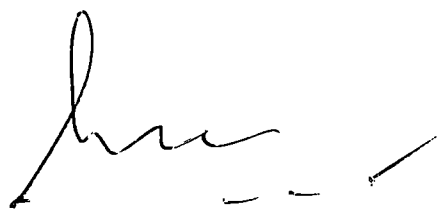
01 That I am the applicant no.1 and am aware of the facts and
circumstances of the case and thus fully competent to swear this affidavit

02 That I have gone through the contents of the counter affidavit filed by
the answering respondent and I submit that the averments made therein are
absolutely false and misleading and the same are very emphatically denied
by the deponent.



03 That the para wise comments of the deponent to the counter affidavit of the answering respondent are as under:

- a) This para of the counter affidavit is formal and needs no comments by the applicants.
- b) This para of the counter affidavit is formal and needs no comments by the applicants.
- c) This para of the counter affidavit is a vital admission by the answering respondent and goes to show clearly the averments made by the applicant that the selection of Mr Sanjay Singh/respondent-14 is illegal as being the answering respondent who was a member of the board as stated by him in para (a) above and the connection is obvious and the selection of his son in preference of candidates with better merit is obvious as day light. The answering respondent influenced the selection of his son just as other members of the selection committee were influencing the selection of their own favourites for the posts advertised by the Respondent/Union of India.
- d) This para of the counter affidavit relating to the paras 4.12 A & B of the OA are absolutely false and are vehemently denied by the applicants who reiterate the corresponding paras of the OA



e) This para of the counter affidavit relating to para 4.13 of the OA is patently false as stated and the same is emphatically denied by the applicant who submit that if the selection of the son of the answering respondent was on merit there could be no objection but the selection of the Respondent/14 was done on because he was the son of the answering Respondent and this vitiated the entire selection process ; the applicants reiterate the averments made by the applicants in the corresponding para of their OA.

f) This para of the counter affidavit relating to paras 5A, 5B and . 5C of the OA are absolutely false and are very emphatically denied by the applicants that all the applicants selected were through connections and extraneous considerations and were bereft of any merit at all and there names were at very low position in the physical tests; the interviews were held in violation of the rules simply in order to being sons and relations, and/or acquaintances/time servers up in the list; by no stretch of imagination such a selection can be called meritorious and the only thing which is transparent is the corruption, favouritism and nepotism that prevailed in the selection process and it has no sanctity in law and deserves to be quashed by this Hon'ble Tribunal.

g) This para of the counter affidavit relating to para 5(G) of the OA is absolutely false and it is vehemently denied by the applicants reiterate the averments made by them in the corresponding para of the OA.

In view of the submissions made above, the deponent submits that the answering respondent has not been able to show any cause why the relief prayed by the deponent be not granted to the applicants in the above noted OA No. 303/2000 in the interest of justice.

राजेश कुमार

DEPONENT

VERIFICATION

I, the above named deponent, do hereby say on solemn affirmation that the contents of my above affidavit are true and correct on my knowledge and on legal advice, no part of it is false and nothing material has been suppressed therefrom.

Verified at New Delhi this 22nd day of May 2001.

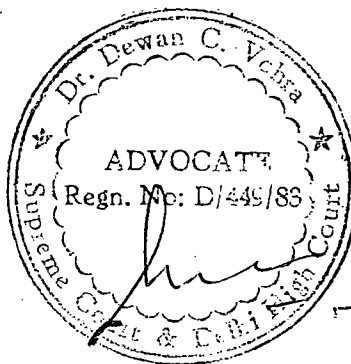
राजेश कुमार

DEPONENT

ATTESTED

[Signature]
Dr. DEWAN C. VOHRA
ADVOCATE
2, SHIVALIK APARTMENTS,
ALAKNANDA, New Delhi-110019

22 MAY 2001



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI 110001

174

IN RE: OA NO. 303/2000 WITH MA NO. 372/2000

IN THE MATTER OF

BHUPINDER KARDAM & ORS ...APPLICANTS

V

UNION OF INDIA & ORS ...RESPONDENTS

REJOINDER AFFIDAVIT BY THE APPLICANT/I
NO.1 TO THE COUNTER AFFIDAVIT FILED BY
THE RESPONDENT NO. 7 TO OA NO.303/2000.

I. Bhupender Kardam, son of Shri Chhote Lal, aged 19 years and
resident of 76/31 Pinto Park Delhi Cantt, Delhi 110010, Applicant No/1,
in the above noted OA solemnly affirm and declare as under:

01 That I am the applicant no.1 and am aware of the facts and
circumstances of the case and thus fully competent to swear this affidavit

02 That I have gone through the contents of the counter affidavit filed by
the answering respondent and I submit that the averments made therein are
absolutely false and misleading and the same are very emphatically denied
by the deponent.

03 That the para wise comments of the deponent to the counter affidavit of the answering respondent are as under:

a) This para of the counter affidavit is formal and needs no comments by the applicants.

b) This para of the counter affidavit is formal and needs no comments by the applicants.

c) This para of the counter affidavit relating to paras 4(1) and (2) is formal and needs no comments

d) This para of the counter affidavit relating to para 4.13 is a vital admission by the answering respondent and goes to show clearly the averments made by the applicant that the selection of his son is illegal as being the answering respondent who was the so-called "member of the board" ⁱⁿ attendance as stated by him in para (b) above and the connection is obvious and the selection of his son in preference of candidates with better merit is obvious as day light. The answering respondent influenced the selection of his son just as other members of the selection committee were influencing the selection of their own favourites for the posts advertised by the Respondent/Union of India.

e) This para of the counter affidavit relating to paras 5A & 5C of the OA are absolutely false and are very emphatically denied by the applicants who reiterate the corresponding para of the OA.

f) This para of the counter affidavit relating to para 5(F) of the OA is absolutely false and it is vehemently denied by the applicants reiterate the averments made by them in the corresponding para of the OA.

In view of the submissions made above, the deponent submits that the answering respondent has not been able to show any cause why the relief prayed by the deponent be not granted to the applicants in the above noted OA No. 303/2000 in the interest of justice.

22/05/2001

DEPONENT

VERIFICATION

I, the above named deponent, do hereby say on solemn affirmation that the contents of my above affidavit are true and correct on my knowledge and on legal advice, no part of it is false and nothing material has been suppressed therefrom.

Verified at New Delhi this 22nd day of May 2001.

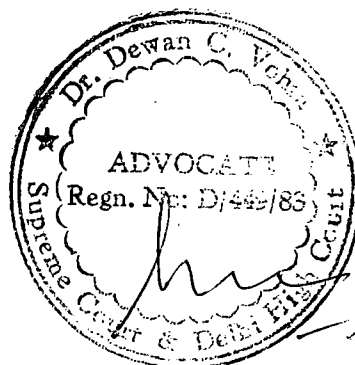
22/05/2001

DEPONENT

ATTESTED

Dr. DEWAN C. VOHRA
ADVOCATE
2, SHIVALIK APARTMENTS,
ALAKNANDA, Ndw Delhi-110019

22 MAY 2001



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI 110001

आयपीठ/CAT (PHN RE: AFFIDAVIT OF DASTI SERVICE/COUNSEL MEMO
काज दाखिल किया COUNTER /REJOINDER /ADDL. AFFIDAVIT ETC
Filed Today

25 MAY 2001

IN

OA NO. 303 OF 2000

NEXT DOH: 1/6/2001

IN THE MATTER OF

Bhupinder Kardam & Ors

APPLICANTS
BY DR D C VOHRA /
KULBIR PRASHAR /
RAJAKUMAR
ADVOCATES

V.

UNION OF INDIA & ORS

RESPONDENTS Ms Meera Chhibber &
Mr A K Bhardwaj Advs

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DR. D.C. VOHRA / KULBIR PRASHAR
COUNSEL FOR THE APPLICANT
PHONES : 6464188, 6253892, 3384820 & 3381161

NEW DELHI DT THE 22nd DAY OF May 2001

COPY TO THE COUNSEL FOR THE RESPONDENTS:

Mr A K Bhardwaj, Addl Standing Counsel for the Central
Govt at CAT/New Delhi and counsel for Private Respon-
dents Nos. 8-14

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filed
womingslot
6/6/01

Received copy
25/5/01
Received
07/6/01 at
1320 hrs.

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178

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: OA NO. 303/2000 WITH MA NO. 372/2000

IN THE MATTER OF:

BHUPINDER KARDAM & ORS ...APPLICANTS

V

UNION OF INDIA & ORS ...RESPONDENTS

REJOINDER AFFIDAVIT BY THE APPLICANT/1
NO.1 TO THE COUNTER AFFIDAVIT FILED BY
THE RESPONDENT NO. 8 TO OA NO.303/2000

I, Bhupender Kardam, son of Shri Chhote Lal, aged 19 years and
resident of 76/31 Pinto Park Delhi Cantt, Delhi 110010, Applicant No/1
in the above noted OA solemnly affirm and declare as under:

01 That I am the applicant no.1 and am aware of the facts and
circumstances of the case and thus fully competent to swear this affidavit

02 That I have gone through the contents of the counter affidavit filed by
the answering respondent and I submit that the averments made therein are
absolutely false and misleading and the same are very emphatically denied

by the deponent.



162 2
175

03 That the para wise comments of the deponent to the counter affidavit of the answering respondents are as under:

- a) This para of the counter affidavit of the answering respondent is a vital admission that he is the son of a person connected with the establishment which made the selection of Mazdoors.
- b) This para is a matter of record and does not need ny comments by the Petitioners/applicants
- c) This para relating to para 4.12 of the OA is absolutely false and denied by the applicants who submit that the answering respondent was a person with lesser merit and did not deserve to be appointed to the post advertised by the Union of India but was appointed because of connection, favouritism and corruption prevailing the department which made selections on extraneous considerartions.
- d) This para relating to para 4.13 of the OA is absolutely false and it is vehemently denied by the applicants who reiterate the averments made by them in the corresponding para of the OA .
- e) This para relating to Para 5(A) of the OA is patently false and it is vehemently denied by the applicants who reiterate the averments made by them in the corresponding para of the OA.
- f) This para relating to para 5(E) of the OA is absolutely false and the same is emphatically denied by the applicants who reiterate the submissions made by them in the corresponding para of the OA

[Handwritten signature]

(163)

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180

In view of the submissions made above, the deponent submits that the answering respondent has not been able to show any cause why the relief prayed by the deponent be not granted to the applicants in the above noted OA No. 303/2000 in the interest of justice.

राजेश चंदन

DEPONENT

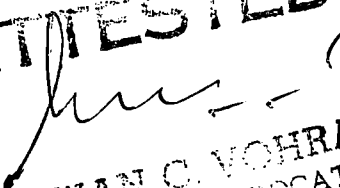
VERIFICATION

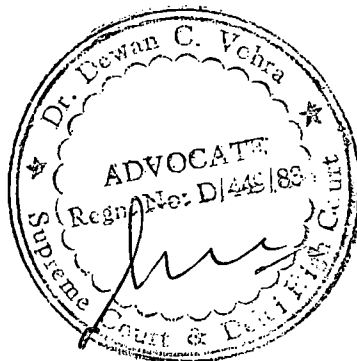
I, the above named deponent, do hereby say on solemn affirmation that the contents of my above affidavit are true and correct on my knowledge and on legal advice, no part of it is false and nothing material has been suppressed therefrom.

Verified at New Delhi this 22nd day of May 2001.

राजेश चंदन

DEPONENT

ATTESTED

DR. DEWAN C. VOHRA
ADVOCATE
2, SHIVALIK APARTMENTS,
ALAKNANDA, Ndw Delhi-110019
22 MAY 2001



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: OA NO. 303/2000 WITH MA NO. 372/2000

IN THE MATTER OF

BHUPINDER KARDAM & ORS

...APPLICANTS

V

UNION OF INDIA & ORS

...RESPONDENTS

REJOINDER AFFIDAVIT BY THE APPLICANT/1
NO. 1 TO THE COUNTER AFFIDAVIT FILED BY
THE RESPONDENT NO. 9 TO OA NO. 303/2000

I, Bhupender Kardam, son of Shri Chhote Lal, aged 19 years and
resident of 76/31 Pinto Park Delhi Cantt, Delhi 110010, Applicant No/1
in the above noted OA solemnly affirm and declare as under:

01 That I am the applicant no. 1 and am aware of the facts and
circumstances of the case and thus fully competent to swear this affidavit

02 That I have gone through the contents of the counter affidavit filed by
the answering respondent and I submit that the averments made therein are
absolutely false and misleading and the same are very emphatically denied
by the deponent.

182

105

03 That the para wise comments of the deponent to the counter affidavit of the answering respondents are as under:

a) This para of the counter affidavit of the answering respondent needs no comments by the applicants, being a matter of record.

b) This para is a matter of record and does not need any comments by the Petitioners/applicants

c) This para wrongly marked as (d) needs no comments by the applicants, being a matter of record.

d) This para is absolutely false as stated by the answering respondent and it is denied by the applicants who submit that the answering respondent was appointed to the post because of favouritism and by the department which made selections on extraneous considerations.

e) This para relating to para 4.12 of the OA is absolutely false and it is vehemently denied by the applicants who reiterate the averments made by them in the corresponding para of the OA.

f) This para is wrongly marked; there is no para 13.2 in the OA: however the averments made by the answering respondents are patently false and are very vehemently denied by the applicants.

g) This para relating to Para 5(A) of the OA is patently false and it is vehemently denied by the applicants who reiterate the averments made by them in the corresponding para of the OA.

h) This para relating to paras 5 (C) to 5(E) of the OA is absolutely false and the same is emphatically denied by the applicants who reiterate the contents of the corresponding paras of the OA

183

166

In view of the submissions made above, the deponent submits that the answering respondent has not been able to show any cause why the relief prayed by the deponent be not granted to the applicants in the above noted OA No. 303/2000 in the interest of justice.

महोदय महोदय

DEPONENT

VERIFICATION

I, the above named deponent, do hereby say on solemn affirmation that the contents of my above affidavit are true and correct on my knowledge and on legal advice, no part of it is false and nothing material has been suppressed therefrom.

Verified at New Delhi this 22nd day of May 2001.

महोदय महोदय

DEPONENT

ATTESTED

Dr. DEWAN C. VOHRA
ADVOCATE
2, SHIVALIK APARTMENTS,
ALAKNANDA, New Delhi-110019



22 MAY 2001

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: OA NO. 303/2000 WITH MA NO. 372/2000

IN THE MATTER OF:

BHUPINDER KARDAM & ORS ...APPLICANTS

V

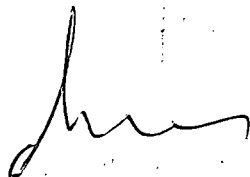
UNION OF INDIA & ORS ...RESPONDENTS

REJOINDER AFFIDAVIT BY THE APPLICANT/1
NO.1 TO THE COUNTER AFFIDAVIT FILED BY
THE RESPONDENT NO. 10 TO OA NO.303/2000

I, Bhupender Kardam, son of Shri Chhote Lal, aged 19 years and
resident of 76/31 Pinto Park Delhi Cantt, Delhi 110010, Applicant No/1
in the above noted OA solemnly affirm and declare as under:

01 That I am the applicant no.1 and am aware of the facts and
circumstances of the case and thus fully competent to swear this affidavit

02 That I have gone through the contents of the counter affidavit filed by
the answering respondent and I submit that the averments made therein are
absolutely false and misleading and the same are very emphatically denied
by the deponent.

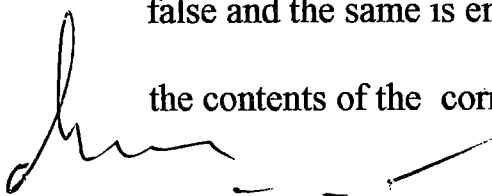


188

185

03 That the para wise comments of the deponent to the counter affidavit of the answering respondents are as under:

- a) This para of the counter affidavit of the answering respondent is a vital admission on the part of the answering respondent and the OA of the applicant deserves to be allowed on this ground alone.
- b) This para is patently false in view of the admission made in para a) above and it is denied by the applicants who submit that the applicant has been appointed because of his father's influence in the recruitment process
- c) This para relating to para 4.12 of the OA is absolutely false as stated by the answering respondent and it is denied by the applicants who submit that the answering respondent was appointed to the post because of his connections and favouritism by the department which made selections on extraneous considerations.
- d) This para relating to para 4.13 of the OA is a vital admission on the part of the answering respondent and apart from reiterating the averments made in the corresponding para of the OA, the applicants submit that the father of the answering respondent was not a person merely as "member in attendance" but influenced the selection of his son who was selected by corrupt practices which needs to be quashed.
- e) This para relating to Para 5(A) of the OA is patently false and it is vehemently denied by the applicants who reiterate the averments made by them in the corresponding para of the OA.
- f) This para relating to para 5 (C) of the OA is absolutely false and the same is emphatically denied by the applicants who reiterate the contents of the corresponding paras of the OA



169
186

In view of the submissions made above, the deponent submits that the answering respondent has not been able to show any cause why the relief prayed by the deponent be not granted to the applicants in the above noted OA No. 303/2000 in the interest of justice.

महोदय

DEPONENT

VERIFICATION

I, the above named deponent, do hereby say on solemn affirmation that the contents of my above affidavit are true and correct on my knowledge and on legal advice, no part of it is false and nothing material has been suppressed therefrom.

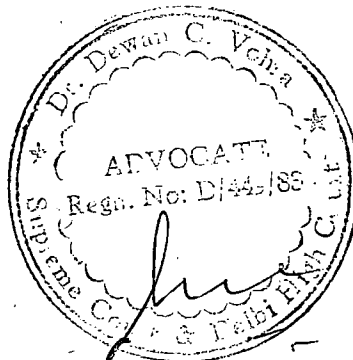
Verified at New Delhi this 22nd day of May 2001.

महोदय

DEPONENT

ATTESTED

Dr. DEWAN C. VOHRA
ADVOCATE
2, SHIVALIK APARTMENTS,
ALAKNANDA, New Delhi-110019



22 MAY 2001

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: OA NO. 303/2000 WITH MA NO. 372/2000

IN THE MATTER OF:

BHUPINDER KARDAM & ORS

...APPLICANTS

V

UNION OF INDIA & ORS

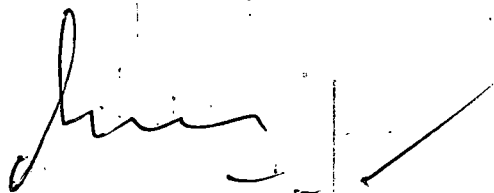
...RESPONDENTS

REJOINDER AFFIDAVIT BY THE APPLICANT/I
NO.1 TO THE COUNTER AFFIDAVIT FILED BY
THE RESPONDENT NO.11 TO OA NO.303/2000

I, Bhupender Kardam, son of Shri Chhote Lal, aged 19 years and
resident of 76/31 Pinto Park Delhi Cantt, Delhi 110010, Applicant No/1
in the above noted OA, solemnly affirm and declare as under:

01 That I am the applicant no.1 and am aware of the facts and
circumstances of the case and thus fully competent to swear this affidavit

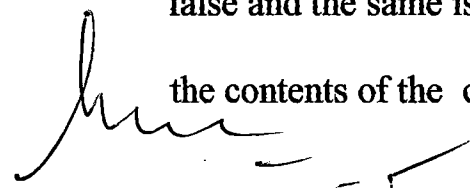
02 That I have gone through the contents of the counter affidavit filed by
the answering respondent and I submit that the averments made therein are
absolutely false and misleading and the same are very emphatically denied
by the deponent.



17/11/88

03 That the para wise comments of the deponent to the counter affidavit of the answering respondents are as under:

- a) This para of the counter affidavit of the answering respondent is a matter of record and calls for no comments by the applicants.
- b) This para is a matter of record and does not call for any comments by the applicants.
- c) This para is totally false and it is vehemently denied by the applicants who submit that the answering respondent got selected not because of his merit and ability but because of his connection and his selection is the result of undue favouritism shown to him by the department which made selections
- d) This para relating to para 4.12 of the OA is absolutely false as stated by the answering respondent and it is denied by the applicants who submit that the answering respondent was appointed to the post because of his connections and favouritism by the department which made selections on extraneous considerations.
- e) This para relating to para 4.13 of the OA is absolutely false as stated by the answering respondent and it is denied by the applicants who submit that the answering respondent was not at all selected on merit but because of the corrupt practices and his selection needs to be quashed.
- e) This para relating to Para 5(A) of the OA is patently false and it is vehemently denied by the applicants who reiterate the averments made by them in the corresponding para of the OA.
- f) This para relating to para 5 (C) & (F) of the OA is absolutely false and the same is emphatically denied by the applicants who reiterate the contents of the corresponding paras of the OA



172/12

In view of the submissions made above, the deponent submits that the answering respondent has not been able to show any cause why the relief prayed by the deponent be not granted to the applicants in the above noted OA No. 303/2000 in the interest of justice.

188

राजेश कुमार

DEPONENT

VERIFICATION

I, the above named deponent, do hereby say on solemn affirmation that the contents of my above affidavit are true and correct on my knowledge and on legal advice, no part of it is false and nothing material has been suppressed therefrom.

Verified at New Delhi this 22nd day of May 2001.

राजेश कुमार

DEPONENT

ATTESTED

Dr. DEWAN C. VOHRA
ADVOCATE
2, SHIVALEK APARTMENTS,
ALAKNANDA, New Delhi-110019



22 MAY 2001

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: OA NO. 303/2000 WITH MA NO. 372/2000

IN THE MATTER OF:

BHUPINDER KARDAM & ORS

...APPLICANTS

V

UNION OF INDIA & ORS

...RESPONDENTS

REJOINDER AFFIDAVIT BY THE APPLICANT/I

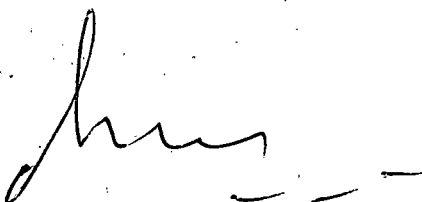
NO.1 TO THE COUNTER AFFIDAVIT FILED BY

THE RESPONDENT NO¹² TO OA NO.303/2000

I, Bhupender Kardam, son of Shri Chhote Lal, aged 19 years and resident of 76/31 Pinto Park Delhi Cantt, Delhi 110010, Applicant No/1 in the above noted OA solemnly affirm and declare as under:

01 That I am the applicant no.1 and am aware of the facts and circumstances of the case and thus fully competent to swear this affidavit

02 That I have gone through the contents of the counter affidavit filed by the answering respondent and I submit that the averments made therein are absolutely false and misleading and the same are very emphatically denied by the deponent.

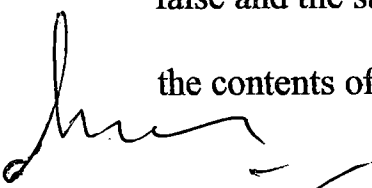


174-14

191

03 That the para wise comments of the deponent to the counter affidavit of the answering respondents are as under:

- a) This para of the counter affidavit of the answering respondent is an admission that his father is employed in the department which was concerned with making selections
- b) This para is a matter of record and does not call for any comments by the applicants.
- c) This para is totally false and it is vehemently denied by the applicants who submit that the answering respondent got selected not because of his merit and ability but because of his connection and his selection is the result of undue favouritism shown to him by the department which made selections
- d) This para relating to para 4.12 of the OA is absolutely false as stated by the answering respondent and it is denied by the applicants who submit that the answering respondent was appointed to the post because of his connections and favouritism by the department which made selections on extraneous considerations and not on his merit.
- e) This para relating to para 4.13 of the OA is absolutely false as stated by the answering respondent and it is denied by the applicants who reiterate the contents of the corresponding para of the OA.
- f) This para relating to Para 5(A) of the OA is patently false and it is vehemently denied by the applicants who reiterate the averments made by them in the corresponding para of the OA.
- g) This para relating to para 5 (C) of the OA is absolutely false and the same is emphatically denied by the applicants who reiterate the contents of the corresponding paras of the OA



175

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192

In view of the submissions made above, the deponent submits that the answering respondent has not been able to show any cause why the relief prayed by the deponent be not granted to the applicants in the above noted OA No. 303/2000 in the interest of justice.

रजेश चन्दन

DEPONENT

VERIFICATION

I, the above named deponent, do hereby say on solemn affirmation that the contents of my above affidavit are true and correct on my knowledge and on legal advice, no part of it is false and nothing material has been suppressed therefrom.

Verified at New Delhi this 22nd day of May 2001.

रजेश चन्दन

DEPONENT

ATTESTED

Dr. DEWAN C. VOHRA
ADVOCATE
2, SHIVALIK APARTMENTS,
ALAKNANDA, New Delhi-110019

22 MAY 2001



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: OA NO 303/2000 WITH MA NO. 372/2000

IN THE MATTER OF:

BHUPINDER KARDAM & ORS

...APPLICANTS

V

UNION OF INDIA & ORS

...RESPONDENTS

REJOINDER AFFIDAVIT BY THE APPLICANT/1

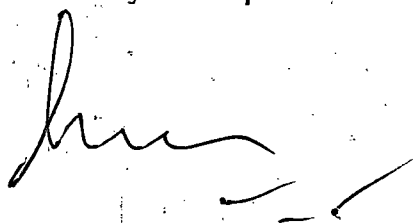
NO. 1 TO THE COUNTER AFFIDAVIT FILED BY

THE RESPONDENT NO. 13 TO OA NO. 303/2000

I, Bhupender Kardam, son of Shri Chhote Lal, aged 19 years, and
resident of 76/31 Pinto Park Delhi Cantt, Delhi 110010, Applicant No/1
in the above noted OA solemnly affirm and declare as under:

01 That I am the applicant no. 1 and am aware of the facts and
circumstances of the case and thus fully competent to swear this affidavit

02 That I have gone through the contents of the counter affidavit filed by
the answering respondent and I submit that the averments made therein are
absolutely false and misleading and the same are very emphatically denied
by the deponent.



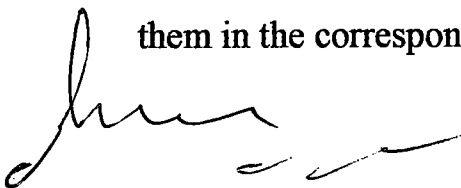
177

17

199

03 That the para wise comments of the deponent to the counter affidavit of the answering respondents are as under:

- a) This para of the counter affidavit of the answering respondent is an admission that his father is employed in the department which was concerned with making selections
- b) This para is a matter of record and does not call for any comments by the applicants.
- c) This para relating to para 4(12) (A) & (B) is totally false and it is vehemently denied by the applicants who submit that the answering respondent got selected not at all because of his merit and ability but because of his father's connection with his superior officer and his selection is the result of undue favouritism shown to him by the department which made selections for extraneous considerations.
- d) This para relating to para 4.13 of the OA is absolutely false as stated by the answering respondent and it is denied by the applicants who submit that the answering respondent was appointed to the post because of his connections and favouritism by the department which made selections on extraneous considerations and not on his merit.
- e) This para relating to para 5(4) - in fact para 5(D) - of the OA is absolutely false as stated by the answering respondent and it is denied by the applicants who reiterate the corresponding para of the OA.
- f) This para relating to Para 5(C) of the OA is patently false and it is vehemently denied by the applicants who reiterate the averments made by them in the corresponding para of the OA.



178

18

195

In view of the submissions made above, the deponent submits that the answering respondent has not been able to show any cause why the relief prayed by the deponent be not granted to the applicants in the above noted OA No. 303/2000 in the interest of justice.

राजेश अग्रवाल

DEPONENT

VERIFICATION

I, the above named deponent, do hereby say on solemn affirmation that the contents of my above affidavit are true and correct on my knowledge and on legal advice, no part of it is false and nothing material has been suppressed therefrom.

Verified at New Delhi this 22nd day of May 2001.

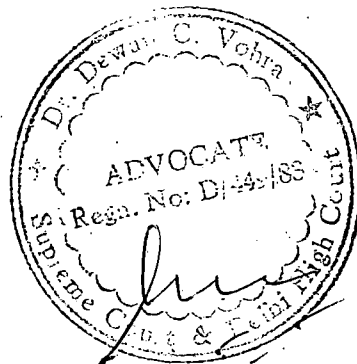
राजेश अग्रवाल

DEPONENT

ATTESTED

Dr. DEWAN C. VOHRA
ADVOCATE
2, SHIVALIK APARTMENTS,
ALAKNANDA, New Delhi-110019

22 MAY 2001



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI 110001

IN RE: OA NO. 303/2000 WITH MA NO. 372/2000

IN THE MATTER OF:

BHUPINDER KARDAM & ORS

...APPLICANTS

V

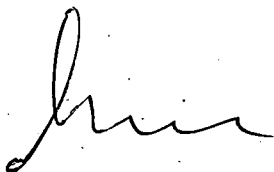
UNION OF INDIA & ORS

...RESPONDENTS

REJOINDER AFFIDAVIT BY THE APPLICANT/1
NO. 1 TO THE COUNTER AFFIDAVIT FILED BY
THE RESPONDENT NO. 14 TO OA NO.303/2000

I, Bhupender Kardam, son of Shri Chhote Lal, aged 19 years and
resident of 76/31 Pinto Park Delhi Cantt, Delhi 110010, Applicant No/1
in the above noted OA solemnly affirm and declare as under:

- 01 That I am the applicant no.1 and am aware of the facts and
circumstances of the case and thus fully competent to swear this affidavit
- 02 That I have gone through the contents of the counter affidavit filed by
the answering respondent and I submit that the averments made therein are
absolutely false and misleading and the same are very emphatically denied
by the deponent.



182 20

197

03 That the para wise comments of the deponent to the counter affidavit of the answering respondents are as under:

a) This para of the counter affidavit of the answering respondent is an admission that his father (who is respondent/6 in this OA) is employed in the department and he was on the Selection Board and influenced his son's selection which needs to be quashed on this short ground alone.

b) This para is patently false as stated by the answering respondent and the same is vehemently denied by the applicants who submit that the answering respondent was not a "normal ordinary candidate" but a favoured person because of his father's position in the selection process and such a selection has not sanctity in the eyes of law.

c) This para relating to para 4(12) of the OA is denied as totally false and it is a fact that the answering respondent got selected not at all because of his merit and ability but because of his father's position; the averments made in the corresponding para of the OA are reiterated by the applicants.

d) This para relating to para 4.13 of the OA is denied as absolutely false as stated by the answering respondent applicants who was appointed to the post because of father's position and his presence in the Selection Board and favouritism was definitely shown in his son's selection.

e) & f) These paras relating to para 5(A) of the OA are denied as absolutely false by the applicants who reiterate para 5(A) of the OA.

g) This para relating to Para 5(C) of the OA is patently false and it is vehemently denied by the applicants who reiterate the averments made by them in the corresponding para of the OA.

[Handwritten signature]

181 21
198

In view of the submissions made above, the deponent submits that the answering respondent has not been able to show any cause why the relief prayed by the deponent be not granted to the applicants in the above noted OA No. 303/2000 in the interest of justice.

राजेन्द्र चन्दन

DEPONENT

VERIFICATION

I, the above named deponent, do hereby say on solemn affirmation that the contents of my above affidavit are true and correct on my knowledge and on legal advice, no part of it is false and nothing material has been suppressed therefrom.

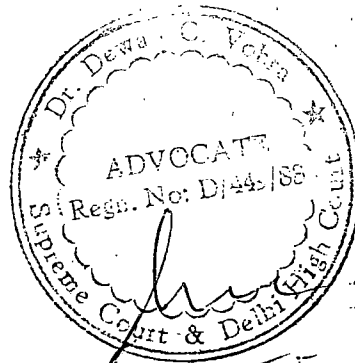
Verified at New Delhi this 22nd day of May 2001.

राजेन्द्र चन्दन

DEPONENT

ATTESTED

Dr. DEWAN C. VOHRA
ADVOCATE
2, SHIVALIK APARTMENTS,
ALAKNANDA, New Delhi-110019



22 MAY 2001