

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
AHMEDABAD BENCH

M.A.324/95 in

**O.A. NO./581/93**

**T.A. NO.**

**DATE OF DECISION** 6th June, 1995

Ajit Singh & ors.

Petitioner

Mr.P.K.Handa

Advocate for the Petitioner (s)

**Versus**

Union of India & ors.

Respondent

Mr.N.S.Shevde

Advocate for the Respondent (s)

**CORAM**

**The Hon'ble Mr. N.B.Patel**

Vice Chairman

**The Hon'ble Mr. K.Ramamoorthy**

Administrative Member

**JUDGMENT**

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

No

1. Ajit Singh Raj (R.A. Singh)
2. B.V.Nikkam
3. Y.R.Pathan
4. Ram Snehi  
C/o. 148/D Railway Colony,  
Pratapnagar, Baroda, All  
working as TFO/Sr.TPC in  
Western Railway, Baroda.

Applicants

Advocate Mr.P.K.Handa

versus

1. Union of India, represented by  
General Manager,  
Western Railway, Churchgate,  
Bombay.
2. Divisional Railway Manager,  
Western Railway,  
Baroda.
3. Sr.Divisional Elec.Engineer (TRD)  
Western Railway, Baroda.

Respondents

Advocate Mr.N.S.Shevde

ORAL ORDER

M.A.324/95 in

O.A.581/93

Date: 6/6/1995

Per Hon'ble Mr.N.B.Patel Vice Chairman

This O.A. is taken up today at the joint request of Mr.Handa and Mr.Shevde. The order Annexure R-1, dated 30-3-1995, shows that the applicant No.1, Shri A.S.Raj is transferred <sup>V</sup> to the same place in the same pay and scale and posted as CTFO (TRD) VS vice Shri Jodhsingh M, at his own request. Mr.Handa concedes that this order fully removes the grievance of the applicant No.1 and hence,

the application has become infructuous so far as the applicant No.1, Shri A.S.Raj is concerned.

2. By the same order, the applicant No. 2, Shri E.V.Nikam and the applicant No.3, Shri Y.R.Pathan, are also now retained in BRC division and promoted to officiate as CTFO (TRD) ANND in the scale of 2375-3500/- (RP). However, in the case of these two applicants, the order states that their promotion will be from the date of taking over charge by them on the promotion posts. It is submitted by Shri Handa that the order of promotion of these two applicants satisfied their demand that they should get promotion on upgradation at Baroda. He, however, further submits that the grievance of these two applicants that they should have been given promotion on upgradation at Baroda w.e.f. ~~xx~~ 1/3/1993 and not with effect from the date of their taking over charge on the promotion posts, pursuant to the order Annexure R-1, still continues. Mr.Handa, on behalf of these two applicants, states that they will be satisfied at this stage, if the respondents are directed to decide within a fixed time-limit, the representations which these two applicants might make claiming benefits of promotion with effect from 1-3-1993, and it is kept open to them to approach the Tribunal again in case they are aggrieved by the decision that may be taken on their said representations. If the applicants No.2 and 3 accordingly make a representation to the appropriate authority within

a period of 15 days hereof, the appropriate authority is directed to consider and take decision on their representations within a period of 8 weeks from the date of receipt of the representations by it and is further directed to communicate its decision to the applicants No. 2 & 3, within a period of 7 days after it is taken. In view of these directions, Mr. Handa seeks permission to withdraw the O.A. even as regards the applicants No. 2 and 3 with liberty to approach the Tribunal again, if the said applicants are aggrieved by the decision which may be taken on their representations. Permission granted with liberty as prayed for. O.A. stands disposed of as withdrawn as regards the applicants No. 2 and 3 and as having been rendered infructuous as regards the applicant No.1. No ~~order~~ order as to costs.



( K.Ramamoorthy )  
Member (A)



( N.B.Patel )  
Vice Chairman

ssh\*

Section Officer.

20/6/1945  
S. J. S.

Counter-sign :

Dated : 22.6.45

*Copy*

Signature of the Dealing  
Asstistant

Signature of the Dealing  
Asstistant

Certified that no further action is required to be taken and  
the case is fit for consignment to the Record Room (Decided).

### CERTIFICATE

Transferred Application No. \_\_\_\_\_ of  
Application No. 641581/93 of

CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH

AT AHMEDABAD BENCH

INDEX - SHEET

CAUSE TITLE 041581/93

NAME OF THE PARTIES MR. A. H. ROBERTS

## VERSUS

U. S. I. 8 00

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

AHMEDABAD.

C.A.T./JUDICIAL SECTION.

Submitted:

Original Petition No:

581

of

1993

Miscellaneous Petition No:

of

Shri Ajita Singh H. Raj 2005

Petitioner(s)

Versus.

U O 12005

Respondent(s).

This application has been submitted to the Tribunal by

Shri D.K.S. Handa

Under Section 19 of the Administrative Tribunal Act, 1985. It has been scrutinised with reference to the points mentioned in the check list in the light of the provisions contained in the Administrative Tribunal Act, 1985 and Central Administrative Tribunals (Procedure) Rules, 1985.

The Applications has been found in order and may be given to concerned for fixation of date.

The application has not been found in order for the reasons indicated in the check list. The applicant Advocate may be advised to rectify the same within 14 days/draft letter is placed below for signature. C.O. Court no 1 has asked to calculate the mauli on 08-10-93.

ASSTT:

S.O. (J):

D.R. (J):

06/10/93

D. Bhattacharya

KNP24492.

Fischer

THE CENTRAL ADMINISTRATIVE TRIBUNAL AT GHMEDABAD.

C.A. NO: OF 1989

*S. A. G. A.*  
and other

.....

APPLICANTS

VS

UNION OF INDIA .....  
AND OTHERS

RESPONDENTS

Application under Rule 5 (a) of the central  
administrative tribunal (Procedure Rule, 1997).

The applicants abovenamed most respectfully submit as  
under:-

1. That the cause of action and, nature of relief  
prayed for is the same and have a common interest in the  
C.A. filed today by the applicants, and therefore, all the  
applicants are required to join together in a single peti-  
tion.

2. In view of the above circumstances, the applicants  
most respectfully prays that:-

Be pleased to permit the applicants to join together  
and to file a signal application in the inter-  
est of justice.

And for this Act of kindness and justice, the  
applicants shall as in duty bound for ever pray.

*H. J.*  
Bhavesh  
Boyle

*P.* *da*  
P.D.

Court-I

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

ORIGINAL APPLICATION NO. 581 1993

Between

AJIT SINGH H. RAJ & OTHERS : APPLICANTS

VERSUS

UNION OF INDIA AND OTHERS : RESPONDENTS

I N D E X

Sl.No.	Particulars of documents which relied upon	Page No.
1.	APPLICATION	1 - 7
A	GM(E) CCG's Order No. E/EL/1026/7/6/1 dt. 20/9/93	8 to 10
A1	DRM(E) BRC's order No. E/ELT/ 839/2/10/2/TRD Pt. 1 dt. 1/4.10.93 Promotion/Transfer order.	11 to 12
A2	GM(E) CCG's circular No. E/PT/ 830/7/PCR/TRD dt. 26.8.93 Restructuring order.	13 to 14
A3	Seniority List published by DRM(E) BRC vide No. E/TRD/1030/10/2 dt. 14.6.91	15 to 19
A4	Representation submitted by applicants dt. 21/9/93 & 22/9/93	20 to 22
A5	Joint representation submitted by the applicants dt. 4.10.93	23 to 24
A6	My Board's instruction vide No. E(NG) II/71/TR/14 dt. 1.10.71 Promotion order issued by no office vide letter No. E/EL/839/7/34 dt. 28/9/93	25

DATE : 6.10.93

PLACE : Baroda

SIGNATURE OF ADVOCATE

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

ORIGINAL APPLICATION NO. 1993

Between

1. Ajit Singh Raj (R.A.Singh)

2. B.V. Nikam

3. Yusufkhan R.Pathan

C/o. 148/B Railway Colony,

Pratapnagar, Bareda

All working as TFO/Sr.TPC in  
Western Railway, Bareda.

: APPLICANTS

Versus

1. Union of India, owning &  
represented by General Manager,  
Western Railway, Churchgate,  
Bombay -400 020.

2. Divisional Railway Manager,  
Western Railway, Bareda.

3. Sr.Divisional Elec.Engineer(TRD)  
Western Railway, Bareda.

4 RamSnehi  
Traction foreman (one)  
W.Rly - Bhunchi.

: RESPONDENTS

DETAILS OF APPLICATION:

1. Particulars of order against which the application has been made:

i) Order No. : E/EL/1026/7/6/1 (A)

E/EIT/839/2/10/2/TRD (Pt.I) (A1)

ii) Dated : 1) 20/9/93

2) 1/4.10.93

iii) Passed by : 1) General Manager (E) W.Rly.  
Bombay.

2) Divisional Rly. Manager (E)  
Bareda

2. Jurisdiction:

The applicants submit that the subject matter of the order against which they want redressal is within the jurisdiction of the tribunal.

3. Limitation:

The order challenged is dated 20/9/93 and 1/4.10.93, as such the application is within the limitation prescribed under Section 21 of the Tribunals Act, 1985.

4. Facts of the Case:

(1) The applicants are working as TFO in Baroda division in the Electrical Traction Deptt. in scale 2000-3200(RP). The applicants further submit that as per instructions of Railway Board vide No. PC III/91/CR-I/ dt. 27.1.93, circulated under DRM(E) BRC's No.E/PT/839/7/PCR/TRB dt. 26.8.93 shown at Annexure A2, 32 posts of CTFO have been upgraded. Therefore, the total number of posts in grade 2375-3500(RP) has become 51.

(2) The applicants submit that the seniority of staff in grade Rs.2375-3500(RP) is maintained on Western Railway basis and promotion orders were issued vide GM (E) Churchgate, Bombay's no.E/EL/1026/7/6/1 dt. 20/9/93 shown at Annexure A in which the applicants are at serial no.9,11 and 12. Accordingly, further order has been issued by Divisional Office vide No.E/ELT/839/2/10/2/TRB Pt.I f dt. 1/4.10.93 shown at Annexure A1.

Applicants No.1 & 3 have been transferred to Keta Division and Applicant No.2 has been transferred to Ratlam Division vide the above referred order.

(3) The applicants submit that as per Restructuring order, promotion is to be given on the same place as far as possible and in the case, the affected persons are to be transferred as per policy

juniers should be transferred out of Division and the seniers should be retained on the same division, where they were working before premo-tion.

The applicants submit that though they are at serial no.44,46 and 47 in the seniority list of Class III staff in scale Rs.2000-3200(RP), and their juniers who are placed at serial number 79,90 & 93, the juniers have been retained in Bareda Division and the applicants who are seniers have been transferred out of Bareda division. The seniority list of Class III Staff Elect.Deptt(TRD) issued vide Divisional Office, Bareda's No.E/TRD/1030/10/2 dt.14.6.91 is shown at Annexure A3.

The applicant further submits that employee at Sl.No.23 - Shri Ram Snehi who is not eligible for promotion even on date, as he has not completed 1 year in the lower grade and has been retained on promotion in Bareda division with the conditions that he will be promoted on completion of 1 year, as CTFO. This clearly indicates that though the employee is not promoted, one post has been kept for him in Bareda division, which clearly shows the malafide intention of the respondents.

(4) The applicants further submits that since the employee Shri Ram Snehi is not eligible for promotion, the eligible person is required to be promoted against this post and Shri Ram Snehi will be promoted as and when vacancy arises in future any where on W.Rly.

(5) The applicants submit that the employees at Sl. 21, 22 and 23 who have been retained in Baroda Division belong to reserved communities. It is understood that the above employees who have been retained in Bareda division on the plea that they belong to reserved communities

As per extant rule, reserved community employees are to be posted near their home town as far as possible which interalia means that if the vacancies are available near their home town, they are required to be accommodated near their home town. But the rule does not cover the instructions that are they/to be retained on the same division at the cost of senior employees of general communities.

If the order on the subject are required to be complied with, then the reserved community employees promoted should be posted near their home town. In the said case, the employees at serial no. 21 to 23 are residents of UP. They should be posted in a division nearer to UP. As per Government of India Office Memorandum of Personnel & Training vide No. AB/14017/27/89/Estt(RR) dt. 20/6/89 - " Holders of Group C & D posts who have been recruited on regional basis and who belong to SC/ST may be posted as far as possible near their native place within the region subject to administrative constraints. However, it may not be possible or desirable to post SC/ST officers of Group A & B posts having All India liability near their native place "

(6) The applicants submit that they have given representation on 21.9.93 and 22.9.93 shown at Annex. A4. and a joint application has also been made by the applicant on 5c 4.10.93 as shown at Annexure A5.

The applicants further submit that wife of one of the applicants is also working at Baroda in DRM Office, Baroda as Chief Clerk, and as per Government policy husband and wife should be posted at the same station as far as possible. As per Railway Board letter No.E(NG)II/71/TR/14 dt.1.10.71

shown at Annexure A6 in which vide para 4, Beard also desired that while transferring an employee from one station to another, the fact that the employee's spouse posted at a particular station will also be kept in view.

(7) The applicants also submitx that as per the extant rules vide GM(E) CCG's No. EP.830/0 Vol.IV dt. 23.2.92, if an employee is at the verge of retirement, he should not be transferred, he should be adjusted in 20% floating post, i.e. a floating post should be brought for him and on his retirement, the fm floating post will go back to its original place. Therefore, Shri Jodh Singh M at Sl.No.2 of Annexure A should be adjusted against a floating post as it was done in Bombay division in case of Shri Pai.

**5. Grounds for relief with legal provisions:**

The respondents have violated the procedure of transfer in that seniors have been transferred on promotion to out of division and juniors have been retained on the same division and also the respondents have violated the instructions of Govt. of India, Personnel & Training vide No. AW/14017/27/89/Estt(RR) dt. 20/6/89 wherein it has been mentioned that reserved community employees are to be posted near their home town as far as possible.

**6. Details of remedies exhausted:**

The applicants declare that they have availed of all the remedies available to them under relevant service rules, etc.

7. Matters not previously filed or pending with any other court:

The applicants declare that they have not filed any application, writ petition or suit regarding the subject matter against which this application has been made, with any other Court, or authority, any other bench of Tribunal nor any such application, writ petition or suit is pending before any of them.

8. Relief Sought:

i) In view of the facts mentioned in Para 4 above, the applicants pray to the Hon'ble Bench to direct the respondent to quash and set aside the promotion order shown at Annexure A and A1 and direct the respondent to issue revised promotion order, keeping in view the seniers at the same station and transferring the juniers out of Baroda division.

ii) Any other reliefs which the honourable Bench deems fit,

iii) Cost of the suit be allowed.

9. Interim order if any prayed for:

During the pendency of Original application, the applicants pray to the Hon'ble Tribunal to grant statusque should be maintained till the finalisation of the application.

10. The application is submitted in person.

11. Particulars of Postal Order:

i) Number of Postal Order:

918769 of 5/10/93

ii) Name of Post office issued

Batasp Nagar P.O. Baroda

Postal Order:

iii) Name of Post office at which Navsang P.O. Ahmedabad payable.

12. List of Documents: As per index.

VERIFICATION

We Ajit Singh H.Raj, son of Harvet Singh aged 46 years, Yusuf son of Rasulkhan M Pathan, aged 43 years and Balkrishan son of Vithaldas Nikam aged 45 years, all are working as TFO/Sr.TPC in DRM Office, under Sr.Divisional Elec.Engineer(TRD) Baroda, residents of Vadodara, do hereby verify that the contents of paras 1 to 12 are true to our personal knowledge and paras 1 to 12 are believed to be true on legal advice and that we have not suppressed any material facts.

DATE: 6. 10. 93

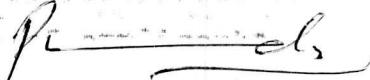
PLACE: Baroda

(1)  (A. H. Raj.)

(2)  (Y. R. Pathan)

(3)  (B. N. Nikam)

SIGNATURE OF APPLICANTS



SIGNATURE OF ADVOCATE

WESTERN RAILWAY.

8

Headquarter Office,  
Churchgate, Bombay.

DATE : 20-9-93

No. E/EL/1026/7/6/1.

To,  
The DRM(E) BCT/BRC/RTM/KTT  
DEE(TRD)-BL/ Sr. DEE(TRD) BRC/RTM/KTT  
General Secretary - WRMS-BCT/WREU-GTR

ପ୍ରକାଶ ରୂପେ କେବଳିକା ପରିବାର  
ଲକ୍ଷ୍ମୀ/ନୋ.

EXN/No.

SUB: Select list of N.G. staff Electrical Department AG-TRD for the post of CTFO. Scale, Rs.2375-3500(RP).

REF: This office letter No. E/EL/830/7 AC-TRD  
dt. 26-8-93.

Competent Authority (CEDE) has considered the following Traction Foreman scale Rs. 2000-3200(RP) suitable for promotion to the post of Chief Traction Foreman scale Rs. 2375-3500(RP) on the basis of seniority cum suitability. The suitability has been judged on the basis of Confidential Reports etc.

Sr. No.	Name (B/F/SC/ST)	Division
1	Jagdish Narain	BCT
2	Jodh Singh	BRC
3	R.M. Patel (ST)	BRC
4	H. R. Kurnali	BOT
5	T. J. " " L	BOT
6	V. R. Kini	BRC
7	I. H. Sayed	BCT
8	B. C. Bhatt	BRC
9	R. A. Singh (Ajit Raj Singh)	BCT
10	L. J. Trivedi	BRC
11	Y. R. Pathan	BRC
12	B. V. Nikam	RTM
13	G. P. Shrivastav	RTM
14	D. K. Sharma	HQ.
15	M. V. Balaji	KTT
16	Narendra Kumar Chauhan	RTM
17	Ashok Kachawah	KTT
18	Pop Singh	RTM
19	B. S. Saxena	RTM
20	D. L. Patel (ST)	BCT
21	B. Arun (SC)	BRC
22	Jatin Singh (SC)	BRC
23	Ram Sachi (SC)	BRC

259 The above select list is provisional and subject to the decision on the writ petition/appeals pending in the Supreme Court/High Court/OAT as the case may be.

Above roll out list is incomplete due to dispute in  
the seniority, name or S employee shall be notified later on.

The above select list is effective from 01-03-93.

6745-199  
(B.S.YADAV)  
or General Manager(E)

6/25/2012 11:24 AM (local)/07/2012 09:45 AM (local) for information.

The City  
of St. Louis

(9)

WESTERN RAILWAY

Headquarters Office,  
Chhatrapati, Bombay.

No. E/EL/839/7/34 Vol. IV.

Date : 20-9-93

To: DGM (v) BCT/BRC/RTM/KTT  
DEE(TRD) BL/Sr. DEE(TRD) BRC/RTM/KTT,  
General Secretary - WREU-GTR/WRMS-BCT.

SUB: Promotion, Reversion and transfer  
of class III staff AC-TRD Electrical  
Dept. OTFO scale Rs.2375-3500(RP)

REF: This office letter No. E/EL/1026/6/1  
dt. 20-9-93.

Consequent upon restructuring of the cadre of  
AC-TRD, the following TFO, scale Rs. 2000-3200(RP) are  
promoted to officers in OTFO scale Rs. 2375-3500(RP) against  
the upgraded posts and existing vacancies of the Divisions  
shown against each.

Sr. No.	Name(S/Shri)	Remarks
---------	--------------	---------

BCT Division: Upgraded Post 2+3 (floated from RTM)  
+1 (floated from KTT)\*  
Total = 6

1	Jagdish Narain
2	S. R. Kurmi
3	T. J. Patel *
4	V. R. Kini
5	H. C. Bhatt
6	D. B. Patel(ST)

\* Shri Patel is retiring within 2 years hence one more  
post of OTFO - KTT will be floated to BCT, in terms  
of this office letter No. E/EL/839/7/34 Vol. IV dt. 20-9-93  
in lieu of 1 post of TFO transferred to KTT.

WRC Division: Upgraded post 4+2 (floated from KTT)  
Total = 6

1	Jodh Singh
2	R. M. Patel(ST)
3	I. H. Sayeed
4	B. Arun (SC)
5	Dhan Singh (SC)
6	Ram Shehi (SC)

will be promoted on completion  
of 1 year as TFO

RTM Division: Upgraded post 5+3 (existing vacancies)  
= 8 (3 posts floated to  
BCT)

1	G. P. Bhattacharya
2	J. P. Bhattacharya
3	A. D. K. Kachariah
4	B. S. Somera
5	B. V. Nikar
6	M. V. Balaji

Transferred from BRC Division  
Paper promotion,

..... 2/-

Sr. No.	(S/197)	Remarks
KTU Division		Upgraded posts 8+5(existing vacancy) +13(3posts floated to DCT/BRG)
	Total	10

1} N.K.Grawal  
2} Pop Singh  
3} D.J.Trivedi      Transferred from BCT Division.  
4} R.A.Singh      Transferred from BRC Division  
5} Y.H.Puthan

promotion orders in respect of 5 employees will be issued later on.

The above promotion against the upgraded post are effective from 1-3-93 i.e., Sr. No. 1 to 14 and Sr. No. 20 to 23 of the salaried list.

The above employees who are promoted against upgraded post, existing vacancies are eligible to exercise option for fixt of pay in terms of Board's letter No. E(P&A)II-01-PC-4 dt.13.11.89 within a period of one month from the date of issue of this order.

The above promotions are subject to their being no final binding against the employee and also provisional and subject to the judgment/well petition pending in the Supreme Court/High Court/CAT as the case may be.

The above promotion orders have the approval of competent Authority (CDE).

Finalization will follow.

6/197  
(B.S.YADAV)  
for General Manager (E).

C/- CDE/ P/ CLE (197) C/1 for finalization

\* CLE (197)

Final  
AM

P✓

(11)

western Railway

Divisional Office,

Baroda.

Dated: 4/10/1993.

No.E/ELT/839/10/2/TRD Pt.I

MEMORANDUM.

sub: Promotion, Reversion and Transfer of Class-III  
NG Staff - Elect. TRD Deptt. - BRC Division.  
Supervisory Staff scale R.2000-3200(RP) and  
R.2375-3500(RP).

Ref (1) GM (E) C.G's letter No.E/EL/839/7/34 vol.IV dt.

20/9/93.

(2) GM (E) C.G's letter No.E/EL/1026/7/6/1 dt.20/9/93.

(3) GM (E) C.G's letter No.E/EL/830/7/Restructuring  
dt.26/8/93 and 17/9/93.

====X====

The following transfer orders are issued which should be  
carried out immediately.

As per HQ. office letter No.E/EL/830/7/Restructuring/AC-TRD  
dated 26/8/93, 11 posts of CTFOs have been pin pointed on BRC  
Division in addition to above letter and letter of even No. dated  
17/9/93. 2 (Two) posts of CTFOs have been floated from KTT  
Division to BRC Division. These posts will be operated as CTFO  
(N) VS and CTFO(S) VS.

As per HQ. office letter No.E/EL/839/7/34 vol.IV dt.  
20/9/93, TFOs are promoted as CTFOs scale R.2375-3500 (RP) and  
posted as under:-

Sr. NO.	Name	Present posting	Scale	Revised posting	Scale
1.	Shri Z.R. Pardeshi	CTFO(I) VS	2375-3500	CTFO(S) VS	2375-3500 (RP)
2.	" P.K. Mishra,	CTFO(II) VS	-do-	CTFO(N) VS	-do-
3.	" Jodh Singh	Sr.TPC/PRTN	2000-3200	CTFO(TRD) VS	-do-
4.	" R.M. Patel,	TFO(W/S) VS	-do-	CTFO(Workshop & Stores) VS.	-do-
5.	" I.H. Saiyed	TFO(C) BH	-do-	CTFO(TRD) DK	-do-
6.	" B. Arun	TFO(C) VS	-do-	CTFO(TRD) ANND	-do-
7.	" Dhansingh	TFO(OHE) ADI	-do-	CTFO(TRD) GDA	-do-
8.	" Ram Sanehi (SC)	TFD(OHE) BH	-do-	CTFO(TRD) KSB	-do-

Promotion of Shri Ram Sanehi will be effected on completion  
of 1 year as TFO i.e. from 16/12/93. Till such time he will  
work as TFO(OHE) KSB.

Shri B.V. Nikam, Sr.TPC scale R.2000-3200(RP) working  
3500 (RP) is promoted to officiate as CTFO scale R.2375-3500 (RP)  
and transferred to RTM Division.

1c. Shri R.A. Singh, TFO(Line-1) PRTN and  
TFC(OHE) ANND scale R.2000-3200 (RP)  
officiate as CTFO (scale R.2375-3500 (RP))  
to KTT Division.

11. Shri M.A. Pathan, TFO/BL scale Rs.2000-3200 (RP) working under BCT Division is transferred in the same scale and pay and posted as TFO(SS/PSI) scale Rs.2000-3200 (RP) at MHD.

12. Shri Prabhusingh, TPC scale Rs.1600-2660 (RP) working under CTPC/PRTN is promoted to officiate as Sr.TPC scale Rs.2000-3200 (RP) under CTPC/PRTN against existing vacancy due to upgradation.

13. Shri B.K. Chawda, ATFO(W/S) VS scale Rs.1600-2660 (RP) working under TFO(W/S) VS is promoted to officiate as TFO(W/S) VS scale Rs.2000-3200 (RP) due to upgradation vice Shri R.M. Patel, at Sr.No.4 above.

Item No.3, 4, 5, 6, 12 & 13 are promoted against upgradation post from 1/3/93 and item No.8 from 16/12/93 only.

Employees who desire to fix their pay from the date of next increment as per option, may give their option within one month from the date of issue of this orders.

No further correspondence will be entertained after one month regarding option.

This has the approval of competent authority.

10 Days joining time, TA, DA, Transfer & Packing allowance, Kit pass etc. is admissible to the employees at Sr.No.5 to 11 only.

*Ex/4/153*  
for DRM(E) BRC.

Copy forwarded for information and information to:

CTPC/PRTN, CTFO(TRD) I & II/VS, CTFO(C) VS, CTFO(TRD) BH, CTFO(TRD) ADI, TFO(W/S) VS, TFO(C) BH, TFO(OHE) ADI, TFO(OHE) KSB & TFO(OHE) BH, CTPC/FAC/PRTN, CTFO(C) VS, Sr.DEE(TRD) BRC, DSE(TRD) BRC, AEE(TRD) BRC, AEE(TRD) GDA for information and necessary action please.

DRM(E) RTM, DRM(E) KTT & DRM(E) BCT for information Pl. CSE/B/CCG for information in ref. to upgradation.  
Divl. Secy., WREU/WRMS-BRC for information please.

...

*True copy*

*P. A.*

WESTERN BATIWAY

PRATAPNAGAR HOSPITAL.

3-414 3/tv 66325

(P)

WESTERN RAILWAY

AY  
Headquarter Office,  
Churchgate, Bombay.

No.E/EL/830/7 AC TRD

26.08.1993.

DRM(E) - BCT/BRG/RTM/KTT  
SR.DEE(TRD) - BL/BRG/RTM/KTT

Sub: Restructuring of Group 'C' cadre upgradation  
of posts - Electrical Dentt Technical Supervisors  
in AC Traction TRD Organisation.

Ref: i) Bd's letter No.PC-II/91/CRC/1 dated 27.1.93  
circulated under GM(E) CGC's letter No.EI/830/0  
(Restructuring) F.S.No.14/93 dated 8.2.93.  
ii) DRM(E) BCTs letter No.E/ELT/830/2 dt. - 3.93.  
iii) DPO(II) BRCs D.O.No.E/EL/830/2/TRD Pt.1 dated  
29.3.93.  
iv) DRM(E) RTMs letter No.E/EL/TRD/830/6 dated  
11.3.93.  
v) APO(EL) KTTs D.O.letter No.E/EL/TRD/174/1  
dated 24.11.92.

- - - - -

Competent Authority (CEDE) has accorded sanction to the revised cadre of Technical Supervisors in grade Rs.1400-2300(RP) and above in AC Traction TRD Organisation at Bombay, Baroda, and above in AC Traction TRD Organisation at Ratlam, Kota divisions and HQ Office is enclosed herewith for information and necessary action. The revised cadre is based on the percentage distribution of posts effective from 1.3.1993.

The revised cadre has the concurrence of FASCAO CGC and will have effect from 1.3.93. Pin-pointing of posts of CTFO scale Rs.2375-3500(RP) will be issued separately.

5 posts of CTFO scale Rs.2375-3500(RP) will be made as floating in terms of letter No.EP/830/0 (Restructuring) dated 22.2.93.

(B.S. Yadav)  
for General Manager (E)

T. S. Ch.

P. S. Ch.

### EXISTING CADRE

PERMANENT POSTS

REVISED CADRE FROM 1.3.93

<u>Category and scale</u>	
OTFO h. 2375-3500	
TFO h. 2000-3200	
ATFO h. 1500-2660	
ELD h. 1400-2300	
<b>Total</b>	

TEMPORARY POSITS

REVISED CADRE: FBI CM 1-3-93

<u>category and scale</u>	<u>BCT</u>	<u>BRG</u>	<u>RTM</u>	<u>KT</u>	<u>HO</u>	<u>Total</u>	<u>BCT</u>	<u>BRG</u>	<u>RTM</u>	<u>KT</u>	<u>HO</u>	<u>Total</u>	<u>Difference</u>
CTFO Rs.2375-3500	-	-	7	11	2	20	-	-	12-3	18-1	2	32	(+12)
TFO Rs.2000-3200	-	1	17	30	3	51	-	1	18	30	3	52	(+1)
ATFO Rs.1600-2660	-	19	33	-	52	-	18	29	-	47	(-5)	-	
ELC Rs.1400-2300	-	26	37	-	64	-	1	21	34	-	56	(-8)	-

Total

100 100 100

True  
Centrif

## Western Railway

16

Divisional Office,  
Baroda-4.  
Dtd: 14/6/1991

No. E/TRD/1030/10/2.

CTFO(TRD) I&II BRC  
CTFO/C/VS, BH  
CTFO(OHE)BH, ADI, (RC)PRTN  
CTPC-PRTN, CTA/TRD-PRTN  
TFO-I/II(Link)PRTN, CTA(C)PRTN  
CTFO(C)PRTN  
TFO(OHE)ADI, VS, BH  
TFO(S)VS, TFO(PSI)VS(AC)PRTN  
Sr. Lect. I/C ZETS-BRCY.

Sub: Seniority list of class III staff-Electrical Department-  
AC-T.D cadre.

Ref: CEE(E) letter No. E/EL/1030/7/3(AC-TRD) dt. 7.5.91

The seniority list of CTFO scale Rs.2375-3500(RP) and TFO scale  
Rs.2000-3200(RP) of AC-TRD cadre received under CEE(E)CCG's letter No.  
E/EL/1030/7/3(AC-TRD) of 7.5.91 is published herewith for information  
and necessary action.

Representations if any should be sent to this office within a  
period of one month from the date of receipt of this letter.  
Representations received after one month will not be entertained.  
Representations in duplicate should be sent to this office in one  
bunch alongwith your detailed remarks thereon.

Encl: Seniority list.

for DRM(E)-Baroda.

Copy forwarded for necessary action to:

CEE(E)CCG for inf. in ref. to his No. E/EL/1030/7/3(AC-TRD) dt. 7.5.91  
Sr. DEE/TRD-BRC, DEE/TRD for inf.

AEE/TRD-BRC GDA

Principal ZETS-BRCY for information, P&G files  
c/-Divl. Secy. WREU/WRMS-BRC for inf.

Western Railway  
Seniority list of class III staff Electrical Deptt. AC-TRD  
Cadre CTFO scale Rs.2375-3500(RP)

Sr. No.	Name	Division	Date of birth	Date of apptt.	Date of offg.	Remarks
1	B.K. Singh	BRC	6.8.43	17.8.70	14.8.81	Tfd. to CPM- RE-Ranchi Offg. as AEE C1.II on adhoc basis
2	C.Ghosh	Metro Rly.CAL		17.8.70		
3	H.R. Shah	BRC	1.1.44	16.12.69	14.8.81	
4	B.D. Ghadiali	BCT	28.9.34	25.2.54	21.2.80	
5	S.S. Dogra	BCT	15.12.39	7.9.64	14.8.81	
6	D.C. Upadhyay	BCT/BL	29.12.44	30.11.70	14.8.81	
7	O.P. Bundel (SC)	BCT/BL	4.10.51	18.3.77	14.8.81	
8	B.N. Gulati	KT	15.7.40	13.6.62	1.1.84	<del>Offg. as AEE</del> <del>C1.II</del>
9	M. Subramanya	BCT/BL	8.2.42	6.7.63	1.1.84	<del>Offg. as AEE</del> <del>C1.II</del>
10	R.M. Parekh	BCT/BL	15.3.44	15.12.69	1.1.84	Offg. as AEE C1.II.
11	Z.R. Parekh	BRC	15.1.37	30.7.63	1.1.84	
12	S.Sriramulu	BRC	1.1.43	15.11.65	1.1.84	
13	H.M. Khetri	BRC	4.2.45	31.12.65	1.1.84	
14	A.C. Jain	RE-BRC	3.8.41	26.9.66	24.7.85	Working in RE-BRC
15	Rajaram Pandey	RTM	10.7.45	16.7.70	24.7.85	

1	2	3	4	5	6	7
16	M.G.Deshpande	KTT	22.9.46	14.8.64	24.7.85	
17	R.P.Mehra	BRC	22.9.44	12.6.69	24.7.85	
18	G.P.Gaur	BRC	28.1.48	12.6.69	24.7.85	
19	P.K.Mishra	BRC	5.5.49	15.7.70	24.7.85	
20	S.C.Sharma	BRC	17.10.46	13.7.70	24.7.85	
21	O.P.Agarwal	BRC	1.7.48	19.6.70	24.7.85	
22	S.K.Satsangi	RTM	27.9.43	13.7.70	24.7.85	
23	M.B.Sharma	RTM	5.9.46	13.6.69	1.5.86	Offg. as AEE Cl.II
24	A.K.Sharma	RTM	15.8.48	12.6.8	1.5.86	
25	K.K.Verma (SC)	RTM	29.11.48	12.7.68	7.5.87	Offg. as AEE Cl.II
26	K.K.Bhabhor (ST)	RTM	1.6.55	7.2.77	13.7.87	
27	R.P.Garg	KTT	2.3.49	27.6.69	12.10.88	
28	P.H.Dhanwani	BRC	1.10.37	19.8.58	6.2.89	
29	P.U.Acharya	BRC	4.7.38	16.5.55	6.2.89	
30	C.K.Shah	BCT	26.7.48	4.6.69	22.3.89	
31	S.N.Saxena	BRC	10.4.42	28.11.58	6.2.89	
32	R.I.Malik	BRC	30.10.40	10.7.68	6.2.89	
33	M.V.Pai	HQ	26.6.33	21.5.58		Tfd. to Konkan Rly
34	R.S.Solanki	KTT	19.1.41	26.11.68		
35	P.N.Boricha	BCT	15.4.51	5.4.78		

पाइंतम रेलवे

मुंबई फायरल्य, वडोदरा

दिनांक: 27-6-91

सं.इ/टी आरडी/1030/10/2

विषय :- तृतीय श्रेणी फर्म.फी वरीयता सूची-ए.सी विभाग-  
टी आरडी संवर्गः

संदर्भः - मु.बि.इंजी।सथा।का दि. 7-5-91 का पत्र सं.इ/इएल/1030/7/3  
। एसी टी आरडी ।

- x -

मु.बि.इंजी।सथा।चर्चगेट के दि. 7-5-91 के पत्र सं.इ/इएल/1030/7/3

। एसी-टी आरडी । के अधीन प्राप्त एसी-टी आरडी संवर्ग मु.फर्मा.फोर.

वे.मा.इ.2375-3500।सवै। तथा फर्मा.फोरमेन, वे.मा.इ.2000-3200।सवै।की  
वरीयता सूची सूचना एवं आकर्षित फार्माइंग हेतु प्रकाशित की जाती है।

इस पत्र के प्राप्त होने की तारीख से एक माह की अवधि के अन्दर<sup>1</sup>  
यदि फोर्म प्रतिवेदन प्राप्त हो तो इस फायरल्य को मैज दें। एक माह के  
अवधि के बाद प्राप्त होने वाले प्रतिवेदनों पर विधार बही किया जाएगा।  
प्रतिवेदनों को आपकी विस्तृत विषयी के साथ हो प्रतियों में इस फायरल्य को  
एक बंद में मैज दें।

कृते म.रे.प्र.।सथा।

वडोदरा

WESTERN RAILWAY

Seniority list of class III staff - Elect. Deptt. AC=TRD  
Cadre - TFO scale Rs.2000-3200(RP).

Sr. No.	Name	Divis- ion	Comm. ion	Date of birth	Date of Apptt.	Date of offg.	Remarks
1	2	3	4	5	6	7	8
1.	B.K. Singh	BR	RC	8-5-43	8-17-70	8-1-83	Tfd, to Re- Ranchi.
2.	A.C. Ghosh	Metro Rly. CZL	-	-	8-17-70	-	Tfd, to Metro Rly. Calcutta
3.	H.R. Shah	BR	-	1-1-44	12-16-69	8-1-83	Offg. as CTFO Rs. 2375-3500
4.	B.D. Ghadiali	BCT/BL	-	9-23-34	2-25-54	8-1-83	V. Retd.
5.	B.S. Dogra	BCT	-	12-15-39	9-7-61	8-1-83	Offg. CTFO Rs. 2375-3500(RP)
6.	D.C. Upadhyay	BCT/BL	-	3-29-45	11-30-70	8-1-83	-do-
7.	R.N. Gulati	KT	-	7-15-40	6-13-62	8-1-83	-do-
8.	M. Subramanian	BCT/BL	-	2-8-42	7-6-83	8-1-83	Offg. as AEE in Cl. II
9.	R.M. Parekh	BCT/BL	-	3-15-44	12-15-69	8-1-83	Offg. CTFO Rs. 2375-3500(RP)
10.	Z.R. Pardeshi	BR	-	1-15-27	7-30-63	8-1-83	-do-
11.	S. Sriramuly	BR	-	1-1-43	11-15-65	8-1-83	-do-
12.	H.M. Khatri	BR	-	2-4-45	12-34-65	8-1-83	-do-
13.	R.C. Jain	BR	-	3-2-41	9-26-66	8-1-83	-do-
14.	Rajaram Pandey	RT	-	7-10-45	7-16-70	8-1-83	-do-
15.	M.G. Deshpande	KT	-	9-22-46	8-14-69	8-1-83	Offg. AEE
16.	R.P. Mehra	BR	-	9-22-44	6-12-69	8-1-83	Class II Offg. CTFO Rs. 2375-3500
17.	O.P. Bundel	KT	SC	10-4-51	3-18-77	1-1-83	-do-
18.	A.K. Dharmik	BL	ST	7-1-41	5-4-54	1-1-83	-do-
19.	G.P. Gaur	KT	-	1-28-48	6-42-69	8-1-83	-do-
20.	P.K. Mishra	BR	-	5-5-49	7-15-70	8-1-83	-do-
21.	S.C. Sharma	BR	-	10-17-46	7-13-70	8-1-83	-do-
22.	O.P. Agarwal	BR	-	7-1-48	6-19-70	8-1-83	-do-
23.	S.K. Satsangi	RT	-	7-4-43	7-3-70	8-1-83	-do-
24.	M.B. Sharma	HQ	-	9-5-45	6-13-69	8-1-83	-do-
25.	A.K. Sharma	RT	-	8-15-48	6-12-69	1-1-84	Offg. AEE Cl. II
26.	K.K. Verma	RT	SC	11-29-48	7-12-69	1-1-84	Offg. as CTFO 2375-3500(RP)
27.	C.K. Shah	RR	-	7-26-48	6-4-59	1-1-84	Offg. as AEE El. II
28.	R.P. Garg	BR	-	3-2-49	6-27-69	1-1-84	Offg. as CTFO 2375-3500(RP)
29.	P.H. Dhanwantri	BR	-	10-1-37	8-19-58	1-1-84	Offg. as CTFO 2375-3500(RP)
30.	P.U. Acharya	BR	-	7-4-38	5-16-55	1-1-84	-do-

✓ 30. M.V. Pai	HQ	6-26-33	5-21-58	1-1-84	1fa.td
✓ 31. Sardish Narain	BCT/BL	7-15-42	1-6-66	1-1-84	Konkan Rly.
✓ 32. R.I. Malik	BRC	10-30-40	7-10-58	1-1-84	Offg.as CTFO
✓ 33. S.N. Saxena	BRC	11-40-42	11-29-58	1-1-84	2375-3500(RP)
✓ 34. John Singh	BRC	10-15-37	9-28-58	1-1-84	2375-3500(RP)
✓ 35. R.M. Patel	BRC	ST 1-19-53	8-8-74	1-1-84	2375-3500(RP)
✓ 36. K.K. Bhabhor	RTM	SC 6-1-55	2-7-77	1-1-84	Offg.as CTFO
✓ 37. B.S. Solahki	BCT/BL	1-10-41	11-23-58	1-1-84	Offg.as CTFO
✓ 38. S.R. Kurmi	BCT/BL	6-30-39	11-24-61	1-1-84	2375-3500(RP)
✓ 39. T.J. Pai	BCT/BL	1-10-37	11-17-58	1-1-84	2375-3500(RP)
✓ 40. R. Kini	BCT/BL	1-21-40	5-7-57	1-1-84	2375-3500(RP)
✓ 41. I.H. Sayed	BCT/BL	3-27-49	3-12-74	1-1-84	2375-3500(RP)
✓ 42. B.C. Bhatt	BCT/BL	9-13-48	11-12-73	1-1-84	2375-3500(RP)
✓ 43. B.A. Singh	BRC	8-28-48	8-7-74	1-1-84	2375-3500(RP)
✓ 44. D.J. Trivedi	BCT/BL	4-24-50	6-23-73	1-1-84	2375-3500(RP)
✓ 45. V.R. Pathan	BRC	10-18-50	6-23-73	1-1-84	2375-3500(RP)
✓ 46. B.B. Nikam	BRC	11-5-48	8-13-74	1-1-84	2375-3500(RP)
✓ 47. G.P. Saraswat	BRC	1-1-50	8-7-74	1-1-84	2375-3500(RP)
✓ 48. B.K. Sharma	KTT	6-25-51	8-19-74	1-1-84	2375-3500(RP)
✓ 49. V.P. B. Ia	BRC	8-5-48	7-21-75	1-1-84	2375-3500(RP)
✓ 50. D.K. Dovila	KTT	2-10-52	6-28-76	1-1-84	1fa.td from DC traction.
✓ 51. M.V. Balani	HQ	4-2-56	8-1-84	9-30-86	2375-3500(RP)
✓ 52. Narendra Kumar	KTT	10-5-60	12-2-86	7-1-86	Direct re- cruit.
✓ 53. Ashok Kachawaha	RTM	3-2-56	11-17-86	12-16-86	Direct re- cruit.
✓ 54. Abhay Johri	RTM	2-19-62	11-11-86	7-1-87	Direct recruit.
✓ 55. B.S. Saxena	RTM	8-21-53	11-10-75	7-15-88	

1	2	3	4	5	6	7	8
57	S/shri D.L.Patel	BCT	ST	06.01.48	10.28.77	07.15.88	
58	P.N.Boricha	BCT	SC	04.15.51	05.30.74	07.15.88	Offg. CTFO scale Rs. 2375-3500 (RP).
59	D.K.Patel	BCT		04.15.51	05.30.74	07.15.88	
60	A.K.Gaur	BRC		04.10.54	09.02.78	07.15.88	
61	R.J.Gupta	BRC		03.23.55	09.02.78	07.15.88	
62	C.M.Chauhan	RTM		01.30.54	02.25.78	07.15.88	
63	O.P.Jain	KT		02.23.50	07.11.70	07.15.88	
64	Kuldeep Singh	KT		03.07.45	10.10.73	07.15.88	
65	N.K.Saxena	KT		01.02.55	09.09.79	07.15.88	
66	V.R.Ramdurai	BRC		06.06.40	08.31.59	09.14.88	
67	R.C.Chittora	RTM		08.15.58	09.25.78	08.19.88	
68	M.C.Chaubey	KT		01.02.56	10.09.78	08.31.88	
69	C.M.Phillipose	BCT		08.16.42	05.20.77	10.30.88	
70	D.S.Sharma	RTM		08.12.54	03.14.82	07.15.88	
71	S.K.Khullar	BRC		01.08.56	04.20.82	09.14.88	
72	Shantakumar V	KT		12.18.56	04.20.82	07.15.88	
73	Sudesh Pal	KT		07.15.57	04.18.82		
74	A.P.Shrivastava	KT		01.05.54	04.17.82	08.31.88	
75	A.P.Mishra	KT		07.01.55	04.20.82	08.31.88	
76	P.H.Varma	KT		01.01.59	04.22.82	08.31.88	
77	A.P.Singh	KT		03.04.55		08.31.88	
78	Narendra Singh	KT		ST 07.10.55	09.11.82	09.14.88	
79	B.Arun	BRC		06.12.56	09.26.81	08.31.88	
80	Jeet Singh	KT		09.02.58	10.13.81	08.31.88	
81	M.A.Siddiqui	KT		07.28.59	07.13.83	09.14.88	
82	R.B.Suthar	KT		01.01.56	01.15.82	08.31.88	
83	M.Sharma	KT		04.16.62	10.13.81	08.19.88	
84	R.P.Harsole	RTM		08.12.54	12.17.73	08.19.88	
85	R.S.Mishra	RTM		04.28.52	11.20.83	09.14.88	
86	Y.D.Mishra	KT		03.10.60	12.27.83	08.19.88	
87	S.S.Das	BRC		06.10.53	02.22.75	03.13.89	
88	S.M.Daur	RTM		01.15.58	11.11.83	18.08.88	
89	S.K.Sharma	RTM		SC 08.31.54	12.27.83		
90	Dhan Singh	BRC		07.10.58	01.04.83	08.12.89	
91	K.P.Mishra	KT		09.10.55	02.25.83	08.12.89	
92	Murliram Yadav	KT		12.30.50	04.10.76	08.12.89	
93	Dharmpal Singh	KT					

7/1  
R  
R

From:

AM

(20)

Dated: 21/9/1993.

Ajitsinh. H. Raj (R.A. Singh)  
traction foreman (line-1),  
Pratapnagar,  
Bareda,

To

CCG/CCG,

Through Proper Channel:

R/Sir,

Sub: Promotion, Reversion and Transfer of  
Class III staff AC-TRD Electrical Deptt.  
CTPO scale h.2375-3500 (RP).

Ref: OM (S) CCG's letter No. E/EL/839/7/34 vol. IV  
dated 20/9/93.

\*\*\*\*\*

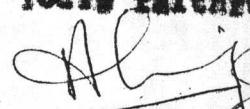
With due respect I, the undersigned state the following  
few lines for your kind and sympathetic consideration:-

- 1) Sir, I am promoted and posted at KTR Division as CTPO in scale h.2375-3500 (RP) vide letter under reference.
- 2) Sir, from the promotion order it appears that on BRC Division Sr.No.6 Shri Ram Sanchi has been considered for promotion to CTPO even though he has not completed one year in scale h.2000-3200 (RP). As per Railway Board's orders minimum 2 years service in the same scale is required for getting next promotion. However, the question of promotion of Shri Ram Sanchi does not arise at present, as he has not completed even one year service in scale h.2000-3200 (RP).
- 3) Sir, I am the seniormost person in BRC Division and would have got the promotion in BRC Division only if Shri Ram Sanchi at sr.no.6 would not appear.
- 4) As my children are studying in higher classes in Bareda with Gujarati Medium and old father & mother are also staying with me. I will not be able to carry out my transfer to KTR.
- 5) Sir, in view of the above, you are requested to kindly issue my posting order as CTPO in BRC Division vice Shri Ram Sanchi at sr.no.6 who is not due for promotion at present.

I hope that your goodself will grant me the legitimate justice by way of issuing my promotion order on BRC Division at the earliest, pl.

Thanking you sir in anticipation,

Yours faithfully,



21/9/93.

(A.H. Raj)

Dhaval  
R

C/- Shri D.V. Malhotra, CCG/CCG,  
He is requested to kindly consider my case with parental  
heart.

C/- Shri Sunil Goyal, Sr. DESK (TRD) BRC for kind information and  
favourable action at the earliest at his level pl.

C/- OM (S) CCG for information and favourable action please.

From : Y. R. PATHAN,  
TFO(OHS)/ANND.

(21)

Date : 22-9-1993.

To,

The GM (E) CCG.

(Through Proper Channel)

Respected Sir,

Sub : Promotion, Reversion & Transfer of Class-III staff - AC-IRD Electrical Dep'tt. CMO Scale Rs. 2375-3500 (RP).

Ref : Your office letter No. 1. E/EL/1026/6/1 dt'd. 20.9.1993 and 2. E/EL/839/7/34/Vol.IV dt'd. 20.9.1993.

...

I am very much shocked by noticing my name nominated for KTE Division even though I am senior than (1) Shri B. Arun (2) Shri Dhan Singh & (3) Shri Rameshwar who are at Sr. No. 21, 22, 23 in Seniority List and they have been allotted to HRC Division. My position is No. 11 in the same list. Sir, I am working as IFO Scale Rs. 2000-3200 (RP) from 1.1.1984.

It is the general policy of the Rly. Administration to retain senior most persons in their respective head-quarters if the post in which they are working has got up-graded.

Hence, your kind honour is requested to look into the matter and issue revised nomination list by allotting me HRC Division.

Awaiting for an early favourable orders.

Thanking you,

Yours faithfully,

(Y. R. PATHAN)

True copy  
R. - - - - -

Advance copy by post to :

1. GM(E)/CCG.
2. CEME/CCG.

C/- Divl. Secy. W.R.M.S. HRC for n/action please.

Dt. 22/9/93

GM(E) CCG

Respected Sir,

Sub: Promotion, reversion and transfer of class III staff -  
AC TRD - Electrical Deptt - CTFO scale Rs 2375-3500(RP)

Ref: Your office No.

(1) E/EL/1026/6/1 dated 20.9.93  
(2) E/EL/839/7/34 vol. IV dated 20.9.93

In connection with the above orders, I have to submit the following representation against the above promotion/transfer orders.

As per general policy of restructuring, the senior employees should be retained at their respective headquarters against the upgraded post and if required the juniors should move first. As per letter at reference No. 1 (seniority list) I stand at serial No. 12 and I am transferred to Ratlam while my juniors at serial No. 21, 22 and 23 are promoted and retained on Baroda Division. This is a grave injustice to senior employees.

Sir, Shri Ramsnehi has been promoted on 16.12.92 and he has not even completed one year in scale Rs 2000-3200(RP); so his name does not exist in the list of restructuring effective from 1.3.93 as on that day he was not eligible for promotion to next higher grade.

Sir, my wife is working as a Chief Clerk in DRM's office in PNM Cell at Pratapnagar and my children are studying in Baroda. We have been staying in our own house at Baroda. As per Railway Board's letter No. E(NG)II 71 TR/14 dated 1.10.71 to GMs all Indian Railways and copy of letter No. EP/1140/0 dt. 8.11.71 from GM(E) CCG the Board have desired that employees whose spouse is working at the station of their posting should be considered sympathetically in regard to their transfer. Since my wife is also working at Baroda and my juniors are retained at Baroda on promotion, I request your honour to kindly consider my case sympathetically and retain me on promotion on Baroda Division by issuing revised orders.

Awaiting your early and favourable orders,

Thanking you,

Yours faithfully,

(B.V. Nikam)

Sr. TPC PRIN

C/o Sr. CEE (TRD) Baroda  
DRM's office, W. Railway  
Pratapnagar, Baroda-390 004

1. Copy to CEE/CCG

2. Copy to General Secretary, W.R.M.S. Bombay Central

3. Copy to DRM(E) BRC

4. Copy to Sr. DEE (TRD) BRC

5. Divisional Secretary, WRMS/Baroda

TO

GM(E)/CCG.

(23)

From. (1) Raj Ajitsingh, TFO (Line)  
PRTN.  
(2) Y.R. Pathan, TFO (OHE) ANND.  
(3) B.V. Nikam, Sr. TPC.  
Date: 4/10/1993.

Sub:- Promotion, Reversion & Transfer of  
class III NC Staff - A.C. TRD Deptt.

CTFU scale Rs. 2375-3500 (RP) ~~mix benefit~~

Refs: Your (1) L.Nos:E/EL/1026/7/6/1 dt. 20.9.93.

(2) L.Nos:E/EL/839/34 Vol.IV dt. 20.9.93.

(3) DRM(E) BRC's L.Nos:E/EL/839/10/2/TRD dt. /10/93.

(4) Our application to GM(E)CCG dt. 21/22-9-93.

\*\*\*\*\*

R/Sir,

We, the undersigned are very much shocked by noticing our names in RTM/KTT division, even though we are senior than (1) Shri B. Arun (2) Shri Chansing & (3) Shri Ramaanshi, who are at Sr. Nos 21, 22, 23 in seniority list vide GM(E)CCG's letter Nos E/EL/1026/7/6/1 dt. 20.9.93 and they have been allotted BRC Division whereas our Sr. Nos are 9, 11, & 12 respectively.

Sir, we are working as a TFO/SR.TPC in scale Rs. 2000-3200 (RP) since 1.1.84.

It is the general policy of the Rly. Administration to retain Senior most persons in their respective HQ in up graded post during cadre restructuring. and they are not to be disturbed if at all required junior most persons should move first.

Sr. Nos 20 to 28 have been brought in select list of seniority of NC staff Elec. Deptt. AC Traction Department, CTFO scale Rs. 2375-3500 (RP) to recoup the reserve quota. Thus Sr. Nos 20 to 23 who have got already <sup>one</sup> benefit by including their names in seniority list. The question of second benefit does not arise, to keep them in BRC Division at a time.

Sir, vide letter under ref. it is seen that in RTM and KTT Division No SC /ST candidate has been allotted. It is therefore required to distribute reserve quota candidates equally.

Sir, Shri Ramaanshi (35) has not completed even 1 Year of service in scale Rs. 2000-3200 (RP) has been allotted BRC Division promotion as a CTFO in scale Rs. 2375-3500 (RP) which is case of clear injustice with the seniors undersigned.

It is therefore requested to look into the matter sympathetically and avoid frustration among us the undersigned seniors by issuing revised orders by allotting us BRC Division.

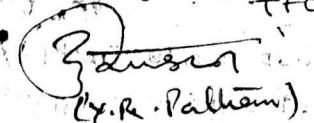
.....2

Waiting for an early favourable orders please.

Thanking you,

Yours faithfully,

1.  4.10.93.  
(Raj A. Jit Singh, H.D.)

2.   
(G. R. P. Pathan).

3.   
(B. S. Patel).

Copy to:

1. CEE/CCG for kind information and n/action please

2. DR (H) BIC -do-

3. DR, DCC (H.D.), B.C. -do-

4. Divisional Secretary, W.R.M.S., Baroda for information and n/action pl.

5. General Secretary, W.R.M.S., Bombay Central -do-

  
Dr. C. M. Patel  
W.R.M.S., Baroda

H.Q. Office  
CCG-Bombay

25

No. E/EL/839/7/34

Dt. 28/9/93

DRM (E) B&E

Sub : Promotion, reversion and  
transfer of Class III staff -  
A.C-TRD-Electrical Deptt.

Ref : This office letter No.  
E/EL/261/7/5 dt. 30/8/93.

...

Shri I.H. Sayed, CTFO-BRC scale Rs. 2375-3500 (RP)  
is transferred in same scale and pay and posted against  
the post of CTA construction CCG, created against  
above quoted letter.

Order vice Shri Sayed will follow. This has the  
approval of competent authority (CEDE).

Sd/-  
( P. M. Kutty)  
for GM(E)CCG.

True copy

P.S.No.14/93.

No. EP.830/0.

Western Railway

Divisional Office,  
Baroda.  
Dated: 16/2/93.

26

Sub:-Restructuring of certain Group 'C' & 'D' Cadres.

Ref:-GM(E)CCG's letter No. EP.830/0 (Restructuring) dt. 8/10/93, circulated under P.S. No. 14/93.

A copy of the above quoted letter is sent herewith for information, guidance and necessary action please. The instructions contained in the letter be studied properly and action should be taken accordingly.

3M  
16/2/93

for Sr.DPO/DRC.

To,  
All DSs/CCs/HCs/Inspectorial staff.

C/OM CTNL Janitor CLA CIHER CLW.

All Officers of DRC Division, RSC, DRC.

APDs I II III G & Comp. Information & Necessary actions please.

DRM/ADRM/Sr.DPO/DPO for information please.

Divl.Secy. WREU/WRMS-DRC (20 copies each).

Copy of GM(E)CCG's letter No. EP.830/0 (Restructuring) dated 8/2/1993/10/2/1993 addressed to DRM-DRC & others.

Sub: Restructuring of certain Group 'C' and 'D' Cadres.

A copy of Board's letter No. PC-III/91/DRC/1 dt. 27-1-93 alongwith its Annexures is sent herewith for perusal and necessary action.

Action may be taken to implement the Board's order immediately. In respect of posts to be sanctioned at Headquarters' level, necessary proposals duly concurred in by local Accounts Office may be sent to the respective SPOs/RPOs in HQ Office for obtaining competent authorities sanction.

Hindi version is awaited from Railway Board.

Copy of Railway Board's letter No. PCIII/91/DRC/1 dated 27.1.1993 (R.U.E, No. 19/93) addressed to the General Managers, All Indian Railways and others.

Sub:-Restructuring of certain Group 'C' & 'D' Cadres.

The Ministry of Railways have had under review cadre of certain Groups of C&D staff in consultation with the staff side in the Committee of the Departmental Council of the JCM (Rlys) for some time. The Ministry of Railways with the approval of the President have decided that the Group C&D categories of staff as indicated in the Annexure (Departmentwise) to this letter be restructured in accordance with the revised percentages indicated therein. While implementing these orders the following detailed instructions should be strictly and carefully adhered to:

Filed in  
Court by Mr P K Hora  
An Best  
08120

\*\*\*\*\* 2 \*\*\*\*\*

Date of effect:

1. This restructuring of cadres will be with reference to the sanctioned cadre strength on 1.3.93. The staff who will be placed in higher grades as a result of implementation of these orders will draw pay in higher grade w.e.f. 1.3.93.

Applicability to various cadres:

2. These orders will be applicable on the regular cadres of the Open Line establishments including Workshops and Production Units and will include Rest giver and Leave Reserve posts.

- 2.1. These orders will not be applicable to ex-cadre and work charged posts which will continue to be based on worth of charge.
- 2.2. These instructions will also not be applicable to Constructors Units and Projects. However, for creation of posts in these Units the percentage distribution may be generally kept in view, taking into account the availability of funds.

Pay fixation (FR 22-C)

3. Staff selected and posted against the additional higher grade posts as a result of restructuring will have their pay fixed under Rule 1316 (FR 22-C) RII w.e.f. 1.3.93 with necessary option for pay fixation as per extant instructions.

Existing Classification & filling up of the vacancies.

4. The existing classification of the posts covered by these restructuring orders as selection and non-selection as the case may be remain unchanged. However, for the purpose of implementation of these orders, if an individual Railway servant becomes due for promotion to a post classified as a selection post, the existing selection procedure will stand modified in such a case to the extent that the selection will be based only on scrutiny of service records and Confidential Reports without holding any written and or viva voce test. Similarly for posts classified as non-selection at the time of this restructuring the same procedure as above will be followed. Naturally under this procedure, the categorisation as 'Outstanding' will not figure in the panels. This modified selection procedure has been decided upon by the Ministry of Railways as a one time exception by special dispensation, in view of the numbers involved, with the objective of expediting the implementation of these orders.

- 4.1. Vacancies existing on 1.3.93 except direct recruitment quota and those arising on that date from this cadre restructuring including chain/resultant vacancies should be filled in the following sequence:

- i) from panels approved on or before 1.3.93 and current on that date: (ii) and the balance in the manner indicated in para 4 above.

- 4.2. Such selections which have not been finalised by 1.3.93 should be cancelled/abandoned.

- 4.3. All vacancies arising from 2.3.93 will be filled by normal selection procedure.

- 4.4. Extant instructions for D&V/Vigilance clearance will be applicable for effecting promotions under these orders with the critical date being 1.3.93.

Minimum years of service in each grade.

5. While implementing the restructuring orders, instructions, regarding minimum period of service for promotion with Gr. 'C' issued under Board's letter No.E(NG)I/85/PM-I/12 (RRC) dated 19.2.87 and Board's letter No.E(NG)I/75/PM-I/44 dated 26.5.84 will stand modified to the extent that the minimum eligibility period for the first promotion for filling up vacancies covered in para 4.1 would be reduced to one year as a one time exception. Thereafter the normal minimum eligibility condition of 2 years will apply.

Basic functions duties and responsibilities.

6. In all categories covered by this letter even though more posts in higher scales of pay have been introduced as a result of restructuring the basic functions, duties and responsibilities attached to their posts at present will continue, to which may be added such other duties and responsibilities, as considered appropriate.

Excess No. of posts.

7. If prior to issue of this letter the number of posts existing in any grade in any particular cadre exceeds the number admissible on the revised percentages, the excess may be allowed to continue to be phased out progressively with the vacating of the posts by the existing incumbent.

Specific instructions given in the foot note of Annexure.

8. While implementing these orders specific instructions given in the Foot note if any, under each category in the enclosed Annexures should be strictly and carefully adhered to.

Annual review.

9. Annual reviews should be suspended till further instructions from this office.

Provision of reservation.

10. The existing instructions with regard to reservation of SC/ST will continue to apply while filling additional vacancies in the higher grades arising as a result of restructuring.

Retired employees.

11. Employees who retire/resign in between the period from 1.3.93 i.e. the date of effect of this restructuring to the date of actual implementation of these orders, will be eligible for the fixation benefits and arrears under these orders w.e.f. 1.3.93.

Direct recruitment percentage.

12. Direct recruitment percentages will not be applicable to the additional vacancies arising out of these restructuring orders as on 1.3.93. The percentage will apply for normal vacancies arising on or after 2.3.93. Also the direct recruitment quota as on 28.2.93 will be maintained.

Pin pointing of posts.

13. Excepting the highest grade posts in each category, the promotions should be effected on as is where is basis, as a result of this restructuring. However the administration may later on pin-point these posts as per administrative requirement, as and when the present incumbent vacates the post on retirement/promotion transfer etc.

Provision of Rest  
of Staff  
nicians.

14. As a measure of rationalisation the Railways should provide cost of giving staff in the appropriate grade most convenient to the administration at any particular location and need not necessarily be in the same grade.

Refusal of promotion.

15. Such of the Staff as had refused promotion before issue of these orders and stand debarred for promotion may be considered for promotion, in relaxation of the extant orders, as a one time exception, if they indicate in writing that they are willing to be considered for such promotion against the vacancies existing on 1.3.93 and arising due to restructuring. This relaxation will not be applicable to vacancies arising after 1.3.93.

16. Instructions for improvement of productivity, rationalisation and economy are being issued separately.

Provision of funds in the Budget.

17. The Railways will carefully assess requirement of funds on account of this restructuring for the year 1993-94 and include the same in the Revised Estimate for 1993-94. Payment due to staff on account of the restructuring should be made and booked in the Financial Year 1993-94. The Board desire that the restructuring and posting of staff after due process of selection should be completed expeditiously.

Kindly acknowledge receipt.

Hindi version will follow.

\*\*\*

KEY FOR ANNEXURES.

1. Annexure 'A' (i) Transportation Traffic Department.  
(ii)  
(iii)

2. Annexure 'B' -----Transportation Power Department.

3. Annexure 'C' (i) Traffic-Commercial Department.  
(ii)  
(iii)

4. Annexure 'D' -----Medical Department.

5. Annexure 'E' Staff Common to All Engineering Departments + Workshops.  
Technical Supervisor + Artisans etc.

6. Annexure 'F' (i) accounts + Cash & Pay Department.  
(ii)

7. Annexure 'G' -----Signal & Telecommunication Department.

8. Annexure 'H' -----Civil Engineering Department (Gangman).

9. Annexure 'I' Mechanical Engineering Department (CMT).  
Categories common to more than one  
Departments. .... 5 ....

10. Annexure 'J' Personnel & Statistical Department + Ward  
Keeping Staff.

\*\*\*

*True copy* *.....*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMED BAD

OA/TA/MA/PA/C.A. No.

612/93

in OA/58/193

MR. Ajitsingh, Raj & Co. Es.  
APPLICANT(S)

MR. P.K.S. Handa

COUNSEL

VERSUS

U.O.I. & C.R.

RESPONDENT(S)

COUNSEL

DATE	Officer Report	Orders
	AMENDMENT	Allowable Drafted on 04-1-94

P.K.S. Handa

Filed by Mr. ....  
Learned Advocate for Petitioners  
with second set & ~~112~~ copies  
copies copy served/not served to  
other side

29

MAST

623/93

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
Ahmedabad Branch Bench

Dy. Registrar C.A.T (U)

*objection*  
623/93 Ahmed Bench

MISC. APPLICATION NO. 612 as 1993

ORIGINAL APPLICATION NO. 581 of 1993

BETWEEN

- 1) Ajitsing Raj (R. A. Singh)
- 2) B. V. Nikam
- 3) Yusufkhan R. Pathan
- 4) C/o. 148/D Railway colony,  
Pratapnagar, Baroda.

All working as TFO/Sr. TPC in  
Western Railway, Baroda ..... Applicants.

Versus

1. Union of India, Owning or Owning of &  
represented by General Manager,  
Western Railway, Churchgate, Bombay 400 020.

2. Divisional Railway Manager,  
Western Railway, Baroda.

3. Sr. Divisional Electrical Engineer, (TRD)  
Western Railway, Baroda. ....

Respondants

*Copy Sealed  
Sri P.S. Shinde  
P.D. 28/10/93*  
Subject in Brief :- The applicants have filed original application no.581 of 1993 & this has been admitted by the honourable bench seeking the relief to quash and set aside the promotion order shown in Annexure A and A1, and direct the respondents to issue revised promotion order keeping in view the restructuring instructions issued by Railway board keeping the seniors at the same station if necessary juniors should not be transferred.

|| 2 ||

In view of the above the respondents have considered & revised promotion order of 1(one) of the applicant i.e. Shri Ajitsingh Raj has been retained at Baroda vide GM(E)'s letter No.E|EL|839|7|84 dtd.25/10/93. shown at annexure A7. Because of this order the main petition is required to be amended as under :-

Para 4.8 is to be added.

The applicant submit that the respondents have failed to consider the promotion order of Shri Ram Snahi (SC) who has been illegally promoted with a malafied intention as Shri Ram Snahi is not eligible for promotion as per the instruction contained in restructuring orders issued by Railway Board in which it is clearly mentioned that the employees who are to be considered for the promotion under restructuring schedule should have completed one year in lower grade on 1-3-1993 where as in the promotion order dated 1/4-10-1993 it is not mentioned that promotion of Shri Ram Snahi will be effected on completion of one year as TFO i.e. from 16-12-1993 which is ~~now~~ void ~~and~~

\* RELIEF SOUGHT \*

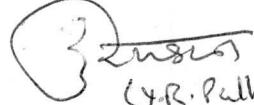
In view of the above the applicants raise to the honourable tribunal to allow the amendment in original application number : 581 of 1993 & allow to join Shri Ram Sanhi as a respondent.

VERIFICATION

I Sjri Yusufkhan S/o. Rasoolkhan age : 43, Yrs.  
 working as TFO (OHE) ANND in the office of Sr.DEE  
 (TRD) BRC resident of Anand is hereby declare that  
 whatever stated above is true to my personal knowledge and  
 and the same is believed to be true on legal  
 advise and that I have not supressed any material  
 fact.

Date : 28/10/1993.

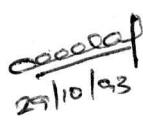
Place : BARODA.

  
 (Y.R. Pathan)  
 Signature of Applicant.

  
 Advocate.

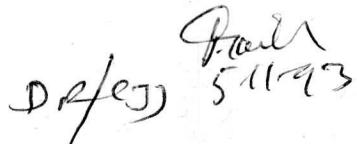
Submitted.

Application is scrutinized and found to be in  
 order. May be placed before Hon'ble Bench for  
 necessary orders.

  
 25/10/93

On going through the  
 papers, it is found <sup>so/cj</sup>  
 that notice on per  
 order dtd 8-10 is  
 not issued, that may be issued now.  
 This MA may be placed on board  
 for order on 10-11-93

DR 4-11-93

  
 Dr. Rajesh Patel  
 5/11/93

WESTERN RAILWAY

A-7

Headquarter Office,  
Churchgate, Bombay.

NO: E/EL/039/7/34.

Dated: - 25.10.1993.

32

DRM(R) SCT/BRC/ETT.

Sub:- Promotion, Reversion & Transfer  
of Class III staff AC-TRD -  
Electrical Deptt.

Ref:- This office letter of even no.  
dt. 20.9.93 and 28.9.93.

.....

In continuation of this office letter quoted above,  
the following orders are issued to have immediate effect:-

1. Shri D.J. Trivedi, TFO, scale Rs.2000-3200(RF), who was  
promoted as CTFO, scale Rs.2375-3500(RF) and posted  
on ETT division is now retained in BCT division against  
newly created posts vide this office letter no. E/EL/  
261/7/18/1 (W.C.) dt. 25.10.93.

2. Shri A.H. Raj, TFO, scale Rs.2000-3200(RF) who was  
promoted as CTFO, scale Rs.2375-3500(RF) and posted  
on ETT division is now retained in BRC division from the  
date, Shri I.H. Sayyed relieved from BRC division.

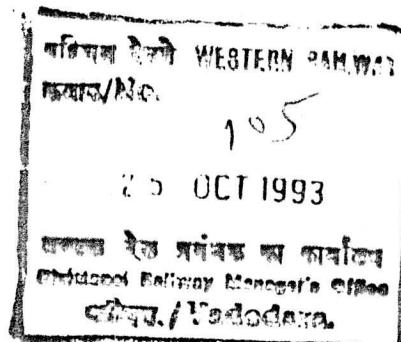
The representation of Shri I.A. Pathan and Shri  
S.V. Nikam have been examined. It is advised that the  
request of Shri I.A. Pathan and S.V.Nikan cannot be  
considered. The compliance of order may be advised by  
return.

Om  
25/10/93

(P.K.Kutty)  
for General Manager(E).

avd/2510.

C/- DEE(TRD) BL/Br. DEE(TRD) BRC/Sr. DES(TRD) ETT/  
CDE for information.



Diarised under  
MA St. No. 203 of 94

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH  
AHMEDABAD.

(83)

C.A./A./MA./R.A./C.A. No.

193/94

00158/193

MR. Ajit Singh Raj & Ors

APPLICANT (S)

MR. P. K. Hande

COUSSEL

VERSUS

U.O.R. & Ors

RESPONDENT (S)

COUSSEL

Date	Office Report	ORDERS
	Interim relief	Allowed. Dismissed on 02-5-94

FORM NO.: IV  
(See rule 15 (ii))

CHARGE

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

Place: 5th Floor,  
B.D.Patel House  
Nr.Sardar Patel Colony  
Ahmedabad-14.

We  
Members constituting the Bench of the Ahmedabad  
Bench, Central Administrative Tribunal, hereby  
charge you \_\_\_\_\_ (name of the  
alleged contemner) as under:-

That you \_\_\_\_\_ on or about \_\_\_\_\_  
day of \_\_\_\_\_ at \_\_\_\_\_ (there  
give the gist of the material allegedly **constituting**  
Contempt) and thereby committed the contempt of this  
Tribunal punishable under Section \_\_\_\_\_ (here  
give the relevant Section of the Contempt of Courts  
Act, 1971,) within our cognizance.

We hereby direct you to be tried by this Tribunal  
for the aforesaid charge.

Signature of the Hon'ble Member.

The charge was read over and explained to the  
alleged contemner and he was asked as under :

(1) Do you plead guilty to the Charge?

Answer:

(2) Do you have anything else to say?

Answer:

Signature of the alleged  
contemner.

Signature of the Hon'ble  
Members presiding over the  
Bench.

\*Strike off whichever is  
not applicable.

3/44



From : P. K. HANNA  
Advocate.

## URGENT NOTE

To,  
The Registrar  
High Court of Gujarat / Central Adm. Tribunal  
Ahmedabad.

Re : MA - 140 A /

District :

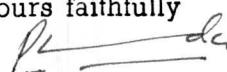
Sir,

The above matter is an urgent one end. I want to move the Hon'ble Court for obtaining an order for stay / injunction / Bail. Be pleased therefore, to direct the Office to place this matter before the Court for admission on 4-4-1994. I personally undertake to remove all office objection and to pay the default court fee stamps if any.

Ahmedabad / Baroda

Date : 31-4-94

Yours faithfully

  
Advocate for the Petitioners.

20293

34

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

MISC APPEAL NO. 1004 AHMEDABAD BENCH OF 1994

192

11

ORIGINAL APPLICATION NO. 581 OF 1993

## BETWEEN:

1. Ajit Singh Raj(R.A.Singh)
2. B.V.Nikam
3. Yusufkhan R.Pathan,  
C/O.148/D,Railway Colony,  
Pratappnagar,Baroda 390004

## ..APPLICANTS

## VERSUS

Union of India, Owning & Represented by:

(1) General Manager, W.Rly.,  
Churchgate, Bombay-400020

(2) Divl.Rly.Manager, W.Rly.,  
Pratapnagar, Baroda 390004

(3) Sr.Divl.Electric Engr.(TRD),  
W.Rly., Pratapnagar, Baroda-4

(4) Srin Ram Srehi  
Traction foreman.  
L. R. Y., Bhusule.

Production foreman.  
Co. 8, B. & W. R.

## ... RESPONDENTS

SUBJECT IN BRIEF.

The applicants have filed the original application No.581 of 1993 seeking interim relief to maintain status-quo against the upgradation order shown at Annexure A & Al of the original application. The applicants submit that as per the policy regarding the upgradation of Group C & D cadre decided by the Rly. Board vide letter No.PC-III/9/CRC/1 dt.27/1/93 circulated by Divl. Office vide PS No.14/93 dt.16/2/93 shown at Annex-A7 with the misc application

As per the instruction contained in the Policy para 13 which states that accepting the higher grade post in each category on promotion should be effected on as is where is basis as the result of this restructuring and in para 5 of the said letter it is stated that while implementing the restructuring order instructions regarding minimum period of service

~~GBR~~ Dy. Registrar, C. A., 10  
31, 3, 9m A'bad Ranch

: 2 :

for promotion in group C issued under Board's letter No.E(NG)/1/85/PM-1/12 dt.19/12/87 and Board's letter No.E(NG)/1/75/EM-1/44 dt.26/5/84 will stand modified to the extent that minimum eligibility period for the first promotion for filling up vacancies covered in para 4.1 would be reduced to one year as a one time exemption, thereafter the normal eligibility condition of 2 years will apply.

In view of the above, the respondent Shri Ramsnehi(SC) who is at Sr.No.6 of the promotion order is not eligible for the promotion as the remarks passed against his name is "will be promoted on completion of one year as TFO", whereas as per the Policy the employee must have completed one year from the date of restructuring i.e.1/3/93, after that only he has to complete 2 years of service, as such by showing discriminatory attitude towards Shri Ramsnehi proves the malafide intentions of respondents.

The applicants submit that one of the applicants No.1 Shri ajitsingh Raj had already been adjusted by the G.M.Office in Baroda after filing this application. Now the other 2 candidates have been asked by the respondents to give unconditional unwillingness to carry out their promotion vide DRM(E)Baroda's letter No.E/TRD/839/10/2/Pt.I dt.4/3/94 (shown at Annex.A8 of Misc.application), which is against the policy of restructuring.

: 3 :

RELIEF SOUGHT:

In view of the facts mentioned above the applicants pray to the Hon'ble Tribunal to grant STATUS-  
QUO till the finalisation of this application.

V E R I F I C A T I O N

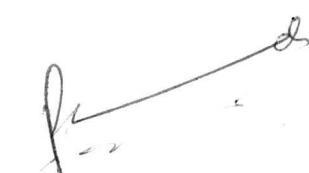
I, Balakrishna, son of Vittaldas Nikam, aged 45 years working as Sr.TPC in DRM's Office, Baroda, do hereby verify that whatever is stated above are true to my personal knowledge and are believed to be true on legal advice and that I have not suppressed any material facts.



Signature of applicant

Date: 31-3-94

Place: Baroda



ADVOCATE

Submitted.

Application has been scrutinized and found to be  
in order. May be placed before Hon'ble Bench as  
necessary. Orderd.

~~order of  
outlawry~~

(Bhagat  
Jit Singh)

DB(3)  
(on leave)

BT

Western Railway

P.S.No.14/93.

No.EP.830/0.

Divisional Office,  
Baroda.  
Dated: 16/2/93.

Sub:-Restructuring of certain Group 'C' & 'D' Cadres.  
Ref:-GM(E)CCG's letter No.EP.830/0(Restructuring) dt.8/1/93-81.  
circulated under P.S. No.14/93.

A copy of the above quoted letter is sent herewith for information, guidance and necessary action please. The instructions contained in the letter be studied properly and action should be taken accordingly.

BM  
16/2/93

for Sr.DPO/DRC.

To,  
1. All OSs/CCs/HCs/Inspectorial staff.  
2. CCM CTNL Jamitor CLA CIHER CLW.  
3. All Officers of DRC Division, RSC, DRC.  
4. APOs I II III G & Comp. Information & Necessary actions please.  
5. DRM/ADRM/Sr.DPO/DPO for information please.  
6. Divl.Secy. WREU/WRMS-DRC (20 copies each).

...

Copy of GM(E)CCG's letter No.EP.830/0 (Restructuring) dated 8/2/1993/10/2/1993 addressed to DRM-DRC & others.

...

Sub:- Restructuring of certain Group 'C' and 'D' Cadres.

...

A copy of Board's letter No.PC-III/91/CRC/1 dt.27-1-93 alongwith its Annexures is sent herewith for perusal and necessary action.

Action may be taken to implement the Board's order immediately. In respect of posts to be sanctioned at Headquarters' level, necessary proposals duly concurred in by local Accounts Office may be sent to the respective SPOs/APOs in HQ Office for obtaining competent authorities sanction.

Hindi version is awaited from Railway Board.

...

Copy of Railway Board's letter No.PCIII/91/CRC/1 dated 27.1.1993 (R.D.E. No. 19/93) addressed to the General Managers, All Indian Railways and others.

Sub:- Restructuring of certain Group 'C' & 'D' Cadres.

...

The Ministry of Railways have had under review cadre of certain Groups of C&D staff in consultation with the staff side in the Committee of the Departmental Council of the JCM (Rlys) for some time. The Ministry of Railways with the approval of the President have decided that the Group C&D categories of staff as indicated in the Annexure (Departmentwise) to this letter be restructured in accordance with the revised percentages indicated therein. While implementing these orders the following detailed instructions should be strictly and carefully adhered to:

..... 8 .....

Date of effect:

1. This restructuring of cadres will be with reference to the sanctioned cadre strength on 1.3.93. The staff who will be placed in higher grades as a result of implementation of these orders will draw pay in higher grade w.e.f. 1.3.93.

Applicability to various cadres:

2. These orders will be applicable on the regular cadres of the Open Line establishments including Workshops and Production Units and will include Rest giver and Leave Reserve posts.

2.1. These orders will not be applicable to ex-cadre and work charged posts which will continue to be based on worth of charge.

2.2. These instructions will also not be applicable to Construction Units and Projects. However, for creation of posts in these Units the percentage distribution may be generally kept in view, taking into account the availability of funds.

Pay fixation (FR 22-C)

3. Staff selected and posted against the additional higher grade posts as a result of restructuring will have their pay fixed under Rule 1316 (FR 22-C) RII w.e.f. 1.3.93 with necessary option for pay fixation as per extant instructions.

Existing Classification & filling up of the vacancies.

4. The existing classification of the posts covered by these restructuring orders as selection and non-selection as the case may be remain unchanged. However, for the purpose of implementation of these orders, if an individual Railway servant become due for promotion to a post classified as a selection post, the existing selection procedure will stand modified in such a case to the extent that the selection will be based only on scrutiny of service records and Confidential Reports without holding any written and or viva voce test. Similarly for posts classified as non-selection at the time of this restructuring the same procedure as above will be followed. Naturally under this procedure, the categorisation as 'Outstanding' will not figure in the panels. This modified selection procedure has been decided upon by the Ministry of Railways as a one time exception by special dispensation, in view of the numbers involved, with the objective of expediting the implementation of these orders.

4.1. Vacancies existing on 1.3.93 except direct recruitment quota and those arising on that date from this cadre restructuring including chain/resultant vacancies should be filled in the following sequence:

i) from panels approved on or before 1.3.93 and current on that date: (ii) and the balance in the manner indicated in para 4 above.

4.2. Such selections which have not been finalised by 1.3.93 should be cancelled/abandoned.

4.3. All vacancies arising from 2.3.93 will be filled by normal selection procedure.

4.4. Extant instructions for D&A/Vigilance clearance will be applicable for effecting promotions under these orders with the critical date being 1.3.93.

- 3 -

Minimum years of service in each grade.

5. While implementing the restructuring orders, instructions, regarding minimum period of service for promotion with Gr. 'C' issued under Board's letter No.E(NG)I/85/PM-I/12 (RRC) dated 19.2.87 and Board's letter No.E(NG)I/75/PM-I/44 dated 26.5.84 will stand modified to the extent that the minimum eligibility period for the first promotion for filling up vacancies covered in para 4.1 would be reduced to one year as a one time exception. Thereafter the normal minimum eligibility condition of 2 years will apply.

Basic functions duties and responsibilities.

6. In all categories covered by this letter even though more posts in higher scales of pay have been introduced as a result of restructuring the basic functions, duties and responsibilities attached to their posts at present will continue, to which may be added such other duties and responsibilities, as considered appropriate.

Excess No. of posts.

7. If prior to issue of this letter the number of posts existing in any grade in any particular cadre exceeds the number admissible on the revised percentages, the excess may be allowed to continue to be phased out progressively with the vacation of the posts by the existing incumbent.

Specific instructions given in the foot note of Annexure.

8. While implementing these orders specific instructions given in the Foot note if any, under each category in the enclosed Annexures should be strictly and carefully adhered to.

Annual review.

9. Annual reviews should be suspended till further instructions from this office.

Provision of reservation.

10. The existing instructions with regard to reservation of SC/ST will continue to apply while filling additional vacancies in the higher grades arising as a result of restructuring.

Retired employees.

11. Employees who retire/resign in between the period from 1.3.93 i.e. the date of effect of this restructuring to the date of actual implementation of these orders, will be eligible for the fixation benefits and arrears under these orders w.e.f. 1.3.93.

Direct recruitment percentage.

12. Direct recruitment percentages will not be applicable to the additional vacancies arising out of these restructuring orders as on 1.3.93. The percentage will apply for normal vacancies arising on or after 2.3.93. Also the direct recruitment quota as on 28.2.93 will be maintained.

Pin pointing of posts.

13. Excepting the highest grade posts in each category, the promotions should be effected on as is where is basis, as a result of this restructuring. However the administration may later on pin-point these posts as per administrative requirement, as and when the present incumbent vacates the post on retirement/promotion transfer etc..

Provision of Rationa-  
lisation. 14. As a measure of rationalisation the Railways should provide post given to staff in the appropriate grade most convenient to the administration at any particular location and need not necessarily be in the same grade.

Refusal of promotion. 15. Such of the Staff as had refused promotion before issuance of these orders and stand debarred for promotion may be considered for promotion, in relaxation of the extant orders, as a one time exception, if they indicate in writing that they are willing to be considered for such promotion against the vacancies existing on 1.3.93 and arising due to restructuring. This relaxation will not be applicable to vacancies arising after 1.3.93.

16. Instructions for improvement of productivity, rationalisation and economy are being issued separately.

Provision of funds in the Budget. 17. The Railways will carefully assess requirement of funds on account of this restructuring for the year 1993-94 and include the same in the Revised Estimate for 1993-94. Payment due to staff on account of the restructuring should be made and booked in the Financial Year 1993-94. The Board desire that the restructuring and posting of staff after due process of selection should be completed expeditiously.

Kindly acknowledge receipt.

Hindi version will follow.

•••

#### KEY FOR ANNEXURES.

1. Annexure 'A' (i) Transportation Traffic Department.  
(ii)  
(iii)
2. Annexure 'B' ----Transportation Power Department.
3. Annexure 'C' (i) Traffic-Commercial Department.  
(ii)  
(iii)
4. Annexure 'D' ----Medical Department.
5. Annexure 'E' Staff Common to All Engineering Departments + Wshops.  
Technical Supervisor + Artisans etc.
6. Annexure 'F' (i) accounts + Cash & Pay Department.  
(ii)
7. Annexure 'G' ----Signal & Tele communication Department.
8. Annexure 'H' ----Civil Engineering Department (Gangman).
9. Annexure 'I' Mechanical Engineering Department (CMT).  
Categories common to more than one  
Departments. .... 5 ....
10. Annexure 'J' Personnel & Statistical Department + Ward  
Keeping Staff.

*Amul*  
*Amul*

•••

2/14/21 21.201 (39)

## WESTERN RAILWAY

DIVISIONAL OFFICE,  
BARODA, Dt: 4/03/94.

No.E/TRD/888/10/2 Pt.I

Sub: Promotion, Reversion & Transfers of Class-III Staff - AC-TRD Deptt.

Ref: Staff - AC-IND Deptt.  
This office letter of even No. dt. 27.10.93 &  
HQ Office letter No. E/EL/830/7/34 dt. 20.9.93,  
28.9.93 & 25.10.93.

--X--

With reference to the above, it is stated that representations of S/Shri Y.R. Pathan, Y.W. Nikkam were forwarded to HQ. Office vide this office letter quoted above.

HQ. office has advised that, the representations of the above employees have been examined and it is advised that the request of Shri Y.R. Pathan and B.N. Nikkam cannot be considered.

As such, they are advised to carry out their transfer at the earliest without further delay. If they are not willing they should give their refusal in writing. ~~in triplicate~~

Unconditional Please get it noted by the employees concerned and their acknowledgement may be sent to this office.

for DRM(E)-ERC

Copy to:-

✓ CTPC(RC)PRTN, TFO(OIE)ANND,  
Sr.DEE(TRD)ERC for inf and n/action.  
GM(E)CCG in ref.to his letter No.E/EL/839/7/69 of 25.10.93.

True body

Diarised under  
MA St. No 199 of 94

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

AHMEDABAD.

(40)

OA/IA/MA/RA/CA No.

194/94 in

04/58/93

MR. Ajitsingh, Rej. & OES

APPLICANT (S)

MR. P. K. Hande

COUNSEL

VERSUS

U.O.I. & OES

RESPONDENT (S)

COUNSEL

<u>Date</u>	<u>Office Report</u>	<u>ORDERS</u>
	Amendment	<p>Despatch of as not issued by the Addl. Commr.</p> <p>20.04.1994.</p>

FORM NO.: IV  
(See rule 15 (ii))

CHARGE

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

Place: 5th Floor,  
B.D.Patel House  
Nr.Sardar Patel Colony  
Ahmedabad-14.

We  
Members constituting the Bench of the Ahmedabad  
Bench, Central Administrative Tribunal, hereby  
charge you \_\_\_\_\_ (name of the  
alleged contemner) as under:-

That you \_\_\_\_\_ on or about \_\_\_\_\_  
day of \_\_\_\_\_ at \_\_\_\_\_ (there  
give the gist of the material allegedly **constituting**  
Contempt) and thereby committed the contempt of this  
Tribunal punishable under Section \_\_\_\_\_ (here  
give the relevant Section of the Contempt of Courts  
Act, 1971,) within our cognizance.

We hereby direct you to be tried by this Tribunal  
for the aforesaid charge.

Signature of the Hon'ble Member.

The charge was read over and explained to the  
alleged contemner and he was asked as under :

(1) Do you plead guilty to the Charge?

Answer:

(2) Do you have anything else to say?

Answer:

Signature of the alleged  
contemner.

Signature of the Hon'ble  
Members presiding over the  
Bench.

\*Strike off whichever is  
not applicable.

3/4-4



(41)

99/93 IN THE CENTRAL ADMINISTRATION TRIBUNAL

AHMEDABAD BENCH

SX MISCL. APPLICATION NO. 194 OF 1994

IN

ORIGINAL APPLICATION NO.581 OF 1993

BETWEEN:

1. Ajit Singh Raj(R.A.Singh)

2. B.V.Nikam

3. Yusufkhan R.Pathan,

C/O.148/D, Railway Colony,

Pratapnagar, Baroda-390004

..APPLICANTS

VERSUS

Union of India, Owning & Represented by:

(1) General Manager, W.Rly.,

Churchgate, Bombay 400020

(2) Divl.Rly.Manager, W.Rly.,

Pratapnagar, Baroda 390004

(3) Sr.Divl.Electric Engr.(TRD), W.Rly.,

Pratapnagar, Baroda 390004

..RESPONDENTS

SUBJECT IN BRIEF:

The applicants have filed the Original Application No.581 of 1993 As Shri Ramsnehi, one of the affected party who has not been joined as a party in the said application, as such the following amendment may be allowed in the Original Application:-

Shri Ramsnehi, TFO under Sr.DEE/TRS/BCY.

RELIEF SOUGHT:

The applicants pray to the Hon'ble Tribunal to allow the amendment to join Shri Ramsnehi as a Respondent No.4 in the OA.

...2...

Plafor  
S. and  
By Registrar C.A. of  
Amdaband Bench

Red by Mr.  
Hande

Learned  
Advocates  
for Petitioners  
With second set &  
Copies copy served on  
other side

: 2 :

V E R I F I C A T I O N

I, Balkrishna, son of Vittaldas Nikam, aged 45 years, working as Sr.TPC in DRM's Office, Baroda, do hereby verify that whatever is stated above are true to my personal knowledge and are believed to be true on legal advice and that I have not suppressed any material facts.



Signature of applicant

Date : 31-3-97.

Place: 



ADVOCATE

Submitted.

Application has been scrutinized and found to be in order. May be placed before Hon'ble Bench for necessary orders.

Leave  
04/04/94

  
Balkrishna Nikam S/o

  
DRG  
on leave

Misc Application No. 104 of 1994

in

C.A. No. 581 of 1993

6/6 BR

Applicants

Ajit Singh Raj and others

Versus

Respondents

General Manager, Western Railway,  
Churchgate, Bombay and other

The Respondent No. 4 in the above application most respectfully begs to submit as under :-

- (1) That the respondent No. 4 is not a necessary and proper party in the said matter and hence the application for joining him must be rejected.
- (2) <sup>if</sup> That the Honourable Tribunal comes to the conclusion that the respondent No. 4 is a necessary and proper party, the respondent No. 4 adopts the reply and defence of Respondents No. 1,2,3,, if any ~~are~~ submitted or to be submitted.
- (3) The respondent No. 4 also submits that the respondent No. 1,2 & 3 have acted correctly under the reservation policy and hence the applicant's application is liable to be rejected summarily.

Ahmedabad

Date : 28-04-94

R. Ransomek

S.O.(5)(1)

28/4/94

W.S.G.  
D.J.

(Signature of Respondent No. 4)

(8)

DCP H

Reply/Rejoinder/written submissions  
filed by Mr. N. S. Sherkar.....  
learned advocate for petitioner/  
Respondent with second set  
Copy served/not served on other side

Chetan  
57/VM

Dy. Registrar C.A.T. (I)  
Ahmedabad

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT AHMEDABAD

O. A. NO. 581 OF 1993

Ajitsingh Raj. and Ors.....

... Applicants

v/s

Union of India & Ors....

... Respondents

WRITTEN STATEMENT ON  
BEHALF OF RESPONDENT  
NOS. 1 TO 3.

Received by  
5/1  
Ad.

The respondent Nos. 1 to 3 humbly beg to file  
written statement to the application as under:-

1. The present application filed by more than one  
applicant is not maintainable at law & under the rules. The  
applicants have no common cause to file this joint  
application. The cause of action, if any, for each  
applicant is separate and distinct and hence this joint  
application is not maintainable at law & deserves to be  
dismissed. The applicants have not obtained any permission  
to file this common application and hence the application  
may be dismissed with costs.

2. The applicants are not entitled to claim more than  
one reliefs in this application and hence the same is liable

to be dismissed.

3. Contents of paras 1 to 3 need no reply.

4. Regarding para 4.1, the respondents rely on true and proper interpretation of Railway Board's Circular dated 27.1.93. It is not disputed that the applicants are working as traction foremen in the scale of Rs.2000-3200 (RP) in the Electrical Traction Department and are posted at places located in geographical boundary of Baroda Division. It is not disputed that on upgradation there were 51 posts of Chief Traction Foreman in the scale of Rs.23750-3500 (RP).

5. Regarding para 4.2, the respondents rely on Memorandum dated 20.9.93 issued by the Headquarter Office notifying select list of employees considered suitable for promotion to the post of CTFO and Memorandum dated 4.10.93 issued by the Divisional Office, Baroda, transferring the applicants and other employees from one Division to another (Annexures A & A/1 with the application). It is not disputed that the applicants are shown at serial Nos.9, 11 & 12 in Annexure A. It is not disputed that the applicant Nos.1 & 3 are transferred to Kota Division and the applicant No.2 is transferred to Ratlam Division on promotion.

6. Contents of para 4.3 are not fully true and are not admitted. It is denied that as per orders of

restructuring the affected persons are to be transferred as per policy if it is not possible to accommodate senior persons at the place of their posting. It is denied that as per policy junior should be transferred out of Division and the seniors should be retained on the same Division where they were working before promotion. It is submitted that the railway administration has to consider the facts of each case and thereafter issue the orders of transfer against upgraded posts against up-gradation. The respondents have also to consider the interest of administration and exigency of service and relevant rules before issuing posting orders.

It is submitted that the applicants Nos.1 to x 3 are senior to Shri B.Arul(SC) Dhansingh(SC) and Ram Snehi(SC). It is submitted that the said three candidates being SC, as per Circular No.E/SCT/220/0, dated 12.11.82 were posted on Baroda Division. The applicants belong to General Community.

It is denied that the employee at serial No.23 viz., Shri Ram Snehi(Respondent No.4) is not eligible for promotion as he has not completed one year in the lower grade. It is submitted that the respondent No.4, Shri Ram Snehi has been kept in Baroda Division in terms of Circular No.EP/830/0/Restructuring, dated 22.2.93. The order dated 20.9.93 clearly states that the respondent No.4 will be promoted on completion of one year as Traction Foreman. It is submitted that the respondent

No.4 who belongs to SC community was eligible to be considered for promotion to the post of ETFO although he had not completed one year service in the lower grade and was within the zone of consideration. It is submitted that the respondent No.4 Shri Ram Snehi(SC) was working in Baroda Division and is ordered to be promoted in Baroda Division on completion of one year as TFO.

7. Contents of para 4.4 are not true and are ~~not~~ denied. It is denied that the respondent No.4 Shri Ram Snehi was not eligible for promotion and the eligible person was required to be promoted against the said post and the respondent No.4 should have been promoted as and when vacancy arises in future anywhere on Western Railway.

It is submitted that the ~~not~~ order promoting the respondent No.4 on completion of one year in the lower grade is in accordance with the instructions dated 22.2.93.

8. Contents of para 4.5 are not substantially disputed. It is not disputed that the employees at serial Nos.21, 22 & 23 are retained in Baroda Division on promotion in accordance with the instructions issued by Circular No.E/SCT/220/0, dated 12.11.82.

The applicant has not quoted the date and number of the Circular relied upon by him. It is, therefore, not possible to offer proper remarks at this stage. The respondents reserve their right to file additional/further reply as and when details of the Circular are filed by the

applicants or a copy thereof is produced by them. It is submitted that the Circular referred to by the applicants pertains to recruitment and not to promotions.

The applicants have not produced a copy of Railway Board's letter dated 20.6.89. The said letter is not applicable to the facts of the present case. The averments of the applicant that the employees at serial Nos.21 to 23 belonging to reserved community are Presidents U.P. and therefore be posted in a Division nearer to U.P. are misconceived.

9. Regarding para 4.6, it is submitted that the representations of the applicants dated 21.9.93 & 22.9.93 as well as joint representation dated 4.10.93 are duly considered by the competent authority and reply has been sent by the Headquarter Office to DRM(E) BRC vide HQ Office letter No.E/EL/839/7/34, dated 11.11.93. The applicants are quite junior in the seniority of general candidates. The applicants were rightly posted in other Division at a place/from Baroda Division.

The respondents rely on true and proper interpretation of Railway Board's letter dated 1.10.71.

10. Regarding para 4.7, the respondents rely on true and proper interpretation of the Headquarter Office letter dated 23.2.92 as and when produced. It is submitted that Shri Jodhsingh is retiring on 30.10.95 and hence he does not come under the zone of consideration.

for floating posts against 20% as averred by the applicants. It is submitted that one Shri Pai of Bombay Division was retiring in January, 1995 and hence a post was given to Bombay Division against 20% floating posts. The applicants cannot insist that the said procedure should be followed in the present case also. It is submitted that none of the applicants is at the verge of retirement.

11. Contents of para 5 are not true and are denied. It is denied that the grounds of challenge taken by the applicants exist. It is denied that the respondents have violated the procedure of transfer inasmuch as seniors have been transferred on promotion to a place out of Baroda Division and juniors have been retained on the same Division. It is denied that the respondents have violated instructions of Government of India, Department of Personnel & Training vide letter dated 20.6.89 as alleged. The applicants have not produced a copy of the said letter and hence it is not possible to offer suitable remarks at this stage. It is submitted that the present case is not a one for recruitment. The respondent No.4 and other two employees were promoted against upgraded posts and they being SC candidates, they were posted in Baroda Division in terms of Circular No.E/SCT/220/0, dated 12.11.82. It is submitted that earlier also the applicants were

: 7 :

promoted to the scale of Rs.2375-3500(RP) and posted on Ratlam & Kota Division but they did not carry out their transfer orders at that time and gave their refusal for promotion. The procedure for transfer is not strictly applicable to the facts of the present case. When an employee is posted at another Station on promotion, it is his choice to accept the promotion or refuse the same.

It is submitted that the applicants have produced a copy of order dated 25.10.93 issued by the Headquarter Office whereby the applicant No.1, Shri A.H. Raj, who was promoted as CTFO scale Rs.2375-3500(RP) and posted on Kota Division was retained in Baroda Division from the date Shri I.H.Saiyad is relieved from Baroda Division. The request of applicant Nos. 2 & 3 was examined by the Headquarter Office but could not be considered.

12. Contents of paras 6 & 7 need no reply.
13. The applicants are not entitled to any of the relief claimed in para 8 of the application.
14. The applicants are not entitled to any interim order as prayed for in para 9 of the application.
15. Contents of paras 10 to 12 need no reply.

: 8 :

In view of what is stated above, the application may be dismissed with costs and the interim relief granted in favour of the applicants may be vacated forthwith.

VERIFICATION.

I, B.N.Meena, age about 36 years, son of Shri R.N.Meena, working as Senior Divisional Personnel Officer, Western Railway, Baroda and residing at Baroda, do hereby state that what is stated above is true to my knowledge and information received from the record of the case and I believe the same to be true. I have not suppressed any material facts.  
Baroda

Dated: 6.1994

6.3.94

Senior Divisional Personnel Officer,  
Western Railway, Baroda.



(48)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH, AHMEDABAD

O.A./T.A./M.A./P.A. Case No. 324/95 in O.A/581/93

C.O.I. & O.O.

MR. N.S. Shende

APPLICANT (S)

COUNSEL

VERSUS

MR. A.H. Raj & Del.

RESPONDENT (S)

COUNSEL

DATE	OFFICE REPORT	ORDER
	Production of Documents	<p style="text-align: right;">DO 6.6.95</p>

1  
D.P.R.  
M.A.O. 288/195

49  
M. S. Shinde  
Solicitor Advocate for  
Smt. Meenakshi N.  
copy received  
Date 20/3/

26/4/1995 By Regd.  
A. Mad. Baroda

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT AHMEDABAD

M. A. NO. 324 OF 1995

IN

O. A. NO. 581 OF 1993

Union of India & Ors....

... Applicant  
(Original  
respondents)

v/s

A. H. Raj. & Ors....

... Opponents  
(Original  
applicants)

The applicants herein- original respondents

humbly beg to submit list of documents as under:-

Sr. No.	PARTICULARS	DATE
1.	Memorandum No. E/TPD/839/10/ 2 Pt. I (Loose) issued by the Divisional Office, Baroda retaining the original applicants in Baroda Division- Annexure R/l.	30.3.95

The above document is relevant and important  
to the subject matter of the original application and  
is an order by which the original applicants are  
retained in Baroda Division. The order has been  
issued during the pendency of the O.A. & hence may be

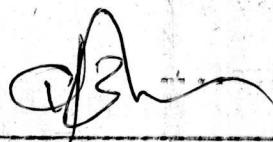
ordered to be taken on record as respondents' document.

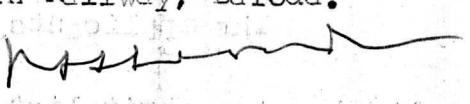
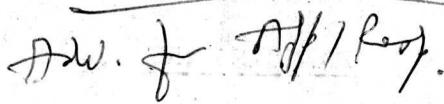
VERIFICATION.

I, B.N.Meena, age about 38 years, son of Shri R.N.Meena, working as Senior Divisional Personnel Officer, Western Railway, Baroda and residing at Baroda do hereby state that what is stated above is true to my knowledge and information received from the record of the case and I believe the same to be true. I have not suppressed any material facts.

Baroda

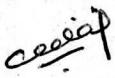
Dated: 24.4.1995

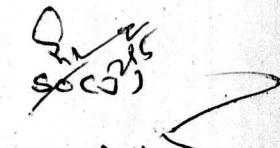
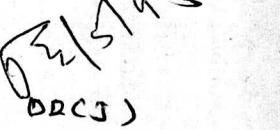
  
Senior Divisional Personnel Officer,  
Western Railway, Baroda.

  
  
A.W. & Aff/Rep.

Submitted.

Application has been scrutinized and found in order. May be placed before Hon'ble Bench for necessary order.

  
cc:cc

  
cc:cc  
  
cc:cc

No. E/TRD/839/10/2 Pt.I (Loose)  
Memorandum:-

DIVISIONAL OFFICE  
BARODA, Dt: 30/03/95

(50)

Sub: Promotion, Reversion & Transfer of Class-III  
Staff - Supervisory Staff .

Ref: GM(E)CCG's orders No. E/EL/839/7/34 dated  
9/10.2.95, 21/22.2.95 & 10.3.95.

.....

The following orders are issued which will have immediate effect:

(1) Shri Y.R. Pathan, TFO(OHE)ANND who was under order of transfer to KTT Division, is now retained in BRC Division and promoted to officiate as CTFO(TRD)ANND with headquarter at ANND, scale Rs.2375-3500(RP). His promotion will be from the date of taking over the charge.

(2) Shri A.K. Gaur, TFO(OHE)VS, scale Rs.2000-3200(RP) is promoted to officiate as CTFO, scale Rs.2375-3500(RP) and transferred to RTM Division against the post of CTFO, scale Rs.2375-3500(RP) Floated back from BCT Division to RTM Division in lieu of one post of TFO, scale Rs.2000-3200(RP) which was transferred vide above quoted letter.

(3) S/Shri R.J. Gupta, & Shantakumar V.Pillai, TFO BRC Division, scale Rs.2000-3200(RP) are promoted to officiate as CTFO, scale Rs.2375-3500(RP) and transferred to KTT Division against the existing vacancy.

(4) Shri Jodhsingh M., CTFO(TRD)VS, scale Rs.2375-3500(RP) is transferred on the same pay and scale and posted as CTFO(S)VS vice Shri Z.R. Pardeshi, CTFO(S)VS retired on 28.2.95.

(5) Shri A.H. Raj, CTFO(TRD)DK, scale Rs.2375-3500(RP) is transferred in the same pay and scale and posted as CTFO(TRD)VS vice Shri Jodhsingh M. at his own request vice item No.4 above.

(6) Shri X B.V. Nikam, TFO, scale Rs.2000-3200(RP) who is under orders of transfer to RTM Division vide HQ office letter dt.29.9.93 is now retained in BRC Division and promoted to officiate as CTFO, scale Rs.2375-3500(RP) and posted as CTFO(TRD)DK vide Shri A.H. Raj vide item no.5 above. His promotion will be from the date of ~~xxxx~~ taking over the charge.

Employees who desires to fix their pay from the date of next increment as per option may give their option within one month from the date of carryout his transfer on promotion.

....2/-

10 days joining time, TA/DA, Transfer & Packing allowance  
is admissible to item No.6 only. as per extant rules.

Date of changes may please be advised to this office early.

This has the approval of the competent authority.

*nl*  
for DRM(E) BRC

Copy forwarded for inf. & n/action to:-

TFO(OHE)ANND, CTFO(TRD)DK, TFO(OHE)VS, CTA PRTN,  
CTFO(S)VS, CTFO(TRD)VS, CTFO(RC)PRTN, CTPC PRTN,  
OS(E)P.Bill(Elect)TRD, Sr.DAO, DAUO-BRC, CA/ADRM,  
Sr.DEE, DEE(TRD)BRC, AEE(TRD) GDA & BRC, P&G.files,  
Divl.Secy., WREU-BRC

GM(E)CCG for inf. in ref. to his letter No. E/EL/839/7/34  
dated 9.10.2/95 & 10.3.95.

Divl.Secy., WRMS-BRC in ref. to his letter No. WRMS/Elect/PRTN/123  
dtd. 1.2.95.