Central Administrative Tribunal

Lucknow Bench

Cause Title ——— 1993

——— Applicant

——— Respondents

Part A.

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	Final Judgement	
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B-File

C- File

To

The Dy Registrar
CAT
Lucknow Bench, Lucknow.

Sir,

Kindly cause supply of a certified copy of judgment/order passed in the Review case no 190/88, in re OA No 389/86 R.L. Singh Vs. UOI and others decided on 27.11.92.

30/8/93

The requisite fee for the said copy is being paid by the Postal order no 4.29 974630 for Rs 5/- issued by the High Court Bench Lucknow Post office on 28.8.93, is enclosed.

Copy Issued

Lucknow
30.8.93

M. Dubey
Adv
Counsel for Applicant.

J.S.

30-8-93

27/92 (A2/1)

CAT/J/11

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

.....

Review in
O.A./~~T.A.~~ No. 387 1986

_____ Applicant(s)

Versus

_____ Respondent(s)

Sr. No.	DATE	Orders
	4.4-88	Hon. J.S. Jain, V.C. Hon. B.B. Parkash, A.M. ~~Case~~ up before this Bench concerned on 5-5-88 being a review application. 7/4/88 A.M. V.C.
	5-5-88	Hon. S. Zaheer Hasan V.C Hon. Ajay Johri A.M. On the request of the counsel for both the parties. the case is adjourned to 13-5-88 A.M. V.C
	13/5/88	It is req. by 24. to 20.5.88

Order Sheet

Review Appl No 190/88
OA 389 of 86

12.7.89 OR.

NO R.A has been filed so far.

Asst
12/7

17-7-89

Hon. K. Nath — VC
Hon. KJ Raman — Am

The applicant's learned counsel wants a week time to file rejoinder. The case will come up for orders on 14.8.89

OR

VC.

Am.

O.R NO Rejoinder Affidavit has been filed so far

Asst
10/8

14.8.89. Hon K. Nath, VC
Hon KJ Raman, Am.

None is present for the parties due to lawyers strike.

List this case for orders on 04.9.89.

OR

VC

Am.

(A2/2)

Rev No 190/89
in
OA. 389/86

Hon'ble K.J. Raman, A.M.
Hon'ble J.P. Sharma, J.M.

20/3/90 This may be put up before an appropriate Bench for orders on 7-5-90.

A.M.

J.M.

(SNS)

Hon'ble Justice K. Nath V.C
Hon'ble K.J. Raman A.M

7/5/90 Not reached. Case adjourned to 11/5/90 for orders.

12-6-90 - Judgement issued.

12-6-90

11.5.1990

Hon. Justice K. Nath, V.C.
Hon. K. Obayya, A.M.

We have heard Sri O.P. Gupta for the applicant and S/Sri K.C. Sinha & Rakesh Verma for the respondents.

A preliminary objection was raised by Sri K.C. Sinha that this application of review is barred by limitation and it is not permissible to condone the delay beyond the prescribed thirty days' limitation under Rule 17 of the Central Administrative Tribunal (Procedure) Rules, 1987. According to the learned counsel for the applicants we are not aware of the judgment and that they filed this petition within time after receipt of a certified copy of the judgment. It has been held by a Full Bench of this Tribunal in Nand Lal v. U.O.I. (1989 (10) ATC 113) that limitation for the 17 commences from the date of communication of the order and that delay may be condoned if sufficient cause is shown. In the circumstances, the objection on the question of limitation is unsustainable.

O.A.No. 389/1989

Shri R.L. Singh & others - Applicant

VS

U.O.I. & others.

OR

The case is restored to its O.A.No. vide court's order dt. 11-5-90 and the same was fixed for Hearing by Hon'ble court. since the case could not be listed in the Hearing list of August 1990 the same was submitted before Hon'ble Court for Hearing through supplementary cause list.

16/8/90.

16.8.90. Hon'ble K. Nath, VC / Hon'ble Raman Adm.
Not reached adjn to
21.11.90 for hearing.

BOZ

Hon D.K. Agrawal J.M.
Hon K. Obayya, Adm.

21/11/90 Shri O.P. Gupta counsel for the applicant requests for adjournment. Shri K.C. Sinha counsel for the respondents is present. The case is adjourned to 19-3-91 for hearing.

JM.

(SNS)

19/3/91

Hon. Mr. Justice K. Nath, VC.
Hon. Mr. A.B. Gorthi, Adm.

Shri O.P. Gupta for the applicant.
Shri K.C. Sinha for the respondents.
Shri Sinha files a photo copy of the circular No. 12085-4 dated 24-9-89 whereby the earlier circular dated 8/10/86 has been treated as invalid. The learned Counsel for the applicant requests for an opportunity to meet this document. List for final hearing on 30/4/91.

Adm.

VC.

O.R.

The case relates to territorial jurisdiction of Lucknow Bench. Hence, transferred to Lucknow Bench vide Hon V.C's order dt:- 18.12.91.

S.O.(J.A).

2.4.92

D.R.

This file has been received after transfer to this Bench from CAT Alld.

Issue notice to the Counsels for both the parties for appearance before the Hon. Bench on 23.6.92

OR

Case is submitted for hearing SFH. 18/6

OR

Notices issued 6/4/92

23-6-92 Hon. Mr. Justice U.C. Srivastva. V.C.
Hon Mr. K. Obayya. A.M.

Case not reached, Adjourned to 21-7-92.

A.M.

V.C.

OA-389/92

21.7.92 No Sitting of D.B. adj to 24.8.92

24-8-92 Case not reached Adj to 21-9-92

21-9-92 No. Sitting of D.B. Case adj to 27-11-92

Case is S.F.H.

26/11/92

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
(LUCKNO BENCH)
LUCKNOW.

...

O.A. NO 387/86 199 (L)

T.A NO

Date of Decision

K.L. Singh Petitioner.

Advocate for the Petitioner(s)

V E R S U S

Union of India & ors Respondent.

Advocate for the Respondents

C O R A M

The Hon'ble Mr. Justice U.C. Srivastava, V.C.

The Hon'ble Mr. A.B. Gorthi, A.M.

1. Whether reporter of local papers may be allowed to see the Judgment ? N
2. To be referred to the reporter or not ? N
3. Whether tobe circulated to other benches ? N
4. Whether ~~tobe~~ their Lord ships wish to see the fair copy of the Judgment ? N

VICE-CHAIRMAN/MEMBER

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

O.A. No. 389 of 1986

R.L.Singh and others Applicants.

versus

Union of India & others Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. K.Obayya, Adm.Member.

(Hon. Mr. Justice U.C. Srivastava, V.C.)

This application has come for hearing after the judgement in this application has been recalled in the Review Application.

2. The applicants, 11 in No. approached this Tribunal, praying that the promotion order dated 31.7.86, so far as it relates to thepromotion of respondents nos. 5 to 15 from Refrigerator Mechanic to Refrigerator Mechanic Highly skilled grade II w.e.f. from 15.10.84 be quashed and the respondents be directed to give promotions of applicants from Refrigerator Mechanic to Refrigerator Mechanic highly skilled grade II in accordance with the seniority list with effect from 15.10.84.

2. The case of the applicants is that they were working as Refrigerator Mechanics and in the seniority list of 29.11.85 they were shown senior to respondents 5 to 15 but on 31.7.86 the respondents 5 to 15 were promoted to the post of Refrigerator Mechanic highly skilled grade II ignoring the applicant's claim who were senior to them.

3. The applicants' claim has been contested by the respondents stating that the seniority list dated 29.11.85 was revised on 17.7.1986 andit was duly displayedon Notice Board. The applicants were transferred from another zone and the respondents belong to same zone so the applicants could not claim seniority vover the respondents. Thus 23 persons including respondent Nos. 5 to 15 and the applicants 2,6 and 9 were promoted and other persons lost their seniority and they were not promoted, after leaving their zone.

4. Earlier reliance was placed on a circular dated 13.9.87 but inthe review it was foundthat the said circular was not applicable but it is the subsequent circular of 8.10.86 which is applicable. The said circular reads as follows:

> "Since the seniority of industrial personnel for the purpose of promotion/confirmation is enrolled at the CWE area, the individuals seeking transfer on compassionate grounds from one CWE area to another CWE area whetherwithin the same zone/ command or outside zone/command are not entitled to the benefit of previous service fof the purpose of promotion/confirmation, An individual seeking transfer oncompassionate grounds will be assigned seniority only from date he reports fromduty in the new formation. In order to avoid representation at a later stage, an undertaking to this effect may be obtained from the individual before he

applies for transfer on compassionate grounds. These instructions will be applicable w.e.f. 16 Dec'85 onwards."

5. We do not find that there is any substantial variation inthe two circulars. These applicants were transferred to other zone on their request and they belong to the other zone, as seniority of industrial personnel for the purposes of promotion/ confirmation is controlled at the CWE area, the individuals seeking transfer on compassionate grounds are not entitled to the benefit of previous service for the purpose of promotion/confirmation.

6. Thus the applicants have wrongly claimed seniority The circular on which reliance was placed earlier was inthe same terms on which reliance has been placed now and there is no change in the same. We hold that the applicants have no case and the applicant cannot claim seniority over the respondents and accordinly no interference is called for in the order and the application is rejected. No order as to costs.

A.M. V.C.

Shakeel/- Lucknow: Dated: 27.11.92.

(COPY)

Tele Mil:2650

Office of the Chief Engineer
Lucknow Zone,
Lucknow- 226002

24 Sep 89

12085+/POL/370/EIC (2)

Commanders Works Engineers
Allahabad
Kanpur
(P) A/F Chakeri, Kanpur- 8
(P) Lucknow
Ramgarh

TRANSFER ON COMPASSIONATE GROUNDS INDUSTRIAL PERSONNEL

1. Reference this office letter No 12085+/Pol/276/EIC (2) dated 23 Oct 86 and your confirmation thereto.

2. E-in-C's Branch, Army HQ letter No 79040/RPOS/EIC (1) dated 25 Aug 89, is re-produced below for your further action:-

" In view of the judgement issued in writ petition No CA/325/86 and 326/86 by CAT Jaipur Bench on 29 Dec 87, this HQ letter No 79040/RPOS/EIC (1) dated 08 Oct 86 is treated as "invalid".

Authority:- CE CC Lucknow letter No 915100/Policy/50/207/EIC (2) dated 07 Sep 89.

3. Please acknowledge receipt.

Sd/ x x x x x x
(Raghbir Singh)
AO II
for Chief Engineer

CERTIFIED TRUE COPY

(MP Sinha)
AO II
for Commander Works Engineer

A3/1

Court No. 1.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.

Review Application No. 19 of 1988

IN

Registration (O.A.) No. 389 of 1986

R.L. Singh & others .... Applicants.

Versus

Union of India & others .... Respondents.

Hon'ble Justice K. Nath, V.C.
Hon'ble K. Obayya, A.M.

(By Hon. Justice K. Nath, V.C.)

We have heard Sri O.P. Gupta for the applicant and S/Sri K.C. Sinha & Rakesh Verma for the respondents.

2. A preliminary objection was raised by Sri K.C. Sinha that this application of review is barred by limitation and it is not permissible to condone the delay beyond the prescribed thirty days' limitation under Rule 17 of the Central Administrative Tribunal (Procedure) Rules,1987. According to the learned counsel for the applicants, ~~we are~~ they were not aware of the judgment and that they filed this petiton within time after receipt of a certified copy of the judgment. It has been held by a Full Bench of this Tribunal in Nand Lal v. U.O.I. (1989 (10) ATC 113) that limitation for the purposes of Rule 17 commences from the date of communication of the order and that delay may be condoned if sufficient cause is shown. In the circumstances, the objection on the question of limitation is unsustainable.

3. On merits of the review application, the learned counsel for the applicant has correctly placed reliance on a circular dated 8.10.1986, contained in Annexure 'I' to the review application, which says that an earlier circular No.79040/RPOS/DIC (I) dated 19.6.1986 was to be treated as cancelled. The judgment sought to be reviewed

rests on the circular dated 13.6.1986, which is Annexure 'I' to the written statement of some of the respondents. It appears that there is some mistake in the correct date of this circular. The number of the circular in both the Annexures, however, is the same. The judgment was delivered on 19.1.1988, i.e. long after the issue of the revised circular dated 8.10.1986.

4. In the circumstances, there is sufficient ground for review of the judgment. The judgment dated 19.1.1988 in O.A. No. 389 of 1986 is, therefore, set aside and the said O.A. is restored and is directed to be listed for final hearing on 16.8.1990.

MEMBER (A). VICE-CHAIRMAN.

Dated: May 11, 1990.

PG.

A4 I

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

INDEX

IN

REVIEW APPLICATION NO. 19 OF 1988

in

REGISTRATION NO. 389 OF 1986.

DISTRICT: LUCKNOW.

R. L. SINGH AND OTHERS ..... APPLICANT

VERSUS

UNION OF INDIA AND OTHERS ..... RESPONDENTS.

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Dated:- 25/3/88

SIGNATURE OF THE APPLICANT

PLACE:- C.A.T. Allad.

O.P. GUPTA
ADVOCATE,

COUNSEL FOR THE APPLICANT.

LAL JI SAHAI SRIVASTAVA
ADVOCATE,
COUNSEL FOR THE APPLICANT.

AG 2

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

****

REVIEW APPLICATION NO. OF 1988.

(Filed on behalf of the applicants)

IN

REGISTRATION NO. 389 of 1986.

DISTRICT: LUCKNOW.

R.L. SINGH & others ..... Applicants.

Versus

UNION OF INDIA & others ..... Respondents.

Between

1. Sri R.L.Singh son of late Mathura Pd. R/o 501/46 near 35, Ram Niwas, Keshripur , Daliganj, Lucknow.
2. Sri Surendra Narain Singh son of late B.N. Singh resident of 65,Amar Niwas, Pan Dareeba Lucknow.
3. Sri R.K.Pandey, son of Sri Atma Ram Pandey, resident of 294/24 Khala Bazar, Lucknow.
4. Sri Ram Gopal Misra son of Sri B.L.Misra , resident of 554/480-A Kailashpuri(D) Lucknow.
5. Sri K.K.Gupta son of Sri S.S.L.Gupta, resident of 47,Goin Ganj, P.O. Aminabad Lucknow.
6. R.K.Maurya son of Sri Sita Ram Maurya, resident of 568/26,Kailashpuri Lucknow.
7. Sri Manjeet Singh c/o AGE E/M, Refrigerator Section, 11 Sardar Patel Marg, Lucknow.
8. Babba Jani son of Iqbal Hussain residen t of 393/64 Kashmeri Mohalla, Lucknow.
9. Sri Manjeet Singh Punn son of late Daleep Singh

resident of 555-J Mohendi Khora, P.O. R.D.S.O. Alambagh, Lucknow.

10. Sri R.K. Gupta son of Sri Babulal Gupta, R/o 125/2, Autram Line, MES Colony. Lucknow.

11. Sri Krishan Kumar Son of Girdhari Lal resident Qasar Bara Lakri Mohal, cantt. Lucknow.

..... Applicants.

Versus

1. The Union of India through the secretary Ministry of Defence, Central Secretariate New Delhi.

2. The Engineer-in-Chief Army Head Quarters, Defence head Quarter, New Delhi.

3. The Commander works Engineer(P), 229 Mahatma Gandhi Marg, Lucknow-2.

4. The Carrison Engineer E/M Military Engineering Services, Lucknow.

5. Sri Nanda Ballabhm AGE E/M Refrigerator Mechanic Refrigeration Section, 11 Sardar Patel Marg Lucknow.

6. Sri Girja Dutt, Refrigerator mechanic, AGEE /E/M Refrigeration section, 11 sardar Patel Marg Lucknow.

7. Sri Narbachan Singh refregerator mechanic, AGE E/M Regrigerator section, 11 Sardar Patel Marg, Lucknow.

8. Sri Neelam Kumar, Refrigerator mechanic, AGE/E/M refrigeration section, 11 Sardar Patel Marg Lucknow.

9. Sri Zahir Husainm refrigerator mechanic AG E E/M

Refriferation section, 11 Sardar Patel Marg Lucknow.

10. Sri P.C.Upadhyaya, Refirgerator mechanic AGE/E/M Refrigration section, 11 Sardar Patel Marg, Lucknow.

11. Sri R.C.Sikri, Refrigerator mechanic, AGE E/M Refrigerator section, 11 Sardar Patel Marg, Lucknow.

12. Sri Hausala Prasad Refrigerator mechanic AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

13. Sri Tej Kumar Singh, Refrigerator mechanic AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

14. Sri M.P. Chauhan, Refrigerator mechanic AG E E/M Refrigeration section, Lucknow.

15. Sri Rattan Lal, Refrigerator mechanic, AGE E/M Refrigeration section, 11 sardar Patel Marg Lucknow.

..... Respondents.

To,

The Hon'ble Vice Chairman and his other Companion members of the aforesaid Tribunal.

The applicants named above most Respectfully prayes as under:-

1. That the bench of Hon'ble has delivered its judgment on 19.1.1988 in registration no. 389 of

1986 R.L.Singh and others - Versus - Union of India and others . The copy of the same was recived by the applicants on 22.3.88. The applicants foun d that the main orgument put ~~forth~~ for the on behalf of the applicants has not been dealt with in the judgmen t and the judgment has been based mainly on the letter dated 19.6.1986.(wrongly quoted as 13.6.1986) which is non oprative because the same was cancelled by the letter dated 8.10.1986 Passed by Engineer in -Chief, Army Head Quarter new Delhi. As such aggrieved with the aforesaid judgment the applicants are filing this application to review the aforesaid judgment in the intrest of justice as well as in the intrest of the applicants.

2. That the aforesaid case deals witht he revised principle of fixing seniority of the applicants as per policy laid down by the engineer-in-chief army head quarter new Delhi. The Engineer-in-chief by its letter dated 19.6.1986 has issued policy decission for fixing seniority of industrial staff for t he purposes of promotion/confirmation, when the indivisual seeking transfer on compassionate ground from C.W.E. area whether within the same Zone/ command or out side zone/command, does not get th e benifit of privious service for the purposes of promotion and confirmation.

3. That as per the judgment of division bench of Kerla High Court, the engineer-in-chief by its letter dated 8.10.1986 cancfilled its privious letter dated 19.6.1986 and issued instructions that the revised principle of seniority list as laid down in C.P.R.O. 73-73 are made applicable to the M.E.S. with effect from 16 Dec. 1985 in case of Transfer of industrial personnel on compassionate ground, within the same ~~x~~ zone/command or out side zone/ command. Accordingly the original seniority list of those personnels who were transfered before 16.12.1985, will not be disturbed Only those employees who are transfered on or after 16.12.1985 will loose there original seniority. The true copy of the letter dated 8.10.1986 is hereby annexed as ANNEXURE NO. 1.

4. That basing on the letter dated 8.10.86 th e commonder works engineer (P) vide its letter dated 20.11.1986 sought clarifications, from chief engineer Lucknow zone, whether already promoted person should be retained in the same post or reverted back to there original post because the persons next to in ~~li~~ieu who have become rightly entitled for promotion are to be promoted now. The true copy o f the letter dated 20.11.1986 is hereby annexed as ANNEXURE NO. 2.

5. That in reply to aforesaid letter dated 20.11.1986 the chief engineer Lucknow zone vide its letter dated 28.11.1986 directed to the workes engineer not to disturb the promotions acquired o n the basis of the original seniority list, of thos e persons who are transfered prior to 16.12.1985. The true copy of letter dated 28.11.1986 is hereby Annexedas ANNEXURE NO. 3.

6. That relying on the order dated 8.10.1986 the commander workes engineer has promoted Sri Ram Lakhan Singh , one of the applicant in the aforesaid cas e to the post of H.S.Grad II with effect from 15.10.1984. The true copy of promotion order dated 13.11.1986 is hereby annexed as ANNEXURE NO. 4.

7. That the engineer-in-chief , vide its letter dated 12.5.1987 again clarified the relivancy of the applicability of C.P.R.O. 73/73 from 16.12.1985 in CWE Area, when industrial staff seekes transfer on compassinate ground within or out side the Zone Command. In other words egineer-in-chie nas fully clarifide that the idustrial staff onseeking transfer on compassinate groud prior to 16.12.1985 will not loose the benifit of his original seniority or of privious services. The true copy of the aforesaid letter dated 12.5.87 is hereby annexed as

ANNEXURE NO. 5.

88 That all the petitioners in thiscase were transfered in the years 74,75 ad 76 i.e. prior to 16.12.1985 as such no uder taking for the loss of privious services or of origial seniority was given by them at the time of tranfer. Therefore all the petitioners were prompted after the transfer on the basis of origial seniority or privious service. date of tranfer of each of the applicant is as under:-

S.No.	Name	Date of Arrival at CWE(P) Lucknow
1.	Srhi R.L. Singh s/o Late Mathura Pd.	12.3.75
2.	Shri Surendra Narain S/o Late B.N. Singh	17.10.74
3.	Shri R.K. Pandey S/o Shri Atma Ram Pandey	12.3.75
4.	Shri Ram Gopal Misra s/o Sri B.L. Misra	12.3.75
5.	Shri K.K.Gupta s/osri S.S.L.Gupta	3.3.75
6.	Shri R.K. Maurya S/o shri Sita Ram Maurya	26.10.74
7.	Shri Manjeet Sigh Pahwa	26.10.74
8.	Shri Baba Jami S/o Sri Iqbal Hussain	30.11.74
9.	Shri Manjeet Sigh Punn s/o Late Daleep Singh	9.12.74
10.	Shri K.K.Gupta s/oShri Babu Lal Gupta	6.11.74
11.	Shti KrishanKumar S/o Girdhari Lal	4.3.76

9. That the respondent in the aforesaid case concealed the latest policy decision taken by engineer-in-chief vide its letter dated 8.10.86 and onwords as such the respondents are guilty of supressing the material fact. If the Hon'ble Court was informed of the latest policy dicision, the applicants are much sure that the Hon'ble Court would have been in position to allow the aforsaid application and to direct the respondent not to disturb the the promotion of the applicants. As such in the inrest of Justice the applicants are filling this application before the Hon'ble Court to review the aforesaid Judgement dated 19.1.1986 in registration no. 389 of 1986 on the following grounds:-

GROUND S

i) Because there is apparent error of law on the face of Judgment.

ii) Because the respondent have supressed the material fact.

iii) Because the Hon'ble Court mainly based its judgment on the letter dated 19.6.1986 which was subsequently cancelled by the Head of department. by its letter dated 8.10.86 (Annexure no. 1).

iv) Because the court has given its dicision on the basis of a order which has seized its opration by a subsiquen order .

v) Because the Hon'ble Court could not give its dicision on the basis of latest Policy dicision taken by the Head of departmen i.e. the engineer -in-chief. army head quarter New Delhi.

vi) Because the industrial staff seeking transfer prior to 16.12.1985 should not loose the benifit of original seniority /privious services in case of promotion or confermation .

vii) Because the applicans have suffered grave irreparable loss.

viii) Because inthe intrest of Justice it is very esential to review the aforesaid Judgment in the light of latest policy decision takenby engineer-in-chief as per its order latter dated 8.10.86 inpersuance of Kerala High Court decisiondated 16.12.1985.

xxxx

ix) Because egineer-in-chief specialy has issued a clarification vide its latter dated 12.5.87 (Annexure no. 5), regarding the latest policy decision for the purposes of taking defene before the Hon'ble Tribunal if any case is challeged on the aforesaid subject.

PRAYER

On the basis of aforesaid ground the Hon'ble Tribunal is requested to be pleas:-

i) To allow the review application and to review its judgment dated 19.1.86, quasing the promotionlist No. 12025/430/E-10(2) dated 30-7-86 so far as it relates to the promotion of respodent no. 5 to 15 from Refrigerator Machanic to refrigerator Machanic Heghly skilled grade II w.e.f. 15.10.84.

ii) to direct the respondents no. 1 to 4 to give promotion tothe application no. 1 to 11 from the post of refrigarator Machanic to refrigrator Machanic Highly skilled grade II in accordance with the original seniority w.e.f. 15.10.84.

iii) to pass any other order or direction which this Hon'ble Court may deem fit in the intrest of Justice.

Verification.

I, R.K. Pandey son of Sri Atma Ram Pandey age 40 years working as Refrigerator Mechanic AGE E/M Lucknow resident of 294/24 Khala Bazar, Lucknow do hereby verified th t the contents from 1 to 9 are true to my personal knowledge and belief and that I have not suppressed any material facts'.

Signature of the applicants

Place:

Date:

Counsel for the a[illegible] APPLICANT

11 A4/12

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

***

ANNEXURE NO. 1

in

Review Application No. of 1988.

in

Registration No. 389 of 1986

DISTRICT: LUCKNOW.

R.L. Singh and others ..... Applicants.

Versus

Union of India and others ..... Respondents

TELIPHONE: 3011309 REGISTERED

Coord aur Karmik Nidoshalaya
Pramukh Engineer Shakha
Sena Mukhyalaya
Coord & Personnel Dte/EIC(I)
Engineer-inChief's Branch
Army Head quarters
DHQ PO New Delhi-110011.
08Oct'86.

79040/RPOS/EIC(I)
Chief Engineer
HQ Southern Command, Pune.
HQ Eastern Command, Calcutta.
HQ Western Command, Chandimandir.
HQ Central Command, Lucknow.
HQ North ern Command, C/o56 APO.

TRANSFERS ON COMPASSIONATE GROUNDS?: INDUSTRIAL PERSONNEL.

1. The applicability of the revised priniciples of the seniority laid down in the Ministry of Home Affairs OM.No. 9.11.55-RPS dated 22 Dec. 59 reproduced in appx 'B' to CPRO 73/73 as clarified in CPRO.11/75 has been re-examined. Though the revised principl es of seniority were made applicable to the Defence formation with effect from 01 Jul 73, instruction s

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were not issued by this HQ to Chief Engineer commands on the presupmption that revised rules of seniority are applicable to the civilian personnel transferred from other Department to the MES under Surplus/deficiencies Scheme and on compassionate grounds and not to the MES civilian personnel when posted/transferred on compassionate grounds within the MES. However some Refg. Machanic of CWE cochin filed a writ petition in the High Court of Kerala at Ernakulam against the assignment of original seniority to the individuals transferred to CWE Cochin from other CWE Area on compessionate grounds though the case was decided in favour of the petitioners as per Kerala High Court Judgement, we had filed an appeal before the Division Bench of the High Court of Kerala contesting that the revised principes of seniority are not applicable to the MES civilian personnel in case of transfer on compassionate grounds with in the MES. The appeal was, however dismissed and the earlier Judgment was up held by the Division Bench of Kerala High Court on 16 Dec. 1985.

2. In pursuant to Division Bench of Kerala High court order dated 16 Dec.85 the revised principles of seniority as laid down in CPRO 73/73 are made applicable to the MES with effect from 16 Dec. 85 in case of transfer of industrial personnel on compassionate grounds eithin the MES units. In view of the consideration of the fact that no instruction

13 A4/14

regarding revised principles of seniority were i sued by this HQ and the industiral personn el were not avare that they will loss seniority on compassionate posting past cases will not be re-opened.

3. Since the seniority of industrial personnel for the purpose of pormotion/confirmation is controlled at the CWE area, the individuals seeking transfer on compassionate grouds from one CWE area to other CWE area whether within the same Zone/Command or outside Zone/Command are not entitled to the benefit of proevous service for the purpose of promotion/confirmation, An individual seeking transfer on compassionate grounds will be assigned seniority only from tdate he reports from duty in the new forma tion In order to avoid representations at a later stage, an undertaking to xthis effect may be obtained from the indivkdual before he applies for transfer on compassionate grounds. These instructions will be applicable w.e.f. 16 Dec'85 on wards.

4. Our HQ letter.No. 79040/RPOS/KIC'(I) dated 19 June'86 issued on the subject to be treated as concelled.

SD/- xx x x x x x x x

(K.S. Sethi)

Col.

Engineer-in-Chief- Dir Pers (MES)

Copy to:-

All Zonal CES

All CWE

/ true copy/

14 (A4/15)

IN THE COURT OF CENTRAL ADMINISTRATIVE

ADDITTONAL BENCH ALLAHABAD.

ANNEXURE NO. 2.

in

Review Application No. of 1988

in

Registration no. 389 of 1986

DISTRICT: LUCKNOW.

R.L. Singh and others ..... Applicant

Versus

Union of India and others..... Respondents.

PRIORITY

THE MILY : 669

Headquarters
Commander Workds Engineer (P)
229 Mahatma Gandhi Marg
Lucknow -2

Chief Engineer
Lucknow Zone
Lucknow.

20 Nov.86.

FITMENT OF INDUSTRIAL WORKERS OF MES IN HIS PAY SCALES RECOMMENDED BY IN THIRD RAY COMMISSION RECOMMENDATION OF THE ANCL AMIE S COMMITTEE /

1. Reference E-in-C'x BR. letter No. 79040/RPOS/EIC (I) dated 08 Oct 86.

2. ----------

3. ----------

4. ----------

5- After reconsedering the implementation of E-In-C's Br. instructions vide their letter under reference. The following individuals are eligible for

15

promotion keeping in view their date of initial appointment in present grade in this department. Out side our Area but within MES unit and some of the individuals who have already been promoted based on E-in-C's Br. letter No. 79040/RPOs/EIC(I) dated 19 June 86 are junior to them.:-

Category	Promotion already made 35%	Vacancy if any	Individuals eligible for promotion
(a) Ref/each	35	1	8Nos 1 senior Ref/each already recommended buy involved in disciplinar y case
(b) - - - - - - -	.....	.....	.....
(c) - - - - - - -			

6. The promotion were effected based in en-in.C's letter No. 79040/RPOs/EIC(I) dt. 19.6.86 Since th e same stands cancelled vide para 4 of E-in-C's letter abit, please clearify whether already promoted person should be retained in the same post or reverted back to theire original post because the person next to in lieu who have be come rightly entitled for promotion are to be promoted now.

7. In view of the above and since promotion have already been affected may the applicability of th ese instructions be vie ed with regard to para 2 of E-in-C'S Br.letter under reference and necessary clarification be given at the earliest for our further action please.

Sd/- xxxxxxxxxx
(T.R. Gulati)
Lt Col.
Commander Works Engineer (P)

/true copy/

16 (AY/17)

ANNEXURE : 3.

Tele.Mil.: 632

Office of the Chief Engineer
Lucknow Zone
Lucknow - 226002

120854/Pol/257/EIC(2)

28 Nov. 86.

Commonder Works Engineers
Allahabad.

Kanpur
(P) Lucknow
(P) (AF) Chakari, Kanpur
Ramgarh.

GE (P) (I) Gopalpur.

TRANSFER ON COMPASSIONATE GROUNDS : INDUSTRIAL PERSONNEL.

1. Reference E-in-C's Branch, Army HQ New Delhi Letter No. 79040/RPOS/EIC(I) dated 08 Oct. 86.

2. Clarification given by CE CC Lucknow vide paras 2 and 3 of their letter No.901405/Policy/50/153/EIC(2) Dated 27 Nov. 86, on E-in-C's Branch, Army HQ latter referred to above, are re-preduced below for your information and necessary action please :-

"2. The revisad Principles of seniority as laid down in CPRO 73/73 and further clarified in CPRO 11/75 are now made applicable to the MES wef 16 Dec. 85 vide E-in-C's Branch AHW letter No.79040/RPOS/EIC(I) dated 08 Oct.86 in view of the verdict of Kerala High Court against a writ petition filed by some Refg Mechanics of CWE Cochin area. E-in-C's Branch vide para 2 of their letter quated above has further clarified that past cases i.e. parior to 16 Dec.85 will not be reopened.

3. In view of above any irregularity done on or after 16 Dec.85 requires revision."

3. For CWE (P) Lucknow only. This disposes of your letter No. 12065/350/EIC(3) dated 20 Nov.86.

Sd/-

(R.D. Ranjan)
Capt.
So 3
for Chief Engineer.

Offg Spt. 29

17

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

ANNEXURE NO. 4.

in

Review Application No. of 1988

in

Registration No. 389 of 1986

DISTRICT: LUCKNOW.

R.L. Singh & others..... Applicants

Versus

Union of India and others ..... Respondents

Tele: Mbly 669

Headquarters
commander Works Engineer(P)
229 MG Road
Lucknow.

12025/489/EIC(2)

13 Nov. 1986

CR E/M Lucknow

ELTMENT OF INDUSTRIAL OWRKERS OF MES IN TH E OF MES IN THE PAY SCALES RECOMMENDED BY TH E THIRD PAY COMMISSION: RECOMMENDATION OF TH E ANOMOLIES COMMITTEE :

1. Reference this office letter No. 12025/430/ EIC(2) dated 31 Jul 86 and 12037/Policy /116/EIC(2) dated 08 Nov 86 and Einc's Br. Letter No. 79040/RPOS/ EIC(T) dated 8 Oct. 86.

2. The following promotions in respect of the tradesmen belonging to skilled grades are hereby ordered:-

s.No.	MES No.&Name	Promoted From	Promoted TO	Unit	Remarks
1.	457063 Shri Ram Lakhan Singh	Ref/Mech HS Gde II	Ref/Mech GR I Lko	E/M	Promoted from skilled to HS GDe II wef 15 Oct 84 in the scale of 330-8-370-10-400-EB-10-480

(Item one only)

Authy:. Govt of India, Min of Def Letter No. 1(1)80/DECC IC/Vol-III Dt.08 Apr.86.

(TR Gulati)
Lt Col
Commander Workds Engineer

Copy to:

File No. 12065/A/EIC(3)

/True Copy/

AM/30

13

IN THE COURT CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

ANNEXURE NO. 5.

in

Review Application No. of 1988

in

Registration No. 389 of 1986

DISTRICT: LUCKNOW.

R.L. Singh and other ..... Applicant.

Versus

Union of India and others ..... Respondents.

Copy of Hinc's Branch letter No. 79040/RPOS/EIC(I) dt. 12 May 1987

Sub: TRANSFER ON COMPASSIONATE GROUND INDUSTRIAL PERSONNEL.

1. Ref this HQ letter No. 79040/RPOS/EIC(I) dated 08 Oct. 86.

2. Vide this HQ letter under reference the revised principles of seniority have been made applicable in the MES with effect from 16 Dec 85 .This letter has been challenged by some individuals in the central Administrative Tribunals seeking relief that the revised Principles of seniority should be made applicable to the MES with effectfrom 01 Jul.73.

3. The revised principles of seniority have been made applicable in theMES with effect from 16 Dec 85 on the following reasons:-

(a) The revised Principles of seniority have been made applicable to theMES Civilian personnel when posted/ transferred on compassionate grounds withthe MES considering MES as one Unit

(b) Some Ref mech of CWE Cochin had filed a writ petition in the Higher Court of Kerala claiming that individuals unless transferred from one CWE Area to other CWE Area on compassionate ground should be assigned seniority from the date of joining the new formation .This case was contested on the grounds mentioned in para 3 (a) above. However contesed on the grounds mentioned in para 3(a) above. However the plea of thepetitioner was unheld by the High Court of Kerala. On the Judgement of Kerala High Court an appeal was again filed in the Division Bench of Kerala High Court by the Department on the same grounds as mentioned in para 3 (a) above.

(c) The judgement of theKerala Court was upheld by the Division Bench of Kerala High Court vide its Judgment announced on 16 Dec. 85.

(d) Since the pleas of the Department was pending trail in the Division Bench of Kerala High Court on which final decision was announced on 15 Dec 85 only , the revised principles of seniority have been made applicable in the MES with effect from 16 Dec.85, the date of judgment of the Division Bench of Kerla High Court.

4. In view of above ,any application filed in the Central Administrative Tribunal on the applicability of th revised principle of seniority in theMES will be contested on the abovelines and counter affidavite which are required to be approved by the legal adviser (Defence) may be forwarded to this HQ duly approved by the Central Govt. standing council. In other cases, counter affidavit

will be approved by the respective law at Calcutta/Bombay/Madrass.

5. Kindly acknowledge receipt.

Sd/- x x x x x x x x

(MM Krishan)

Col

Dir Pers (MES)

Engineer-in-Chief's

/ true copy/

AU/23 22

IN THE COURT OF CENTRAL ADMINISTRATIV TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

****

MISC. APPLICATION NO. OF 1988.

(U/S 5 of Limitation Act)

IN

Review Application No. of 1988

IN

Registration No. 389 of 1986.

DISTRICT: LUCKNOW.

R. L. SINGH & others ..... Applicants

Versus

UNION OF INDIA & others ..... Respondents

BEFORE THE HON'BLE TRIBUNAL

The applicants prayes as under:-

1. That the Hon'ble Tribunal has delivered Judgment in registration No. 389 of 1986 on 19.1.88 and the copy of the judgment was received by the app-licant on 22.3.88. Aggrieved with the aforesaid Judgment the applicant is filing review application.

Delay if any on the part of applicant in filing review application may be candoned and the review application may be treated with in the period of limitation. Reasons in filing the review application are detailed in the accompanying affidavit.

P R A Y E R

It is therefore MOST RESPECTFULLY prayed that on the basis of reasons explained in the accompanying affidavit your Lordships may be pleased to allow the present application for condoning delay, if any, and the review application with in time of limitation.

DATE: SIGNATURE OF THE APPLICANT.

LAL JI SAHAI SRIVASTAVA
ADVOCATE
COUNSEL FOR THE APPLICANT

O.P. GUPTA
ADVOCATE
COUNSEL FOR THE APPLICAN

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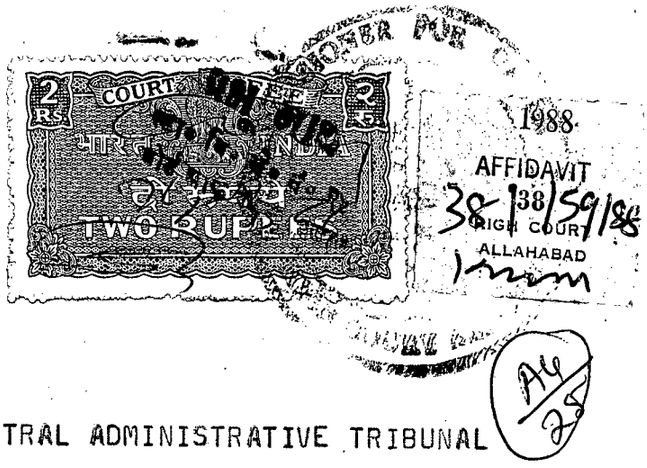

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

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AFFIDAVIT

IN

MISC. APPLICATION NO. OF 1988.

in

Review Application No. of 1988

in

Registration no. 389 of 1986.

DISTRICT: LUCKNOW.

R.L. SINGH & others ..... Applicants

Versus

Union of India & others ..... Respondents

Affidavit of R.K. Pandey son of Sri Atma Ram Pandey A/A 40 years R/p 294/24 Khala Bazar, Lucknow.

.... Deponent...

I, the deponent above named do hereby state on oath as under:-

1. That the deponent is the applicant No. 3 in the review application filed in aforsaid registration No. 389 of 1986 hence well acquainted with all fact

24/3/88

25

AM/26

and circomstances.

2. That the aforesaid registration No. 389 of 1986 was fixed for final hearing on 12.1.1988 before the Hon'ble Court. After hearing both the parties Hon'ble Court reserved its judgment without fixing any date for the delivery of judgment.

3. That the counsel of the applicant told that Hon'ble Court will give its judgment later on and and a certified copy of the same will be sent through registered post by the office of the Tribunal to the address of the applicant or his Counsel.

4. That the deponent waited very much but no copy of the judgment was received by the applicant. Then applicant approached his counsel who sugested to enquire in the office of Hon'ble Tribunal.

5. That the deponent contacted to the office and came to know that the copy of the judgment has already been sent to the address of applicant counsel. But because the copy of the judgment was not recived by the counsel therefore no way was left to the deponent to get another copy of the judgment.

24/3/88

AU/87 26

6. That the deponent applied for another copy on payment and the same was received by the deponent from the office on 22.3.1988.

7. That the deponents found that deponent's case was dismised. But becaused there is appereant error of law on the face of Judgment therefore deponent decided to filed a review application in the intrest of Justice.

8. That the deponent is filing the review application and delay if any on the part of deponent in filing review application may be candoned, in the light of circomstances and reasons explained in preceeding paras of this affidavit.

9. That the ~~contents~~ contents of the accompanying affidavit have been readover and explained to the deponent and he has fully understood the same.

24/3/88

I, the deponent above named do hereby declare that the contents of thethis affidavit in paragraphs 1 to 9 are true to my personal knowledge, which all I believe to be correct. No part of this affidavit is false and nothing material has been concealed.

So help me God.

24/3/88
(Deponent).

I, O.P. Gupta , Advocate C.A .T. Allahabad. do hereby declare that the person making this afffidavit and alleging himself to be Sri R.K.Pandey is personally known to me ~~from perusal of paper produced by him in this case~~ and I am satisfied that he is the same person.

Advocate.

Solmnly affimed before me on this the 25th day of 1987 at 9.45 a.m./p.m. by the deponent who has been identified by the aforesaid Advocate.

I have satisfied myself by examining the deponent that he has fully understood the contents of this affidavit and those of the writ petition which have been readover and explained to him by me.

OATH COMMISSIONER.

24/3/88

COURT FEE 5 RS. भारत INDIA पाँच रुपये FIVE RUPEES

B1/1

28

बअदालत C. A. T. Allahabad

रिट/अपील Reg No 1588
नम्बर ..... सन् १९ जिला Lucknow
निगरानी

R. L. Singh & others
वादी/प्रतिवादी
अपीलान्ट

बनाम

Union of India & others
वादी/प्रतिवादी
रेस्पान्डेन्ट

मैं
हम कि .....

.....

उपरोक्त प्रकरण हम अपनी ओर के पक्ष समर्थन के हेतु

Sri (i) O. P. Singh, Advocate
(ii) S. Lalji Sahu, Shivdwa Advocate
(iii) O. P. Gupta Advocate
एडवोकेट हाईकोर्ट

इलाहाबाद को कानूनी निश्चित शुल्क नियत करके अपना अभिभाषक नियुक्त करते हैं, और स्वीकार करते हैं कि उक्त सज्जन हमारी ओर से वाद-पत्र, प्रतिवाद-पत्र, वाद स्वीकार पत्र, विवाद-पत्र, पुनरवलोकन एवं पुनःनिर्णय प्रार्थना-पत्र शापथिक कथन प्रवर्तन-पत्र अपील, निगरानी इत्यादि हर प्रकार के अन्य प्रार्थना आदि एवं लेखादि की प्रतिलिपियाँ अपने हस्ताक्षर करके न्यायालय में प्रस्तुत करें अथवा किसी पत्र पर आवश्यकतानुसार शापथिक पुष्टीकरण करें, और आवश्यक सवाल जबाब करें और लेखादि की प्रतिलिपियाँ एवं हमारे प्राप्त धन को अपने हस्ताक्षरों द्वारा रसीद देकर प्राप्त करें, हमारी ओर से किसी मध्य पत्र तथा साक्षी मानें और उससे सम्बन्धित प्रार्थना-पत्र प्रस्तुत करें तथा उसका समर्थन करें तथा तसदीक करें, वाद-पत्र उठावें छोड़ें अथवा समझौता करें तथा सुलहनामा दाखिल करें तथा उसके सम्बन्ध में प्रार्थना-पत्र दाखिल करके उसका समर्थन करें अर्थात् प्रकरण से सम्बन्ध रखने वाली कुल कार्यवाही डिग्री भर पाई होने के समय तक स्वतः या संयुक्त करें आवश्यक होने पर किसी अन्य वकील महोदय को वकील करें।

उक्त सभी कार्यवाही जो उक्त सज्जन करेंगे प्रत्येक दशा में अपने किये की भांति हमको सर्वथा स्वीकार होगी। अगर हम कानूनी/निश्चित शुल्क उक्त सज्जन को न दें तो उनको अधिकार होगा कि वह हमारी ओर से मुकदमा की पैरवी न करें। उपरोक्त दशा में उक्त सज्जन का कोई उत्तरदायित्व न रहेगा।

अतएव यह अभिभाषक पत्र प्रमाण रूप लिख दिया कि प्रमाण रूप से समय पर काम आये।

हस्ताक्षर .....
हस्ताक्षर .....
हस्ताक्षर .....
साक्षी .....

Accepted
O. P. Gupta 25/3/88
Adv.

AB today
Jm
17/7/89
Private
CA
Vs
Review
1 copy

Counter Affidavit on behalf of
Resp. No - 8 and 13
in
Review App. No 190/88
IN
O.A. No 389/86
R.L. Singh Vs U.O.I & Others

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH AT ALLAHABAD.

CIVIL MISC. APPLICATION NO. OF 1988

ON BEHALF OF

Respondent Nos. 8 and 13

IN

Review Application No. 190 of 1988

In

Registration No. 389 of 1986

R.L. Singh & Others .... Petitioners

Versus

Union of India & others ..... Respondents

That the full facts have been set out in the accompanying counter affidavit on the basis of which it is necessary in the interest of justice that review application filed by the petitioners may kindly be dismissed with cost.

P R A Y E R

It is, therefore, respectfully prayed that this Hon'ble Tribunal be pleased to dismiss the review application, otherwise the respondents will suffer irreparable loss.

Date: 9.3.89

(RAKESH VARMA)
Advocate
Counsel for Respondent Nos. 8 & 13

1989
AFFIDAVIT
37/588
HIGH COURT,
ALLAHABAD

IN THE CENTRAL ADMINISTRA-TIVE TRIBUNAL, ADDITIONAL BENCH AT ALLAHABAD

Co COUNTER AFFIDAVIT

ON BEHALF OF

Respondent Nos. 8 and 13

IN

REVIEW APPLICATION No. 190 OF 1988

IN

REGISTRATION NO. 389 OF 1986

R.L. Singh & others ..... Petitioners

Versus

Union of India & others ..... Respondents

Affidavit of Neelam Kumar aged about 40 years son of working as Refrigerator Mechanic, Refrigeration Section, 11, Sardar Patel Marg, Lucknow

(Deponent)

I, the deponent abovenamed, do hereby solemnly affirm and state on oath as under :-

1. That the deponent is one of the contesting respondents in the aforesaid case and has been authorised

to file this counter affidavit on his own behalf and on behalf of Respondent No. 13 and is well acquainted with the facts ~~deposed~~ deposed to below.

2. That the deponent has read over the contents of review application and is in a position to reply the same.

3. That before giving parawise reply to the review application, the following facts are being asserted in order to facilitate this Hon'ble Tribunal to decide this review application.

4. That the petitioners have filed this review application against the judgment dated 19.1.88, passed by this Hon'ble Tribunal only on 25.3.88 which itself is badly barred by time in view of rule 17 of the Central Administrative Tribunal (Procedure) Rules, 1987.

5. That in para 1 of the review application, it is alleged that the copy of judgment dated 19.1.88 was received by the petitioner on 22.3.88 whereas a bit perusal of the aforesaid judgment would show that it was prepared by the Copying Section of this Hon'ble Tribunal on the very next day i.e. on 20.1.88.

6. That the present review application is hit by

rule 17 of Central Administrative Tribunal (Procedure) Rules, 1987 and as such can not be entertained and is liable to be dismissed without considering other aspects of the case.

7. That after the perusal of the pleadings of the petitioners, in review application, it is revealed that by means of the review application the petitioners have challenged the finding of this Hon'ble Tribunal, which is not at all permissible under the provisions of Sub-Section (f) and of Sub-Section (3) of Section 22 of the Administrative Tribunal Act, 1985. In case the petitioners want to point out irregularity and illegality of the judgment of this Hon'ble Tribunal, though it is not at all permissible, the petitioners can file special leave petition under Article 136 of the Constitution of India before the Supreme Court and no remedy for them is available by filing the review application and as such the review application is liable to be dismissed on this count alone.

8. That in reply to contents of para 1 of the review application, it is submitted that they had relied upon the letter dated 19.6.86 and this Hon'ble Tribunal while deciding the case has considered the said letter. The promotions were ordered on the basis of Engineer-in-

Chief's Branch Army Headquarter letter No. 79040/RPOS/ EIC(I) dated 19.6.1986 and were effective as per the seniority. The Engineer-in-Chief's letter dated 8th October, 1986 was not at all in existance at the time of ordering the promotions.

This Hon'ble Tribunal has been pleased to dismiss the O.A. No. 389 of 1986 and has been pleased to say that an individual seeking promotion on compassionate grounds will be assigned seniority only from the date on which he reports for duty in the new formation and he can not carry his own seniority to new area, which is in conformity with the letter dated 8.10.86 (Annexure - I to review application) upon which the petitioners are now relying.

9. That in reply to contents of para 2 of the review application, it is submitted that promotions were ordered without giving the benefit of previous service as per Engineer-in-Chief's letter dated 19.6.86.

10. That in reply to contents of para 3 of the review application, it is submitted that at the time of ordering the promotions, the Engineer-in-Chief's Branch Army Headquarter letter dated 8.10.86 was not in existance as the promotions were ordered during July, 1986. However,

it is submitted that the letter dated 8.10.86 has been misunderstood by the petitioners. This letter has adopted a same principle of counting seniority of the individuals ~~xxxxx~~ who have been transferred on compassionate ground as has been adopted in previous letter dated 19.6.86. Moreover, it is submitted that the letter dated 8.10.86 upon which the petitioners are now relying (Annexure - I to the review application) also says in its paras 2 and 3 that in case of transfer of an individual on compassionate ground the seniority shall be assigned only from the date on which he reports for duty and shall not be entitled to the benefit of previous for the purpose of promotions/confirmation. The aforesaid letter dated 8.10.86 also says that past case will not be re-opened.

10. That in reply to contents of para 4 of the review application, it is submitted that clarifications regarding retaining of the individuals in the same post/ reverting back to their original post was sought for during November, 1986 i.e. after the promotions were already implemented.

12. That in reply to para 5 of the review application

it is submitted that it was clarified by higher authorities that the promotions already acquired on the basis of Engineer-in-Chief's letter dated 19.6.86 should not be disturbed.

13. That in reply to contents of para 6 of the review application, it is submitted that Shri R.L. Singh, one of the applicants in the present case, was promoted vide C.W.E.(P), Lucknow letter No. 12025/489/EIC(2) dated 13.11.86, subsequently the promotion order was cancelled vide letter No. 12035/498/EIC(2) dated 16.12.86 as the case of the individuals was subjudice before this Hon'ble Tribunal at that time.

14. That in reply to contents of para 7 of the review application, it is submitted that the applicability of CPRO-73/73 was clarified w.e.f. 16.12.85 vide Engineer-in-Chief's letter dated 12.5.87 i.e. when the case was already subjudice before this Hon'ble Tribunal.

15. That in reply to contents of para 8 of the review application, it is submitted that the deponent and respondent No. 13 were promoted on the basis of Engineer-in-Chief's letter dated 19.6.86 i.e. the seniority was counted for from the date when they reported for duty

to the new area after 1974, 75 and 76.

That the contents of paras 1, 2, 8, 9, 10, 11, 12 to 15 of this affidavit are true to my personal knowledge those of paras 4 Partly 5, and 6 Partly are based on record and those of paras 7 are based on information and thos of paras 3, 4 Partly, 5 & 6 Partly are based on legal advice, which all I believe to be true. No part of it is false and nothing material has been concealed in it. So help me God.

Deponent.

I, ~~Clerk to Shri~~ Rakesh Varma, Advocate, High Court declare that the person making this affidavit and alleging himself to be the deponent is known to me from perusal of the papers.

Identifier.

Solemnly affirmed before me on this 9th day of November, 1988 at 11.20 A.M./~~P.M.~~ by the deponent, who is identified by aforesaid.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit, which has been read over and explained to him.

OATH COMMISSIONER.
ER
bad
3715-88
9/11/88

SO (J)
Keep on file & date fixed
for hearing on
12.08.1989

A6

7A

filed today
Clerk
AW
7/12/88

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH : ALLAHABAD.

.....

OBJECTION

ON BEHALF OF RESPONDENTS

IN

REVIEW APPLICATION NO. ~~389~~ 190/88 of 1988

IN

REGISTRATION NO. 389 OF 1986

R.L. Singh & others. .Applicants

Versus

Union of India & others. .Respondents.

To

The Hon'ble the Vice Chairman and His Companion Members of the aforesaid Tribunal.

The humble ~~appp~~ondents most respectfully states as under :

1- That the application no. 389 of 1988 was filed by the petitioners against the transfer to another zone on their own request on compassionate grounds and the same has been decided by this Hon'ble Tribunal on 19th January 1988, dismissing

A6/2

the petition on merit.

2- That by this Hon'ble Tribunal, every facts and circumstances have been discussed in detail and against the said judgment, unless and until the petitioners make out a case pointing out the error apparent on the face of record, no review application is maintainable.

3- That after perusal of the pleadings of the petitioners, in review application, it is revealed that by means of the review application the petitioners have challenged the findings of this Hon'ble Tribunal, which is not permissible under the provisions of sub-section (f) of sub-section (3) of section 22 of the Administrative Tribunals Act, 1985. In case, the petitioners want to point out irregularity and illegality of the judgment of this Hon'ble Tribunal, though it is not at all permissible, the petitioners can file special leave petition before the Hon'ble Supreme Court and no remedy for him is available by filing a review application and as such the review application is liable to be dismissed on this count alone.

P_R_A_Y_ER

It is, therefore, Most Respectfully prayed that in view of facts stated above, the review application is liable to be dismissed, otherwise respondents would suffer irreparable loss.

Dt/- Dec 7, 1989.

(K.C. SINHA)
ADDL. STANDING COUNSEL
CENTRAL GOVT.
COUNSEL FOR THE RESPONDENTS.

CA 6A

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH : ALLAHABAD.

.....

COUNTER AFFIDAVIT

ON BEHALF OF RESPONDENTS

IN

REVIEW APPLICATION NO._____OF 1988

IN

REGISTRATION NO. 389 of 1986

R.L. Singh. .Petitioner

Versus

Union of India & others. .Respondents.

Affidavit of Col T.R. Gulati aged about 45 years, s/o Late S/Sri S.L. Gulati Commander Works Engineer(Project) Lucknow.

(Deponent).

I, the deponent abovenamed do hereby solemnly affirm and state on oath as under :

1- That the deponent is the Commander Works Engineer (Project) , Lucknow and has been deputed to file this counter affidavit on behalf of the respondents and is well acquainted with the facts deposed to below.

2- That the deponent has read the review application and has understood the contents therein and is in a position to reply the same.

3- That in reply to the contents of paragraph 1 of the review application , it is submitted that the promotions were ordered on the basis of Engineer-in Chief's Branch Army Headquarter letter Dated 19th June 1986 and were effective as per the seniority. The Engineer-in-Chief's letter dated 8th October, 1986 was not received by the answering respondent at the time of ordering the promotion.

4- That in reply to the contents of paragraph 2 of the review application, it is submitted that the promotions were ordered without giving the benefit of previous services as per Engineer-in-Chief's letter dated 19th June 1986.

5- That in reply to the contents of paragraph 3 of the review application, it is submitted that at the time of ordering the promotions, Engineer-in-Chief's letter dated 8th October, 1986 was not received by the answering respondent, as the promotions were ordered during July 1986.

6- That in reply to the contents of paragraph 4 of the review application, it is submitted that the clarification regarding retaining of the individuals in the same post/reverting back to their original post was sought for during November, 1986, i.e. after the promotions were already

implemented.

7- That in reply to the contents of paragraph 5 of the review petition it is submitted that it was clarified by higher authorities that the promotions already acquired on the basis of Engineer-in Chief's letter dated 19th June 1986 should not be disturbed.

8- That in reply to the contents of paragraph 6 of the review application, it is submitted that Shri R.L. Singh, one of the applicants in the said case was promoted vide Commander Works Engineer(P) Lucknow letter dated 13th November, 1986 but subsequently the promotion order was cancelled vide letter No.12035/498/EIC(2), dated 16th December, 1986 as the case of the individual was sub-judice before this Hon'ble Tribunal at that time.

9- That in reply to the contents of paragraph 7 of the review application, it is to be pointed out that the applicability of CPRO 73/73 was clarified w.e.f. 16th December, 1985 vide Engineer-in-Chief's letter dated 12th May 1987, i.e., when the case was already subjudice before this Hon'ble Tribunal.

10- That in reply to the contents of paragraph 8 of the review application, it is submitted that respondents were promoted on the basis of Engineer-in-Chief's letter dated 19th June 1986, i.e. the seniority was counted for from the date, when they reported for duty to the new area after 1974, 1975 and 1976.

11- That in reply to the contents of paragraph 9 of the review application, it is stated that when the policy decision on fixing the seniority was taken by Engineer-in-Chief vide their letter dated 8th October, 1986, the subject case was in process before this Hon'ble Tribunal. Hence the promotions were not disturbed.

12- That in view of facts stated earlier, the petitioners can file special leave petition before the Hon'ble SupremeCourt and no remedy for them is available by filing a review application and as such the review application is liable to be dismissed.

That the contents of paras 1 and 2 of this affidavit are true to my personal knowledge; those of paras 3 to 11 are based on record and those of para 12 are based on legal advice, which all I believe to be true. No part of it is false and nothing materia has been concealed in it. SO HELP ME GOD.

DEPONENT.

I, M S/LUCKNOW AVADHESH KUMAR
working as CWE(P) Lucknow 229 MG Road East
solemnly affirm & state, CWE(P)/LUCKNOW
that the contents of para 1 & 2 of my affidavit
are true to my personal knowledge, those of paras 3 to 11
are based on records and those of para 12 are based on
legal advice, which I believe to be true. No part of
it is false and nothing material has been concealed
in it. SO HELP ME GOD.

I, D.S. Chaubey, clerk to Shri KC Sinha, Advocate declare that the person making this affidavit and alleging himself to be the deponent is known to me personally.

Identifier.

Solemnly affirmed before me on this 3rd day of May 1988 at 9.19 am/pm by the deponent, who is identified by aforesaid, Col. T.K. Gulati Bradhesh Kumar, known to me personally.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit which have been readover and explained to him.

R P SINGH
Oath Commissioner High Court, Allahabad
Lucknow Bench
O. No. 72
Date 3-5-88

OATH COMMISSIONER.

C.A.T. Alld.

(B1/2)

अभिभाषक पत्र (वकालतनामा)

~~हाई कोर्ट आफ जूडीकेचर एट इलाहाबाद~~

Registration नं० 1968/88 सन् १९८ in T-339/86. वादी/प्रतिवादी अपीलान्ट

R.L. Singh & others

बनाम

Union of India & others वादी/प्रतिवादी रेस्पान्डेन्ट

मैं/हम कि Tej Kr Singh S/o Sri Mahadeo

R/o A.G.E. E/M Refrigeration Section 11

Saadar Dalil Marg Lucknow and Alakan Kr

S/o ~~Sri~~ Late Sri B.N. Talwar R-T-85 Lucknow Rly.

उपरोक्त प्रकरण (मुकदमा) में मैं/हम अपना पक्ष समर्थन हेतु

RAKESH VARMA

ADVOCATE

91/3 Industrial colony Nairi Alld

को कानूनी/निश्चित शुल्क (मेहनताना) नियत करके अपना/हमारा अभिभाषक (वकील) नियुक्त करता हूं/करते हैं और यह स्वीकार करता हूँ/करते हैं कि उक्त सज्जन हमारी ओर से वाद-पत्र (अर्जीदावा), प्रतिवाद-पत्र (बयान तहरीरी), वाद स्वीकार पत्र, विवाद पत्र, पुनरवलोकन एवं पुनर्निर्णय प्रार्थना-पत्र (दरख्वास्त), शापथ्यिक कथन (हलफनामा), प्रवर्तन-पत्र (दरख्वास्त इजराय), मुजबात अपील, निगरानी इत्यादि हर प्रकार के अन्य प्रार्थना पत्रादि एवं लेखादि की प्रतिलिपियाँ अपने हस्ताक्षर करके न्यायालय में प्रस्तुत करें अथवा किसी पत्र पर आवश्यकतानुसार शापथ्यिक पुष्टीकरण करें और आवश्यक सवाल जबाब करें और लेखादि की प्रतिलिपियाँ एवं हमारे प्राप्य धन को अपने हस्ताक्षरी पावती देकर प्राप्त करें, हमारी ओर से किसी को मध्यस्थ तथा साक्षी (गवाह) मानें और उससे सम्बन्धित प्रार्थना-पत्र प्रस्तुत करें तथा उसका समर्थन करें तथा तसदीक करें, वाद-पत्र उठावें छोड़ें अथवा समझौता करें तथा सुलहनामा दाखिल करें तथा उसके सम्बन्ध में प्रार्थना-पत्र दाखिल करके उनका समर्थन करें अर्थात् प्रकरण से सम्बन्ध रखने वाली कुल कार्यवाही डिग्री के भर पाई होने के समय तक स्वतः या संयुक्त करें। आवश्यकता होने पर किसी अन्य वकील महोदय को वकील करें।

उक्त सभी कार्यवाही जो उक्त सज्जन करेंगे प्रत्येक दशा में अपने किये को भांति हम को/मुझ को सर्वथा स्वीकार होगी। अगर मैं कानूनी/हम निश्चित शुल्क तथा विशेष शुल्क आखिरी बहस के वक्त उक्त सज्जन को न दूँ/दें तो उनको अधिकार होगा कि वह हमारी ओर से मुकदमा की पैरवी न करें। उपरोक्त दशा में उक्त सज्जन का कोई उत्तरदायित्व न रहेगा।

अतएव यह अभिभाषक पत्र लिख दिया कि प्रमाण रूप से समय पर काम आये।

तिथि माह सं० 16/8/88

Accepted

VARMA Advo

RAKESH

for resp. no. 4 and 13

हस्ताक्षर साक्षी

हस्ताक्षर साक्षी

Rakesh Verma,
Advocate,
HIGH COURT & C. A. T.

91/3 Industrial Colony,
Naini, ALLAHABAD.

B2/1

Ref. .....

Dated 17.10.88.

To

The Deputy Registrar,
C.A.T. Alld.

Sub:- Inspection of record
O.A. No 389/86. R.C. Singh vs U.O.I

Dear Sir,

In the above noted case I may kindly be permitted to inspect the record. Kindly allow.

(RAKESH VERMA)
Adv
for the respondents
No 8 and 13.

17.10.88

Allowed

17/10/88.

Speed
Adv
17/10/88.

B3/1

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDL. BENCH - ALLAHABAD

Miscellaneous Petition No. Review App. No of 88

In OA/TA No. Reg No 383/86 of

R.L. Singh and others Applicant/Appellant

Versus

Union of India & others Respondent/Defendant

Take notice that the Court will be moved by the undersigned on 4-4-88 the day of ~~March~~ 1988 at 10.30 O'clock in the forenoon or so soon thereafter as the parties as their counsel can be heard.

The object of the Motion is briefly indicated below :

Final

28/3/88 Review Application against the Judgment Fr. 4/488 dated 13/1/88 passed by Court No 1 in Allahabad 25/3/88 Reg No 383/86

File listed on 4/4/88

A copy of the application is enclosed herewith.

Take further notice that meanwhile this Court has been pleased to pass the following order, (here quote the interim order of the Court).

25/2/88

Received copy 25/2/88

Dated this 25/2/88 day of 198

(Signed)

Advocate for the petitioner/Respondent/Appellant

or

petitioner/Respondent in person

O.P. Gupta Adv

To,

Advocate on record for the Address:
Opposite party/Respondent/Defendant

(O.P. Gupta Advocate for Appli)

-oo-

Annexure - A
CAT - 22

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

(A1)

*****

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Review Application No. 19/1998

CAUSE TITLE OA-389 of 1996

Name of the Parties Mr R.L. Singh & others

Versus

U.O.I Through Secy M/o Defence

Part A, B & C

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(A+B)

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

INDEX

IN

REVIEW APPLICATION NO. 19 OF 1988

in

REGISTRATION NO. 389 OF 1986.

DISTRICT: LUCKNOW.

R. L. SINGH AND OTHERS ..... APPLICANT

VERSUS

UNION OF INDIA AND OTHERS ..... RESPONDENTS.

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Dated:- 25/3/88

SIGNATURE OF THE APPLICANT

PLACE:- C.A.T. Allahabad.

L.S.B.

(O.P. GUPTA)
ADVOCATE,
COUNSEL FOR THE APPLICANT.

LAL JI SAHAI SRIVASTAVA
ADVOCATE,
COUNSEL FOR THE APPLICANT.

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

****

REVIEW APPLICATION NO. OF 1988.

(Filed on behalf of the applicants)

IN

REGISTRATION NO. 389 of 1986.

DISTRICT: LUCKNOW.

R.L. SINGH & others ..... Applicants.

Versus

UNION OF INDIA & others ..... Respondents.

Between

1. Sri R.L.Singh son of late Mathura Pd. R/o 501/46 near 35, Ram Niwas, Keshripur , Daliganj, Lucknow.
2. Sri Surendra Narain Singh son of late B.N. Singh resident of 65,Amar Niwas, Pan Dareeba Lucknow.
3. Sri R.K.Pandey, son of Sri Atma Ram Pandey, resident of 294/24 Khala Bazar, Lucknow.
4. Sri Ram Gopal Misra son of Sri B.L.Misra , resident of 554/480-A Kailashpuri(D) Lucknow.
5. Sri K.K.Gupta son of Sri S.S.L.Gupta, resident of 47,Goin Ganj, P.O. Aminabad Lucknow.
6. R.K.Maurya son of Sri Sita Ram Maurya, resident of 568/26,Kailashpuri Lucknow.
7. Sri Manjeet Singh c/o AGE E/M, Refrigerator Section, 11 Sardar Patel Marg, Lucknow.
8. Babba Jani son of Iqbal Hussain residen t of 393/64 Kashmeri Mohalla, Lucknow.
9. Sri Manjeet Singh Punn son of late Daleep Singh

resident of 555-J Mohendi Khor , P.O. R.D.S.O. Alambagh, Lucknow.

10. Sri R.K.Gupta son of Sri Babulal Gupta, R/o 125/2,Autram Line, M&S Colony. Lucknow.

11. Sri Krishan Kumar Son of Girdhari Lal resident Qasar Bara Lakri Mohal, cantt. Lucknow.

..... Applicants.

Versus

1. The Union of India through the secretary Ministry of Defence, Central Secretariate New Delhi.

2. The Engineer-in-Chief Army Head Quarters, De ence head Quarter, New Delhi.

3. The Commander works Engineer(P), 229 Mahatma Gandhi Marg, Lucknow-2.

4. The Carrison Engineer E/M Military Engineering Services, Lucknow.

5. Sri Nanda Ballabhm AGE E/M Refrigerator Mechanic Refrigeration Section, 11 Sardar Patel Marg Lucknow.

6. Sri Girja Dutt, Refrigerator mechanic, AGEE /E/M Refrigeration section, 11 sardar Patel Marg Lucknow.

7. Sri Narbachan Singh refregerator mechanic, AGE E/M Regrigerator section, 11 Sardar Patel Marg, Lucknow.

8. Sri Neelam Kumar, Refrigerator mechanic, AGE/E/M refrigeration section, 11 Sardar Patel Marg Lucknow.

9. Sri Zahir Husainy refrigerator mechanic AG E E/M

Refriferation section,11 Sardar Patel Marg Lucknow.

10. Sri P.C.Upadhyaya, Refirgerator mechanic AGE/E/M Refrigration section,11 Sardar Patel Marg, Lucknow.

11. Sri R.C.Sikri, Refrigerator mechanic, AGE E/M Refrigerator section, 11 Sardar Patel Marg, Lucknow.

12. Sri Hausala Prasad Refrigerator mechanic AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

13. Sri Tej Kumar Singh, Refrigerator mechanic AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

14. Sri M.P. Chauhan, Refrigerator mechanic AG E E/M Refrigeration section, Lucknow.

15. Sri Rattan Lal, Refrigerator mechanic, AGE E/M Refrigeration section, 11 sardar Patel Marg Lucknow.

..... Respondents.

To,

The Hon'ble Vice Chairman and his other Companion members of the aforesaid Tribunal.

The applicants named above most Respectful prayes as unders.-

1. That the bench of Hon'ble has deliver its judgment on 19.1.1988 in registration no

1986 R.L.Singh and others - Versus - Union of India and others . The copy of the same was recived by the applicants on 22.3.88. The applicants foun d that the main orgument put forth on behalf of the applicants has not been dealt with in the judgmen t and the judgment has been based mainly on the letter dated 19.6.1986.(wrongly quated as 13.6.1986) which is non oprative because the same was cancelled by the letter dated 8.10.1986 Passed by Engineer in -Chief, Army Head Quarter new Delhi. As such aggrived with the aforesaid judgment the applicants are filing this application to review the aforesaid judgment in the intrest of justice as well as in the intrest of the applicants.

2. That the aforesaid case deals witht he revised principle of fixing seniority of the applicants as per policy laid down by the engineer-in-chief army head quarter new Delhi. The Engineer-in-chief by its letter dated 19.6.1986 has issued policy decission for fixing seniority of industrial staff for t he purposes of promotion/confermation, when the indivisual seeking transfer on compassionate ground from C.W.E. area whether within the same Zone/ command or out side zone/command, does not get th e benifit of privious service for the purposes of promotion and confermation.

R.L.Sondhi

3. That as per the judgment of division bench of Kerla High Court, the engineer-in-chief by its letter dated 8.10.1986 cancilled its privious letter dated 19.6.1986 and issued instructions that the revised principle of seniority list as laid down in C.P.R.O. 73-73 are made applicable to the M.E.S. with effect from 16 Dec. 1985 in case of Transfer of industrial personnel on compassionate ground, within the same ~~x~~ zone/command or out side zone/ command. Accordingly the original seniority list of those personnels who were transfered before 16.12.1985, will not be disturb. Only those employees who are transfered on or after 16.12.1985 will loose there original seniority. The true copy of the letter dated 8.10.1986 is hereby annexed as ANNEXURE NO. 1.

4. That basing on the letter dated 8.10.86 th e commonder works engineer (P) vide its letter dated 20.11.1986 shought clarifications, from chief engineer Lucknow zone, whether already promoted person should be retained in the same post or reverted back to there original post because the persons next to in lieu who have become wrightly intitled for promotion are to be promoted now. The true co y o f the letter dated 20.11.1986 is hereby annexed as ANNEXURE NO. 2.

5. That in reply to aforesaid letter dated 20.11.1986 the chief engineer Lucknow zone vide its letter dated 28.11.1986 directed to the workes engineer not to disturb the promotions acquired on the basis of the original seniority list, of thos e persons who are transfered prior to 16.12.1985. The true copy ef letter dated 28.11.1986 is hereby Annexedeas ANNEXURE NO. 3.

6. That reling on the order dated 8.10.1986 the commander workes engineer has promoted Sri Ram Lakhan Singh , one of the applicant in the aforesaid cas e to the post of H.S.Grad II with effect from 15.10.1984. The true copy of promotion order dated 13.11.1986 is hereby annexed as ANNEXURE NO. 4.

7. That the engineer-in-chief , vide its letter dated 12.5.1987 again clarified the relivancy of the applicability of C.P.R.O. 73/73 from 16.12.1985 in CWE Area, when industrial staff seekes transfer on compassinat ground within or out side the Zone/ Command. In other words egineer-in-chief has fully clarifide that the idustrial staff onseeking transfer on compassinate groud prior to 16.12.1985 will not loosr the benifit of his original seniority or of privious services. The true copy of the aforesaid letter dated 12.5.87 is hereby ~~annexure~~ annexed as

ANNEXURE NO. 5.

88 That all the petitioners in thiscase were transfered in the years 74,75 ad 76 i.e. prior to 16.12.1985 as such no uder taking for the loss of privious services or of origial seniority was given by them at the time of transfer. Therefore all the petitioners were promoted after the transfer on the basis of origial seniority or privious service. date of transfer of each of the applicant is as under:-

S.No.	Name	Date of Arrival at CWE(P) Lucknow
1.	Srhi R.L. Singh s/o Late Mathura Pd.	12.3.75
2.	Shri Surendra Narain S/o Late B.N. Singh	17.10.74
3.	Shri R.K. Pandey S/o Shri Atma Ram Pandey	12.3.75
4.	Shri Ram Gopal Misra s/o Sri B.L. Misra	12.3.75
5.	Shri K.K.Gupta s/osri Sh.S.L.Gupta	3.3.75
6.	Shri R.K. Maurya S/o shri Sita Ram Maurya	26.10.74
7.	Shri Manjeet Sigh Pahwa	26.10.74
8.	Shri Baba Jani S/o Sri Iqbal Hussain	30.11.74
9.	Shri Manjeet Sigh Punn s/o Late Daleep Singh	9.12.74
10.	Shri K.K.Gupta s/oShri Babu Lal Gupta	6.11.74
11.	Shti KrishanKumar S/o Girdhari Lal	4.3.76

9. That the respondent in the aforesaid case concealed the latest policy decision taken by engineer-in-chief vide its letter dated 8.10.86 ad on words as sch the respondents are guilty of sepressing the material fact. If the Hon'ble Court was informed of the latest polity dicision, the applicants are much sure that the Hon'ble Court would have been inposition to allow the aforsaid application anddto direct the respondentnot to disturb the the promotionof the applicants. As such in the inrest of Justice the applicents are fillingthis application before the Hon'ble Court to review the aforesaid Judgement dated 19.1.1986 in registration no. 389 of 1986 on the following groundst-

GROUND S

i) Because there is apperent error of law on the face of Judgment.

ii) Because the respondenthave supressed the material fact.

iii) Because the Hon'ble Court mainly based its judgment on the letter dated 19.6.1986 which was subsequently cancelled by the Head of department. by its letter dated 8.10.86 (Annexure no. 1).

iv) Because the court has given its dicision on the basis of a order which has seized its oprationby a subsiquen order .

Opposite Pet

v) Because the Hon'ble Court could not give its dicision on the basis of latest Policy dicision taken by the Head of departmen i.e. the engineer -in-chief. army head quarter New Delhi.

vi) Because the industrial staff seeking transfer prior to 16.12.1985 should not loose the benifit of original seniority /privious services in case of promotion or confermation .

vii) Because the applicans have suffered grave irreparable loss.

viii) Because inthe intrest of Justice it is very esential to review the aforesaid Judgment in the light of latest policy decision takenby engineer-in-chief as per its order latter dated 8.10.88 inpersuance of Kerala High Court decisiondated 16.12.1985.

~~xxxx~~

ix) Because engineer-in-chief specialy has issued a clarification vide its latter dated 12.5.87 (Annexure no. 5), regarding the latest policy decision for the purposes of taking defence before the Hon'ble Tribunal if any case is challeged on the aforesaid subject.

Advocate for the Applicant

PRAYER

On the basis of aforesaid ground the Hon'ble Tribunal is requested to be pleas:-

i) To allow the review application and to review its judgment dated 19.1.86, quasing the promotionlist No. 12025/430/E-10(2) dated 30-7-86 so for as it relates to the promotion of respodent no. 5 to 15 from Refrigerator Machanic to refrigerator Machanic Highly skilled grade II w.e.f. 15.10.84.

ii) to direct the respondents no. 1 to 4 to give promotion tothe application no. 1 to 11 from the post of refrigarator Machanic to refrigrator Machanic Highly skilled grade II in accordance with the original seniority w.e.f. 15.10.84.

iii) to pass ay other order or direction which this Hon'ble Court may deem fit in the intrest of Justice.

Verification.

I, R.K. Pandey son of Sri Atma Ram Pandey age 40 years workig as Refrigerator Mechanic AGE E/M Lucknow resident of 294/24 Khala Bazar, Lucknow do hereby verified th-t the contents from 1 to 9 are true to my personal knowledge and belief and that I have not suppressed ay material facts .

Place: C.A.T. Allad

Date: 25/8/88

Signature of the applicants

Counsel for the app

IN THE COURT OF CENTRAL ADMINISTRATIV TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

***

ANNEXURE NO. 1

in

Review Application No. of 1988.

in

Registration No. 389 of 1986

DISTRICT: LUCKNOW.

R.L. Singh and others ..... Applicants.

Versus

Union of India and others ..... Respondents

TELIPHONE: 3011309 REGISTERED

Coord aur Karmik Nidoshalaya
Pramukh Engineer Shakha
Sena Mukhyalaya
Coord & Personnel Dte/EIC(I)
Engineer-inChief's Branch
Army Head quarters
DHQ PO New Delhi-110011.
08Oct'86.

79040/RPOS/EIC(I)
Chief Engineer
HQ Southern Command, Pune.
HQ Eastern Command, Calcutta.
HQ Western Command, Chandimandir.
HQ Central Command, Lucknow.
HQ North ern Command, C/o56 APO.

TRANSFERS ON COMPASSIONATE GROUNDS?: INDUSTRIAL PERSONNEL.

1. The applicability of the revised prinicples of the seniority laid down in the Ministry of Home Affairs OM.No. 9.11.55-RPS dated 22 Dec. 59 reproduce in appx 'B' to CPRO 73/73 as clarified in CPRO.11/75 has been re-examined. Though the revised principl es of seniority ere made applicable to the Defence formation with effect from 01 Jul 73, instruction s

were not issued by this HQ to Chief Engineer commands on the presupmption that revised rules of seniority are applicable to the civilian personnel transferred from other Department to the MES under Surplus/deficiencies Scheme and on compassionate grounds and not to the MES civilian personnel when posted/transferred on compassionate grounds within the MES. However some Refg. Machanic of CWE cochin filed a writ petition in the High Court of Kerala at Ernakulam against the assignment of original seniority to the individuals transferred to CWE Cochin from other CWE Area on compessionate grounds though the case was decided in favour of the petitioners as per Kerala High Court Judgement, we had filed an appeal before the Division Bench of the High Court of Kerala contesting that the revised principes of seniority are not applicable to the MES civilian personnel in case of transfer on compassionate grounds with in the MES. The appeal was, however dismissed and the earlier Judgment was up held by the Division Bench of Kerala High Court on 16 Dec. 1985.

2. In pursuant to Division Bench of Kerala Hig h court order dated 16 Dec.85 the revised principle s of seniority as laid down in CPRO 73/73 are made applicable to the MES with effect from 16 Dec. 85 in case of transfer of industrial personnel on compassionate grounds within the MES units. In vi ew of the consideration of the fact that no instruction

3.

regarding revised principles of seniority were i sued by this HQ and the industiral personn el were not avare that they will loss seniority on compassionate posting past cases will not be re-opened.

3. Since the seniority of industrial personnel for the purpose of pormotion/confirmation is conrolled at the CWE area, the individuals seeking transfer on compassionate grouds from one CWE area to other CWE area whether within the same Zone/Command or outside Zone/Command are not entitled to the benefit of proevous service for the purpose of promotion/confirmation, An individual seeking transfer on compassionate grounds will be assigned seniority only from date he reports from duty in the new formation In order to avoid representations at a later stage, an undertaking to this effect may be obtained from the individual before he applies for transfer on compassionate grounds, These instructions will be applicable w.e.f. 16 Dec'85 on wards.

4. Our HQ letter.No. 79040/RPOS/MIC'(I) dated 19 June'86 issued on the subject to be treated as cancelled.

SD/- xx x x x x x x x

(K.S. Sethi)

Col.

Engineer-in-Chief- Dir Pers (MES)

Copy to:-

All Zonal CES

All CWE

/ true copy/

IN THE COURT OF CENTRAL ADMINISTRATIVE

ADDITIONAL BENCH ALLAHABAD.

ANNEXURE NO. 2.

in

Review Application No. of 1988

in

Registration no. 389 of 1986

DISTRICT: LUCKNOW.

R.L. Singh and others ..... Applicant

Versus

Union of India and others..... Respondents.

PRIORITY

THE MILY : 669

Headquarters
Commander Workds Engineer (P)
229 Mahatma Gandhi Marg
Lucknow -2

Chief Engineer
Lucknow Zone
Lucknow.

20 Nov.86.

FITMENT OF INDUSTRIAL WORKERS OF MES IN HYS PAY SCALES RECOMMENDED BY IN THIRD RAY COMMISSION RECOMMENDATION OF THE ANCL AMIE S COMMITTEE

1. Reference E-in-C's BR. letter No. 79040/RPOS/EIC (I) dated 08 Oct 86.

2. ----------

3. ----------

4. ----------

5- After reconsedering the implementation of E-In-C's Br. instructions vide their letter under reference. The following individuals are eligible for

promotion keeping in view their date of initial appointment in present grade in this department. Out side our Area but withhn MES unit and some of the individuals who have already been promoted based on E-in-C's Br. letter No. 79040/RPOs/MC(I) dated 13 June 86 are junior to them.:-

Category	Promotion already made 35%	Vacancy if any	Individuals eligible for promotion
(a) Ref/each	35	1	8Nos

1 senior Ref/each already recommended buy involved in disciplinar y case

(b) - - - - - - -

(c) - - - - - - -

6. The promotion were effected b sed in en-in.C's letter No. 79040/RPOs/MC(I) dt. 19.6.86 Since th e same stands cancelled vide para 4 of E-in-C's letter abit, please clearify whether already promoted person should be retained in the same post or reverted back to theire original post because the person next to in lieu who have be come rightly entitled for promotion are to be promoted now.

7. In view of the above and since promotion have already been affected may the applicability of th ese instructions be vie ed with regard to para 2 of E-in-C'S xxxx Br.letter under reference and necessary clarification be given at the earliest for our further action please.

Sd/- xxxxxxxxxx
(T.R. Gulati)
Lt Col.
Commander Works Engineer (P)

/true copy/

ANNEXURE : 3.

Tele.Mil.: 632

Office of the Chief Engineer
Lucknow Zone
Lucknow - 226002

120854/Pol/257/EIC(2)

28 Nov. 86.

Commander Works Engineers
Allahabad.

Kanpur
(P) Lucknow
(P) (AF) Chakari, Kanpur
Ramgarh.

GE (P) (I) Gopalpur.

TRANSFER ON COMPASSIONATE GROUNDS : INDUSTRIAL PERSONNEL.

1. Reference E-in-C's Branch, Army HQ New Delhi Letter No. 79040/RPOS/EIC(I) dated 08 Oct. 86.

2. Clarification given by CE CC Lucknow vide paras 2 and 3 of their letter No.901405/Policy/50/153/EIC(2) Dated 27 Nov. 86, on E-in-C's Branch, Army HQ later referred to above, are re-preduced below for your information and necessary action please :-

> "2. The revised Principles of seniority as laid down in CPRO 73/73 and further clarified in CPRO 11/75 are now made applicable to the MES wef 16 Dec. 85 vide E-in-C's Branch AHW letter No.79040/ RPOS/EIC(I) dated 08 Oct.86 in view of the verdict of Kerala High Court against a writ petition filed by some Refg Mechanics of CWE Cochin area. E-in-C's Branch vide para 2 of their letter quated above has further clarified that past cases i.e. parior to 16 Dec.85 will not be reopened.
>
> 3. In view of above any irregularity done on or after 16 Dec.85 requires revision."

3. For CWE (P) Lucknow only. This disposes of your letter No. 12065/350/EIC(3) dated 20 Nov.86.

Sd/-

(R.D. Ranjan)
Capt
So 3
for Chief Engineer.

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

ANNEXURE NO. 4.

in

Review Application No. of 1988

in

Registration No. 389 of 1986

DISTRICT: LUCKNOW.

R.L. Singh & others..... Applicants

Versus

Union of India and others ..... Respondents

Tele Mbly 669

Headquarters
commander Works Engineer(P)
229 MG Road
Lucknow.

12025/489/EIC(2)

13 Nov. 1986

GE E/M Lucknow

ELtMENT OF INDUSTRIAL OWRKERS OF MES IN TH E OF MES IN THE PAY SCALES RECOMMENDED BY TH E THIRD PAY COMMISSION: RECOMMENDATION OF TH E ANOMOLIES COMMITTER s

1. Reference this office letter No. 12025/430/ EIC(2) dated 31 Jul 86 and 12037/Policy /116/EIC(2) dated 08 Nov 86 and Hinc's Br. Letter No. 79040/EPCS/ EIC(I) dated 8 Oct. 86.

2. The following promotions in respect of the tradesmen belonging to skilled grades are hereby ordered:-

s.No.	MES No.&Name	Promoted From	Promoted To	Unit	Remarks
1.	457063 Shri Ram Lakhan Singh	Ref/Mech	Ref/Mech GR II HS Gde II Lko	E/M	Promoted from skilled to HS Gde II wef 15 Oct 84 in the scale of 330-8-370-10-400-EB-10-480

(Item one only)

Authy:. Govt of India, Min of Def Letter No. 1(1)80/D(CC IC/Vol-III Dt.08 Apr.86.

(TR Gulati)
Lt Col
Commander Workds Engineer

Copy to:

File No. 12065/A/EIC(3)

/True Copy/

IN THE COURT CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

ANNEKURE NO. 5.

in

Review Application No. of 1988

in

Registration No. 389 of 1986

DISTRICT: LUCKNOW.

R.L. Singh and other ..... Applicant.

Versus

Union of India and others ..... Respondents.

Copy of Elnc's Branch letter No. 79040/EPO3/EIC(I) dt. 12 May 1987

Sub: TRANSFER ON COMPASSIONATE GROUND INDUSTRIAL PERSONNEL

1. Ref this HQ letter No. 79040/EPO3/EIC(I) dated 08 Oct. 86.

2. Vide this HQ letter under reference the revised principles of seniority have been made applicable in the MES with e ect from 16 Dec 85 .This letter has been challenged by some individuals in the central Administrative Tribunals seeking relief that the revised Principles of seniority should be made applicable to the MES with effectfrom 01 Jul.73.

3. The revised principles of seniority have been made applicable in theMES with effect from 16 Dec 85 on the following reasons:-

(a) The revised Principl s of seniority have been made applicable to theMES Civilian personnel when posted/ transferred on compassionate grounds withthe MES considering MES as one Unit

(b) Some Ref mech of CWE Cochin had filed a writ petition in the Higher Court of Kerala claiming that individuals unless transferred from one CWR Area to other CWE Area on compassionate ground should be assigned seniority from the date of joining the new formation .This case was contested on the grounds mentioned in para 3 (a) above. However contesed on the grounds mentioned in para 3(a) above. However the plea of thepetitioner was unheld by the High Court of Kerala. On the Judgement of Kerala High Court an appeal was again filed in the Division Bench of Kerala High Court by the Department on the same grounds as mentioned in para 3 (a) above.

(c) The judgement of theKerala Court was upheld by the Division Bench of Kerala High Court vide its Judgment announced on 16 Dec. 85.

(d) Since the pleas of the Department was pending trail in the Division Bench of Kerala High Court on which final decision was announced on 16 Dec 85 only , the revised principles of seniority have been made applicable in the MES with effect from 16 D.c.86, the date of judgment of the Division Bench of Kerla High Court.

2. In view of above ,any application filed in the Central Administrative Tribunal on the applicability of th revised principle of seniority in theMES will be contested on the abovelinos and counter affidavits which are required to be approved by the legal adviser (Defence) may be forwarded to this HQ duly approved by the Central Govt. standing council. In other cases, counter affidavit

will be approved by the respective law at Calcutta/Bombay/Madrass.

5. Kindly acknowledge receipt.

Sd/- x x x x x x x x x

(MM Krishan)

Col

Dir Pers (MES)

Engineer-in-Chief's

/ true copy/

IN THE COURT OF CENTRAL ADMINISTRATIV TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

****

MISC. APPLICATION NO. OF 1988.

(U/S 5 of Limitation Act)

IN

Review Application No. of 1988

IN

Registration No. 389 of 1986.

DISTRICT: LUCKNOW.

R. L. SINGH & others ..... Applicants

Versus

UNION OF INDIA & others ..... Respondents

BEFORE THE HON'BLE TRIBUNAL

The applicants prayee as under:-

1. That the Hon'ble Tribunal has delivered Judgment in registration No. 389 of 1986 on 19.1.88 and the copy of the judgment was recived by the app-licant on 22.3.88. Aggrieved with the aforesaid Judgment the applicant is filing roview application Delay if any on the part of applicant in filing review application may be candoned and the review application may be treated with in the period of limitation. Reasons in filing the review applicati are deteiled in the accompanying affidavit.

2.

PRAYER

It is therefore MOST RESPECTFULLY prayed that on the basis of reasons explained in the accompanying affidavit your Lordships may be pleased to allow the present application for condoning delay, if any, and the review application with in time of limitation.

DATE: 25/3/88

SIGNATURE OF THE APPLICANT.

LAL JI SAHAI SRIVASTAVA
ADVOCATE
COUNSEL FOR THE APPLICANT

D.P. GUPTA
ADVOCATE
COUNSEL FOR THE APPLICAN

D.P. Gupta Adl.

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH ALLAHABAD.

****

AFFIDAVIT

IN

MISC. APPLICATION NO. OF 1988.

in

Review Application No. of 1988

in

Registration no. 389 of 1986.

DISTRICT: LUCKNOW.

R.L. SINGH & others ..... Applicants

Versus

Union of India & others ..... Respondents

Affidavit of R.K. Pandey son of Sri Atma Ram Pandey A/A 40 years R/p 294/24 Khale Bazar, Lucknow.

.... Deponent...

I, the deponent above named do hereby state on oath as under:-

1. That the deponent is the applicant No. 3 in the review application filed in aforesaid registration No. 389 of 1986 hence well acquainted with all fact

Gpatel

and circomstances.

2. That the aforesaid registration No. 389 of 1986 was fixed for finel hearing on 12.1.1988 before the Hon'ble Court. After hearing both the parties Hon'ble Court reserved its judgment without fixing any date for the delivery of judgment.

3. That the counsel of the applicant told that Hon'ble Court will give its judgment letter on and and a certified copy of the same will be send through registered post by the office of the Tribunal to the address of the applicant or his Counsel.

4. That the deponent waited very much but no copy of the judgment was recieved by the applicant then applicant approached his counsel who sugested us to Enquire in the office of Hon'ble Tribunal.

5. That the deponent contected to the office and came to know that the copy of the judgment has been already sent to the address of applicant counsel. But because the copy of the judgment was not recived by the counsel therefore no wey was left to the deponent to get another copy of the judgment.

Affected

6. That the deponent applied for another copy on payment and the same was recived by the deponent from the office on 22.3.1988.

7. That the deponents found that deponents case was dismised. But becaused there is appereant error of law on the face of Judgment therefore deponent decided to filed a review application in the intrest of Justice.

8. That the deponent is filing the regiew application and delay if any on the part of deponent in filing review application mey be condoned, in the light of circumstances and reasons explained in preceding paras of this affidavit.

9. That the ~~cenetns~~ contents of the accompanying affidavit have been readover and explained to the deponent and he has fully understood the same.

Deponent

4.

I, the deponent above nemed do hereby declare that the contants of thethis affidavit in peregraphe 1 to 9 ~~khexaccom~~ are true to my personal knowledge, which all I believe to be correct. No part of this affidavit is false and nothing materiel was been concealed.

So help me God.

(Deponent).

I, O.P. Gupta , Advocate C.A.I. Allahabad. do hereby declare that the person making this afffidavit and alleging himself to be Sri R.K.Pandey is known to me from perusal of paper produced by him in this case and I am satisfied that he is the same person.

Advocate.

Solmnly affimed before me on this the day of 1987 at a.m./p.m. by the deponent who has been identified by the aforesaid Advocate.

I have satisfied myself by examining the deponent that he has fully understood the contents of this affidavit and those of the writ petition which have been readover and explained to him by me.

OATH COMMISSIONER.

II copy

CAT Review-

Counter Affidavit on behalf of

Resp No 8 and 13

IN

Review app. No-190f88

IN

O.A. 389/86

R.L. SINGH VS U.O.I & others

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH AT ALLAHABAD.

CIVIL MISC. APPLICATION NO. OF 1988

ON BEHALF OF

Respondent Nos. 8 and 13

IN

Review Application No. 190 of 1988

In

Registration No. 389 of 1986

R.L. Singh & Others .... Petitioners

Versus

Union of India & others ..... Respondents

That the full facts have been set out in the accompanying counter affidavit on the basis of which it is necessary in the interest of justice that review application filed by the petitioners may kindly be dismissed with cost.

P R A Y E R

It is, therefore, respectfully prayed that this Hon'ble Tribunal be pleased to dismiss the review application, otherwise the respondents will suffer irreparable loss.

(RAKESH VARMA)
Advocate
Counsel for Respondent Nos. 8 & 13

Date:

IN THE CENTRAL ADMINISTRA-TIVE TRIBUNAL, ADDITIONAL BENCH AT ALLAHABAD

COUNTER AFFIDAVIT

ON BEHALF OF

Respondent Nos. 8 and 13

IN

REVIEW APPLICATION No. 190 OF 1988

IN

REGISTRATION NO. 389 OF 1986

R.L. Singh & others ..... Petitioners

Versus

Union of India & others ..... Respondents

Affidavit of Neelam Kumar aged about 40 years son of working as Refrigerator Mechanic, Refrigeration Section, 11, Sardar Patel Marg, Lucknow

(Deponent)

I, the deponent abovenamed, do hereby solemnly affirm and state on oath as under :-

1. That the deponent is one of the contesting respondents in the aforesaid case and has been authorised

R. Neelam

to file this counter affidavit on his own behalf and on behalf of Respondent No. 13 and is well acquainted with the facts ~~xxxxxx~~ deposed to below.

2. That the deponent has read over the contents of review application and is in a position to reply the same.

3. That before giving parawise reply to the review application, the following facts are being asserted in order to facilitate this Hon'ble Tribunal to decide this review application.

4. That the petitioners have filed this review application against the judgment dated 19.1.88, passed by this Hon'ble Tribunal only on 25.3.88 which itself is badly barred by time in view of rule 17 of the Central Administrative Tribunal (Procedure) Rules, 1987.

5. That in para 1 of the review application, it is alleged that the copy of judgment dated 19.1.88 was received by the petitioner on 22.3.88 whereas a bit perusal of the aforesaid judgment would show that it was prepared by the Copying Section of this Hon'ble Tribunal on the very next day i.e. on 20.1.88.

6. That the present review application is hit by

rule 17 of Central Administrative Tribunal (Procedure) Rules, 1987 and as such can not be entertained and is liable to be dismissed without considering other aspects of the case.

7. That after the perusal of the pleadings of the petitioners, in review application, it is revealed that by means of the review application the petitioners have challenged the finding of this Hon'ble Tribunal, which is not at all permissible under the provisions of Sub-Section (f) and of Sub-Section (3) of Section 22 of the Administrative Tribunal Act, 1985. In case the petitioners want to point out irregularity and illegality of the judgment of this Hon'ble Tribunal, though it is not at all permissible, the petitioners can file special leave petition under Article 136 of the Constitution of India before the Supreme Court and no remedy for them is available by filing the review application and as such the review application is liable to be dismissed on this count alone.

8. That in reply to contents of para 1 of the review application, it is submitted that they had relied upon the letter dated 19.6.86 and this Hon'ble Tribunal while deciding the case has considered the said letter. The promotions were ordered on the basis of Engineer-in-

Chief's Branch Army Headquarter letter No. 79040/RPOS/ EIC(I) dated 19.6.1986 and were effective as per the seniority. The Engineer-in-Chief's letter dated 8th October, 1986 was not at all in existance at the time of ordering the promotions.

This Hon'ble Tribunal has been pleased to dismiss the O.A. No. 389 of 1986 and has been pleased to say that an individual seeking promotion on compassionate grounds will be assigned seniority only from the date on which he reports for duty in the new formation and he can not carry his own seniority to new area which is in conformity with the letter dated 8.10.86 (Annexure - I to review application) upon which the petitioners are now relying.

9. That in reply to contents of para 2 of the review application, it is submitted that promotions were ordered without giving the benefit of previous service as per Engineer-in-Chief's letter dated 19.6.86.

10. That in reply to contents of para 3 of the review application, it is submitted that at the time of ordering the promotions, the Engineer-in-Chief's Branch Army Headquarter letter dated 8.10.86 was not in existance as the promotions were ordered during July, 1986. However,

it is submitted that the letter dated 8.10.86 has been misunderstood by the petitioners. This letter has adopted a same principle of counting seniority of the individuals ~~xxxxx~~ who have been transferred on compassionate ground as has been adopted in previous letter dated 19.6.86. Moreover, it is submitted that the letter dated 8.10.86 upon which the petitioners are now relying (Annexure - I to the review application) also says in its paras 2 and 3 that in case of transfer of an individual on compassionate ground the seniority shall be assigned only from the date on which he reports for duty and shall not be entitled to the benefit of previous for the purpose of promotions/confirmation. The aforesaid letter dated 8.10.86 also says that past case will not be re-opened.

10. That in reply to contents of para 4 of the review application, it is submitted that clarifications regarding retaining of the individuals in the same post/ reverting back to their original post was sought for during November, 1986 i.e. after the promotions were already implemented.

12. That in reply to para 5 of the review application

it is submitted that it was clarified by higher authorities that the promotions already acquired on the basis of Engineer-in-Chief's letter dated 19.6.86 should not be disturbed.

13. That in reply to contents of para 6 of the review application, it is submitted that Shri R.L. Singh, one of the applicants in the present case, was promoted vide C.W.E.(P), Lucknow letter No. 12025/489/EIC(2) dated 13.11.86, subsequently the promotion order was cancelled vide letter No. 12035/498/EIC(2) dated 16.12.86 as the case of the individuals was subjudice before this Hon'ble Tribunal at that time.

14. That in reply to contents of para 7 of the review application, it is submitted that the applicability of CPRO-73/73 was clarified w.e.f. 16.12.85 vide Engineer-in-Chief's letter dated 12.5.87 i.e. when the case was already subjudice before this Hon'ble Tribunal.

15. That in reply to contents of para 8 of the review application, it is submitted that the deponent and respondent No. 13 were promoted on the basis of Engineer-in-Chief's letter dated 19.6.86 i.e. the seniority was counted for from the date when they reported for duty

to the new area after 1974, 75 and 76.

That the contents of paras 1, 2, 3, 9, 10, 11, 12 to 15 of this affidavit are true to my personal knowledge ~~—~~ those of paras 4 Partly 5 and 6 Partly ~~—~~ are based on record and those of paras ~~—~~ are based on information and thos of peras 3&4 Partly 5 and 6 Partly and 7 ~~—~~ are based on legal advice, which all I believe to be true. No part of it is false and nothing material has been concealed in it. So help me God.

Deponent.

I, ~~—~~ ~~Clerk to Shri~~ Rakesh Varma, Advocate, High Court declare that the person making this affidavit and alleging himself to be the deponent is known to me from perusal of the papers.

Identifier.

Solemnly affirmed before me on this ____ day of November, 1988 at ____ A.M./P.M. by the deponent, who is identifiedx by aforesaid.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit, which has been read over and explained to him.

OATH COMMISSIONER.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH : ALLAHABAD.

.....

OBJECTION

ON BEHALF OF RESPONDENTS

IN

REVIEW APPLICATION NO. 122 of 1988

IN

REGISTRATION NO. 389 OF 1986

R.L. Singh & others. .Applicants

Versus

Union of India & others. .Respondents.

To

The Hon'ble the Vice Chairman and

His Companion Members of the aforesaid Tribunal.

The humble appondents most respectfull states as under :

1- That the application no. 389 of 1988 was filed by the petitioners against the transfer to another zone on their own request on compassio ate grounds and the same has been decided by this Hon'ble Tribunal on 19th January 1988, dismissing

106

the petition on merit.

2- That by this Hon'ble Tribunal, every facts and circumstances have been discussed in detail and against the said judgment, unless and until the petitioners make out a case pointing out the error apparent on the face of record, no review application is maintainable.

3- That after perusal of the pleadings of the petitioners, in review application, it is revealed that by means of the review application the petitioners have challenged the findings of this Hon'ble Tribunal, which is not permissible under the provisions of sub-section (f) of sub-section (3) of section 22 of the Administrative Tribunals Act, 1985. In case, the petitioners want to point out irregularity and illegality of the judgment of this Hon'ble Tribunal, though it is not at all permissible, the petitioners can file special leave petition before the Hon'ble Supreme Court and no remedy for him is available by filing a review application and as such the review application is liable to be dismissed on this count alone.

P R A Y E R

It is, therefore, Most Respectfully prayed that in view of facts stated above, the review application is liable to be dismissed, otherwise respondents would suffer irreparable loss.

Dt/- May 15, 1988.

(K.C. SINHA)
ADDL. STANDING COUNSEL
CENTRAL GOVT.
COUNSEL FOR THE RESPONDENTS.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH : ALLAHABAD.

.....

COUNTER AFFIDAVIT

ON BEHALF OF RESPONDENTS

IN

REVIEW APPLICATION NO._____OF 1988

IN

REGISTRATION NO. 389 of 1986

R.L. Singh. .Petitioner

Versus

Union of India & others. .Respondents.

Affidavit of Col T.R. Gulati aged about 41 years, s/o Commander Works Engineer(Project) Lucknow.

(Deponent).

I, the deponent abovenamed do hereby solemnly affirm and state on oath as under :

1- That the deponent is the Commander Works Engineer (Project) , Lucknow and has been deputed to file this counter affidavit on behalf of the respondents and is well acquainted with the facts deposed to below.

2- That the deponent has read the review application and has understood the contents therein and is in a position to reply the same.

3- That in reply to the contents of paragraph 1 of the review application , it is submitted that the promotions were ordered on the basis of Engineer-in Chief's Branch Army Headquarter letter Mated 19th June 1986 and were effective as per the seniority. The Engineer-in-Chief's letter dated 8th October, 1986 was not received by the answering respondent at the time of ordering the promotion.

4- That in reply to the contents of paragraph 2 of the review application, it is submitted that the promotions were ordered without giving the benefit of previous services as per Engineer-in-Chief's letter dated 19th June 1986.

5- That in reply to the contents of paragraph 3 of the review application, it is submitted that at the time of ordering the promotions, Engineer-in-Chief's letter dated 8th October, 1986 was not received by the answering respondent, as the promotions were ordered during July 1986.

6- That in reply to the contents of paragraph 4 of the review application, it is submitted that the clarification regarding retaining of the individuals in the same post/reverting back to their original post was sought for during November, 1986, i.e. after the promotions were already

implemented.

7- That in reply to the contents of paragraph 5 of the review petition it is submitted that it was clarified by higher authorities that the promotions already acquired on the basis of Engineer-in Chief's letter dated 19th June 1986 should not be disturbed.

8- That in reply to the contents of paragraph 6 of the review application, it is submitted that Shri R.L. Singh, one of the applicants in the said case was promoted vide Commander Works Engineer(AP) Lucknow letter dated 13th November, 1986 but subsequently the promotion order was cancelled vide letter No.12036/498/EIC(2), dated 16th December, 1986 as the case of the individual was sub-judice before this Hon'ble Tribunal at that time.

9- That in reply to the contents of paragraph 7 of the review application, it is to be pointed out that the applicability of CPRO 73/73 was clarified w.e.f. 16th December, 1985 vide Engineer-in-Chief's letter dated 12th May 1987, i.e., when the case was already subjudice before this Hon'ble Tribunal.

10- That in reply to the contents of paragraph 8 of the review application, it is submitted that respondents were promoted on the basis of Engineer-in-Chief's letter dated 19th June 1986, i.e. the seniority was counted for from the date, when they reported for duty to the new area after 1974, 1975 and 1976.

11- That in reply to the contents of paragraph 9 of the review application, it is stated that when the policy decision on fixing the seniority was taken by Engineer-in-Chief vide their letter dated 8th October, 1986, the subject case was in process before this Hon'ble Tribunal. Hence the promotions were not disturbed.

12- That in view of facts stated earlier, the petitioners can file special leave petition before the Hon'ble SupremeCourt and no remedy for him is available by filing a review application and as such the review app-lication is liable to be dismissed.

That the contents of paras 1 and 2 of this affidavit are true to my personal knowledge; those of paras 3 to 11 are based on record and those of para 12 are based on legal advice, which all I believe to be true. No part of it is false and nothing material has been concealed in it. SO HELP ME GOD.

DEPONENT.

I, D.S. Chaubey, clerk to Shri KC Sinha, Advocate declare that the person making this affidavit and alleging himself to be the deponent is known to me personally.

Identifier.

Solemnly affirmed before me on this day of May 1988 at am/pm by the deponent, who is identified by aforesaid.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit which have been readover and explained to him.

OATH COMMISSIONER.

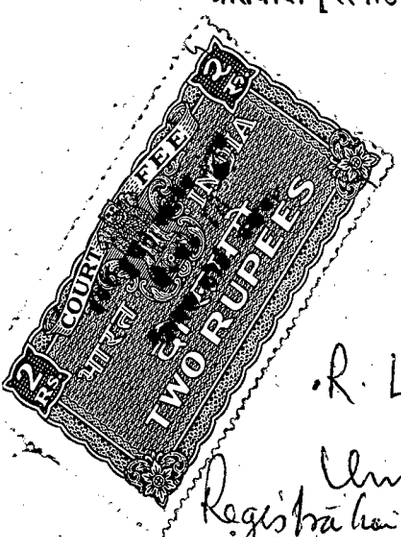
ब अदालत श्रीमान Hon'ble Central Administrative Tribunal, Allahabad (Circuit Bench) Lucknow महोदय

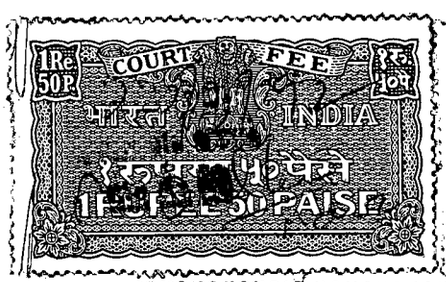
[वादी अपीलान्ट]

श्री For Opposite party No. 8

प्रतिवादी [रेस्पाडेन्ट]

वकालतनामा





R. L. Singh & others — Petitioners

बनाम

vs. Union of India & others — Opp. parties

(प्रतिवादी रेस्पाडेन्ट)

नं० मुकद्दमा Registration No. 389 of 1986 सन् Review Application No. 190 of 1990. पेशी की ता० १९ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री Munawar Sulla, Advocate Din Dayal Road, Aishanjabad, Lucknow.

वकील

व महोदय

एडवोकेट

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटाव या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करे मुकद्दमा उठावे या कोई रुपया जमा करें या हारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करे—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मै यह भी स्वीकार करता हूं कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नही होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

नाम अदालत ... मुकद्दमा नं० ... नाम फरीकैन ...

हस्ताक्षर (NEELAM KUMAR) O.P. No. 8.

साक्षी (गवाह) ..... साक्षी (गवाह) .....

दिनांक 23 महीना 3 सन् १९ 92 ई०

स्वीकृत

Sulla Advo. 23/3/92

बअदालत श्रीमान CAT Lucknow महोदय

वादी (मुद्दई)
मुद्दई (मुद्दालेह) का

वकालतनामा

R. L. Singh वादी/अपीलकर्त्ता

बनाम

U. O. I. ors प्रतिवादी/रेस्पान्डेन्ट

T. L. No. 27/92

न० मुकद्दमा 389 सन १९ 86 F. F. 24-8-92

ऊपर लिखे मुकद्दमें में अपनी ओर से श्री वी० के० चौधरी, एडवोकेट, हाईकोर्ट
१४/६२९ बरफखाना, नई बस्ती, उदयगंज, लखनऊ
टेलीफोन नं० २३४९८६,
चै० नं० ५, हाई कोर्ट-टेलीफोन २४०९०७

को अपना वकील नियुक्त करके [इकरार] करता हूँ और लिखे देता हूँ इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या लौटावें या हमारी ओर सें डिक्री जारी करावें और रुपया वसूल करें या सुलहनामा या इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपबे हस्ताक्षर से दाखिल करें और तस्दीक करें या मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी या विपक्ष [फरीकसानी] का दाखिल किया रुपया अपने या हमारे हस्ताक्षर - युक्त (दस्तखती) रसीद से लेवें या पंच नियुक्त करें वकील महोदय द्वारा की गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी। सैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा। अगर मुकद्दमा अदम पैरवी में एकतरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर न होगी। इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

F. T. O
22/7/92

स्वीकृत

(वी० के० चौधरी)
एडवोकेट

हस्ताक्षर S K Das
(S K Das)
Adm Officer
For CWE Lucknow.
22 May 92

साक्षी [गवाह] _____ साक्षी [गवाह] _____

दिनांक 21 महीना 7 सन् १९९२ ई०

919 to 920

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH : LUCKNOW
Opp. Residency Gandhi Bhavan, Lucknow.

.....

No. CAT/CB/LKO/JUDL/ TA 27/92 T.L. in Date : 6/4

REGISTRATION NO 389/86 OF ~~1991/92 (L)~~

R.L. Singh & others Applicant.

VERSUS

Union of India & others Respondents.

① Sri O.P. Gupta, Adv., C.A.T., 23-A, Thornhill-Road, Allahabad.

② Sri Lalji Sinha, Adv., C.A.T., 23-A, Thornhill-Road, Allahabad.

Please take notice that the applicant above named has presented an application a copy _____ thereof is enclosed herewith which has been registred in this Tribunal and the Tribunal has fixed 23 day of Jun, 92 for hearing.

If, no appearance is made on your behalf, your pleader of by some one duly authorised to Act and plead on your behalf in the application, it will be heard and decided in your absence.

Given under my hand and the seal of the Tribunal this 4 day of 4 1992.

For Deputy Registrar.

M. Panda./

OIC

Annexure - A
CAT - 22

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

*****

INDEX - SHEET

CAUSE TITLE O.A 309 of 1986.

Name of the Parties R.L. Singh & 10 others

Versus

U.O.I Through M/o Defence
New Delhi & 14 others

Part A, B & C

S. No.	DESCRIPTION OF DOCUMENTS	Page
A1	General Index	1
A2	Cheque list	2
A3	Order sheet	5
A4	Judgment dated 19-01-1988	4
A5	Petition alongwith annexures dated 11-8-86	50
A6	Preliminary objection	3
A7	Written Reply on behalf of Respondent Nos. 6, 8, and 13.	9
A8	Short Counter from Respondent No.15 dated 20 Aug, 1986	7
A9	Counter-Affidavit & Cond Misc. raising Preliminary objection	8
A10	Rejoinder-Affidavit	11
A11	Annexures	6
B1	Vakalatnama - (Power)	5
B2	Application dated 10/3/87	1
B3	Notice (Office Copy)	1

(A+B+C)

13/8.

A2/1

CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Registration No. 309 of 1986

APPLICANT (s) R. L. Singh & 10 others.

RESPONDENT(s) Union of India through Ministry of Defence, New Delhi & 14 others.

Particulars to be examined	Endorsement as to result of Examination
1. Is the appeal competent ?	Yes.
2. (a) Is the application in the prescribed form ?	Yes.
(b) Is the application in paper book form ?	Yes
(c) Have six complete sets of the application been filed ?	Yes. 20 Copies sets filed
3. (a) Is the appeal in time ?	Yes
(b) If not, by how many days it is beyond time ?	—
(c) Has sufficient case for not making the application in time, been filed ?	—
4. Has the document of authorisation/Vakalat-nama been filed ?	Yes
5. Is the application accompanied by B. D./Postal-[illegible]er for Rs. 50/-	Yes
[illegible]e certified copy/copies of the order (s) [illegible]t which the application is made been	Yes.
[illegible] the copies of the documents/relied [illegible]by the applicant and mentioned in [illegible]plication, been filed ?	Yes
[illegible]e documents referred to in (a) [illegible]ly attested by a Gazetted Officer [illegible]erd accordingly ?	Yes.

A2/2

Particulars to be Examined	Endorsement as to result of Examination
(c) Are the documents referred to in (a) above neatly typed in double space ?	Yes
8. Has the index of documents been filed and paging done properly ?	Yes
9. Have the chronological details of representation made and the outcome of such representations been indicated in the application ?	No representation made
10. Is the matter raised in the application pending before any Court of law or any other Bench of Tribunal ?	No
11. Are the application/duplicate copy/spare copies signed ?	Yes
12. Are extra copies of the application with Annexures filed ?	Yes
(a) Identical with the orignal ?	Yes
(b) Defective ?	No
(c) Wanting in Annxures Nos...../Pages Nos..... ?	—
13. Have file size envelopes bearing full addresses, of the respondents been filed ?	Yes
14. Are the given addresses, the registered addresses ?	Yes
15. Do the names of the parties stated in the copies tally with those indicated in the application ?	Yes
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ?	N.A
17. Are the facts of the case mentioned in item No. 6 of the application ?	
(a) Concise ?	Yes.
(b) Under distinct heads ?	Yes
(c) Numbered consectively ?	Yes
(d) Typed in double space on one side of the paper ?	Yes.
18. Have the particulars for interim order prayed for indicated with reasons ?	Yes.
19. Whether all the remedies have been exhaused.	No.

Submitted pl.

V. Chandra
11.8.96

D.R.

A3

Order Sheet

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH ALLAHABAD

Reg. No. 389 of 1986.

R. L. Singh vs U. O. I

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned
1	2	3
12.8.86	Hon. D. S. Misra, Member (A) Hon. G. S. Sharma " (J) Sri P. C. Thingam appears for the applicant, Sri K. C. Sinha ld. standing counsel for the Union of India is also present and a copy of the petition has been delivered to him (on behalf of Respdt. no 1, 2, 3, and 4) Admit. Issue notice to the other respondents to file their reply by 25-9-86. (For detailed order pl. see the order passed on original petition) DS	Notice issued 14/8/86

A3/2

Order Sheet

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH ALLAHABAD

.....No. ~~CA~~ 389 of 1986.

.....VS.....

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned
1	2	3
6-11-86	OR Reply on behalf of Respondent no. 6, 8, 13 has been filed in court on 25-9-86. Reply on behalf of Respondent no. 15 has already been received in this by regd post. Reply on behalf of Respondent no. 1 to 4 has not been filed so far though they were granted second time by court. Reply to the application of respondent no. 6, 8 & 13 reg. maintainability has so far not been filed by the counsel for applicant. Case is submitted for hearing as directed by court. 6/11	
7-11-86.	Hon. S. Zaheer Hasan, V.C. Hon Ajay Johri, Member(A) Mr. S. P. Singh — for applicant Mr K.C. Sinha — for respondent 1 to 4 Mr U.N. Sharma — for respondents no 6, 8 & 13. Put up on 17-12-1986 for hearing as prayed.	

V.C. Member(A)

A3/3

Order Sheet

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH ALLAHABAD

OA No. 338 of 1986

.....VS.....

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned
1	2	3
2-2-87	OR Case was adjourned to 5.2.87 for hearing. Submitted. Asstt 2/2	
5.2.87	Hon. S. Zaheer Hasan, VC. Hon. Ajay Johri, AM(A) Sri S.P. Singh for the applicant files rejoinder affidavit. Sri K.C. Sinha for the respondents. Put up for hearing on 10.3.87. VC. AM(A)	
5-3-87	OR Case was ordered to be listed for hearing on 10.3.87. Submitted for hearing. Asstt 5/3	

(A3/4)

1

आ० अं० अ-18
I. A. T-18

आदेश पत्रक
ORDER SHEET

अपील / निर्देश आवेदन रजिस्टर में सं०

CA No. in Reference Application / Appeal Register 3897-86

अपील अधिकरण
Appellate Tribunal

अपीलार्थी / आवेदक
Appellant / Applicant

अपीलार्थी / आवेदक द्वारा — बनाम — प्रत्यर्थी
Appellant / Applicant — Vs. — Respondent

प्रत्यर्थी द्वारा
Respondent

आदेश की क्रम संख्या और तारीख Serial number of order and date	संक्षिप्त आदेश, निर्देश दते हुए, यदि आवश्यक हो Brief order, mentioning reference, if necessary	पालन कैसे हुआ और पालन करने की तारीख How complied with and date of compliance
17-9-87	Hon. D. Taher Hasan, VC. Hon. Ajay Johri, AM. Sri S.P. Singh for the applicant and Sri K.C. Sinha for the respondents are present. Put up for hearing on 9.11.87 as requested. VC AM	
9-11-87	DR (F) As the case is wrongly listed. Let this case before court for hearing on 11-12-87. DR.	

(कृ०प्र०उ०/P.T.O)

AM/S

389/86

12-1-88 Hon. S. Zaheer Hasan, VC.
Hon. Ajay Johri, Adm.

Shri S.P. Singh for applicant
Shri K.C. Sinha for respondents
Shri U.N. Sharma for respondent No. 5 to 15.

Arguments heard.
Judgement reserved.

AM. VC.

19.1.88 Judgment delivered today. The application is dismissed. No costs.

AM VC

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD

O.A. No. 389 1986
~~T.A. No.~~

DATE OF DECISION _____

R.L. Singh & others — Petitioner

S.P. Singh — Advocate for the Petitioner(s)

Versus

Union of India & others — Respondent

K.C. Sinha — Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. S. Zaheer Hasan, VC.

The Hon'ble Mr. Ajay Johri, AM.

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?

.....

Sahu/-

14/1/88

RESERVED

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration O.A. No.389 of 1986

R.L. Singh & Others ..... Applicants

Versus

Union of India & Others .... Respondents

Hon.S.Zaheer Hasan, V.C.
Hon. Ajay Johri, A.M.

(By Hon.S.Zaheer Hasan, V.C.)

This is an application under Section 19 of the Administrative Tribunals Act XIII of 1985. for quashing the promotion order dated 31.7.1986 by which respondent Nos. 5 to 15 were promoted and the applicants were ignored and for giving direction to the respondents to promote the applicants.

2. The case of eleven applicants is that they were working as Refregerator Mechanic and in the seniority list dated 29.11.1985 they were shown senior to respondent Nos. 5 to 15. But on 31.7.1986 the Commander Works Engineer, Lucknow promoted respondent Nos 5 to 15 to the post of Refregerator Mechanic highly skilled grade II ignoring the applicants' claim who were senior to the aforesaid respondents.

3. The defence is that the seniority list dated 29.11.1985 was revised on 17.7.1986 and it was duly displayed on Notice Board. The applicants were

transferred from another zone and these respondents belong to same zone so the applicants could not claim seniority over the aforesaid respondents. As such 23 persons including respondent Nos. 5 to 15 and applicants 2,6 and 9 were promoted and since the other applicants lost their seniority after leaving their zone they were not promoted.

4. The seniority list relied upon by the applicants is not on All India basis and it is immaterial that they are Central Government Servants. The copy of the order dated 13.6.1986 runs as below :-

> " Some instances have come to our notice where the industrial personnel transferred from one Area/Zone/Command to other Area/ Command have been allowed to carry the original seniority in the grade on their reporting to the new formation. This is not correct and is in violation of the revised principles of seniority as laid down in CPRO 73/73 and further clarified in CPRO 11/75. The provisions of CPRO/73/73 have been made applicable to the MES w.e.f. 01 July, 1973. Since the seniority of Industrial personnel for the purpose of Promotion/confirmation is controlled at CWE Area, the individual seeking transfer on compassionate grounds from the CWE Area whether within the same Zone/Command or outside Zone/Command does not get the benefit of previous service for the purpose promotion and confirmation. He will be assisted the seniority in the grade from

the date he actually reports for duty in the new formation. In order to avoid representations at a later stage as undertaking to this effect may be obtained from the individual before he applied for the transfer on compassionate grounds. "

Since the applicants were transferred to another Zone on their own requests on compassionate grounds so they could not carry their seniority and claim seniority over the persons belonging to other Zone where they were transferred. In short, since the seniority of industrial personnel for the purpose of promotion/confirmation is controlled at the CWE Area, the individuals seeking transfer on compassionate grounds from one CWE Area to other CWE Area whether within the same Zone/Command or outside Zone/Command are not entitled to the benefit of previous services. An individual seeking transfer on compassionate grounds will be assigned seniority only from the date he reports for duty in the new formation, and he cannot carry his old seniority to the new Area. In this view of the matter there was nothing wrong in not promoting the applicants who are claiming promotion and have not been promoted. As already observed the seniority list was not an All India level and the first seniority list was revised subsequently. But the applicants cannot claim any seniority on the basis of the seniority list dated 29.11.1985 after their transfer to another Zone. It was contended that there was no rule and the administrative instructions

cannot take the shape of rule or law. These administrative instructions are not against any rule or law and therefore they cannot be condemned as illegal or unconstitutional. There is no question of any constitutional defect in the impugned order in the name of discrimination, equity etc. Naturally when one gets himself transferred to another Zone on request he cannot be permitted to take his seniority with him and to disturb the seniority of the persons in the Area to which he is transferred. So in short we find no illegality in the impugned order of transfer. The application is dismissed with costs on parties.

Member (A)

Vice Chairman

Dated the 19 Jan., 1988

RKM

Before the Central Administrative Tribunal, Allahabad

Regd No — 1986

R.L. Singh and others — Applicant

V/s

Union of India and others — Respdts

It is most respectfully Submitted

That the above mentioned case has been filed in the office today.

That the interim order prayed for is so urgent that if it is not heard and granted, the applicant shall suffer irreparable loss

PRAYER

It is, therefore, most respectfully prayed that the Hon'ble Tribunal may hear the case today or tomorrow.

11/8/86

P.C. Dhingra
Advocate
(Counsel for the applicants)

In the Central Administrative Tribunal

Additional Bench, Allahabad.

I N D E X

In

Registration No. 309 of 1986

Between

Sri R.L, Singh and others . . . . . Applicants.

And

The Union of India and others ....Respondents.

Sl.No.	particular of papers.	Page Nos.
1-	Application	1 - 19
2-	Enclosure No.1: Promotion list no.CWE(P)Lko letter no.12025/430/E1C(2) dt. 31st July,1986.	20 - 22
3-	Enclosure-No.2:- Seniority list no.12030/242/E1C(2) dt. 29th Nov. 1985.	23 - 38
4-	Enclosure no.3 :- CWE letter No. 12037/Policy/61/E2C(2) dated 22nd June, 1978.	39 - 40
5-	Enclosure No.4 :- C.WE(P)Lucknow Sl.No.50 dt. 17th July,1986	41 - 42
6-	Enclosure no.5:- U.P. MES workers Union letter No.UPWU/SENI/Lko/86 dated 25.7.1986.	43-44
7-	Enclosure:-No.6 : CWE/Letter No.1353/357/E1B dt. 22nd May,1986.	45 - 49
8-	Vakalatnma	50 = 00.

Copy Received Ok also Clerk to Shri K.C. Sinha Advocate 25/9/86

P.C. Jhingan Adv.

dt. 7/8/86 Aug,1986.

Signature of the Applicants

Reg. No. 399 of 1987

Central Administrative Tribunal
Additional Bench
ALLAHABAD/PATNA/JABALPUR
Date of Filing... ...11.8.86... ... OR
Date of Receipt by Post

for Deputy Registrar.

FORM I

Application under Section 19 of the Administrative Tribunal Act, 1985

Date of of Filing :

or

Dated of Receipt :

By post :

Registration No. :

Signature

Registrar.

In the Central Administragive Tribunal

Additional Bench, Allahabad.

Between

1- Sri R.L.Singh, son of late Mathura Pd. resident of 501/46, near 35, Ram Niwas Keshripur Daliganj, Lucknow.

2- Sri Surendra Narain Singh son of late B.N.Singh, resident of 65, Amar Niwas, Pan Dareeba Lucknow.

3- Sri R.K.Pandey, son of Sri Atma Ram Pandey, resident of 294/24, Khala Bazar Lucknow-3

4- Sri Ram Gopal Misra son of Sri B.L.Misra, resident of 554/480-A, Kailwashpuri(D) Lucknow.

5- Sri K.K.Gupta, son of Sri S.S.L.Gupta resident of 47, Goin Ganj, P.O,Aminabad, Lucknow.

6- R.K.Maurya son of Sri Sita Ram Maurya, resident of 568/26, Kailasnpuri Lucknow.

7- Sri Manjeet Singh C/O AGE E/M, Refrigerator

Section, 11 Sardar Patel Marg, Lucknow.

8- Babba Jani son of Iqbal Husain resident of 393/64 Kaikasa Kashmiri Mohalla, Lucknow.

9- Sri Manjeet Singh Pawa, son of Late Daleep Singh, resident of 555-J Mehendi Khera, P.O. R.D.S.O. Alambagh, Lucknow.

10- Sri K.K.Gupta, son of Sri Babu Lal Gupta, resident of 125/2, Outram Line, M.E.S. Colony, Lucknow.

11- Sri Krishan Kumar son of Girdhari Lal, resident of Qasar Bara Lakri Mohal, Cantt. Lucknow.

.....Applicants.

And

1- The Union of India through the Secretary Ministry of Defence, Central Secretariate New Delhi.

2- The Engineer-in-Chief Army Head Quarters, Defence Head Quarter, New Delhi.

3- The Commander Works Engineer (P), 229, Mahatma Gandhi Marg, Lucknow-2

4- The Garrison Engineer E/M, Military Engineering Services, Lucknow.

5- Sri Nanda Singh Ballabh, AGE E/M, Refrigerator Mechanic Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

6- Sri Girja Dutt, Refrigerator Mechanic, AGE/ E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

7- Sri Harbachan Singh, Refrigerator mechanic, AGE E/M, Regrigeration section,, 11 Sardar Patel Marg, Lucknow.

8- Sri Neelam Kumar, Refrigerator mechanic, AGE E/M, Refrigeration section, 11 Sardar Patel Marg, Lucknow.

9- Sri Zahir Husain, Refrigerator mechanic, AGE E/M, Refrigeration section, 11, Sardar Patel Marg, Lucknow.

10-Sri P.C.Upadhyaya, Refrigerator mechanic AGE E/M, Refrigeration section, 11 Sardar Patel Marg, Lucknow.

11- Sri R.C.Sikri, Refrigerator mechanic AGE E/M, Refrigeration section, 11, Sardar Patel Marg, Lucknow.

12- Sri Hausala Prasad, Refrigerator mechanic AGE E/M, Refrigeration section, 11, Sardar Patel Marg, Lucknow.

13- Sri Tej Kumar Singh, Refrigerator mechanic AGE E/M, Refrigeration section, 11, Sardar Patel Marg, Lucknow.

14- Sri M.P.Chauhan, Refrigerator mechanic AGE E/M, Refrigeration mechanic, 11, Sardar Patel Marg, Lucknow.

15- Sri Ratten Lal, Refrigerator mecnanic, AGE/ E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

.....Respondents.

Details of the Application :-

1- Particulars of the applicants :-

1- Applicant No.1 :

i-Name of the Applicant : R.L. Singh

ii) Name of the father : Sri Late Mathura Prasad

iii) desigaation and office in which employed: Refrigerator mechanic AGE E/M Lucknow,

iv) office address : Refrigeration section 11 Sardar Patel Marg, Lucknow.

v) address for service of all notices : 501/46, near 35, Ram Niwas Keshripur Daliganj, Lucknow

1- Applicant No.2:-

i) Name of the applicant - Surendra Narain Singh

ii) Name of the father - late B.N.Singh

iii) Designation and office in which employed - AGE E/M Lucknow. Refrigerator mechanic

iv) Office address - Refrigeration section 11 Sardar Patel Marg, Lucknow.

v) address for service of all notices - 65, Amar Niwas, Pan Dariba Lucknow.

3- Applicant No.3

i) Name of the applicant- R.K.Pandey

ii) Name of the father - Sri Atma Ram Pandey

iii) Designation and office in which employed - Refrigerator mechanic AGE E/M Lucknow

iv) office address - Refrigeration section 11 Sardar Patel Marg Lucknow.

v) address for service of all notices - 294/24, Khala Bazar Lucknow.

4- Applicant No.4

i)	Name of the applicant	- Sri Ram Gopal Misra
ii)	Name of the father	- Sri B.L.Misra,
iii)	Designation & office in which employed	- Refrigerator mechanic AGE / E/M Lucknow.
iv)	office address	- Refrigeration section 11, Sardar Patel Marg, Lucknow.
v)	address for service of all notices.	- 554/480-A, Kailashpuri,(D) Lucknow.

5- Applicant No.5

i)	Name of the applicant	- Sri K.K.Gupta,
ii)	Name of the father	- Sri S.S.L.Gupta.
iii)	Designation and office in which employed	- Refrigerator mechanic AGE E/M Lucknow.
iv)	office address	- Refrigeration section 11, Sardar Patel Marg, Lucknow.
v)	Address for service of all notices	- 47, Goin Ganj, P.O.Amina Bad, Lucknow.

6- Applicant No.6 :

i)	Name of the applicant	- Sri R.K.Maurya
ii)	Name of the father	- Sri Sita Ram Maurya
iii)	Designation and office in which employed	- Refrigerator mechanic AGE E/M Lucknow.
iv)	office Address	- Refrigeration section 11, Sardar Patel Marg, Lucknow.
v)	Address for/all notices	- 568/26, Kailashpuri, Lucknow.

7- Applicant No.7 :

i)	Name of the applicant	- Sri Manjeet Singh
ii)	Name of father	

iii) Designation and office in which employed - AGE E/M Lucknow.

iv) office address - Refrigeration section 11 Sardar Patel Marg, Lucknow.

v) Address for service of all notices - Refrigerator section 11 Sardar Patelmarg, Lucknow.

Applicant No.8 :

i) Name of the applicant - Sri Babba Jani

ii) Name of the father - Sri Iqbal Husain

iii) Designation and office in which employed - Refrigerator mechanic AGE E/M Lucknow.

iv) office address - Refrigeration section 11 Sardar Patel Marg, Lucknow.

v) Address for service of all notices - 393/64 Kashmiri Mohalla Lucknow.

Applicant No.9:

i) Name of the applicant - Sri Manjeet Singh Pawa

ii) Name of the ather - Sri late Daleep Singh

iii) Designation & office in- wich employed - Refrigerator mechanic AGE E/M Lucknow.

iv) office address - Refrigeration section 11 Sardar Patel Marg, Lucknow.

v) Address for service of all notices. - 555-J Mehendi Khera, P.O. R.D.S.O. Alambagh Lucknow.

Applicant No.10:

i) Name of the applicant - K.K.Gupta

ii) Name of the father - Sri Babulal Gupta.

iii) Designation & office in which employed - Refrigerator mechanic AGE E/M Lucknow.

iv) office address - Refrigeration section 11, Sardar Patel Marg, Lucknow.

v) Address for service of all notices - 125/2 Autram Line, M.E.S. Colony, Lucknow.

Applicant No.11:

i) Name of the applicant - Sri Krishan Kumar

ii) Name of the father - Girdhari Lal

iii) Designation & office in which employed - Refrigerator mechanic AGE / E/M, Lucknow.

iv) office address - Refrigeration section 11 Sardar Patel marg, Lucknow.

v) Address for service of all notices - Qasar Bagh Lakri Mohal Cantt. Lucknow.

2. Particulars of the respondents:-

Respondent no.1:

i) Name or designation of the respondent - Union of India through secretary.

ii) office address of the respondents - Ministry of defence, Central Secretariate New Delhi.

iii) Address for service of all notices. - Ministry of defence, Central Secretariate New Delhi.

Respondent no.2:-

i) Name or desigamation of the respondent - The Engineer-in-Chief

ii) office address of the respondent - Army Head Quarter, Defence head Quarter New Delhi.

iii) Address for service of all notices. - Army Head Quarter, Defence Head Quarter, New Delhi.

Respondent no.3:-

i) Name or designation of of the respondent - Commander works Engineer

ii) Office address of the respondent - 229 Mahatma Gandi Marg, Lucknow.

iii) Address for service of all notices - 229, Mahatma Gandhi Marg, Lucknow.

Respondent no.4 :

i) Name or designation of of the respondent - Garrison Engineer

ii) Office addressof the respondent - E/M Military Engineering service, Lucknow.

iii) Address for service of all notices - E/M Military Engineering Service, Lucknow.

Respondent no.5:-

i) Name of the respondent- Nanda Ballabh

ii) office Address of the respondent - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

111) Addressfor service of all notices - AGE E/M Refrigeration section 11 Sardar Pagel Marg, Lucknow.

RespondentNo.6 :-

i) Name of the respondent - Girja Dutt

ii) office address of the respondent - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

Respondent no.7 :-

i) Name of the respondent - Har Bachan Singh

ii) office address of the respondent - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

Respondent no.8 :

i) Name of the respondent - Neelam Kumar

ii) office address of the respondent - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE E/M Regrigeration section, 11 Sardar Patel Marg, Lucknow.

Respondent no.9 :-

Respondent no.9 :-

i) Name of the respodent - Zahir Husain

ii) office address of the respondent - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices - AGE E/M Refrigeration section 11 Sardar Patel Marg, Lucknow.

Respondent no.10 :-

i) name of the respodent - P.C.Upadhyaya

ii) office address of the respondent - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

Respondent no.11 :-

i) name of the respodent - R.C.Sikri

ii) office address of the respondent - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE E/M Refrigeration section, 11 Sardar Pat Marg, Lucknow.

Respondent no.12 :

i) name of the respondent - Hausala Prasad

ii) office address of the respondent - AGE E/M Refrigeration section, 11 Sardar Pa Marg, Lucknow.

iii) Address for service of all notices. - AGE E/M Refrigeration section, 11 Sardar Pa Marg, Lucknow.

Respondent no.13 :-

i) Name of the respondent - Tej Kumar Singh

ii) office address of the respondent. - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

Respondent no.14 :

i) Name of the ~~applx~~ Respondent- M.P.Chauhan

ii) Office address of the respondent - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

Respondent no.15 :

i) Name of the respondent - Mattan Lal

ii) office address of the respondent - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

3. Particulars of the order against which application is made.

The application is against the following order:-

i) Order No. 12025/430/E1C (2)

ii) Date 31st July, 1986

iii) Passed by Head Quarter Commander Works Engineer, 229 Mahatma Gandhi Marg, Lucknow to the extent the respondent no.5 to 15 are promoted from Refrigerator mechanic to Refrigerator mechanic Highly Skilled Grade II.

iv) Subject in brief :-

That the applicants were qualified and senior to the respondents nos. 5 to 15 and the Commander Works Engineer in utter disregard to the seniority list No. 12320/242/E1C(1) dated 29th November,85 issue by the Head Quarter Commander Works Engineer (P), 229 Mahatma Gandhi Marg, Lucknow-2 and the applicants were illegally and unauthorisitly deprived of their ~~auty~~ due promotions in accordance with their seniority position and qualification in the aforesaid seniority list.

4. Jurisdiction of the Tribunal :-

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

5. Limitation :-

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

6. Facts of the Case :-

1- That the Commander Works Engineer issue and circulated seniority list of Industrial Personnel working in C.W.E. Area by its letter No. 12030/242/E1C(2), dated 29th Novemger,1985 and a copy of

the same was served on the Secretary, U.P. M.E.S. Workers Union, 2/5 Mangal Pandey Road Lucknow.

2- That in the aforesaid seniority list the applicant 1 to 11 were placed at seniority position 5, 6, 12, 13, 14, 15, 16, 17, 18, 21, 22 respectively.

3- That the qualifications and experience in respect of the Trade ~~xxx~~ of Refregerator Mechanic are mentioned against each of the applicant in column 4 of the seniority list.

4- That the respondents nos. 5 to 15 were also placed at ~~same~~ seniority position no.27, 30, 29, 28, 32, 31, 33, 34, 35, 26 and 24 respectively thus it is apparent from the seniority list that the respondents nos.5 to 15 were junior to the ~~application~~ applicants in the category of Refregrator mechanic and from the perusal of column no.4 of the seniority list, it can be very well verified that the qualification and expedience of respondent nos. 5 to 15 is also less than the ~~them~~ qualification and experience of the the applicants thus the respondents have committed a grave in justice with the applicants by not giving them promotion from Refrigerator mechanic to Refrigerator Mecha-

nic Highly skilled grade II when the applicants were senior and more qualified in the Trade.

5- That the respondents nos. 1 to 4 have promoted the respondents nos. 5 to 15 in flagrant voilation of Ministry of Defence office Memorandum No. 10(1)/75/4365/D(APPTs) dated 15th September, 1977.

6- That the respondent no.3 in utter voilation of E-in-C's Branch letter No.PC 73549/EIC(1) dated 23rd May,1978 in which it was clearly provided that the indivisuals qualified for promotion to the grade of charge Mechanic need not be promotted in the CWE area as the are liable for all India Service liability so they should be promoted on the basis of their seniority determined from their date of appointment.

7- That the respondent nos. 5 to 15 could not have been promoted when the seniority list issued by C.W.E.(P) Lucknow was in existance and was operative and all promotions in filling the vacancies of Ref. Mechanic highly skilled grade II who have been made strictly from the aforesaid seniority list. The applicants are challenging the validity and correctness of the seniority list alleged to have been prepared and

the C.W.E.(P) Lucknow undertaken to send the same to the Departmental promotion Committee but the applicants had no knowledge of any seniority list alleged to have been made for Industrial establishment for the year 1986-87. The true copy of the Part-I order by CWE (P) Lucknow Cantt. serial no.50 dated 17th July, 1986 is being annexed herewith and is marked as Enclosure-4.

8- That the seniority list referred to in para 2 of Enclosure no.4 was non existant it was only to defeat the claim of the applicants for promotion in accordance with their seniority. The respondent no.3 only referred the seniority list to satisfy the Departmental Promotion Committee, if at all seniority list was prepared, it should have been circulated and indivisual should have been given opportunity to represent if their seniority was adversely affected and without circulating the seniority list among the indivisuals and without considering their representation, the seniority list could not have become a binding document and no promotion could have been made according to such a list, thus the respondent no.3 has committed a grave in

justice to the applicants and favour to the respondent nos. 5 to 15 in manavouring their promotion list (Enclosure- No.1).

9- That the respondent no.3 has issued the impugned promotion list (Enclosure-1) in utter disregard and in voilation of Ministry of defence Memo No.28(6)/67/D(APPTS) dated Jue 29, 1973.

10- That the M.E.S. Works Union by their letter letter No. UPWU/SEN1/LKO/86, dated 25.7.86 made representation to the respondent no.3, against the promotion list (enclosure-1) but no replyhas been received so far.

11- That ~~kha~~ in C.W.E. Allahabad area all the promotions of Refrigerator mechanic to Refrigerator mechanic Highly skilled grade II are made on the basis of seniority list prepared in that behalf strictly in accordance with the date of appointment of the individual employees. A true copy of the letter No.1353/357/E1B dated 2nd May,1986 is being annexed nerewith and is being marked as Enclosure-6.

7. Relief(s) sought :-

1. The Hon'ble Tribunal may be pleased to quash the promotion list No.12025/430/E1C(2) dated

31st July, 1986, so far as it relates to the promotion of respondents nos. 5 to 15 from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II with effect from 15.10.84.

2- That the respondents may be directed to give promotions of the applicants from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II in accordance with the seniority list (enclosure-2) with effect from 15.10.84.

8.Interim order, if prayed for :-

(1) Pending final decision on the application the applicants seek issue of the following interim order :-

The Hon'ble Tribunal may be pleased to stay the operation of the promotion list (Enclosure no.1) so far as it related to the promotion ~~to~~ of respondent nos. 5 to 16 be stayed during the pendency of the above mentioned application for the following reason :-

1- Because the applicants shall suffer great loss of seniority in the next highly grad

2- B ecause the applicants shall not be benefited from the recommendation by 4th Pay Commission.

3- Because the inter se seniority of the

applicants shall be adversely effected if the operation of the impugned promotion list is not stayed forthwith.

4- Because the genefits ~~ax~~ arising out of the highly pay shall not be available to the applicants.

5- Because if the operation of the impugned seniority list are not stayed it will be effect the promotions in other C.W.E areas All Over India.

2. Alternatively the Hon. Tribunal may be pleased to restraned the respondents nos. 1 to 4 from paying the arrears of difference salary payable to the respondent nos. 5 to 15 by virtue of their promotion with effect from 15.10.1984.

9. Details of the remedies exhausted :-

That the case of the applicants is such if they wait for 6 months of the representation, the applicants shall suffer the great and irreparable loss of their future career by way of their deprivation from their promotion to charge Mechanic highly skilled grade II. However, the U.P. MES workers Union by their representation dated 25.7.86 (Enclosure- 5) in which they have raised the demand and in case their demands are not met with they would take the agitational course so its is expedient in

the interest of maintaining industrial piece and harmoney, it is expedient to wave the Bar of 6 months time after making the representation for filing the abovementioned Application.

10. Matter not pending with any other court etc:

The applicant further declares that the matter regarding which this application has been made is notpending before any court of law or any other authority or any other Bench of the Tribunal.

11. Particulars of Postal Order in respect of the Application fee :-

1. Number of Indian postal Order :

2. Name of the issuing post office:

3. Date of issue of postal order :

4. Post office at which payable.

12. Details of Index :-

1- Ministry of Defence Office Memorandum No. 10(1)/75/5365/D(APPTS) dated 15th September 1977.

2. CPRO, 11th February,1975.

3- E-In-C's Branch no. PC 73549/E1C(1) dated 23rd May,1978 (Enclosure-3)

4- Part-I order CWE(P) Lucknow Cantt.2 Sl. No.50 dated 17th July,1986(Enclosure-4)

5- Seniority list issued by CWE(P) Lucknow No.12030/242/E1C(2) dated 29th November,85 (enclosure-2)

6- C.W.E. Allahabad No.1353/357/E1B dated 22nd May,1986 (Enclosure-6)

13- List of Enclosures:-

1- Promotion List No. CWE(P) Lucknow letter No. 12025/430/E1C(2), dated 31st July,86.

2- Seniority list No.12030/242/E1C(2) dated 29th November,1985.

3- C.W.E. letter No.12037/Policy/61/E1C(2) dated 22nd June,1978.

4- C.W.E.(P) Lucknow serial no.50 dated 17th July,1986.

5- U.P. MES Workers Union letter no.UP WU/ SENI/LKO/86, dated 25.7.86.

6- CWE Allahabad letter no.1353/357/E1B dated 22nd May,1986.

I, R.K.Pandey son of Sri Atma Ram Pandey age 40 years working as Refrigerator Mechanic AGE E/M Lucknow resident of 294/24 Khala Bazar, Lucknow do hereby verify that the contents from 1 to 13 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place :

Date :

Signature of the Applicant

To,

The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.

A5/21

In the Central Administrative Tribunal,

Addl.Bench, Allahabad.

Enclosure- No.1

In

Registration No. of 1986

Between

Sri R.L.Singh and others .....Applicant.

versus

The Union of India and others

.....Respondents.

(Photostate copy is attached below/with this)

AE/22

21

1

31

Hdqrs HCLy 669

Headquarters
Commander Works Engineer(P)
229 M G Road
Lucknow

12025/ [illegible] /AIC(2)

1 Jul 86

GE E/M LUCKNOW
AGE(I)KEKARA
GE(I)LUCKNOW

FITMENT OF INDUSTRIAL WORKERS OF P&S IN THE PAY SCALES RECOMMENDED BY THE THIRD PAY COMMISSION:RECOMMENDATION OF THE ANOMALIES COMMITTEE

1 Reference CECC Lucknow letter No.901402/1/43/AIC(2) dated 30.4.86 circulated under CELZ No.121228/3/Fitment/SAT/AIC(2) dated 03 May 86 and this office Nos 12025/386/AIC(2) dated 7 Jun 86 and 12025/420/AIC(2) dated 15 Jul 86.

2 The following promotions in respect of the Tradesmen belonging to Skilled grades are hereby ordered :-

Srl No.	HQS No. & Name	Promoted From	Promoted To	Unit	Remarks
1	441950 Shri JP Singh *(promoted to HS I wef.5.7.85)	Ref/Mech	Ref/Mech HS II	GE E/M Lko	Promoted from Skilled to HS II wef.15.10.84 in the pay scale of 330-8-370-10-400-EB-10-480.
2	441948 Shri Shahrat Ali Khan * Promoted to HS I wef.7.3.86	Ref/Mech	Ref/Mech HS II	GE E/M Lko	-do-
3	441931 Shri Bhagwan Dass	Ref/Mech	Ref/Mech HS II	GE E/M Lko	-do-
4	441965 Shri Charanjeet Singh	Ref/Mech	-do-	-do-	-do-
5	454238 Shri K S Sinha	Ref/Mech	-do-	AGE(I) Mem	-do-
6	454244 Shri OP Pandey	Ref/Mech	-do-	GE E/M Lko	-do-
7	461516 Shri JK Ahuja	Ref/Mech	-do-	-do-	-do-
8	442825 Shri Nanda Ballabh	Ref/Mech	-do-	-do-	-do-
9	442878 Shri Girja Dutt	Ref/Mech	-do-	-do-	-do-
10	447046 Shri Harbachan Singh	Ref/Mech	-do-	-do-	-do-

contd.2

Attested

A&C/23

1	2	3	4	5	6
(11)	454283 Shri Neelam Kumar	Ref/Mech	Ref/Mech HS II	CE E/M Lko	Promoted from skilled to HS II wef.15.10.84 in the pay scale of Rs330-8-370-10-400-EB-10-480
(12)	454197 Shri Zahir Hussain	Ref/Mech	-do-	-do-	-do-
(13)	454146 Shri PC Upadhya	Ref/Mech	-do-	-do-	-do-
(14)	454137 Shri EC Sikri	Ref/Mech	-do-	-do-	-do-
15	404578 Shri Rajender Singh	Ref/Mech	-do-	-do-	-do-
(16)	452352 Shri Kausela Prasad	Ref/Mech	-do-	-do-	-do-
(17)	452570 Shri Tej Kumar Singh	Ref/Mech	-do-	-do-	-do-
18	454170 Shri Surendra Narain Singh	Ref/Mech	-do-	-do-	-do-
(19)	437853 Shri N P Chauhan	Ref/Mech	-do-	-do-	-do-
(20)	443375 Shri Rattan Lal	Ref/Mech	-do-	-do-	-do-
21	359459 Shri RK Maurya	Ref/Mech	-do-	-do-	-do-
22	169622 Shri Manjeet Singh	Ref/Mech	-do-	-do-	-do-
23	411040 Satish Chandra Sharka	Ref/Mech	-do-	-do-	-do-

Item Twenty three only)

Authy:- Govt.of India Min of Def letter No.1(1)80/D/ECC/IC/ Vol-III dated 08 Apr 86.

(Virendra Prasad)
Col
Commander Works Engineer

Copy to :-

CECC Lucknow
CE,Z Lucknow
~~HA-CE-E/M-Lko~~
file no/2065-A/E7(C3)

Attested True copy
P.C. Jha

A5/24

In the Central Administrative Tribunal

Enclosure- No.2

In

Registration No. of 1986

between

Sri R.L.Singh and others ....Petitioners/Applicants

And

The Union of India and others ..Respondents.

(Photostat copy are attached below)

24

2.

TELE MILY 669

Headquarters
Commander Works Engineer (P)
229, MG Road
Lucknow - 2

Nov 85

12030/ 2 42 /E1C(2)

The Secretary
UP MES WORKERS UNION
Mangal Pandey Road
Lucknow

SENIORITY LIST OF INDUSTRIAL PERSONNEL : CWE LUCKNOW AREA

1. A copy of Seniority List Industrial personnel of CWE (P) Lucknow Area is forwarded herewith for your record please.

(SS Misra)
Offg Adm Officer
for Commander Works Engineer

Encl : One Seniority List.

Attested True copy

		Page No.
1.	Ch/Mech	1 to 4
2.	Ch/Elect.	5 to 9
3.	Ch/Mech(Ref)	10 to 15
4.	Elect	16 to 19
5.	SBA	20 to 24
6.	Wireman	25 to 31
7.	Lineman	32 to 36
8.	Fitter	37 to 39
9.	Ref Mech	40 to 53
10.	DME	54 to 54
11.	Painter	55 to 58
12.	P/Fitter	59 to 63
13.	Carpenter	64 to 69
14.	E/Fitter	70 to 70
15.	A/Winder	71
16.	Moulder	72
17.	Blacksmith	73 to 75
18.	Upholster	76 to 77
19.	C/Maker	80 to 81
20.	Plumber	75 to 79
21.	Welder	82
22.	I/Repairer	83
23.	C/Jointer	84
24.	Mason	85 to 90
25.	OED	91 to 108
26.	MPA	109 to 126
27.	Hammerman	127 to 129
28.	C/Weaver	130 to
29.	C/Stringer	131
30.	Mate	132 to 155
31.	RR Driver	156
32.	Swayer	157
33.	V/man	158 to 161
34.	Mazdoor	162 to 219

* * * * * * * * *

Attested True copy

Adv

26

Sl	MES No and Name	Date of Birth	Qualification Educational/ Technical Apptt. TT Passed	Category & date of 1st continous apptt. & Date of seniority in subsequent post held	Q/Pt, Pt Apptt. held with date in the grade	Date of seniority in the present grade	Whether SC/ST Ex-Service men	Formation where serving	REMARKS
1	2	3	4	5	6	7	8	9	10
1.	MES-216067 ~~Shri VASU DEO~~	~~6.9.25~~	~~VI Class~~ TT Ch/Mech-63	IME-18.6.55 MT Dvr-14.4.64 Ch/Mech-9.3.64	~~MT Dvr Q/Pt~~ 1.7.60 ~~Ch/Mech Pt~~ 16.3.64 76	~~9.3.64~~	Neither	GE E/M Lko	Retired on 30.9.85
2.	MES-441933 Shri ~~A.N.~~ SINGH	4.1.35	~~VII~~ TT Ch/Mech-64	~~P/F-8.10.53~~ Ch/Mech-3.3.65	~~Ch/Mech Pt~~ 1.7.76	~~4.3.65~~	"	Promoted -do- and Posted to Jhansi	
3.	MES-350166 Shri BB PANDEY	15.2.28	TT Ch/Mech 1974	Fitter-28.12.48 Ch/Mech-30.8.76	Fitter Pt 1.4.59	30.8.76	"	-do-	
4.	MES-452434 Shri SUKH LAL Now Master Craftsman)	1.6.42	HS ITI Fitter Course TT C/Mech 73	P/F-1.12.66 Fitter-10.6.66 Ch/Mech-30.1.78 Master craftsman-30.8.85	P/Fitter Pt 1.12.69 Fitter Pt 1.2.72	30.1.78	"	AGE ~~(RCP)~~ (I) Memaura	
5.	MES-437026 Shri RAGHU RAJ SINGH	16.8.28	TT Ftr-65 TTOED-56 TT Ch/Mech	Maz-1.11.47 Mate-1.6.50 Ftr-19.3.58 Ch/Mech-4.3.78	Ftr Pt 1.4.66	4.3.78	"	GE (E) Lko	

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Category : Ref/Mech.

1	2	3	4	5	6	7	8	9	10
1.	MES/441931 Shri DHAGWAN DASS	1.7.27	-	Mate-1.8.49 MPA -15.1.50 Ref Mech-2.3.61	Ref Mech Pt. 1.4.65.	2.3.62	Neither	GE E/M	Lko
2.	MES-441950 Shri JOGINDER PAL SINGH	14.11.41	Inter TTCCh/ Mech (Ref)-68 Ch/Mech 69	Ref Mech- 17.7.64	Ref Mech Pt. 1.4.70	17.7.64	"	-do-	
3.	MES/441948 Shri SHOHRAT ALI KHAN	30.12.41	HS ITI Ref Course TT Ch/Mech Refg	Ref Mech- 25.7.64	Ref Mech Pt. 1.	25.7.64	"	-do-	
4.	MES-441965 Shri CHARANJEET SINGH	6.4.45	HS Ref Course ITI TTCh/Mech (Ref) 84	Ref Mech- 4.8.64	Ref Mech Pt. 1.4.70	4.8.64	"	-do-	
5.	MES-457063 Shri RL SINGH	3.8.43	Matric Ref Mech TT Ch/ Mech Ref. Course CITI	Ref Mech- 7.10.65	Ref Mech Pt. 1.4.69	7.10.65	"	-do-	
6.	MES-457061 Shri SURENDRA NARAIN SINGH	1.5.43	IX TT Ch/Mech (Refg)	Ref Mech- 14.10.65	Ref Mech Pt. 1.4.70	14.10.65	"	-do-	
7.	MES-454238 Shri KS SINHA	8.7.40	HS Ref Course ITI, Ch/ Mech(Ref)	Ref Mech- 1.12.66	Ref Mech Pt.	1.12.66	"	AGE (Ref) (I) Memaura	

TT = Trade test passed

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True copy

Category : Ref/Mech.

1	2	3	4	5	6	7	8	9	10
8.	MES/454244 Shri OP PANDEY	4.1.43	HS ITI Ref Course Ch/Mech (Ref)-71	Ref Mech - 1.12.66	Ref Mech Pt 1.4.69	1.12.66	Neither	GE E/M Lko	
9.	MES-457076 Shri RAJENDER SINGH	1.7.43	IX TT Ch/Mech (Ref)-73	Ref Mech - 28.7.67	Ref Mech Pt 1.4.71	28.7.67	"	-do-	
10.	MES/461510 Shri SK AHUJA	12.1.47	HS TT Ch/Mech (Ref)	Ref Mech - 1.7.68	Ref Mech Pt 1.4.74	1.7.68	"	-do-	
11.	MES/361441 Shri NASEER HUSSAIN	1.1.51	HS	Ref Mech - 28.11.69	Ref Mech Pt ~~28.11.72~~ 1.4.75	28.11.69	"	-do-	
12.	MES/359663 Shri RK PANDEY	14.5.46	BA TT Ch/Mech Ref	Ref Mech - 27.1.70	Ref Mech Pt ~~27.1.70~~ 1.4.75	27.1.70	"	-do-	
13.	MES/359458 Shri RAM GOPAL MISHRA	24.5.45	BA ITI Ref Mech course TT Ch/Mech(Ref)	Ref Mech - 2.4.70	Ref Mech Pt 1.4.71	2.4.70	"	-do-	
14.	MES/361531 Shri KK GUPTA	15.9.45	Inter TT Ch/Mech (Ref) 73	Ref Mech - 2.4.70	Ref Mech Pt. 1.4.71	2.4.70	"	-do-	

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Category : Ref Mech.

1	2	3	4	5	6	7	8	9	10
15.	MES-359459 Shri RK MAURYA	20.1.46	HS ITI Ref Course	Ref Mech-2.4.70	Ref Mech Pt 1.4.71	2.4.70	Neither	GE E/M Lko	
16.	MES-361625 Shri MANJEET SINGH	1.12.46	HS TT Ch/Mech (Ref)	Ref Mech-17.6.70	Ref Mech Pt 1.4.71	17.6.70	"	-do-	
17.	MES-169619 Shri BABBA JANI	15.7.50	Matric	Ref Mech-5.12.70	Ref Mech Pt ~~5.12.75~~ 1.4.76	5.12.70	"	-do-	
18.	MES-169022 Shri MANJEET SINGH PAWA	7.7.51	Inter	Ref Mech-11.12.70	Ref Mech Pt ~~11.12.76~~ 1.4.77	11.12.70	"	-do-	
19.	MES-411040 Shri SATISH CHANDRA SHARMA	18.7.51	TT Ch/ Mech(Ref) HS	Ref Mech-23.4.71	Ref Mech Pt ~~23.4.74~~ 1.4.77	23.4.71	"	-do-	
20.	MES-411039 Shri MUMTAZ AGHA	2.8.51	HS	Ref Mech-23.4.71	Ref Mech Pt 23.4.74	23.4.71	"	-do-	
21.	MES-450954 Shri KK GUPTA	15.6.47	Inter	MPA -1.3.66 Ref Mech-23.11.71	MPA Pt-1.4.72 Ref Mech Pt ~~23.11.74~~ 1.4.77	21.10.71	"	-do-	
22.	MES-361124 Shri KRISHAN KUMAR	5.4.49	HS	Ref Mech-23.11.71	Ref Mech Pt ~~23.11.74~~ 1.4.78	23.11.71	"	-do-	

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Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
23.	MES-419671 Shri HARISH CHANDRA LOHANI	2.8.51	HS	Peon -29.10.71 Ref Mech-2.2.72	Ref Mech Pt	2.2.72	Neither	GE E/M Lko	
24.	MES-443375 Shri RATTAN LAL	2.6.39	VIII	V/Man- 1.1.65 Ref Mech-14.4.72	V/Man Pt Ref Mech Pt	14.4.72	"	-do-	
25.	MES-467175 Shri SK PAUL	27.7.53	X TT Ch/Mech (Ref)-80	Ref Mech-1.6.72	Ref Mech Pt 1.4.79	1.6.72	"	JE(RCP) Memaura	
26.	MES-437853 Shri MP CHAUHAN	7.4.50	HS Ref Mech Course ITI	Ref Mech-20.12.72	Ref Mech Pt	20.12.70	"	GE E/M Lko	
27.	MES-442825 Shri NANDA BALLABH	12.3.37	VI	Maz - 11.9.57 Mate -21.4.64 Ref Mech-12.2.73	Maz Pt 1.4.68	12.2.73	"	-do-	
28.	MES-454283 Shri NEELAM KUMAR	14.11.47	IX TT Ch/Mech (Ref)	MPA -14.9.66 Ref Mech-12.2.73	MPA Pt 1.4.70 Ref Mech Pt 1.4.79	12.2.73	"	-do-	
29.	MES/447040 Shri HARBACHAN	21.10.46	HS TT Ch/Mech (Ref)	MPA-17.5.67 Ref Mech-12.2.73	MPA O/Pt 15.5.70 Ref Mech Pt	12.2.73	"	-do-	

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Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
30.	MES-442878 Shri GIRJA DUTT	9.10.38	V	Chow -9.10.67 Maz- 11.4.69 MPA -22.1.69 Ref Mech -12.2.73	Maz Pt 1.4.68 Ref. Mech. Pt 1.4.79	12.2.73	Neither GE E/M Lko		
31.	MES-454146 Shri PC UPADHYA	1.1.44	HS	MPA -4.6.68 Ref Mech-15.4.74	MPA Pt 1.4.72 Ref Mech Pt 1.4.79	15.4.74	"	-do-	
32.	MES-454197 Shri ZAHIR HUSAIN	10.7.42	IX	MPA -9.11.68 Ref Mech -15.4.74	MPA Q/Pt Ref Mech Pt 1.4.79	15.4.74	"	-do-	
33.	MES-454137 Shri RC SUKRI	26.1.46	HS ITI course of Refg.	MPA-3.8.68 Ref Mech-22.4.74	MPA Pt 1.4.73 Ref Mech Pt 1.4.79	22.4.74	"	-do-	
34.	MES-452352 Shri HAUSALA PRASAD	1.1.42	HS	Maz -1.2.66 MPA -3.1.69 Ref Mech-9.7.74	Maz Pt 21.11.72 Ref Mech Pt 1.4.79	9.7.74	"	-do-	
35.	MES-452570 Shri TEJ KUMAR SINGH	12.6.46	VIII	MPA -17.10.70 Ref Mech-10.8.74	MPA Q/Pt 17.10.73 Ref Mech Pt 1.4.79	10.8.74	"	-do-	
36.	MES-135984 Shri INDERJIT SHARMA	11.8.51	HS Ref ITI Course	Ref Mech-28.10.74	Ref Mech Opt 28.10.77	28.10.74	"	-do-	

Tech Mech Pt
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Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
37.	MES-460799 Shri GC SRIVASTAVA	31.1.47	HS Trfn/Reader Trade Mech (Ref) SD	Peon-20.5.66 MPA-22.9.71 Ref Mech-11.1.75	Peon O/Pt 20.8.69 Ref Mech Pt 1.4.79	11.1.75	Neither	GE E/M	Lko
38.	MES-454261 Shri INDER BAHADUR	16.8.48	VIII	MPA-18.8.67 Ref Mech-11.1.75	MPA OPt 18.8.70 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
39.	MES-454138 Shri SATISH KUMAR	6.10.43	VI	MPA-4.6.68 Ref Mech-11.1.75	MPA O/Pt 4.6.71 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
40.	MES 454581 Shri P JOSEPH	30.11.45	Inter	MPA-28.10.70 Ref Mech 29.5.73 Reverted MPA-9.10-73 Ref Mech -11.1.75	Ref Mech Pt 1.4.79	11.1.75	"	-do-	
41.	MES-452647 Shri MANOHAR LAL KOTANALA	28.6.45	IX Trade Mech (Ref)	MPA-1.8.70 Ref Mech-11.1.75	Pt 1.4.79	11.1.75	Ex-serviceman	-do-	
42.	MES-454154 Shri PN SINGH	15.7.42	HS	MPA-4.6.68 Ref Mech-11.1.75	MPA O/Pt 4.6.71 Ref Mech Pt 1.4.75	11.1.75	SC	-do-	
43.	MES-454533 Shri DEVENDRAN SINGH RAWAT	15.9.48	Matric Ref Mech course CME Poona	MPA-3.10.67 Ref Mech-11.1.75	MPA O/Pt 3.10.70 Ref Mech Pt	11.1.75	Neither	-do-	

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1	2	3	4	5	6	7	8	9	10
44. MES-454258 Shri RN PANDEY	19.11.43	HS	MPA-13.10.67 Ref Mech-17.1.75	MPA Opt Ref. Mech Pt 1.4.79	17.1.75	Neither	GE E/M Lko		
MES-443136 Shri KESHAV CHAND	11.7.44	VIII	Chow -30.7.63 Maz -10.11.64 Mate -5.1.69 Ref Mech-24.5.73 Reverted Mate-10.10.73 Ref Mech-1.5.75	Maz Q/Pt 10.11.67 Ref. Mech Pt. 1.4.79	1.5.75	"	-do-		
MES-437375 Shri NARAYAN DAS JATAV	4.10.47	HS	Ref Mech-1.5.75	Ref Mech Q/Pt Pr. 1.4.77	1.5.75	S/C	-do-		
MES-437884 Shri SHAHEDAR ABBAS RIZVI	1.5.48	Inter ITI Draf course	Ref Mech-1.5.75	-do- 1.4.79	1.5.75	Neither	-do-		
MES-437881 Shri DHIRAJ KUMAR	1.2.49	MA	Ref Mech-1.5.75	-do-	1.5.75	"	-do-		
MES-437877 Shri RAMJIVAN	10.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-		
MES-437885 Shri SYED SHAID HUSSAIN	1.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-		
MES-437886 Shri AIZAZ AHMED	19.10.50	HS	Ref Mech-1.5.75	-	1.5.75	"	-do-		
MES-437878 Shri MC YADAV	10.11.50	Inter	Ref Mech-1.5.75	-	1.5.75	"	-do-		

Category : Ref Mech

(47)

1	2	3	4	5	6	7	8	9	10
53.	MES-437880 Shri RKKOHLI	22.11.50	Inter ITI Course Ref	Ref Mech -1.5.75	Ref. Mech Pt 1.4.79	1.5.75	Neither	GE E/M Lko	
54.	MES-437997 ~~Shri MK GUPTA~~	~~4.11.51~~	~~Inter~~	Ref Mech-1.5.75	-	1.5.75	Neither	-do-	Promoted as E/M II and Posted to Kanpur
56.	MES-437874 Shri ABINASH CHANDRA KALIAH	6.11.52	HS	Ref Mech-1.5.75	Ref. Mech Pt 1.4.80	1.5.75	"	-do-	
57.	MES-437883 Shri NK SRIVASTAV	20.1.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
58.	MES-437882 Shri VIJAYA MOHAN	17.7.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
59.	MES-437879 Shri SK TIWARI	1.11.53	Inter	Ref Mech-1.5.75	Ref Mech Pt 1.4.80	1.5.75	"	~~-do-~~ GE(W) BKT	
60.	MES-437992 Shri GIRISH CHAND	13.11.51	HS	Ref Mech-1.8.75	-do-	1.8.75	"	~~-do-~~ GE E/M I	
61.	MES-437993 Shri ARUN KUMAR SRIVASTAVA	17.4.52	BA ITI Ref Mech	Ref Meoh.1.8.75	-do-	1.8.75	"	-do-	

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Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
62.	MES-437994 Shri ASHWANI KUMAR VAID	28.5.52	BA	Ref Mech-1.8.75	Ref Mech Pt 1.8.78	1.8.75	Neither	GE E/M Lko	
63.	MES-NYA Shri ~~PRITAM RAM AHUJA~~	~~19.12.52~~	~~HS~~	~~Ref Mech-1.8.75~~	-	~~1.8.75~~	~~-do-~~	~~-do-~~ Expired on 27.9.83	
64.	MES-437991 Shri NOORAL HASSAN	10.6.51	Inter	Ref Mech-26.9.75	Ref Mech Pt 1.4.80	26.9.75	-do-	-do-	
65.	MES-454770 Shri RAKESH PANDEY	1.6.53	HS ITI In Ref	Ref Mech-1.8.75	-	1.8.75	-do-	AGE (~~P&E~~) (CI) Mema a	
66.	MES-437998 Shri BHARAT BHUSHAN SRIVASTAVA	12.2.50	HS	Ref Mech-19.11.75	Ref Mech Pt 19.11.78	19.11.75	-do-	GE E/M Lko	
67.	MES-459966 Shri JAWAHAR LAL VERMA	25.6.46	Inter	MPA-1.4.67 Ref Mech-6.12.75	MPA Pt 1.4.77	6.12.75	-do-	-do-	
68.	MES-455545 Shri ROOP CHAND	3.1.52		MPA-30.10.73 Ref Mech-20.9.77	MPA Pt 1.4.77	20.9.77	~~-do-~~ SC	-do-	
69.	MES-435941 Shri RAJ KUMAR	2.2.42		MPA-22.12.61 Ref Mech-11.5.78	MPA Pt 1.4.86	11.5.78	Neither -do-	-do-	
70.	MES-432391		Inter		MPA Pt	11.5.78	-do-	-do-	

(48)

Applied for Pt

1	2	3	4	5	6	7	8	9	10
71.	MES-453548 Shri RB MISHRA	13.10.48	9th TT Ref Mech 77	MPA-11.3.79 Ref Mech-13.5.78	MPA Pt 1.4.78	13.5.78	Neither	GE E/M Lko	
72.	MES-437999 Shri TIKA RAM	9.3.47	Later TT Ref Mech 77	MPA-~~3.10.73~~ 17.9.74 Ref Mech-12.10.78 29.9.78	MPA Pt ~~1.4.77~~ 1.9.77	~~12.10.78~~ 29.9.78	"	-do-	
73.	MES-454579 Shri BAL RAM SINGH	2.12.51	HS TT Ref Mech 77	MPA-25.1.74 Ref Mech-12.10.78	MPA Q/Pt 25.1.77	12.10.78	"	-do-	
74.	A/49859 Shri PK ASTHANA	2.6.43	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA Q/Pt 17.9.77	13.10.78	"	-do-	
75.	MES-437908 Shri KL ARORA	8.7.43	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA Q/Pt 17.9.77	13.10.78	"	-do-	
76.	MES-454235 Shri SATYADEO SINGH	12.12.45	8th TT Khare-70 TT MPA-73 TT Ref Mech 77	MAS -22.1.68 MPA-13.8.74 Ref Mech 13.10.78	Mas Q/Pt 22.1.71	13.10.78	"	-do-	
77.	MES-454750 Shri SZI RIZVI	30.6.48	BA TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	
78.	MES-437906 Shri SK MEHDI	13.7.48	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	

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Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
79.	MF-225256 Shri TK BARUA	6.6.49	HS TT Ref Mech 77	MPA-1.8.74 Ref Mech-13.10.78	MPA Qpt 1.6.77	13.10.78	Neither	GE E/M Lko	
80.	MES-437098 Shri RL CHOPRA	10.12.49	8H TT Ref Mech 77	MPA-6.9.77 Ref Mech-13.10.78	MPA Qpt 6.9.79	13.10.78	"	-do-	
81.	MES-425060 Shri SURESH CHAND	2.5.53	HS	MPA-30.10.72 Ref Mech-20.1.78	MPA QPt 3.10.75	20.1.78	SC	-do-	
82.	MES-~~459560~~ 452580 Shri SANTOSH ~~BLIAS~~ BALIAS	8.2.51	Inter TT Ref Mech 75	MPA-19.10.70 Ref Mech-20.1.78	MPA Pt 1.4.77	20.1.78	Neither	-do-	
83.	MES-452215 Shri BHUVIR SINGH	20.9.43	HS TT SBA 75 TT Ref Mech 75	MPA-16.10.71 SBA-12.2.75 Ref Mech-18.2.78	MPA Pt 1.4.75	18.2.78	"	-do-	
84.	MES-455537 Shri BHUIYAN DIN	12.11.51	IX TT Ref Mech 75	MPA-19.8.72 Ref Mech-8.5.78	MPA Pt 1.4.73	8.5.78	SC	-do-	
85.	MES-454259 Shri BASANT LAL	1.7.43	TT for Ref Mech 79	MPA-15.11.76 Ref Mech-26.6.82	MPA Pt 1.4.72	26.6.82	Neither	GE (RCP) Menaura	
85.	MES-~~455536~~ 454535 Shri JAGDISH ID	7.7.49	IX TT Ref Mech 79	MPA-23.4.71 Ref Mech-1.7.82	MPA Pt 11.4.72	1.7.82	SC	EME Lko	
86.	MES-452427 Shri BASU DEO SINGH	19.4.44	VIII TT MPA 74 TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	Neither	-do-	

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1	2	3	4	5	6	7	8	9	10
88.	MES-452429 Shri ANRUDHER SINGH	3.11.44	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	28.3.83	Neither	GE E/M Lko	
89	MES-452407 Shri VINOD KUMAR SINGH	25.12.48	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	28.3.83	"	-do-	
90.	MES-454257 Shri SADA SUKH	1.7.44	TT MPA 74	MPA-1.12.66 Ref Mech-4.4.83	MPA Pt 1.4.72	4.4.83	"	AGE (ROP) Men	
91.	MES-454136 Shri BABU LAL	16.10.34	VIII TT Ref Mech 79	MPA-3.8.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	GE E/M Lko	
92.	MES-454502 Shri GOPAL SINGH	2.7.45	VIII TT Ref Mech 79	MPA-3.8.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	-do-	
93.	MES-452641 Shri HARI LAL	13.5.47	VIII TT MPA 74 TT Ref Mech 79	MPA-1.8.79 Ref Mech-17.1.84	MPA Pt 1.4.77	17.1.84	SIC	-do-	
94.	MES-437981 Shri SHIV PRASAD	11.1.50		MPA-6.9.77 Ref Mech-14.2.84	MPA C/Pt 6.9.77 MPA Pt 1.4.81	14.2.84	Neither	-do-	
95.	MES-454264 Shri VK SINGH	12.7.46	IE TT MPA 76 TT Ref Mech 79	MPA-1.12.66 Ref Mech-9.4.83	MPA Pt 9.4.83	9.4.83	"	AGE IKT GE (N) Lko	

AF 40

In the Central Administrative Tribunal

Addl. Bench, Allahabad.

Enclosure No.3

In

Registration No. of 1986.

Sri R.L.Singh and others ....Petitioners/Applicants

And

The Union of India andotners ....Respondents.

(photo stat copy is attached below)

3. (AS/UT) 40

FILE NO.: 681

Headquarters
Commander Works Engineers (P)
229 MG Road
LUCKNOW -2

No.12037/Policy/ ( ) /E1C(2) 27 JUN '78

To,

GE (East) Lucknow
GE (West) Lucknow
GE E/M (P) Lucknow

INTER COMMAND POSTING AND TRANSFERS : SUBORDINATES

A copy of E-in-C's Br letter No.PC73549/E1C(1) dt 23 May'78, received under CENZ letter No.120854/POL/137/E1C(2) dated 13.6.78 is forwarded herewith for your information.

(GOVIND LAL)
BSO
for Commander Works Engineers (P)

- -

copy of CENZ letter No. 120854/POL/137/E1C(2) dated 13 Jun'78.

Subject:- As Above.

1 E-in-c's Br vide their No. PC73549/E1C(1) dt 23 May'78 received under CEOC Lucknow No.915100/Policy/50776/E1C(2) of 31 May'78 has clarified as under with reference to posting out of the CWE Area in respect of Industrial Personnel who are qualified for higher grade if no vacancy exists in a particular area:-

"The individuals qualified for promotion to the grade of Ch Mech (Refg) need not be promoted in the same area as they are liable for all India service liability. Please ascertain the vacancies in your Command and consider their transfer on promotion in case no qualified individuals exist in the area".

Sd/ x x x x
(Roshan lal)
AO I
For Chief Engineer

Attested
True copy
pej

A5/42

In the Central Administribunal Tribunal

Additional Bench, Allahabad.

Enclosure-No.4

In

Registration No. of 1986

between

R.L.Singh and others .....Applicants.

and

Union of India and others .....Respondents.

PART I ORDER
by
CWE (P) Lucknow Cantt.-2

Unit: CWE(P) Sl.No.50

St. Lucknow. Dt. 17 Jul,86.

DPC Fitment of Ind. work in pay scales recommended by III pay commission. Implimentation of three grade structure in EES HS Gd.II wief. 15th Oct.84.

1- A Board ofOffice compared as under will assemble at time and place to be fixed by Presiding officer to draw a select list of Mef. Mech for promotion to HS gd. II in terms of govt. of India Memostry of Def. Lett. No.1(1)/80/ECC/10 vol.III of 90270/89/TGS/E,C(III) dt. 14 April,86.

Presiding officer - Sri M.K.Mathur, EE GE(W) Lucknow

Members :- 1- Sri K.K.Tiwari, AEE/M GE(E) Lko.

2- Sri S.K.Misra AE E/M Ref.

GE E/M Lko.

2- Seniority list of individuals and a copy

Cr1

42

A5/43

of industrial establishment foe 1986-87 will be supplied by this office.

3- Board proceedings duly completed in all respect should be submitted to this office by 31 Jul. 86.

Virendra Prasad
Col. GME

12065/A/260/E,C(3)

Distribution :-

1- Sri M.K.Mathur,

2. Sri K.K.Tiwari

3. Sri S.K.Misra.

4. ~~Sxi~~ GE E/M Lucknow.

5. GE(W) Lucknow

6. AGE(1) Mamaura.

Attested
(true copy)
pej

Ar 44

In the Central Administrative Tribunal

Additional Bench Allahabad.

Enclosure No. 5

In

Registration No. of 1986.

between

Sri R.L.Singh and others ----Applicants.

And

Union of India and others .....Appl. Respondents.

(photo stat copy are attached below)

pej

Recognised by Govt. of India
(Ministry of Defence)

Registration No. 710
Registered under Trade Union Act XVI of 1926

U.P. Military Engineering Services Worker's Union

(Affiliated with the All India defence Employees Federation, Pune)

HEAD OFFICE :
83-B, SULTANPURA, AGRA CANTT.
Liaison Office : 2 5, Mangal Pandey Road, Lucknow Cantt.

President :
K. N. SINGH

General Secretary :
S. S. MISRA

Ref. No. UPWU/.SEN.I/LKO/.86 Dated.....25.-.7.....1986.

To

THE COMMANDER WORKS ENGINEER (P)
229, MAHATMA GANDHI ROAD
LUCKNOW -2.

D.P.C. FITMENT OF INDUSTRIAL WORKER IN PAY SCALE RECOMONDED BY IIIRD PAY COMMISSION: IMPLEMENTATION OF THREE GRADE STRUCTURE IN M.E.S. HIGHLY SKILLED (EAST) GRADE II WITH EFFECT FROM 15.OCT. 84

Dear Sir,

Reference your part-I order S.N. 50 Dt. 17th July 86

It is submitted that on going through the above referred Part-I order it is established beyond resonable doubt that the board of officer order vide part-I order No.50 dt. 17th July 1986 is violative of order of ministry of defence regarding promotion and application of III grad structure the few of the many objection are as under:-

1. Why the list has under gone great deal of changes since it was last placed befor the D.P.C. where as based on this seniority list some promotions were effected.

2. The authorities faild to cerculate to all concerned the seniority list placed before D.P.C.

3. The authorities failed to provide reasonable apperunity to the endividuals whose seniority has not been finallised.

In conclusion you are in the light of orders of Ministry of defence bound to satisfy the above mentioned requirement failing which U.P. M.E.S. WORKERS UNION will be compelled to take agitarial course to satisfy its workers.

Copy to:- 1. E-in-C.
2. C.E.(E) Lko.
3. A.G.E.(I) Lko.
4. C.E.L.Z. Lko.
5. C.E. E/M.Lko.
6. C.E.(W) Lko.
7. C.W.E.C.C.Lko.
8. C.W.E. Lko.

Presiding officer D.P.C. Board Offi. vide part-I order No.50 dt. 17.7.86.

Yours faithfully

V.K. BAJPAI
VICE PRESIDENT

Attested
True copy

45

A5/46

In the Central Administrative Tribunal

Additional Bench, Allahabad.

Enclosure No. 6

In

Registration No. of 1986.

Between

Sri R.L.Singh & others .....Applicants.

and

The Union of India and others.

...Respondents.

(photostat copy is attached below)

Reg

AE/47

Tele Mily- 249

Head quarter
Commander Works Engineers
Allahabad

1353/ 351 / E1B

22 May 86

GE (West) Allahabad
GE (East) Allahabad
GE (AF) Bamrauli
GE (AF) Gorakhpur
GE E/P Allahabad
AGE (I) Faizabad.

FITMENT OF INDUSTRIAL WORKERS OF MES IN THE PAY SCALES RECOMMENDED BY THE THIRD PAY COMMISSION.

The following promotions are hereby ordered in terms of Govt of India, Min of Def No. 3810/DS (C&M)/CIV-1/84 dated 15 Oct. 84 and E-in-C's Branch, Army HQ New Delhi letter No. 90270/89/EIC Dt. 04 July 85 to the highly skilled grade II in the Scale of Rs.330-8-370-10-400-EB-10-480. The promotion will be effective wef. 150 ct. 84 and their pay is to be fixed in terms of the Ministry of Defence Memo No.2 (32)/62/5518/D(Civ-1) dated 22.6.82

Sl. No.	MES No. and Name	Designation	Formation	Remarks
1	2	3	4	5
1.	MES -430256 Shri Ambika Prasad	Blacks-mith	GE (E) Allahabad	
2.	MES- 482180 Shri Jawahar Lal	-do-	GE (W) Allahabad.	
3.	MES- 357250 Shri Gulab	-do-	GE E/P Allahabad.	
4.	MES-431400 Shri Sangam Lal	L/Man	GE (W) Allahabad.	
5.	MES-432074 Shri Jai Pal	-do-	GE(E) Allahabad.	
6.	MES -454225 Shri Man Mohan	-do-	AGE(I) Faizabad.	
7.	MES-292865 -Shri K.Singh	-do-	GE (AF) Bamrauli	
8.	MES- 432096 Shri Ayodhya Prasad	-do-	GE (W) Allahabad.	
9.	MES -432053 Shri Bankey Lal	-do-	GE (AF) Bamrauli	

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44. MES -356924 Shri Ishwar Din	Mason	GE(E) Allahabad.
45. MES-456973 Shri Ram Dularey	-do-	GE (W) Allahabad.
46. MES-431044 Shri Fida Abbas	Painter	-do-
47. MES-430261 Shri M.D.Nath	Signwriter	GE E/P Allahabad.
48. MES- 430793 Shri Radhey Mohan Srivastava	Painter	GE(AF) Bamrauli
49. MES-431018 Shri Panna Lal	-do-	-do-
50. MES- 43496 Shri B.K. Ghosh	-do-	GE (W)Allahabad.
51. MES -452073 Shri Ram Naresh Singh	-do-	AGE (I) Faizabad.
52. MES- Shri M.A. Siddiqui	-do-	GE (E) Allahabad.
53. MES- 431043 Shri Kandhai Lal	-do-	GE (E) Allahabad.
54. MES-468025 Shri Jagdish Prasad Sharma	Welder	GE (AF) Bamrauli
55. MES - 430582 Shri Ram Ashrey	Ref/Mech	GE (AF) Gorakhpur
56. MES- 431484 Shri DN Tripathi	-do-	-do-
57. MES- 431177 Shri R.S. Pathak	-do-	-do-
58. MES -431218 Shri Rajendra Mishra	-do-	GE(AF) Bamrauli
59. MES-431614 Shri SD Singh	-do-	GE(AF) Gorakhpur.
60. MES -431486 Shri Hari Ram Prasad	-do-	-do-
61. MES-431485 Shri Om Prakash	Ref/Mech	GE (AF) Gorakhpur.
62. MES-457062 Shri Keshav Prasad Srivastava	-do-	GE (AF) Bamrauli

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63.	MES -451068 Shri GD Srivastava	-do-	GE (AF) Gorakhpur.
64.	MES - 431815 Shri K.P.Singh	-do-	-do-
65.	MES-431983 Shri MC Gupta	-do-	-do-
66.	MES-431984 Shri SK Srivastava	-do-	-do-
67.	MES -431576 Shri Roshan Lal	-do-	GE (W) Allahabad
68.	MES - 431575 Shri ~~Shiv Ram Singh~~ Ashok Kumar	-do-	-do-
69.	MES-431546 Shri Shiv Ram Singh	-do-	GE (AF) Bamrauli
70.	MES-431728 Shri Mohd. Isreoul Haq	-do-	GE (W) Allahabad.
71.	MES 432066 Shri Chunni Lal Yadav	-do-	-do-
72.	MES -530857 Shri Bashir Ahmad	-do-	GE (AF) Bamrauli
73.	MES- 430566 Shri HP Badola	-do-	GE (AF) Gorakhpur
74.	MES - 930510 Shri Abbi Ram Jha	-do-	GE(AF) Bamrauli
75.	MES-432078 Shri Shyam Lal	-do-	(GE (E) Allahabad
76.	MES - 461265 Shri Janardhan Prasad	-do-	GE (AF) Bamrauli
77.	MES-4433190 Shri DD Joshi	P/fitter	GE Allahabad.
78.	MES-431020 Shri SH Ram Dularey	-do-	GE (E) Allahabad.
79.	MES-441921 SH Atma Ram Singh	-do-	-do-
80.	MES-450909 SH-As-[illegible] Mohd.	-do-	AGE(I) Faizabad
81.	MES 431166 Sh. Sukh Ram	-do-	GE (W) Allahabad.
82.	MES 443008 Shri Ramji	-do-	AGE (I) Faizabad.

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True copy
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83. MES - 430985 Shri Sita Ram	Fitter	GE(W) Allahabad.
84. MES- 431132 Shri Chhotak	P/fitter	GE (AF) Gorakhpur.
85. MES 431384 Shri Bankey Lal	-do-	GE (W) Allahabad.
86. MES- 430067 Shri Hari Lal	-do-	GE (E) Allahabad.
87. MES -431412 Shri Ram Dass	-do-	GE(AF) Gorakhpur.
88. MES-432097 Shri Ram Dass	-do-	-do-
89. MES- 432026 Shri Nanchoo	-do-	GE(AF) Bamrauli
90. MES-432441 Shri Moti Lal Sharma	-do-	GE(W) Allahabad.
91. MES-461745 Shri Maha Deo	-do-	AGE (I) Faizabad
92. MES - 430596 Shri Ram Dass	-do-	GE (AF) Bamrauli

Sd/- (SUKHDEV SINGH)
Ltd. Col.
Commander Works Engineer

Copy to:

1. AGE (MES) Varanasi (2) AGE (MES) Chheoki
3. AGE (MES) Manauri (4) Supdt 1/C (MES) Darbhanga
5. Case No.1104/CL IV /EI (6) Case No.1105 /E1B
7. ELD Section (Local).

Attested
True copy
Pey

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(12) 50

ब अदालत श्रीमान Central Administrative Tribunal महोदय
Add Bench at Allahabad
[वादी] ~~अपीलान्ट~~
श्री R.L. Singh and Others

वकालतनामा

प्रतिवादी [रेस्पाडेन्ट] Union of India and others

टिकट

वादी (अपं

COURT FEE 5 RS INDIA भारत FIVE RUPEES पाँच रुपये

बनाम प्रतिवादी (रेस्पाडेन्ट)

नं० मुमद्दमा सन् पेशीकी तारीख १९ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री P.C. Jhingan वकील महोदय एडवोकेट

4/4 Malak Raj (ADA) Colony, Rambagh Allahabad

नाम अदालत .....
मुकद्दमा नं० .....
नाम फरीकैन .....
बनाम .....

(5) को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी य जबाब देही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवें या पंच नियुक्त करें — वकील महोदय द्वारा की गयी वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया ताकि प्रमाण रहे और समय पर काम आवे।

(1) R.C. Maurya (3) M.S. (4) (KK Gupta Ast)

हस्ताक्षर P.C. Jhingan

साक्षी (गवाह) ..... साक्षी (गवाह) .....

दिनांक ..... महीना ..... सन १९ ई०

स्वीकृत

INTHE CENTRAL ADMINISTRATIVE TRIBUNAL,ADDL. BENCH

AT ALLAHABAD.

. . . .

Registration No. 389 of 1986

Between

R.L. Singh and others . . . . . Applicants.

versus

Union of India and others . . . . Respondents.

To

The Hon'ble Chairman and his other Companion Members of the Hon'ble Tribunal:

The humble petition of the Respondents nos. 6, 8 and 13 Most Respectfully Showeth as under:

PRELIMINARY OBJECTION

1. That in Column no.9 of the petition filed before this Hon'ble Tribunal the petitioners have not mentioned this fact-whether they have preferred any representation against the order of promotion of the answering respondents.

2. That it is also relevant to state here that the order of promotion was actually issued on 31.7.1986 but the representation of the Union was made prior to the issuance of the order. In

any case this representation of theUnion cannot be taken to be a representation. It is merely a notice for agitation.

3. That a bare perusal of the averments cont--ained in column no. 9 of the petition willindicate that this petition is pre-mature and is also not maintainable in view of section 20 of the Central Administrative Tribunal Act, 1985.

4. That the petitioners have been advised not to reply in detail, as the petition itself is not maintainable and is liable to be dismissed.

5. That it is, therefore, necessary in the interest of justice, equity and expediency that the Hon'ble Tribunal maybe pleased to dismiss the present petition as not maintainable.

P R A Y E R

It is, therefore, Most Respectfully prayed that the Hon'bleCourt may be pleased to dismissed the present petition as not maintainable.

DATED:

(A P P L I C A N T)

(3)

I, ~~Girja Dutt~~ NEELAMKUMAR son of Sri late B.N.TALWAR aged about 38 Years, 11 Sardar Patel Marg, Lucknow, do hereby verify that the contents from para 1 to 5 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place: ALLAHABAD

Date: 20/9/86

(Signature of the Applicant)

The Registrar,
Central Administrabunal,
Additional Bench,
Allahabad.

OATH COMMISSIONER
High Court, Allahabad
S. No 83/649
Date 20/9/86 at 8.55 A.M.

[redacted] वादी (अपीलान्ट)

B1/3

Sh RL Fut W Union

बनाम प्रतिवादी (रेस्पान्डेन्ट)

मुकदमा नं० सन् पेशी की ता० १९ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री _____

Sh. M. Sharma वकील महोदय एडवोकेट

नाम अदालत.....
मुकद्दमा नं० नाम.....
फरीकैन.....बनाम

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ कि इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करें या कोई कागज़ दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें वा सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद लेवें या पंच नियुक्त करें–वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मै यह भी स्वीकार करता हूँ कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अयर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर [illegible]

Jalaluddin

साक्षी (गवाह) [illegible] साक्षी (गवाह)

दिनांक _____ महीना _____ सन् १९ ई०

In the Central Administrative Tribunal

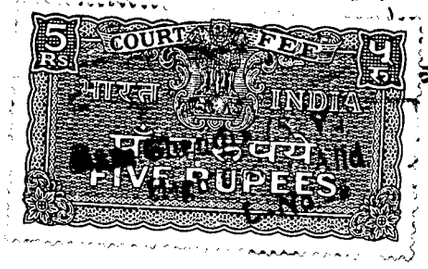
बअदालत श्रीमान Addl. Reg महोदय

[वादी] अपीलान्ट Registration No 389/86

श्री का **वकालतनामा**

प्रतिवादी [रेस्पान्डेन्ट]

Sri R.L. Sethi Vs Union of India



वादी (अपीलान्ट) B1/2

बनाम प्रतिवादी (रेस्पान्डेन्ट)

मुकदमा नं० सन् पेशी की ता० १९ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री Gyan Chand, Nelam Gyan, S-10 Gyan Nagar, Kumar, Vandana Bahuguna वकील महोदय एडवोकेट Pleader Sri U.N. Sharma Adv.

नाम अदालत.....
मुकद्दमा नं० नाम.....
फरीकैन.....बनाम.....

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ कि इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करें या कोई कागज़ दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद लेवें या पंच नियुक्त करें–वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मै यह भी स्वीकार करता हूँ कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर

साक्षी (गवाह) साक्षी (गवाह)

दिनांक महीना सन् १९ ई०

In the Central Administrative Tribunal

1986

AFFIDAVIT

56/7-94

HIGH COURT

ALLAHABAD

BEFORE THE CENTRAL TRIBUNAL, ADDL. BENCH AT ALLAHABAD.

REGISTRATION NO. 389 of 1986

BETWEEN

R.L.Singh & others . . . . . Applicants.

Vs.

Union of India and others . . . . . Respondents.

- -

Written Reply on behalf of Respondents nos. 6, 8 and 13:

. . . . .

1. That the contents ofparagraphsnos. 1 and 2 of the petition arematters are of record and as such they needno reply.

2. That in reply to the contents of paragraph no.3 ofthe petition, it is submitted that allegations of the applicants nos. 1 to 11 that they were qualified and senior to respondents nos. 5 to 15 and were illegally and un-authorisedly deprived of their due promotion from Refq.Mech. to H.S. Grade-II in the scale of Rs.330-480 with effect from 15.10.1984, for the following reasons:

(i) That there are in all eleven applicants who have filed the present case against the supersession in the matter ofpromotion. But on the contrary it was observed that applicants nos.2, 6 and 9, i.e.

A2/2

three applicants, stand promoted alongwith respondents nos. 5 to 15 in the samepay scale witheffect from the same date, viz. 15.10.1984 and under the same promotion order.

(ii) That the seniority list referred to by the applicants in this sub-paragraph has since been superse-ded by a seniority list mentioned in para 2 of the CWE(P) Lucknow, Part I Order (Serial no.50) dated 17.7.1986(copy of which has already been annexed with the petition by the applicants as Enclosure no.4), as such, the question of promoting the remaining eight applicants out of eleven on the basis of redundant seniority list does not arise.

(iii) That in fact, a board of officerswas convened by the CWE(P) Lucknow vide Part I Order dated 17.7.86 to draw a select list of Refq. Mech. for promotion to H.S. Grade-II with effect from 15.10.1984. On the recommendations of theD.P.C., twenty three individuals including applicants nos. 2, 6 and 9 alongwith respon-dents nos. 5 to 15 were legitimately promoted from Refq. Mech. to H.S. Grade-II in the scale of Rs.330-480 with effect from 15.10.1984 by the order of the CWE(P) Lucknow vide his letterno.12025/430/E/C(2) dated 31.7.1986.

3. That in replyto the contents of paragraphs

nos. 4 and 5 of the petition it issubmitted that the petitioners have arbitrarily approached the Tribunal and as such the petition is pre-mature because the Tribunal hasno jurisdiction to entertain any petition without satisfying the conditions laid down in sections 20 and 21 of the Tribunal Act. It is further stated that the remedy is available under Part VII and Part VIII of the Civil Service Classification and Appeals Rules, 1965.

4. That in regard to the contents of paragraph no.6(1) of the petition it is submitted that the seniority list, in fact, which is the subject matter in dispute, in the present case, was signed by one Sri S.S.Mishra, a gazetted officer with effect from 27.7.1986 and is also Officiating Administrative Officer Grade-II. At the same time Sri Mishra is the General Secretary of U.P.M.E.S.Workers' Union. It is further made clear that in fact theletter has been sent by Sri Mishra to the General Secretary, meaning thereby that the letter has been despatched by Sri Mishra and has to be received by Sri Mishra. It is very peculiar circumstance that the same person is making complaint of the order who has issued it.

5. That in reply to the contents of paragraph 6(2) of the petition, it is submitted that the same need no reply.

7. That the contents of paragraph no.6(3) of the petition are mattersof record and as such they needno reply.

8. That in regard to sub-paragraph (4) of para 6 of the petition it is submitted that in fact the appointment order is totally redundant as the petitioners in this claimpetition have come from another zone, whereas the respondents belong to the same area. The earlier seniority list was no seniority list for the purposes ofpromotion. But the position was clarified in the letter no. 79040/RPOS/ELC(1) dated 13.6.1986. In this letter the position has been clarified by the Engineer in-Chief. A true copy of the said letter is being enclosed herewith as enclosure no.1 .

9. That the contents of sub-para (5) of paragraph no.6 of the petition are totally mis--conceived, hence, denied.

10. That in regard to the statement containedin sub-para (6) of paragrap h no.6 of the petition, it is stated that the letter, Annexure no.1 does not indicate that those who are highly qualified may be given promotion to the grade of Ch.Mechanic.

11. That in regard to sub paras (7) and (8) of paragraph no.6 of the petition it is submitted that the averments of the applicants are not admitted and denied. It is further stated that

that to ascertain the factual position, the reply submitted in reply to the contents of para 3 can be looked into.

It is further submitted that the seniority list referred to in para 2 of CWE(P) Lucknow letter dated 17.7.1986 (Enclosure no. 4 to the petition) was displayed on the notice-board for the information of all concerned. In case, the applicants were really ignorant about that seniority list or if there was any alteration in the seniority list, the same is appealable under the service rules meant for redressal of grie--vance. It is, therefore, not understood as to why that proper cause was not followed by the applicants and instead adopted the short cut to approach the Hon'ble Tribunal. The Hon'ble Tribunal is thus prayed that the applicants may kindly be suitably advised to prefer an appeal against the impugned order.

12. That the statement contained in sub para (9) of paragraph no.6 of the petitioner is again mis--conceived. It is further submitted that the promotion has been ordered by the competent authority in accordance with the instructions issued from time to time by the concerned authorities.

13. That the statement contained in sub-para (10) of paragraph no.6 of the petition is also mis-conceived. The representation can only be made after passing of the order and as such it is not a represent-

-ation inthe eyes of law. In any case, this cannot be said to be an appeal also.

14. That in replyto the contents of para 6 (11) of the petition, it is submitted that in fact it is a querry to be replied by CWE, Allahabad,who, unfortunately hasnotbeen made party inthe present petition. It is, therefore, requested that CWE, Allahabad may kindly be summonedas one of the res-pondents so as to ascertain the correctness of the statement and to lay hands to the actual facts.

It is furthe submitted that since the seniority list prepared by CWE, Allahabad,as referred to in this sub-paragraph, has not been annexed by the applicants deliberately, hence, no reply can be given at this stage.

It is further submitted that after going through the CWE Allahabad letter dated 22.5.86 (Enclosure no.6 tothe petition) it is observed that the applicants have twisted the facts to suite their own convenience because in the letter aforesaid it is no where mentioned that the indivi-dual has been promoted on the basis of their date of appointment.

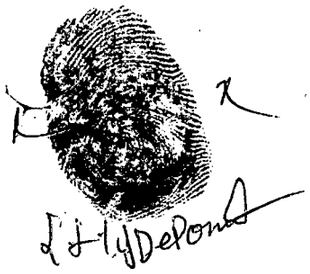
I, Neelam Kumar son of ~~Sri~~ Late B.N.TALWAR aged about 38 Years, working as Refri-

(A2/7)

-gerator Mechanic, AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow, dohereby verify that the contents from paras 1 to14 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place: Allahabad
Date: 27.10.86

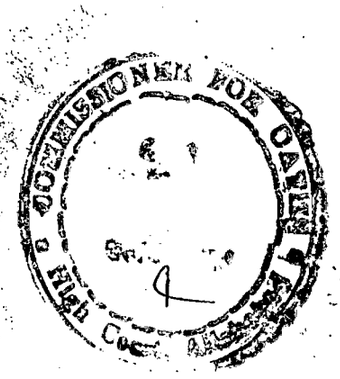
Signature of the Respondent
no.8

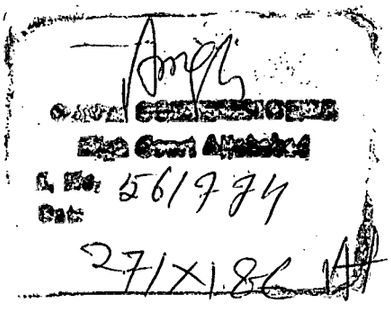


Lt Lly Depond

To

The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.





27/X/86 At about 10.20 AM Allahabad

A-7/8

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL:

ADDITIONAL BENCH AT ALLAHABAD.

ENCLOSURE NO. '1'

IN

WRITTEN REPLY ON BEHALF OF RESPONDENTS NOS.6, 8 and 13.

IN

REGISTRATION NO. 289 of 1986

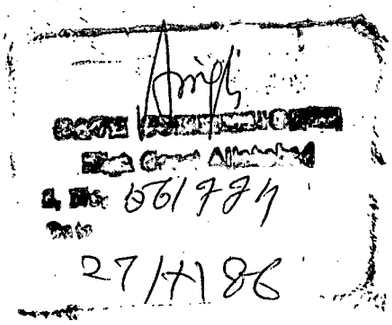
BETWEEN

R.L.Singh and others . . . . . .Applicants.

Versus

The Union of India and

others. . . . . Respondents.



A2/9

Copy of E in C's Branch AHQ Letter No.79040/ RPOS/E1C(I) dated 13.6.86

Sub:- TRANSFER ON COMPASSIONATE GROUNDS: INDUSTRIAL PERSONNEL.

Someinstances have come to our notice where the industrial personnel transferred from one Area/Zone/ Command to other Area/Zone/Command have been allowed to carry the original seniority in the grade on their reporting to thenew formation. This is not correct and is in violation of the revised principles of seniority as laid down in CPRO 73/73 and further clarified in CPRO 11/75. The provisions of CPRO/73/73 have been made applicable to the MES w.e.f. 01 JULY 1973. Since the seniority of Industriel personnel for the purpose of Promotion/confirmation is controlled at CWE Area, the individual seeking transfer on compassionate grounds from the CWE Area whether within the same Zone/Command or outside Zone/Command does not get the benefit of previous service for the purpose of promotion and confirmation. He willbe assisted the seniority in the grade from the date he actually reports for duty in the new formation. In order to avoid representations at a later stage as undertaking to this effect may be obtained from the individual before he applied for the transfer on compassionate grounds.

2. Please ensure that the above instructions are correctly followed in the case of transfer of Industrial Personnel on Compassionate grounds.

3. For CESC only:- In view of the clarification given above, your HQ letter No.132502/2/E&B(S) dated 17 June, 1984 should be suitably amended and confirmation sent to this HQrs by 15 JULY, 1986.

IN THE HON'BLE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH, ALLAHABAD

IN REFERENCE TO

CASE NO. 389 OF 1986

R.L. Singh and others. .... Applicants.

Versus

Union of India and others. ....Respondents

APPLICATION FOR DISMISSAL OF CASE NO.389 OF 1986 AS INFRUCTUOUS

The respondent No.15 respectfully submits as under:-

That in view of the facts and circumstances stated in the accompanying short counter, the above noted petition No.389 of 1986 filed on 11.8.86 has become infructuous and it is liable to be dismissed as such.

It is therefore respectfully prayed that the above noted petition may be dismissed as infructuous.

Dated: 30 Aug.,1986

(Rattan Lal)
Respondent No.15
C/o
AGE E/M
(Refrigeration Section)
11, Sardar Patel Marg,
Lucknow.

IN THE HON'BLE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH, ALLAHABAD.

IN REFERENCE TO
CASE NO.389 OF 1986

R.L. Singh and others .... Applicants

Versus

Union of India and others. .... Respondents

SHORT COUNTER FROM RESPONDENT NO.15
IN PETITION NO.389 OF 1986.

I, Rattan Lal (Respondent No.15) aged about 47 years son of Late Munna Lal, resident of Havelock Limes, Lucknow Cantt. state as under:-

1. That while the deponent reserves his right to file a detailed counter later on, if necessary, he is filing this short counter, specially to point out that the applicant has neither preferred any appeal under the relevant service rules for redressal of grievances nor has disclosed this fact to the Tribunal that supersession in the matter of promotion is appealable under the relevant service rules, nor has filed the present suit No.389 of 1986, after the expiry of 6 months time limit prescribed for the same purpose; and as such the above noted suit has become infructuous.

2. That while the deponent at this stage need not answer the contents of all the paras of the petitioner, the contents of paras ~~Nos. 3,5,6,7 and 9~~ Remark of the paras as stated

contd. on 2.

by the applicant in petition No.389 of 1986 are denied.

3. That the deponent further states that the Respondent No.15 is an Industrial Worker , employed as Refg. Mech, Highly skilled Gd. II, in AGE E/M Lucknow.

4. That as per the terms and conditions of service of Industrial Workers; the promotion of Respondent No.15 w.e.f. 15.10.84 as Highly skilled Gd.II in the higher pay scale of Rs.330-480 was accordingly ordered by the Competent Authority viz CWE (P) LKO vide his No.12025/430/EIC (2) dt. 31.7.86.

5. That in the aforesaid promotion order, the name of Respondent No.15 has appeared at serial No.20 of the promotion list, a copy of which has already been filed by the applicant as Enclosure No.1 in case No.389 of 1986.

6. That the aforesaid promotion order dated 31.7.86 of CWE (P) LKO is an order against which the applicant has filed the present suit on 11.8.86, as is evident from para 3 of Form I of the Application No.389 of 1986.

7. That in the said petition, the applicant has represented against his supersession in the matter of promotion without realising that while the promotion order has been passed only on 31.7.86 whereas the application No.389 of 1986 against the same very promotion order has been preferred on 11.8.86 i.e. hardly after 10 days. Not only that but also by suppressing the factual position from the Tribunal to the effect that efficacious remedies by way of appeal against supression in the matter of promotion is available under the relevant

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cont...

service rules to the ~~applicant~~ aggrieved person.

8. That according to Govt. of India, Min. of Def. OM No. PC 318 to MFO. 2051/OS/Art. 3/D (Appts.) Dt. 7.6.1967; supersession in the matter of promotion is appealable under the relevant service rules to the aggrieved person. The copy of the said Govt. letter dated 7.6.1967 is reproduced below:-

> Appeal Against Supersession in the matter of Promotion:
>
> " A doubt had arisen whether an appeal against supersession in the matter of promotion can be considered under the CCS (CC&A) Rules, 1965. The Min. of Home Affairs have clarified that an appeal against supersession in the matter of promotion will fall within the purview of Rule 23 (IV) of the CCS (CC&A) Rules 1965. The appellate authority will be that indicated in Rule 24 ibid. "

For the kind perusal of the Tribunal, ~~the~~ Rule 23 (IV) of the CCS (CC&A) Rules 1965 is also reproduced below:-

> Rule 23. Orders Against which appeal lies.
>
> (iv) an order which-
>
> (a) denies or varies to his dis-advantage his pay, allowances, pension or other conditions of service as regulated by rules ~~or~~ or by agreement;or
>
> (b) ~~interests~~ interprets to his dis-advantege the provisions of any such rule or agreement;

9. It may kindly be seen from the preceeding paragraphs that the applicant has rushed to the Tribunal in a hot haste against the promotion order which was

contd. on 4

hardly issued 10 days earlier without availing the efficacious remedies available to him under the relevant service rules for redressal of grievances. To put it more precisely that the time lag between the date of promotion order (31.7.86) and the date of filing the present suit (11.8.86) is hardly 10 days whereas under the law the applicant could do so only on expiry of six months time. Not only that but the applicant has also suppressed the fact from the Tribunal to the effect that efficacious remedies by way of appeal against suppersession in the matter of promotion is available under the relevant service rules for redressal of grievances to the applicant.

10. That the deponent further states that the claim of the applicant that he should be promoted as highly skilled Gd. II on the basis of mere seniority (in this case assumed seniority and not the real seniority) is also not tenable because not to treat the applicant as promoted to that post can not be deemed to be erroneous in law. In support of this contention, the decision of the Hon'ble High Court at Lucknow given on 2.12.80 in the Review Application No.30(V) of 1977 of Shri L.R. Massey Vrs. Union of India is reproduced below:-

> " The posts of Supervisor Grade II and Supervision Grade III being selection posts, the decision of the authorities not to treat him as promoted to that post cannot be demand to be erroneous in law. Unless he is found suitable to the post, no benefit attached to that post could be available to him."

Kalawati

contd. on 5

It is contended ~~that~~ by the learned counsel for the petitioner that the post of Supervisor grade III was not a selection post. Learned counsel for the respondent has stated that though in the strict sense it was not a selection post, the selectionhad to be made in view of the fact that this post was to be filled up on the basis of seniority. Subject to suitability. It also appears from the statement of the learned counsel for the respondent that there was some confidential entry against the petitioner, but because the petitioner had not made an option as required, he was passed over. Learned counsel for the petitioner has stated that even though he dose not concede that there was only necessity for him to give option the petitioner will give option for being considered for the post learned counsel for the respondent has stated that if the option is given his case will be considered in accordance with the rules existing in 1961 for the post of Supervisor Gd. III. in view of these statement the order given in the Judgment dated 0.3-3-1977 does not need to be modified except to the extent mentioned abovein order to avoid any difficulty we clarify that in case the petitioner gives his option within two months from today, the respondent will consider his case for promotion to the post of Supervisor Gd. III in accordance with the rules of 1961 on with reference to the date 6.4.1961.

Sd/- Hon'ble Hari Swarup JI

Sd/- Hon'ble S.C.Mathur J.

02.12.1980.

11. That the deponent states that in view of the averments made in the foregoing paragraphs of this short

contd. on 6.

counter, the application No.389 of 1986 has become infructuous and it is liable to be dismissed.

(Rattan Lal)
Deponent
C/o
AGE E/M
(Refrigeration Section)
11, Sardar Patel Marg,
Lucknow.

Lucknow
Dated: 30 Aug. 1986

I, Rattan Lal S/o Late Munnalal aged 47 years, working as Refg. Mech. H.S. Gd. II with AGE E/M LKO, resident of Havelock Lines LKO-Cantt. do hereby verify that the contents of paras 1 to 11 are true to my personal knowledge and belief and that the deponent has not suppressed any material facts.

(Rattan Lal)
Deponent

Lucknow/
Dated: 30 Aug.1986

To

The Registrar,
Central Administrative Tribunal
(Addl. Bench)
23-A, Thornhill Road,
ALLAHABAD.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH,

ALL AHABAD.

COUNTER AFFIDAVIT

IN

Civil Misc. raising Preliminary Objection

IN

Registration No.389 of 1986

B E T W E E N

Sri R.L.Singh and
others.

..... APPLICANTS.

And

Union of India and
Others.

Renewal Cos
Reply
Clerk to Shri K.C. Sinha
Advocate
6/XI/86

..... RESPONDENTS.

COMMISSIONER FOR OATHS
HIGH COURT ALLAHABAD

Affidavit of Sri R.L.Singh s/o
Sri Late Mathura Prasad a/a 43 years
r/o 501/46 Near 35 Ram Niwas
Keshripur Daliganj, District
L ucknow.

(Deponent)

R L Singh

1. I, the deponent abovenamed do hereby solemnly affirm and state on oath as under :-

1. That the deponent is the petitioner no.1 and is pairokar of the petitioner no.2 to 11 who have given ~~a~~ instruction to the deponent to file the Counter the reply to the preliminary objection raised by the Respondent no.6,8 and 13. The deponent has gone through the averments contained in the preliminary objection and understood the contents thereof.

2. That the ~~paragraph~~ contents of paragraph no.1 and 2 of the preliminary objection is misconceived. In its reply it may be stated here that the petitioner's have challenged the impugned order of selection through promotion as provided in the three grade structure issued by the Department by means of the present petition before this Hon'ble Tribunal. Hence in the circumstances no departmental appeals are provided. The representation as such in this context is meaningless. Allegations made in paragraph no.1 of the preliminary objection is misconceived and is thus emphatically denied. However, it may be stated

COMMISSIONER FOR OATHS HIGH COURT ALLAHABAD

A4/3

here that the U.P.M.E.S. workers Union before passing of the impugned order made a Representation to the Higher Authorities pertaining to the seniorities of the employees and necesitated action in accordance with the aherence of seniority which was a must to be followed by the Authorities concerned. Whenever any promotional ventures arise for the purposes of selection and appointment in Higher grade.

3. That the contents of paragraph no.3 of the preliminary objection is highly misconceived and is therefore emphatically denied. In reply to the contents of paragraph no.3 of the application filed by the Respondent no.6,8 and 13 in the form of preliminary objection it may be stated here that no recruitment Rules or Regulations have been framed uptill now for the purposes of selection and promotion from the post of refrigerator Machanic to the post of Highly skilled Refreigerator Machanic grade II. In these circumstances the basic Rules of the Central Civil Services (classification, control and appeal) Rules, 1965 would be applicable pertaining to the services of all the employees of Central Government which includes the civilian staff of defence.

COMMISSIONER FOR OATHS HIGH COURT ALLAHABAD.

R. N. Singh

A9/4

4. That the Rule 22 and 23 of the aforesaid Rules provides orders against which no appeal lies and orders against which appeal lies. The bare perusal of these Rules make the point clear that the impugned order as such is not appeallable and it acquires the shape of final order in the circumstances consequently no Departmental remedy is available to the person like petitioners in the instant case and the impugned order could be challenged only by means of the present petitioner before this Hon'ble Tribunal.

5. That actually the petitioners are challenging the selection and appointment of the Respondent no.5 to 15 who have been wrongly selected and appointed on the post which was to be filled by the petitioners. The preliminary objection raised as such is illegal, misconceived, malafide and unwarranted in the eyes of law.

COMMISSIONER FOR OATHS HIGH COURT ALLAHABAD.

6. That in reply to the contents of paragraph no.4 and 5 it may be stated here that on the basis of reasonning advanced in the preceeding paragraph of this affidavit, the contents of paragraph no.4 are misconceived.

R K Singh

7. That the petition is admitted and the time had already been granted to the Respondents to file their reply but no reply has been filed instead of an application of preliminary objection. As the preliminary objection raised are unwarrented it would be expedient in the interest of justice that this Hon'ble Tribunal may graciously be pleased to stay the operation of the impugned order otherwise an irreperable loss and injury would be caused to the applicants.

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

I, R.L.Singh son of Sri Late Mathura Prasad aged about 43 years resident of 501/46 Near 35 Ram Niwas Keshripur Daliganj, Lucknow do hereby verify that the contents from paragraph no.1 to 7 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place :

Date :

Signature of the Applicant.

The Registrat
Central Administrative Tribunal
Additional Bench, Allahabad.

A9/6

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH, ALLAHABAD.

@@@@@

AMENDMENT APPLICATION

IN

CIVIL MISC. APPLICATION RAISING PRELIMINARY OBJECTION

IN

Registion No.389 of 1986

Between

Sri R.L.Singh and
others.

..... APPLICANTS.

And

The Union of Indiaand
others.

..... RESPONDENTS.

To

The Hon'ble member and his other companion member of the Hon'ble Tribunal.

The humble application of the aforesaid applicants Most Respectfully Showeth as under :-

1. That the petitioners have filed the aforesaid petition before this Hon'ble Tribunal which has been admitted by this Tribunal.

2. That the contents of paragraph no.9 of the petition due to mistake has been drafted in wrong apprach and it is ambiguous and in order to remove the ambiguiety it is in the interest of justice that this Hon'ble Tribunal may graciously be pleased to allow the petitioners to amend the contents of paragraph no.9 of the petition in the following terms.

(a) " That no departmental remedy has been provided in the Rules applicable to the petitioners in the facts and circumstances of the case.

(b) That as by means of the impugned ~~my~~ order the Respondent no.5 to 15 have been wrongly selected and promoted on the post which was to be filled by the petitioners in accordance with Rule 22 and 23 of the Central Civil Services (Classification control and appeal) Rules 1965 no appeal lies against the impugned order to any higher Departmental Authority.

(3) That even if in adverse it is taken that an appeal lies against the impugned order then in the absence of any Regulations framed pertaining to

R L Singh

the recruitment and selection of the highly skilled grade-II the name of the higher Authorities are not mentioned before whome the appeal lies.".

_P_R_A_Y_E_R_

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to allow the petitioners to instruct the averments of paragraph no.9 of the petition and to amend the same in themanner given in paragraph no.2 of this application.

.....
(Signature of Applicant)

_V_E_R_I_F_I_C_A_T_I_O_N_

I, R.L.Singh son of Late Sri Mathura Prasad a/a 43 years resident of 501/46 near 35 Ram Niwas Keshripur Daliganj, Lucknow do hereby verify that the contents from paragraph no.1 to 3 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place :
Date :

.....
(Signature of the Applicant)

The Registrar
Central Administrative Tribunal
Additional Bench, Allahabad.

COMMISSIONER FOR OATHS * HIGH COURT ALLAHABAD *

OATH COMMISSIONER
High Court, Allahabad.
No. 11/803
Date
5/11/82

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1

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL

BENCH ALLAHABAD.

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REJOINDER AFFIDAVIT

IN

REGISTRATION NO.389 OF 1986

(DISTRICT : LUCKNOW)

Ram Lakhan Singh and
others.

..... APPLICANTS

AND

The Union of India and
Others.

..... RESPONDENTS.

Affidavit of Ram Lakhan Singh
a/a 43 years son of Sri Mathura
Prasad Singh resident of 501/46
near 35 Ram Niwas Kesaripur
Dalliganj, District : Lucknow.

(Deponent)

रामलखनसिंह

MARRIAGE OFFICER
ALLAHABAD
13/1

A10/2

I, the deponent abovenamed do hereby solemnly affirm and state on oath as under :-

1. That the deponent is the petitioner no.1 and is pairokar of the petitioner no.2 to 11 who have given instructions to the deponent to file the rejoinder affidavit in Counter affidavit filed by Avdhesh Kumar Upper Division Clerk at C.W.E. (P) Lucknow. The deponent has gone through the averments contained in the counter affidavit and understood the contents thereof and is in a position to reply the same.

2. That the contents of paragraph no.1, 2 and 3 of the counter affidavit needs no reply.

3. That in reply to the contents of paragraph no.4 of the counter affidavit it may be stated here that it is true that ~~x~~ the applicants no.2, 6 and 9 were promoted by means of impugned order dated 31.7.1986 but correct procedure of promotion through seniority has not been followed. It is made clear that according to the various letters of Ministry of Defence the date of appointment and conformation becomes the basis of seniority but the applicants

no.2, ~~6~~ and ~~9~~

राम अवतार सिंह

A16/3

no.2, 6 and 9 and the respondents no.5 to 15 were promoted by means of the impugned order on the basis of their station seniority which means from the date they were appointed at particular station from the date of reporting at their duties which in itself a dangerous outlook even for the applicant no.2, 6 and 9 who could be removed from the promotional post if any body is challenging the impugned order as wrong basis has been adopted by the authorities in providing promotional ventures.

4. That it is also made clear that M.E.S. workers are centrally controlled employees of the defence in civilion category and in revised principles of seniority as laid down in civilion personnel routine orders (C.P.R.O) 73/73 vide dealing with terms and conditions of service relating to the Rules of seniority in (C.P.R.O./73/73- C.P.R.O. 11 at item no.4 it has been defined as follows :-

"Seniority of the individuals centrally controlled on Corps/service/rouster- will not be disturbed under the revised seniority Rules if they are adjusted/ transferred

February 1991

राम सरन सिंह

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within the Corps/ service"

The aforesaid expression on manufestly provides that the date of appointment and confirmation thereof becomes the basis of seniority for each and every individual whose services are centrally administered and controlled. Reference to C.P.R.O. 73/73contrary to this preposition is wrong hence denied. The applicant will produce the necessary extracts of C.P.R.O. 73/73 ~~कमलेश कुमार सिंह~~ at the time of hearing of this petition.

5. That the contents of paragraph no.5 of the counter affidavit needs no comments.

6. That the contents of paragraph no.6 of the counter affidavit is misconceived. Annexure no.CA-I deals with iter command posting and transfers of sub-ordinate which is in form of circular that promotion should not be given in the same area as they are liable for all India services liability even this circular is not mandatory. In any way this circular as such no where bars the interest of the petitioners but actually it speaks about that the impugned

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कमलेश कुमार सिंह

order becomes bad as the respondent no.5 to 15 have been promoted in the same area . The Annexure no.2 filed with the counter affidavit speak about determination of seniority of M.E.S. Industrial posted from one area to another area. This question has not been challenged by the petitioner by means of the present petition. In these circumstances even the application of Annexure no.2 in the facts and circumstances of the present case is meaningless.

7. That the contents of paragraph no.7 is denied. In its reply the contents of paragraph no.5 of the petition is reaffirmed.

8. That the contents of paragraph no.8 is misconceived and denied. In its reply the contents of paragraph no.6(6) of the petition are reaffirmed.

9. That the contents of paragraph no.9 of the counter affidavit are emphatically denied being wrong and misleading. In its reply it is stated that the petitioners have no knowledge about any seniority list published on 17.7.1986. Infact no seniority list have been published by the Department.

So the petitioners are not ignorant about the seniority list published on 17.7.1986. It is very strange fact that the Board was constituted on 17.7.86 for the purposes of promotion and the Departmental Promotion Commi$tee fitment of Industrial workers in pay scale recommended by Third Pay Commission and implimentation of three grade structure in M.E.S. highly skilled grade second w.e.f. 15.11.1984 in which it was mentioned that the seniority list of individuals and copy of Industrial stablishment for 1986-87 will be supplied but it is being said in the averements contained in paragraph no.9 of the counter affidavit that the seniority list has been published on the same date on 17.7.1986. It is very relevant to point out here that even if for the argument shake if the plea of the Department is taken to be correct and supposing it that it was paustured at the notice Board and it was known even to the petitioners then the C.C.S. Rules provides that within 15 days objections if any could be filed regarding the seniority list and if it had been done only after 15 days the list could become final and correct. For its submission and reliance by the D.P.C. which was constituted on 17.7.1986 but in the facts

and circumstances of the present case the impugned order was passed on 31.7.1986 having ~~xxx~~ the basis of alleged so called seniority list displayed by the Department on 17.7.1986 which means that 15 days time was never granted to the petitioners and no correction was made and within 13 days. The D.P.C. on the basis of the seniority list promoted the respondents no.5 to 15.

10. That actually the allegations made in paragraph no.9 of the counter affidavit is baseless imaginary and in reality arbitrarily the Respondent no.5 to 15 have been promoted without any rhym and reason killing the promotional venture of the petitioner. The advice given by the deponent in paragraph no.9 of the counter affidavit is baseless and even contrary to the C.C.S. Rules as seniority list was never published and all things have been done behind the back and for the first time the publication of seniority list on 17.7.1986 have come to the knowledge of the petitioners even the D.P.C. was never supplied any seniority list.

11. That the contents of paragraph no.10 of the

counter affidavit is misleading, wrong and denied. In its reply the contents of paragraph no.6(9) ~~is~~ of the petition is reaffirmed.

12. That the contents of paragraph no.11 of the Counter affidavit is misconceived. The Union's representation has not been correctly understood. The Union made representations that as D.P.C. was to meet then certain formalities was to be observed in pursuance of the Ministry of Defence circulars. The allegations levelled against the Union is highly malafide and bad in law.

13. That in reply to the contents of paragraph no.12 of the counter affidavit it is sufficient to mention here that the C.W.E. Allahabad has correctly followed the principles laid down for Defence Ministries proposal and seniority Rules. The petitioner has filed this Annexure as an example.

14. That the contents of paragraph no.13 and 14 of the counter affidavit are denied and in its reply the contents of paragraph no.7 ~~of~~ ~~the~~ and 8 of the petition are reaffirmed.

MARRIAGE OFFICER ALLAHABAD

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15. That the contents of paragraph no.15, 16 and 17 of the counter affidavit is highly erroneous misleading and contrary to the true legal position In its reply the following facts are submitted.

" The petitioners have challenged the impugned order of selection through promotion as provided in the three grade structure issued by the Department by means of the present petition before this Hon'ble Tribunal. Hence in the circumstances no departmental appeals are provided. The representation as such in this context is meaningless. It may be stated here that no recruitment Rules or Regulations have been framed uptill now for the purposes of selection and promotion from the post of refrigerator Machanic to the post of Highly skilled Refrigerator Machanic grade II. In these circumstances the basis Rules of the Central Civil Services (classification, controll and appeal) Rules, 1965 would be applicable pertaining to the services of all the employees of Central Government which includes the civilian staff of defence. That the Rule 22 and 23 of the

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aforesaid Rules provides orders against which no appeal lies and orders against which appeal lies. The bare perusal of these Rules make the point clear that the impugned order as such is not appellable and it acquires the shape of final order in the circumstances consequently no Departmental remedy is available to the person like petitioners in the instant case and the impugned order couldbe challenged only by means of the present petitioner before this Hon'ble Tribunal. That actually the petitioners are challenging the selection and appointment of the Respondent no.5 to 15 who have been wrongly selected and appointed on the post which was to be filled by the petitioners. The preliminary objection raised as such is illegal, misconceived, malafide and unwarranted in the eyes of law."

16. That the contents of paragraph no.18 of the counter affidavit needs no comment.

MARRIAGE OFFICER
ALLAHABAD

-: 11 :-

I, xxx dxpxxxxk xbxxxxxxxxd dx hxxxxhx xxxifx xhxxixxhxxxexxxxkxxtx

I,Ram Lakhan Singh son of Sri Mathura Prasad Singh resident of 501/46 Near 35 Ram Niwas Kesaripur Dalliganj, aged about 43 years District : Lucknow verify that the contents of paragraph no.1 to 12 are true to my personal knowledge and no such part of it is false and nothing material has been concealed.

राम लखन सिंह

Dt/- (Signature of the Applicant)

MARRIAGE OFFICER
ALLAHABAD

after 1 Jul 73 will be determined in accordance with the revised principles of seniority. In other words those adjusted/transferred on or after 1 Jul 73 will not get the benefit of their previous service on their reporting to the new units.

4. Seniority of the individuals centrally controlled on Corps/Service roster will not be disturbed under the revised seniority rules if they are adjusted/transferred within the Corps/Service.

85362/8/Org 4(Civ)(a)

CPRO 12 Criteria and procedure for refusal of leave preparatory to retirement to civilian gazetted officers under Rule 39 (2) of CCS (Leave) Rules 1972.

Reference CPRO 83/73.

Cabinet Secretariat (Department of Personnel and Administrative Reforms) Office Memorandum No 3/35/73-Est(A) dated 10 Jun 74, on the above subject, is reproduced as Appendix to this CPRO for information and guidance.

[**Authority:**—Govt of INDIA, Ministry of Defence Memo No 15(3)/72/5119/D(Est.I/GpII) dated 19 Jun 74.]

74347/Org 4(Civ)(a)

PAY AND ALLOWANCES

CPRO 13 Fixation of pay of ex-combatant clerks on their re-employment as LDCs/Jr Clerks on or after 1-1-73 consequent on revision of scales of pay of the post.

Reference CPRO 94/63.

2. Government of INDIA, Ministry of Defence Office Memorandum No 2(30)/74/D(Civ-I) dated 18 Dec 74 is reproduced as Appendix to this CPRO for information and guidance.

84577/Org 4(Civ)(d)

CPRO 14 Fixation of pay under CDS(RP) Rules, 1973.

Reference CPRO 7/74.

2. Controller General of Defence Accounts letter No 2412/AT-P (PCC) dated 15 Oct 74 is reproduced as Appendix to this CPRO for information and guidance.

CIVILIAN PERSONNEL ROUTINE ORDERS

TERMS AND CONDITIONS OF SERVICE

CPRO 10 Recognition of Diploma in Power Engineering awarded by erstwhile Board of Technical Education, East Pakistan for recruitment to subordinate posts and services.

The provisions of Ministry of Defence UO No 64687/EIC/9060/D(Lab) dated 20 Dec 74, on the above subject are reproduced as under for information and guidance.

"The Diploma in Power Engineering awarded by the erstwhile Board of Technical Education, East Pakistan (now Bangladesh) is recognised by the Government of INDIA for the purposes of recruitment to subordinate posts and services under the Central Government in the appropriate field."

85354/Org 4(Civ)(c)

CPRO 11 General principles for determining seniority of various categories of persons employed in central services.

Reference CPRO 73/73.

2. In accordance with the revised principles of seniority, no benefit of past service is given to the surplus staff adjusted in other Corps/Service/Unit/s for purpose of fixation of seniority in the grade in which they are adjusted. Their seniority on their adjustment in new appointments will be determined in accordance with their date of joining the new unit on their adjustment. It has now been decided that when two or more surplus persons of an office are rendered surplus on different dates for absorption in the same receiving unit, their inter seniority as it existed in the office in which they worked before being rendered surplus, should be maintained in the grade in which they are absorbed in the new organisation provided that no direct recruit has been selected for appointment to that grade in between these dates.

3. There have also been some doubts about the applicability of the revised principles of seniority in respect of individuals adjusted under surpluses and deficiencies scheme and transferred on compassionate grounds. Revised principles of seniority are applicable w.e.f. 1 Jul 73. In view of this, the seniority of locally controlled staff rendered surplus and adjusted or transferred on compassionate grounds prior to 1 Jul 73 will be determined in accordance with AI 241/50. Seniority of the individuals adjusted or transferred on compassionate grounds under

Tele Mily 669

12037/ [illegible] /EIC(2)

Headquarters
Commander Works Engineer(P)
229 M G Road
Lucknow
10 Jul 86

GE(W)LUCKNOW
GE M/M LUCKNOW
GE(W)LUCKNOW
GE(I)MALMAURA
SDO CDS LUCKNOW

TRANSFER ON COMPASSIONATE GROUNDS INDUSTRIAL PERSONNEL

1 A copy of EinC's Br.letter No.79040/RPOS/EIC(I) dated 19 Jun 86 is forwarded herewith for your information and necessary action please.

Kulwant Singh
(Kulwant Singh)
Adm Officer
Commander Works Engineer

Copy of EinC's Br.letter No.79040/RPOS/EIC(I) dt.19 Jun 86 addressed to All Commands and copy to all CE Zones/CWEs.

*****

TRANSFER ON COMPASSIONATE GROUNDS INDUSTRIAL PERSONNEL

1 Some instances have come to our notice where the Industrial personnel transfered from one Area/Zone/Command to other Area/Zone/Command have been allowed to carry the original seniority in the grade on their reporting to the new formation. This is not correct and is in violation of the revised principles of seniority as laid down in CPRO 73/73 and further clarified in CPRO 11/75. The provisions of CPRO 73/73 have been made applicable to the MES with effect from 01 Jul 73. Since the seniority of Industrial personnel for the purpose of promotion/confirmation is controlled at CWE Area, the individual seeking transfer on compassionate grounds from one CWE Area to other CWE Area whether within the same Zone/Command or outside Zone/Command does not get the benefit of previous service for the purpose of promotion/confirmation. He will be assigned the seniority in the grade from the date he actually reports for duty in the new formation. In order to avoid representations at a later stage an undertaking to this effect may be obtained from the individual before he applies for transfer on compassionate grounds.

2 Please ensure that the above instructions are correctly followed in the case of transfer of industrial personnel on compassionate grounds.

3 For CE Southern Command only:- In view of the clarifi[illegible] given above, your HQrs letter No.132502/2/EIB(S) dt.17 Jun 84 be suitably amended and fonfirmation sent to this HQ by 1[illegible]

Sd/- x x
(KS Sethi)
Col
Dir Pers(MES)
Engineer-in-Chief.

TELEPHONE : 3011309

REGISTERED
Coord cum Karmik Nideshalaya
Pramukh Engineer Shakha
Sena Mukhyalaya
Coord & Personnel Dte/EIC(I)
Engineer-in-Chief'S Branch
Army Headquarters
DHQ PO New Delhi -110011.

79040/RPOS/EIC(I)

08 Oct 86

Chief Engineer

HQ Southern Command, Pune
HQ Eastern Command, Calcutta
HQ Western Command, Chandimandir
HQ Central Command, Lucknow
HQ Northern Command, C/O 56 APO

TRANSFERS ON COMPASSIONATE GROUNDS : INDUSTRIAL PERSONNEL

1. The applicability of the revised principles of seniority laid down in the Ministry of Home Affairs OM No 9/11/55-RPS dated 22 Dec 59 reproduced in Appx 'B' to CPRO 73/73 as clarified in CPRO 11/75 has been re-examined. Though the revised principles of seniority were made applicable to the Defence formations with effect from 01 Jul 73, instructions were not issued by this HQ to Chief Engineer Commands on the presumption that revised rules of seniority are applicable to the civilian personnel transferred from other Departments to the MES under Surplus/deficiencies Scheme and on compassionate grounds and not to the MES civilian personnel when posted/transferred on compassionate grounds within the MES. However some Rofg Mechanics of CWE Cochin filed a writ petition in the High Court of Kerala at Ernakulam against the assignment of original seniority to the individuals transferred to CWE Cochin from other CWE Area on compassionate grounds. Though the case was decided in favour of the petitioners as per Kerala High Court Judgement, we had filed an appeal before the Division Bench of the High Court of Kerala contesting that the revised principles of seniority are not applicable to the MES civilian personnel in case of transfer on compassionate grounds within the MES. The appeal was, however, dismissed and the earlier judgement was upheld by the Division Bench of Kerla High Court on 16 Dec 85.

2. In pursuant to Division Bench of Kerala High Court order dated 16 Dec 85, the revised principles of seniority as laid down in CPRO 73/73 are made applicable to the MES with effect from 16 Dec 85 in case of transfer of industrial personnel on compassionate grounds within the MES units. In view of the consideration of the fact that no instructions regarding revised principles of seniority were issued by this HQ and the industrial personnel were not aware that they will loss seniority on compassionate posting, past cases will not be re-opened.

3. Since the seniority of industrial personnel for the purpose of promotion/confirmation is controlled at the CWE area, the individuals seeking transfer on compassionate grounds from one CWE area to other CWE area whether within the same Zone/Command or outside Zone/Command are not entitled to the benefit of previous service for the transfer of promotion/confirmations. An individual seeking transfer on compassionate grounds will be assigned seniority only from the date he reports for duty in the new formation. In order to avoid representations at a later stage, an undertaking to this effect may be obtained from the individual before he applies for transfer on compassionate grounds. These instructions will be applicable wef 16 Dec 85 onwards.

4. Our HQ letter No 79040/RPOS/EIC(I) dated 19 Jun 86 issued on the subject be treated as cancelled.

Sd/- x x x x x x
(KS Sethi)
Col
Dir Pers (MES)
Engineer-in-Chief

Copy to :-

All Zonal CEs
All CWE

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CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Registration No. of 1986

APPLICANT (s) R. L. Singh & 10 others

RESPONDENT(s) Union of India through the Secretary Ministry of Defence New Delhi & 14 others

Particulars to be examined	Endorsement as to result of Examination
1. Is the appeal competent ?	Yes
2. (a) Is the application in the prescribed form ?	Yes
(b) Is the application in paper book form ?	Yes
(c) Have six complete sets of the application been filed ?	Yes, 2 complete sets filed.
3. (a) Is the appeal in time ?	Yes
(b) If not, by how many days it is beyond time ?	—
(c) Has sufficient case for not making the application in time, been filed ?	—
4. Has the document of authorisation/Vakalat-nama been filed ?	Yes
5. Is the application accompanied by B. D./Postal-Order for Rs. 50/-	Yes
6. Has the certified copy/copies of the order (s) against which the application is made been filed ?	Yes
7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ?	Yes
(b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numberd accordingly ?	Yes

Particulars to be Examined	Endorsement as to result of Examination
(c) Are the documents referred to in (a) above neatly typed in double space ?	Yes.
8. Has the index of documents been filed and paging done properly ?	Yes.
9. Have the chronological details of representation made and the outcome of such representations been indicated in the application ?	No representation made
10. Is the matter raised in the application pending before any Court of law or any other Bench of Tribunal ?	No
11. Are the application/duplicate copy/spare copies signed ?	Yes.
12. Are extra copies of the application with Annexures filed ?	Yes
(a) Identical with the origninal ?	Yes
(b) Defective ?	No
(c) Wanting in Annxures Nos...../Pages Nos..... ?	—
13. Have file size envelopes bearing full addresses, of the respondents been filed ?	Yes
14. Are the given addresses, the registered addresses ?	Yes
15. Do the names of the parties stated in the copies tally with those indicated in the application ?	Yes
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ?	N.A.
17. Are the facts of the case mentioned in item No. 6 of the application ?	
(a) Concise ?	Yes
(b) Under distinct heads ?	Yes
(c) Numbered consectively ?	Yes
(d) Typed in double space on one side of the paper ?	Yes
18. Have the particulars for interim order prayed for indicated with reasons ?	Yes.
19. Whether all the remedies have been exhaused.	No.

Submitted by.

V. Chandra
11.8.86

D.R.

Order Sheet

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH ALLAHABAD

Ref No 389 of 198

R.L Singh vs U.O.I

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned
1	2	3
12.8.86	Hon. D.S Misra, Member (J) Hon. G.S. Sharma " (J) Sri P.C. Thapan appears for the applicant. Sri K.C Sinha, Ld. Standing counsel for the Union of India is also present and a copy of the petition has been delivered to him (on behalf of Respdt. nos 1, 2, 3 and 4) Admit. Issue notice to the other respondents to file their reply by 25.9.86. (For detailed order pl. see the order passed on original petition) DJ	

In the Central Administrative Tribunal

Additional Bench, Allahabad.

I N D E X

In

Registration No. of 1986

Between

Sri R.L. Singh and others . . . . . Applicants.

And

The Union of India and others ....Respondents.

Sl.No.	particular of papers.	Page Nos.
1-	Application	1 - 19
2-	Enclosure No.1: Promotion list no.CWE(P)Lko letter no.12025/430/E1C(2) dt. 31st July,1986.	20 - 22
3-	Enclosure-No.2:- Seniority list no.12030/242/E1C(2) dt. 29th Nov. 1985.	23 - 38
4-	Enclosure no.3 :- CWE letter No. 12037/Policy/61/E2(2) dated 22nd June, 1978.	39 - 40
5-	Enclosure No.4 :- C.WE(P)Lucknow Sl.No.50 dt. 17th July,1986	41 - 42
6-	Enc-losure no.5:- U.P. MES workers Union letter No.UPWU/GENI/Lko/86 dated 25.7.1986.	43 - 44
7-	Enclosure:-No.6 : CWE/Letter No.1353/357/E1B dt. 22nd May,1986. Alld.	45 - 49
8-	Vakalatnma	50 - 51

Dey 7/8/86

Signature of the Applicants

Aug,1986.

In the Central Administrative Tribunal

Additional Bench, Allahabad.

I N D E X

In

Registration No. of 1986

Between

Sri R.L. Singh and others . . . . . Applicants.

And

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7.	Enclosure:-No.6 : CWE/Letter No.1353/357/E1B dt. 22nd May,1986. Alld.	45 - 49
8.	Vakalatnma	50 - 51

dt. Aug,1986.

Signature of the Applicants

Reg. No. 309 of 1986

Central Administrative Tribunal
Additional Bench
ALLAHABAD/PATNA/JABALPUR
Date of Filing... 11-9-86 ... OR
Date of Receipt by Post

for Deputy Registrar.

FORM I

Application under section 19 of the Administrative Tribunal Act, 1985

Date of of Filing :

or

Dated of Receipt :

By post :

Registration No. :

Signature

Registrar.

In the Central Administrative Tribunal
Additional Bench, Allahabad.

Between

1- Sri K.L.Singh, son of late Mathura Pd. resident of 501/46, near 55, Ram Niwas Keshripur Kalianj, Lucknow.

2- Sri Surendra Narain Singh son of late B.N.Singh, resident of 65, Amar Niwas, Ram Dareeba Lucknow.

3- Sri R.A.Pandey, son of Sri Atma Ram Pandey, resident of 294/24, Khala Bazar Lucknow-3

4- Sri Ma. Gopal Misra son of Sri B.L.Misra, resident of 554/480-A, Kailwashpuri(D) Lucknow.

5- Sri K.K.Gupta, son of Sri S.S.L.Gupta resident of 47, Goin Ganj, P.O,Aminabad, Lucknow.

6- R.K. Maurya son of Sri Sita Ram Maurya, resident of 568/26, Kailashpuri Lucknow.

7- Sri Manjeet Singh C/O AGE B/M, Nefri ... or

Reg 7/8/86

Section, 11 Sardar Patel Marg, Lucknow.

8- Babba Jani son of Iqbal Husain
resident of 393/64 Kaikash Kashmiri Mohalla, Lucknow.

9- Sri Manjeet Singh Pawa, son of late Daleep Singh, resident of 555-J Mehendi Khera, P.O. R.D.S.O. Alambagh, Lucknow.

10- Sri K.K.Gupta, son of Sri Babu Lal Gupta, resident of 125/2, Outram Line, M.E.S. Colony, Lucknow.

11- Sri Krishan Kumar son of Girdhari Lal, resident of Qasar Bara Lakri Mohal, Cantt. Lucknow.

.....Applicants.

And

1- The Union of India through the Secretary Ministry of Defence, Central Secretariate New Delhi.

2- The Engineer-in-Chief Army Head Quarters, Defence Head Quarter, New Delhi.

3- The Commander Works Engineer (P), 229, Mahatma Gandhi Marg, Lucknow-2

4- The Garrison Engineer E/M, Military Engineering Services, Lucknow.

5- Sri Nanday Singh Ballabh, AGE E/M, Refrigerator Mechanic Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

6- Sri Girja Dutt, Refrigerator Mechanic, AGE/ E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

7- Sri Harbachan Singh, Refrigerator mechanic, AGE E/M, Refrigeration section,, 11 Sardar Patel Marg, Lucknow.

8- Sri Neelam Kumar, Refrigerator mechanic, AGE E/M, Refrigeration section, 11 Sardar Patel Marg, Lucknow.

9- Sri Zahir Husain, Refrigerator mechanic, AGE E/M, Refrigeration section, 11, Sardar Patel Marg, Lucknow.

10- Sri P.C.Upadhyaya, Refrigerator mechanic AGE E/M, Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

11- Sri H.C.Sikri, Refrigerator mechanic AGE E/M, Refrigeration Section, 11, Sardar Patel Marg, Lucknow.

12- Sri Hausala Prasad, Refrigerator mechanic AGE E/M, Refrigeration section, 11, Sardar Patel Marg, Lucknow.

13- Sri Tej Kumar Singh, Refrigerator mechanic AGE E/M, Refrigeration section, 11, Sardar Patel Marg, Lucknow.

14- Sri M.P.Chauhan, Refrigerator mechanic AGE E/M, Refrigeration mechanic, 11, Sardar Patel Marg, Lucknow.

15- Sri Ratan Lal, Refrigerator mechanic, AGE/ E/M Refrigeration section, 11 Sardar Patel Marg, Lucknow.

.....Respondents.

Details of the Application :-

1- Particulars of the applicants :-

1- Applicant No.1 :

1-Name of the Applicant : R.L. Singh

ii) Name of the father : Sri Late Mathura Prasad

iii) designation and office in which employed : Refrigerator mechanic AGE E/M Lucknow,

iv) office address : Refrigeration section 11 Sardar Patel Marg, Lucknow.

v) address for service of all notices : 501/46, near 35, Ram Niwas Keshripur Daliganj, Lucknow

1- Applicant No.2:-

i) Name of the applicant - Surendra Narain Singh

ii) Name of the father - late B.N.Singh

iii) Designation and office in which employed - AGE E/M Lucknow, Refrigerator mechanic

iv) Office address - Refrigeration section 11 Sardar Patel Marg, Lucknow.

v) address for service of all notices - 65, Amar Niwas, Pan Dariba Lucknow.

3- Applicant No.3

i) Name of the applicant- R.K.Pandey

ii) Name of the father - Sri Atma Ram Pandey

iii) Designation and office in which employed - Refrigerator mechanic AGE E/M Lucknow

iv) office address - Refrigeration section 11 Sardar Patel Marg Lucknow.

v) address for service of all notices - 294/34, Khala Bakar Lucknow.

4- Applicant No.4

i)	Name of the applicant	- Sri Ram Gopal Misra
ii)	Name of the father	- Sri B.L.Misra,
iii)	Designation & office in which employed	- Refrigerator mechanic AGE / E/M Lucknow.
iv)	office address	- Refrigeration Section 11, Sardar Patel Marg, Lucknow.
v)	address for service of all notices.	- 554/480-A, Kailashpuri,(D) Lucknow.

5- Applicant No.5

i)	Name of the applicant	- Sri K.K.Gupta,
ii)	Name of the father	- Sri S.S.L.Gupta.
iii)	Designation and office in which employed	- Refrigerator mechanic AGE E/M Lucknow.
iv)	office address	- Refrigeration Section 11, Sardar Patel Marg, Lucknow.
v)	Address for service of all notices	- 47, Goin Ganj, P.O.Amina Bad, Lucknow.

6- Applicant No.6 :

i)	Name of the applicant	- Sri R.K.Maurya
ii)	Name of the father	- Sri Sita Ram Maurya
iii)	Designation and office in which employed	- Refrigerator mechanic AGE E/M Lucknow.
iv)	office Address	- Refrigeration section 11, Sardar Patel Marg, Lucknow.
v)	Address for service of all notices	- 568/26, Kailashpuri, Lucknow.

7- Applicant No.7 :

i)	Name of the applicant	- Sri Manjeet Singh
ii)	Name of father	-

iii) Designation and office in which employed - AGE E/M Lucknow.

iv) office address - Refrigeration section 11 Sardar Patel Marg, Lucknow.

v) Address for service of all notices - Refrigerator section 11 Sardar Patelmarg, Lucknow.

Applicant No.8 :

i) Name of the applicant - Sri Babba Jani

ii) Name of the father - Sri Iqbal Husain

iii) Designation and office in which employed - Refrigerator mechanic AGE E/M Lucknow.

iv) office address - Refrigeration section 11 Sardar Patel Marg, Lucknow.

v) Address for service of all notices - 393/64 Kashmiri Mohalla Lucknow.

Applicant No.9:

i) Name of the applicant - Sri Manjeet Singh Pawa

ii) Name of the ather - Sri late Daleep Singh

iii) Designation & office in- wich employed - Refrigerator mechanic AGE E/M Lucknow.

iv) office address - Refrigeration section 11 Sardar Patel Marg, Lucknow.

v) Address for service of all notices. - 555-J Mehendi Khera, P.O. R.D.S.O. Alambagh Lucknow.

Applicant No.10:

i) Name of the applicant - K.K.Gupta

ii) Name of the facher - Sri Babulal Gupta.

iii) Designation & office in which employed - Refrigerator mechanic AGE E/M Lucknow.

iv) office address - Refrigeration section 11, Sardar Patel Marg, Lucknow.

v) Address for service of all notices - 125/2 Autram Line, M.E.S. Colony, Lucknow.

Applicant No.11:

1) Name of the applicant - Sri Krishen Kumar

11) Name of the father - Girdhari Lal

111) Designation & office in which employed - Refrigerator mechanic AGE / E/M, Lucknow.

1v) office address - Refrigeration section 11 Sardar Patel marg, Lucknow.

v) Address for service of all notices - Qasar Bagh Lakri Mohal Cantt. Lucknow.

2. Particulars of the respondents:-

Respondent no.1:

1) Name or designation of the respondent - Union of India through Secretary.

11) office address of the respondents - Ministry of defence, Central Secretariate New Delhi.

111) Address for service of all notices. - Ministry of defence, Central Secretariate New Delhi.

Respondent no.2:-

1) Name or designation of the respondent - The Engineer-in-Chief

11) office address of the respondent - Army Head Quarter, Defence Head Quarter New Delhi.

111) Address for service of all notices. - Army Head Quarter, Defence Head Quarter, New Delhi.

Respondent no.3:-

1) Name or designation of of the respondent - Commander works Engineer

11) Office address of the respondent - 229 Mahatma Gandi Marg, Lucknow.

111) Address for service of all notices - 229, Mahatma Gandhi Marg, Lucknow.

Respondent no.4 :

1) Name or designation of the respondent - Garrison Engineer

11) Office address of the respondent - E/M Military Engineering Service, Lucknow.

111) Address for service of all notices - E/M Military Engineering Service, Lucknow.

Respondent no.5:-

1) Name of the respondent - Nanda Ballabh

11) office address of the respondent - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

111) Address for service of all notices - AGE E/M Refrigeration Section 11 Sardar Patel Marg, Lucknow.

Respondent no.6 :-

1) Name of the respondent - Girja Dutt

11) office address of the respondent - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

111) Address for service of all notices. - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

Respondent no.7 :-

1) Name of the respondent - Har Sachan Singh

11) office address of the respondent - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

111) Address for service of all notices - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

Respondent no.8 :

1) Name of the respondent - Neelam Kumar

11) office address of the respondent - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

111) Address for service of all notices. - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

Respondent no.9 :-

Respondent no.9 :-

1) Name of the respodent - Zahir Husain

11) office address of the respondent - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

111) Address for service of all notices - AGE E/M Refrigeration Section 11 Sardar Patel Marg, Lucknow.

Respondent no.10 :-

1) name of the respodent - P.C.Upadhyaya

11) office address of the respondent - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

111) Address for service of all notices. - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

Respondent no.11 :-

1) name of the respodent - R.C.Sikri

11) office address of the respondent - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

111) Address for service of all notices. - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

Respondent no.12 :

1) name of the respondent - Hausala Prasad

11) office address of the respondent - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

111) Address for service of all notices. - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

Respondent no.13 :-

1) Name of the respondent - Tej Kumar Singh

Tej

ii) office address of the respondent - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

Respondent no.14 :

i) Name of the ~~xpxxx~~ Respondent- M.P.Chauhan

ii) Office address of the respondent - AGE E/M Refrigeration section,11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE E/M Refrigeration section,11 Sardar Patel Marg,Lucknow.

Respondent no.15 :

i) Name of the respondent - Ratan Lal

ii) office address of the respondent - AGE E/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE E/M Refrigeration section,11 Sardar Patel Marg, Lucknow.

3. Particulars of the order against which application is made.

The application is against the following order:-

i) Order No. 12025/430/E1C (2)

ii) Date 31st July,1986

iii) Passed by Head Quarter Commander Works Engineer, 229 Mahatma Gandhi Marg, Lucknow to the extent the respondent no.5 to 15 are promoted from Refrigerator mechanic to Refrigerator mechanic Highly Skilled Grade II.

iv) Subject in brief :-

That the applicants wefe qualified and senior to the respondents nos. 5 to 15 and the Commander Works Engineer in utter disregard to the seniority list No. 12320/242/E1C(1) dated 29th November,85 issue by the Head Quarter Commander Works Engineer (P), 229 Mahatma Gandhi Marg, Lucknow-2 and the applicants were illegally and unauthorisitly deprived of their xxxx due promotions in accordance with their seniority position and qualification in the aforesaid seniority list.

4. Jurisdiction of the Tribunal :-

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

5. Limitation :-

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

6. Facts of the Case :-

1- That the Commander Works Engineer issue and circulated seniority list of Industrial Personnel working in C.W.E. Area by its letter No. 12030/242/E1C(2), dated 29th November, 1985 and a copy of

Rajendra Pej

the same was served on the Secretary, U.P. M.E.S. Workers Union, 2/5 Mangal Pandey Road Lucknow.

2- That in the aforesaid seniority list the applicant 1 to 11 were placed at seniority position 5, 6, 12, 13, 14, 15, 16, 17, 18, 21, 22 respectively.

3- That the qualifications and experience in respect of the Trade ~~xxx~~ of Refregerator Mechanic are mentioned against each of the applicant in column 4 of the seniority list.

4- That the respondents nos. 5 to 15 were also placed at ~~xxxx~~ seniority position no.27, 30, 29, 28, 32, 31, 33, 34, 35, 26 and 24 respectively thus it is apparent from the seniority list that the respondents nos.5 to 15 were junior to the ~~xxxxxxxxx~~ applicants in the category of Refregrator mechanic and from the perusal of column no.4 of the seniority list, it can be very well verified that the qualification and expedience of respondent nos. 5 to 15 is also less than the ~~xxxxxxx~~ qualification and experience of the the applicants thus the respondents have committed a grave in justice with the applicants by not giving them promotion from Refrigerator mechanic to Refrigerator Mecha-

nic Highly skilled grade II when the applicants were senior and more qualified in the Grade.

5- That the respondents nos. 1 to 4 have promoted the respondents nos. 5 to 15 in flagrant voilation of Ministry of Defence office Memorandum No. 10(1)/75/4365/D(AFPTs) dated 15th September, 1977.

6- That the respondent no.3 in utter voilation of E-in-C's Branch letter No.PC 73549/E10(1) dated 23rd May,1978 in which it was clearly provided that the indivisuals qualified for promotion to the grade of charge Mechanic need not be promoted in the CWE area as they are liable for all India service liability so they should be promoted on the basis of their seniority determined from their date of appointment.

7- That the respondent nos. 5 to 15 could not have been promoted when the seniority list is ued by C.W.E.(P) Lucknow was in existance and was operative and all promotions in filling the vacancies of Ref. Mechanic highly skilled grade II who have been made strictly from the aforesaid seniority list. The applicants are challenging the validity and correctness of the seniority list alleged to have been prepared and

the C.W.E.(P) Lucknow undertaken to send the same to the Departmental promotion Committee but the applicants had no knowledge of any seniority list alleged to have been made for Industrial establishment for the year 1986-87. The true copy of the Part-I order by CWE (P) Lucknow Cantt. serial no.50 dated 17th July, 1986 is being annexed herewith and is marked as Enclosure-4.

8- That the seniority list referred to in para 2 of enclosure no.4 was non existant it was only to defeat the claim of the applicants for promotion in accordance with their seniority. The respondent no.3 only referred the seniority list to satisfy the Departmental Promotion Committee, if at all seniority list was prepared, it should have been circulated and indivisual ~~was~~/should have been given opportunity to represent if their seniority was adversely affected and without circulating the seniority list among the indivisuals and without considering their representation, the seniority list could not have become a binding document and no promotion could have been made according to such a list, thus the respondent no.3 has committed a grave in

justice to the applicants and favour to the respondent nos. 5 to 15 in manavouring their promotion list (Enclosure- No.1).

9- That the respondent no.3 has issued the impugned promotion list (Enclosure-1) in utter disregard and in voilation of Ministry of defence Memo No.28(6)/67/D(APPTS) dated Jue 29, 1973.

10- That the M.E.S. Works Union by their letter letter No. UPWU/SENI/LKO/86, dated 25.7.86 made representation to the respondent no.3, against the promotion list (enclosure-1) but no replyhas been received so far.

11- That ~~the~~ in C.W.E. Allahabad area all the promotions of Refrigerator mechanic to Refrigerator mechanic Highly skilled grade II are made on the basis of seniority list prepared in that behalf strictly in accordance with the date of appointment of the individual employees. A true copy of the letter No.1353/357/E1B dated 2nd May,1986 is being annexed herewith and is being marked as Enclosure-6.

7. Relief(s) sought:-

1. The Hon'ble Tribunal may be pleased to quash the promotion list No.12025/430/E1C(2) dated

31st July, 1986, so far as it relates to the promotion of respondents nos. 5 to 15 from Refrigerator mechanic to Refrigerator mechanic highly Skilled grade II with effect from 15.10.84.

2- That the respondents may be directed to give promotions of the applicants from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II in accordance with the seniority list (enclosure-2) with effect from 15.10.84.

8.Interim order, if prayed for :-

(1) Pending final decision on the application the applicants seek is ue of the following interim order :-

The Hon'ble Tribunal may be pleased to stay the operation of the promotion list (Enclosure no.1) so far as it related to the promotion to of respondent nos. 5 to 16 be stayed during the pendency of the above mentioned application for the following reason :-

1- Because the applicants shall suffer great loss of seniority in the next highly grade

2- Because the applicants shall not be benefited from the recommendation by 4th Pay Commission.

3- Because the inter se seniority of the

PCJ

applicants shall be adversely effected if the operation of the impugned promotion list is not stayed forthwith.

4- Because the benefits or arising out of the highly pay shall not be available to the applicants.

5- Because if the operation of the impugned seniority list are not stayed it will be effect the promotions in other C.W.S areas All Over India.

2. Alternatively the Hon. Tribunal may be pleased to restraned the respondents nos. 1 to 4 from paying the arrears of difference salary payable to the respondent nos. 5 to 15 by virtue of their promotion with effect from 15.10.1984.

9. Details of the remedies exhausted :-

That the case of the applicants is such if they wait for 6 months of the representation, the applicants shall suffer the great and irreparable loss of their future career by way of their deprivation from their promotion to charge Mechanic highly skilled grade II. However, the U.P. CWS workers Union by their representation dated 25.7.86 (Enclosure- 5) in which they have raised the demand and in case their demands are not met with they would take the agitational course so its is expedient in

Pej

the interest of maintaining industrial piece and harmoney, it is expedient to wave the Bar of 6 months time after making the representation for filing the abovementioned Application.

10. Matter not pending with any other court etc:

The applicant further declares that the matter regarding which this application has been made is notpending before any court of law or any other authority or any other Bench of the Tribunal.

11. Particulars of Postal Order in respect of the Application fee :-

1. Number of Indian postal Order :
2. Name of the issuing post office:
3. Date of issue of postal order :
4. Post office at which payable.

12. Details of Index :-

1. Ministry of Defence Office Memorandum No. 10(1)/75/5365/D(AG)S) dated 15th September, 1977.
2. UPSC, 11th February,1975.
3. E-in-C's Branch no. PC 73549/E1C(1) dated 23rd May,1978 (Enclosure-3)
4. Part-I order CWE(P) Lucknow Cantt.2 -1. No.50 dated 17th July,1986(Enclosure-4)
5. Seniority list issued by CWE(P) Lucknow No.12030/242/E1C(2) dated 29th November,85 (enclosure-2)

Rs Rawat Pej

6- C.W.E. Allahabad No.1353/357/E1B dated 22nd May,1986 (Enclosure-6)

13- List of Enclosures:-

1- Promotion List No. C.E(P) Lucknow letter No. 12025/430/E1C(2), dated 31st July,86.

2- Seniority list No.12030/242/E1C(2) dated 29th November,1985.

3- C.W.E. letter No.12037/Policy/61/E1C(2) dated 22nd June,1978.

4- C.E.(P) Lucknow serial no.50 dated 17th July,1986.

5- U.P. MES Workers Union letter no.UP WU/SENI/LKO/86, dated 25.7.86.

6- CWE Allahabad letter no.1353/357/E1B dated 22nd May,1986.

I, R.K.Pandey son of Sri Atma Ram Pandey age 40 years working as Refrigerator Mechanic AGE E/M Lucknow resident of 294/24 Khala Bazar, Lucknow do hereby verify that the contents from 1 to 13 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place :

Date :

Signature of the Applicant.

To,

The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.

20

In the Central Administrative Tribunal,

Addl. Bench, Allahabad.

Enclosure- No.1

In

Registration No. of 1986

Between

Sri R.L.Singh and others .....Applicant.

versus

The Union of India and others

.....Respondents.

(Photostate copy is attached below/with this)

Rejoinder pg

21

Tele Mily 659

Headquarters
Commander Works Engineer(I)
229 M G Road
Lucknow

12025/ 4/3c /EIC(2)

7 Jul 86

GE E/M LUCKNOW
AGE(I)MEERAUT
GE(M)LUCKNOW

FITMENT OF INDUSTRIAL WORKERS OF E&S IN THE PAY SCALES RECOMMENDED BY THE THIRD PAY COMMISSION: RECOMMENDATION OF THE ANOMALIES COMMITTEE

1 Reference CECC Lucknow letter No.901402/1/43/EIC(2) dated 30.4.86 circulated under CWEZ No.121228/3/Fitment/SAT/EIC(2) dated 03 May 86 and this office Nos 12025/386/EIC(2) dated 7 Jun 86 and 12025/420/EIC(2) dated 15 Jul 86.

2 The following promotions in respect of the Tradesmen belonging to Skilled grades are hereby ordered :-

Sl	Mes No. & Name	Promoted From	Promoted To	Unit	Remarks
1	441950 Shri JP Singh *(Promoted to HS I wef.5.7.85)	Ref/Mech	Ref/Mech HS II *	GE E/M Lko	Promoted from Skilled to HS II wef.15.10.84 in the pay scale of 330-8-370-10-400-EB-10-480.
2	441948 Shri Shohrat Ali Khan * Promoted to HS I wef.7.3.86	Ref/Mech	Ref/Mech HS II *	GE E/M Lko	-do-
3	441931 Shri Bhagwan Dass	Ref/Mech	Ref/Mech HS II	GE E/M Lko	-do-
4	441965 Shri Charanjeet Singh	Ref/Mech	-do-	-do-	-do-
5	454238 Shri K S Sinha	Ref/Mech	-do-	AGE(I) Mrt	-do-
6	454244 Shri OP Pandey	Ref/Mech	-do-	GE E/M Lko	-do-
7	461516 Shri SK Ahuja	Ref/Mech	-do-	-do-	-do-
8	442825 Shri Nanda Ballabh	Ref/Mech	-do-	-do-	-do-
9	442878 Shri Girja Dutt	Ref/Mech	-do-	-do-	-do- Contd.2
10	447046 Shri Harbachan Singh	Ref/Mech	-do-	-do-	-do

Attested
True copy
pcj
7/8

1	2	3	4	5	6
(11)	454283 Shri Neelam Kumar	Ref/Mech	Ref/Mech HS II	CE E/M Lko	Promoted from skilled to HS II wef.15.10.84 in the pay scale of Rs330-8-370-10-400-EB-10-480
(12)	454197 Shri Zahir Hussain	Ref/Mech	-do-	-do-	
(13)	454146 Shri PC Upadhya	Ref/Mech	-do-	-do-	-do-
(14)	454137 Shri EC Sikri	Ref/Mech	-do-	-do-	-do-
15	404578 Shri Rajender Singh	Ref/Mech	-do-	-do-	-do-
(16)	452352 Shri Hausela Prasad	Ref/Mech	-do-	-do-	-do-
(17)	452570 Shri Tej Kumar Singh	Ref/Mech	-do-	-do-	-do-
18	454170 Shri Surendra Narain Singh	Ref/Mech	-do-	-do-	-do-
(19)	437853 Shri H P Chauhan	Ref/Mech	-do-	-do-	-do-
(20)	443375 Shri Rattan Lal	Ref/Mech	-do-	-do-	-do-
21	359459 Shri RK Maurya	Ref/Mech	-do-	-do-	-do-
22	169622 Shri Manjeet Singh	Ref/Mech	-do-	-do-	-do-
23	411040 Satish Chandra Sharka	Ref/Mech	-do-	-do-	-do-

Item Twenty three only)

Authy:- Govt.of India Min of Def letter No.1(1)80/D/EEC/IC/ Vol-III dated 08 Apr 86.

(Virendra Prasad)
Col
Commander Works Engineer

Copy to :-

CEOC Lucknow
CEZ Lucknow
~~HA-CE E/M Lko~~

fib 1(1)2065-11/E7(13)

Attested
True copy
PCJ 7/8/86

23

In the Central Administrative Tribunal

Enclosure No.2

In

Registration No. of 1986

Between

Sri R.L.Singh and others ....Petitioners/Applicants

And

The Union of India and others ..Respondents.

(Photostat copy are attached below)

TELE MILY 669

Headquarters
Commander Works Engineer (P)
229, MG Road
Lucknow - 2

~~1930~~/ 2492 /E1C(2)

21 Nov 85

The Secretary
UP MES WORKERS UNION
2/5 Mangal Pandey Road
Lucknow

SENIORITY LIST OF INDUSTRIAL PERSONNEL : CWE LUCKNOW AREA

1. A copy of Seniority List Industrial personnel of CWE (P) Lucknow Area is forwarded herewith for your record please.

Encl : One Seniority List.

(SS Misra)
Offg Adm Officer
for Commander Works Engineer

Attested
True copy
pcg
7/8/86

		Page No
1.	Ch/Mech	1 to 4
2.	Ch/Elect.	5 to 9
3.	Ch/Mech(Ref)	10 to 15
4.	Elect	16 to 19
5.	SBA	20 to 24
6.	Wireman	25 to 31
7.	Lineman	32 to 36
8.	Fitter	37 to 39
9.	Ref Mech	40 to 53
10.	IME	54 to 54
11.	Painter	55 to 58
12.	P/Fitter	59 to 63
13.	Carpenter	64 to 69
14.	E/Fitter	70 to 70
15.	A/Winder	71
16.	Moulder	72
17.	Blacksmith	73 to 75
18.	Upholster	76 to 77
19.	C/Maker	80 to 81
20.	Plumber	78 to 79
21.	Welder	82
22.	I/Repairer	83
23.	C/Jointer	84
24.	Mason	85 to 90
25.	OED	91 to 108
26.	MPA	109 to 126
27.	Hammerman	127 to 129
28.	C/Weaver	130 to
29.	C/Stringer	131
30.	Mate	132 to 155
31.	RR Driver	156
32.	Swayer	157
33.	V/man	158 to 161
34.	Mazdoor	162 to 169

* * * * * * * * *

Attested
True copy
Advocate
16/8/2

Sl	MES No and Name	Date of Birth	Qualification Vocational/ Technical Apptt. TT Passed	Category & date of 1st continous apptt.& Date of seniority in subsequent post held	Q/Pt, Pt held with date in the grade	I seniority in the present grade	Whether SC/ST Ex-Service men	Formation where serving	REMARKS
1	2	3	4	5	6	7	8	9	10
1.	MES-216067 Shri VASU DEO	~~6.9.25~~	~~VI Class~~ TT Ch/Mech-63	IME-18.6.55 MT Dvr-dt.4.6.61 Ch/Mech-9.3.64	MT Dvr Q/Pt 9.3.64 1.7.60 Ch/Mech Q/Pt 16.3.64		Neither	GE E/M Lko	Retired on 30.9.85
2.	MES-444933 Shri A[illegible] SINGH	4.1.35	VII TT Ch/Mech	P/F -8.10.58 Ch/Mech-3.3.65	Ch/Mech Pt 1.3.65 1.7.76		"	-do-	Promoted and Posted to Thu
3.	MES-350166 Shri BB PANDEY	15.2.28	TT Ch/Mech 1974	Fitter-28.12.48 Ch/Mech-30.8.76	Fitter Pt 1.4.59	30.8.76	"	-do-	
4.	MES-452431 Shri SUKH LAL Now Master Craftsman	1.6.42	H3 ITI Fitter Course TT C/Mech 73	P/F -1.12.66 Fitter-[illegible].6.66 Ch/Mech-30.1.78 Master craftsman-30.8.85	P/Fitter Pt 1.12.69 Fitter Pt 1.2.72	30.1.78	"	AGE ~~(RGP)~~ (I) Memaura	
5.	MES-437026 Shri RAGHU RAJ SINGH	16.8.28	TT Ftr-65 TTOED-56 TT Ch/Mech.	Maz-1.11.47 Mate-1.6.55 Ftr-19.3.56 Ch/Mech-4.3.78	Ftr Pt 1.4.68	4.3.78	"	GE (E) Lko	

...2

Category : Ref/Mech.

1	2	3	4	5	6	7	8	9	10
1.	MES/441931 Shri BHAGWAN DASS	1.7.27	-	Mate-1.8.49 MPA -15.1.50 Ref Mech-2.3.61	Ref Mech Pt. 1.4.65.	2.3.62	Neither	GE E/M Lko	
2.	MES-441950 Shri JOGINDER PAL SINGH	14.11.41	Inter TTCCh/ Mech (Ref)-68 Ch/Mech 69	Ref Mech- 17.7.64	Ref Mech Pt. 1.4.70	17.7.64	"	-do-	
3.	MES/441948 Shri SIKHRAT ALI KHAN	30.12.41	HS ITI Ref Course TT Ch/Mech Refg	Ref Mech- 25.7.64	Ref Mech Pt. 1.	25.7.64	"	-do-	
4.	MES-441965 Shri CHARANJEET SINGH	6.4.45	HS Ref Course ITI TTCh/Mech (24) 84	Ref Mech- 4.8.64	Ref Mech Pt. 1.4.70	4.8.64	"	-do-	
5.	MES-457063 Shri RL SINGH	3.8.43	Matric Ref Mech TT Ch/ Mech Ref. Course CITH	Ref Mech- 7.10.65	Ref Mech Pt. 1.4.69	7.10.65	"	-do-	
6.	MES-457061 Shri SURENDRA NARAIN SINGH	1.5.43	IX TT Ch/Mech (Refg)	Ref Mech- 14.10.65	Ref Mech Pt. 1.4.70	14.10.65	"	-do-	
7.	MES-454238 Shri KS SINHA	8.7.40	HS Ref Course ITI Ch/ Mech(Ref)	Ref Mech- 1.12.66	Ref Mech Pt.	1.12.66	"	AGE (Rep) (I) Memaura	

(40)

Attested
True copy

Category : Ref/Mech.

1	2	3	4	5	6	7	8	9	10
8.	MES/454244 Shri OP PANDEY	41.43	HS ITI Ref Course Ch/Mech (Ref) -71	Ref Mech - 1.12.66	Ref Mech Pt 1.4.69	1.12.66	Neither	GE E/M Lko	
9.	MES-457076 Shri RAJENDER SINGH	1.7.43	IX TT Ch/Mech (Ref) -73	Ref Mech - 28.7.67	Ref Mech Pt 1.4.71	28.7.67	"	-do-	
10.	MES/461510 Shri SK AHUJA	12.1.47	HS TT Ch/Mech (Ref)	Ref Mech - 1.7.68	Ref Mech Pt 1.4.74	1.7.68	"	-do-	
11.	MES/361441 Shri NASEER HUSSAIN	1.1.51	HS	Ref Mech - 28.11.69	Ref Mech Pt ~~28.11.72~~ 1.4.75	28.11.72	"	-do-	
12. (1)	MES/359663 Shri RK PANDEY	14.5.46	BA TT Ch/Mech Ref	Ref Mech - 27.1.70	Ref Mech Pt ~~27.1.70~~ 1.4.75	27.1.70	"	-do-	
13. (5)	MES/359458 Shri RAM GOPAL MISHRA	24.5.45	BA ITI Ref Mech course TT Ch/Mech(Ref)	Ref Mech - 2.4.70	Ref Mech Pt 1.4.71	2.4.70	"	-do-	
14. (2)	MES/361531 Shri KK GUPTA	15.9.45	Inter TT Ch/Mech(Ref) 73.	Ref Mech - 2.4.70	Ref Mech Pt. 1.4.71	2.4.70	"	-do-	

...11.

gk.

Category : Ref Mech.

1	2	3	4	5	6	7	8	9	10
15.	MES-359459 Shri RK MAURYA	20.1.46	HS ITI Ref Course TTCh/Mech(Ref)81	Ref Mech-2.4.70	Ref Mech Pt 1.4.71	2.4.70	Neither	GE E/M Lko	
16.	MES-361625 Shri MANJEET SINGH	1.12.46	HS TT Ch/Mech (Ref)	Ref Mech-17.6.70	Ref Mech Pt 1.4.71	17.6.70	"	-do-	
17.	MES-169619 Shri BABBA JANI	15.7.50	Matric	Ref Mech-5.12.70	Ref Mech Pt ~~5.12.73~~ 1.4.76	5.12.70	"	-do-	
18.	MES-169822 Shri MANJEET SINGH PAWA	7.7.51	Inter	Ref Mech-11.12.70	Ref Mech Pt ~~11.12.76~~ 1.4.77	11.12.70	"	-do-	
19.	MES-411040 Shri SATISH CHANDRA SHARMA	18.7.51	TT Ch/ Mech(Ref) HS	Ref Mech-23.4.71	Ref Mech Pt ~~23.4.74~~ 1.4.77	23.4.71	"	-do-	
20.	MES-411039 Shri MUMTAZ AGHA	2.8.51	HS	Ref Mech-23.4.71	Ref Mech Pt 23.4.74	23.4.71	"	-do-	
21.	MES-450954 Shri KK GUPTA	15.6.47	Inter	MPA -1.3.66 Ref Mech-23.11.71	MPA Pt-1.4.72 Ref Mech Pt ~~23.11.74~~ 1.4.77	21.10.71	"	-do-	
22.	MES-361124 Shri KRISHAN KUMAR	5.4.49	HS Ref. Course 171	Ref Mech-23.11.71	Ref Mech Pt ~~23.11.74~~ 1.4.78	23.11.71	"	-do-	

...12.

gk.

1	2	3	4	5	6	7	8	9	10
23.	MES-419671 Shri HARISH CHANDRA LOHANI	2.8.51	HS	Peon -29.10.71 Ref Mech-2.2.72	Ref Mech Pt	2.2.72	Neither	GE E/M Lko	
24.	MES-443375 Shri RATTAN LAL	2.6.39	VIII	V/Man- 1.1.65 Ref Mech-14.4.72	V/Man Pt Ref Mech Pt	14.4.72	"	-do-	
25.	MES-467175 Shri SK PAUL	27.7.53	X TT Ch/Mech (Ref)-80	Ref Mech-1.6.72	Ref MechPt 1.4.79	1.6.72	"	GE(RCP) Memaura	
26.	MES-437853 Shri MP CHAUHAN	7.4.50	HS Ref Mech Course ITI	Ref Mech-20.12.72	Ref Mech Pt	20.12.70	"	GE E/M Lko	
27.	MES-442825 Shri NANDA BALLABH	12.3.37	VI	Maz - 11.9.57 Mate -21.4.64 Ref Mech-12.2.73	Maz Pt 1.4.68	12.2.73	"	-do-	
28.	MES-454283 Shri NEELAM KUMAR	14.11.47	IX TT Ch/Mech. (Ref)	MPA -14.9.66 Ref Mech-12.2.73	MPA Pt 1.4.70 Ref Mech Pt 1.4.79	12.2.73	"	-do-	
29.	MES/447040 Shri HARBACHAN	21.10.46	HS TT Ch/Mech (Ref)	MPA-17.5.67 Ref Mech-12.2.73	MPA O/Pt 15.5.70 Ref Mech Pt	12.2.73	"	-do-	

...13.

gk.

1	2	3	4	5	6	7	8	9	10
30.	MES-442878 Shri GIRJA DUTT	9.10.38	V	Chow -9.10.67 Maz- 11.4.69 MPA -22.1.69 Ref Mech -12.2.73	Maz Pt 1.4.68 Ref. Mech Pt 1.4.79	12.2.73	Neither GE E/M Lko		
31.	MES-454146 Shri PC UPADHYA	1.1.44	HS	MPA -4.6.68 Ref Mech-15.4.74	MPA Pt 1.4.72 Ref Mech Pt 1.4.79	15.4.74	"	-do-	
32.	MES-454197 Shri ZAHIR HUSAIN	10.7.42	IX	MPA -9.11.68 Ref Mech -15.4.74	MPA Q/Pt Ref Mech Pt 1.4.79	15.4.74	"	-do-	
33.	MES-454137 Shri PD SURI	26.1.46	HS ITI course of Refg.	MPA-5.8.68 Ref Mech-22.4.74	MPA Pt 1.4.73 Ref Mech Pt 1.4.79	22.4.74	"	-do-	
34.	MES-452352 Shri HAUSALA PRASAD	1.1.42	HS	Maz -1.2.66 MPA -3.1.69 Ref Mech-9.7.74	Maz Pt 21.11.72 Ref Mech Pt 1.4.79	9.7.74	"	-do-	
35.	MES-452570 Shri TEJ KUMAR SINGH	12.6.46	VIII	MPA -17.10.70 Ref Mech-10.8.74	MPA Q/Pt 17.10.73 Ref Mech Pt 1.4.79	10.8.74	"	-do-	
36.	MES-135984 Shri INDERJIT SHARMA	11.8.51	HS Ref ITI Course	Ref Mech-28.10.74	Ref Mech Opt 28.10.77	28.10.74	"	-do-	

Tech Mech Pt

(44) Attested True copy

Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
37.	MES-460799 Shri GC SRIVASTAVA	31.1.47	HS	Peon-20.5.66 MPA-22.9.71 Ref Mech-11.1.75	Peon O/Pt 20.8.69 Ref Mech Pt 1.4.79	11.1.75	Neither	GE E/M Lko	
38.	MES-454261 Shri INDER BAHADUR	16.8.48	VIII	MPA-18.8.67 Ref Mech-11.1.75	MPA OPt 18.8.70 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
39.	MES-454138 Shri SATISH KUMAR	6.10.43	VI	MPA-4.6.68 Ref Mech-11.1.75	MPA O/Pt 4.6.71 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
40.	MES-452581 Shri M JOSEPH	30.11.45	Inter	MPA-20.10.70 Ref Mech-23.5.73 Reverted MPA-9.10-73 Ref Mech -11.1.75	Ref Mech Pt 1.4.79	11.1.75	"	-do-	
41.	MES-452647 Shri MANOHAR LAL KOTANALA	28.6.45	IE	MPA-1.8.70 Ref Mech-11.1.75	Pt 1.4.79	11.1.75	Ex-serviceman	-do-	
42.	MES-454154 Shri PN SINGH	15.7.42	HS	MPA-4.6.68 Ref Mech-11.1.75	MPA O/Pt 4.6.71 Ref Mech Pt 1.4.79	11.1.75	(SC)	-do-	
43.	MES-454533 Shri DEVENDRAN SINGH RAWAT	15.9.48	Matric Ref Mech course CME Poona	MPA-3.10.67 Ref Mech-11.1.75	MPA O/Pt 3.10.70 Ref. Mech Pt	11.1.75	Neither	-do-	

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(46)

1	2	3	4	5	6	7	8	9	10
44. MES-454258 Shri RN PANDEY	19.11.43	HS	MPA-13.10.67 Ref Mech-17.1.75	MPA Opt Ref. Mech Pt 1.4.79	17.1.75	Neither	GE E/M Lko		
MES-443136 Shri KESHAV CHAND	11.7.44	VIII	Chow -30.7.63 Maz -10.11.64 Mate -5.1.69 Ref Mech-24.5.73 Reverted Mate-10.10.73 Ref Mech-1.5.75	Maz O/Pt 10.11.67 Ref Mech Pt. 1.4.79	1.5.75	"	-do-		
MES-447375 Shri NARAYAN DAS JATAV	4.10.47	HS	Ref Mech-1.5.75	Ref Mech O/Pt.	1.5.75	S/C	-do-		
MES-437854 Shri [illegible] ALAM [illegible] PRAMI	1.5.43	Inter ITI Ref course	Ref Mech-1.5.77	-do- 1.4.79	1.5.77	Neither	-do-		
MES-437881 Shri BHARAT KUMAR	1.2.49	MA	Ref Mech-1.5.75	-do-	1.5.75	"	-do-		
MES-437877 Shri RAMJIVAN	10.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-		
MES-437885 Shri SYED SHAID HUSSAIN	1.7.50	IB	Ref Mech-1.5.75	-do-	1.5.75	"	-do-		
MES-437896 Shri NIZAM AHMED	19.10.50	HS	Ref Mech-1.5.75	-	1.5.75	"	-do-		
MES-437870 Shri MG YADAV	10.11.50	Inter	Tr Cy/Mech Ref. 80 Ref Mech-1.5.75	-	1.5.75	"	-do-		

Attested
True copy
18/8/80

Category : Ref Mech

(47)

1	2	3	4	5	6	7	8	9	10
53. MES-437880 Shri RK KOHLI	22.11.50	Inter ITI Course Ref	Ref Mech -1.5.75	Ref Mech Pt 1.4.79	1.5.75	Neither	GE E/M Lko		
54. MES-437997 Shri MK GUPTA	4.11.51	Inter	Ref Mech-1.5.75	-	1.5.75	Neither	-do-	Bareilly E/M II and Postedto Kanpur	
56. MES-437874 Shri ABINASH CHANDRA KALIAH	6.11.52	HS	Ref Mech-1.5.75	Ref Mech Pt 1.4.80	1.5.75	"	-do-		
57. MES-437883 Shri M. SRIVASTAV	20.1.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-		
58. MES-437882 Shri VIJAYA MOHAN	17.7.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-		
59. MES-437879 Shri SK TIWARI	1.11.53	Inter	Ref Mech-1.5.75	Ref Mech Pt 1.4.80	1.5.75	"	-do- GE(W) BKT		
60. MES-437992 Shri GIRISH CHAND	13.11.51	ES	Ref Mech-1.8.75	-do-	1.8.75	"	-do- GE E/M I		
61. MES-437993 Shri ARUN KUMAR SRIVASTAVA	17.4.52	DA	Ref Mech.1.8.75	-do-	1.8.75	"	-do-		

TT Cl IV/Mech(Rfg)

....17.

Category : Ref Mech

(48)

1	2	3	4	5	6	7	8	9	10
62.	MES-437994 Shri ASHWANI KUMAR VAID	28.5.52	EA	Ref Mech-1.8.75	Ref Mech Pt 1.8.78	1.8.75	Neither	GE E/M Lko	
63.	MES-NYA Shri PRITAM RAM SHUJA	~~19.12.52~~	~~HS~~	~~Ref Mech-1.8.75~~	-	~~1.8.75~~	~~-do-~~	~~-do-~~ Expired on 23.9.83	
64.	MES-437991 Shri NOORAL HASSAN	10.~~8~~.51	Inter	Ref Meoh-26.9.75	Ref Mech Pt 1-4-80	26.9.75	-do-	-do-	
65.	MES-454770 Shri RAKESH PANDEY	1.6.53	HS ITI In Ref	Ref Mech-1.8.75	-	1.8.75	-do-	AGE (~~I~~) (I) Mema a	
66.	MES-437993 Shri ~~INDAR~~ KISHOR SRIVASTAVA	12.2.50	IE	Ref Mech-19.11.75	Ref Mech Pt 19.11.78	19.11.75	-do-	GE E/M Lko	
67.	MES-452566 Shri JAWAHAR LAL VERMA	25.6.46	Inter	MPA-1.4.67 Ref Mech-6.12.75	MPA Pt 1.4.77	6.12.75	-do-	-do-	
68.	MES-455545 Shri ROOP CHAND	3.1.52		MPA-30.10.73 Ref Mech-20.9.77	MPA Pt 1.4.77	20.9.77	~~-do-~~ Sr.	-do-	
69.	MES-435941 Shri RAJ KUMAR	2.2.42		MPA-22.12.61 Ref Mech-11.5.78	MPA-Pt 1.4.66	11.5.78	Neither ~~-do-~~	-do-	
70.	MES-432391		Inter		MPA-Pt	11.5.78	-do-	-do-	

1	2	3	4	5	6	7	8	9	10
71.	MES-453548 Shri RB MISHRA	13.10.48	3rd TT Ref Mech 77	MPA-11.3.77 Ref Mech-13.5.78	MPA Pt 1.4.78	13.5.78	Neither	GE E/M Lko	
72.	MES-437999 Shri TIKA RAM	9.3.47	Inter TT Ref Mech 77	MPA-~~3.10.73~~ 17.9.74 Ref Mech-12.10.78 29.9.78	MPA Pt ~~1.4.77~~ 1.9.77	~~12.10.78~~ 29.9.78	"	-do-	
73.	MES-454579 Shri BAL RAM SINGH	2.12.51	HS TT Ref Mech 77	MPA-25.1.74 Ref Mech-12.10.78	MPA O/Pt 25.1.77	12.10.78	"	-do-	
74.	AA-98859 Shri DK ASTHANA	2.6.42	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA O/Pt 17.9.77	13.10.78	"	-do-	
75.	MES-437906 Shri KL ARORA	8.7.43	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA O/Pt 17.9.77	13.10.78	"	-do-	
76.	MES-454235 Shri SATYADEO SINGH	24.12.45	8th TT Clare-70 TT MPA 73 TT Ref Mech 77	MAS -22.1.68 MPA-13.8.74 Ref Mech 13.10.78	Mas O/Pt 22.1.71	13.10.78	"	-do-	
77.	MES-454750 Shri SZI RIZVI	30.6.48	BA TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	
78.	MES-437906 Shri SK MEHDI	13.7.48	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	

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Attested
True copy

Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
79.	MES-225256 Shri TK BARUA	6.6.49	HS TT Ref Mech 77	MPA-1.8.74 Ref Mech-13.10.78	MPA Opt 1.6.77	13.10.78	Neither	GE E/M Lko	
80.	MES-437098 Shri RL CHOPRA	10.12.49	8/4 TT Ref Mech 77	MPA-6.9.77 Ref Mech-13.10.78	MPA Opt 6.9.79	13.10.78	"	-do-	
81.	MES-425060 Shri SURESH CHAND	2.5.53	HS	MPA-30.10.72 Ref Mech-20.1.78	MPA Opt 3.10.75	20.1.78	SC	-do-	
82.	MES-~~459563~~ 452580 Shri SANTOSH ~~ELIAS~~ BALIAS	8.2.51	Inter TT Ref Mech 75	MPA-19.10.70 Ref Mech-20.1.78	MPA Pt 1.4.77	20.1.78	Neither	-do-	
83.	MES-452425 Shri [illegible] SINGH	20.9.43	HS TT SBA 75 TT Ref Mech 75	MPA-16.10.71 SBA-12.2.75 Ref Mech-18.2.78	MPA Pt 1.4.72	18.2.78	"	-do-	
84.	MES-455537 Shri SHUIYAN DIN	12.11.51	IX TT Ref Mech 75	MPA-19.8.72 Ref Mech-8.5.78	MPA Pt 1.4.73	8.5.78	SC	-do-	
85.	MES-452252 Shri BASANT LAL	1.7.43	TT for Ref Mech 79	MPA-15.11.66 Ref Mech-26.6.82	MPA Pt 1.4.72	26.6.82	Neither	GE (RCP) Mehaura	
85.	MES-~~452536~~ 452535 Shri JAGDISH PD	7.7.49	IX TT Ref Mech 79	MPA-23.4.71 Ref Mech-1.7.82	MPA Pt 11.4.72	1.7.82	SC	GE E/M lko	
86.	MES-452427 Shri BASU DEO SINGH	19.4.44	VIII A TT MPA 74 TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	Neither	-do-	

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gk.

Attested
Executive Engineer
Dept

Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
88.	MES-452429 Shri AMRITMER SINGH	3.11.44	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	Neither	GE E/M Lko	
89	MES-452407 Shri VINOD KUMAR SINGH	25.12.48	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	"	-do-	
90.	MES-454257 Shri SADA SUKH	1.7.44	TT MPA 74	MPA-1.12.66 Ref Mech-4.4.83	MPA Pt 1.4.72	4.4.83	"	AGE (R&P) Hem	
91.	MES-454136 Shri BABU LAL	16.10.34	VIII TT Ref Mech 79	MPA-3.8.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	GE E/M Lko	
[illegible]	MES-452532 Shri SULTAN SINGH	2.7.45	VIII TT Ref Mech 79	MPA-3.8.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	-do-	
93.	MES-452641 Shri HORI LAL	13.5.47	VIII TT MPA 74 TT Ref Mech 79	MPA-1.8.79 Ref Mech-17.1.84	MPA Pt 1.4.77	17.1.84	SJC	-do-	
94.	MES-437981 Shri SHIV PRASAD	11.1.50		MPA-6.9.77 Ref Mech-14.2.84	MPA O/Pt 6.9.77 MPA Pt 1.4.81	14.2.84	Neither	-do-	
95.	MES-454264 Shri VK SINGH	12.7.46	IE TT MPA 76 TT Ref Mech 79	MPA-1.12.66 Ref Mech-9.4.83	MPA Pt 9.4.83	9.4.83	"	AGE DKT GE (W) Lko	

(51)

Attested
True copy
Asstt

In the Central Administrative Tribunal

Addl. Bench, Allahabad.

Enclosure No.3

In

Registration No. of 1986.

Sri R.L.Singh and others ....Petitioners/Applicants

And

The Union of India andothers ....Respondents.

(photo stat copy is attached below)

Pej

FILE NO.1 681

Headquarters
Commander Works Engineers (P)
229 MG Road
LUCKNOW -2

No.12037/Policy/ ( ) /E1C(2) JUN '78

To

GE (East) Lucknow
GE (West) Lucknow
GE E/M (P) Lucknow

INTER COMMAND POSTING AND TRANSFERS : SUBORDINATES

A copy of E-in-C's Br letter No.PC73549/E1C(1) dt 23 May'78, received under CENZ letter No.120854/POL/137/E1C(2) dated 13.6.78 is forwarded herewith for your information.

(GOVIND LAL)
BSO
for Commander Works Engineers (P)

---

copy of CENZ letter No. 120854/POL/137/E1C(2) dated 13 Jun'78.

Subject:- As Above.

1 E-in-c's Br vide their No. PC73549/E1C(1) dt 23 May'78 received under CEOC Lucknow No.915100/Policy/50776/E1C(2) of 31 May'78 has clarified as under with reference to posting out of the CWE Area in respect of Industrial Personnel who are qualified for higher grade if no vacancy exists in a particular area:-

"The individuals qualified for promotion to the grade of Ch Mech (Refg) need not be promoted in the same area as they are liable for all India service liability. Please ascertain the vacancies in your Command and consider their transfer on promotion in case no qualified individuals exist in the area".

Sd/ x x x x
(Roshan lal)
AO I
For Chief Engineer

Attested
True copy
Pey.
7/8/86

In the Central Administrative Tribunal

Additional Bench, Allahabad.

Enclosure-No.4

In

Registration No. of 1986

between

...k. Singh and others .....Applicants.

and

Union of India and others .....Respondents.

Read I under
by
Cmde (P) Lucknow Distt.-2

Unit: C.W.(P) Pin.No.50

Dt. Lucknow. Dt. 17 Jul,86.

The fitment of Inst. work in pay scales recommended by 4th pay commission. Implementation of revised grade structure in MES be detailed Misc. 18th Oct.85.

1. A local office committee as under will assemble at time and place to be fixed by reviewing officer to draw select list of Inst. Tech for promotion to Gr. II in terms of Govt. of India Ministry of Def. Instt. No.1(1)/80/D(C)/Lc vol.III of 30270/85/D(C)/Lc(III) dt. 14 April,86.

Presiding officer - Shri ...k. Tewari, C.W.(P) Lucknow

Members :- 1- Shri A.K.Srivastava, Supdt. C.W.(P) Lko.

2- Shri ...k.Sinha Supdt. C/E Lko.

3- S/E Lko.

2. Seniority list of individuals and a copy

Attested True Copy
Pej
7/8/86

of instructional establishment for 1986-87 will be supplied by this office.

2. Service proceedings duly completed in all respect shall be submitted to this office by 31 Jul. 86.

Virendra Prasad
Dy. D.E.

18005/4/T&C/L.C(C)

Distribution :-

1. Sri [illegible] Arthur,
2. Sri [illegible]liward
3. Sri [illegible]
4. [illegible] Lucknow.
5. [illegible] Lucknow
6. [illegible] Asansol.

(true copy)

Attested
Pej
7/8/86

In the Central Administrative Tribunal

Additional Bench Allahabad.

Enclosure No. 5

In

Registration no. of 1986.

between

Sri M.B.Singh and others ----Applicants.

and

Union of India and others .....Appl. Respondents.

(photo stat copy are attached below)

RBS PCJ

Recognised by Govt. of India
(Ministry of Defence)

Registration No. 710
Registered under Trade Union Act XVI of 1926

44

U.P. Military Engineering Services Worker's Union

(Affiliated with the All India defence Employees Federation, Pune)

HEAD OFFICE :
83-B, SULTANPURA, AGRA CANTT.
Liaison Office : 2 5, Mangal Pandey Road, Lucknow Cantt.

President :
K. N. SINGH

General Secretary :
S. S. MISRA

Ref. No. UPWU/.SEN.I/LKO/.86

Dated.....25 - 7.....1986.

To

THE COMMANDER WORKS ENGINEER (P)
229, MAHATMA GANDHI ROAD
LUCKNOW -2.

D.P.C. FITMENT OF INDUSTRIAL WORKER IN PAY SCALE RECOMONDED BY IIIRD PAY COMMISSION: IMPLEMENTED OF THREE GRADE STRUCTURE IN M.E.S. HIGHLY SKILLED GRADE II WITH EFFECT FROM 15.OCT. 84

Dear Sir,

Reference your part-I order S.N. 50 Dtd. 17th July 86

It is submitted that on going through the above referred Part-I order it is established beyond resonable doubt that the board of officer order vide part-I order No.50 dt. 17th July 1986 is violative of order of ministry of defence regarding promotion and application of III grad structure the few of the many objection are as under:-

1. Why the list has under gone great deal of changes since it was last placed befor the D.P.C. where as based on this seniority list some promotions were effected.

2. The authorities faild to cerculate to all concerned the seniority list placed before D.P.C.

3. The authorities failed to provide reasonable opertunity to the endividuals whose seniority has not been finalli-sed.

In conclusion you are in the light of orders of Ministry of defence bound to satisfy the above mentioned requirement failing which U.P. M.E.S. WORKERS UNION will be compelled to take agitarial course to satisfy its workers.

Copy to:-
1. E-in-C.
2. C.E.C.C.Lko.
3. C.E.L.Z. Lko.
4. C.E. E/M.Lko.
5. C.E.(W) Lko.
6. C.E.(E) Lko.
7. A.G.E.(I) Lko.

Presiding officer D.P.C. Board Offi. vide part-I order No.50 dt. 17.7.86.

Yours faithfully

V.K. BAJPAI
VICE PRESIDENT

Attested
True copy

In the Central Industrial Tribunal

Additional Bench, Allahabad.

Enclosure No. 6

In

Registration No. of 1936.

Between

Sri [illegible] & others .....Applicants.

and

The Union of India and others.

...Respondents.

(photostat copy as attached below)

Tele Mily- 249

Head Quarter
Commander Works Engineers
Allahabad

1353/ 351 / EIB

22 May 86

GE (West) Allahabad
GE (East) Allahabad
GE (AF) Bamrauli
GE (AF) Gorakhpur
GE I/C Allahabad
AGE (I) Faizabad.

EXTRACT OF INDUSTRIAL ORDER OF MEN IN THE PAY SCALES RECOMMENDED BY THE THIRD PAY COMMISSION.

The following promotions are hereby ordered in terms of Govt of India, Min of Def No. 3810/DS (C&M)/CIV-1/84 dated 15 Oct. 84 and E-in-C's Branch, Army HQ New Delhi letter No. 90270/89/ EIC Dt. 04 July 85 to the highly skilled grade II in the scale of Rs.330-8-370-10-400-EB-10-460. The promotion will be effective wef. 1 Oct. 84 and their pay is to be fixed in terms of the Ministry of Defence O.M No.2 (32)/62/5518/D(Civ-1) dated 22.6.62

Sl. No.	MES No. and Name	Designation	Formation	Remarks
1	2	3	4	5
1.	MES -430250 Shri Ambika Prasad	Blacks-mith	GE (E) Allahabad	
2.	MES- 482180 Shri Jawahar Lal	-do-	GE (E) Allahabad.	
3.	MES- 357250 Shri Gulab	-do-	GE I/C Allahabad.	
4.	MES-431400 Shri Bhajan Lal	L/Man	GE (E) Allahabad.	
5.	MES-432074 Shri Jai Pal	-do-	GE(E) Allahabad.	
6.	MES -454225 Shri Mam Mohan	-do-	AGE(I) Faizabad.	
7.	MES-292865 Shri K.Singh	-do-	GE (AF) Bamrauli	
8.	MES- 432096 Shri Ayodhya Prasad	-do-	GE (E) Allahabad.	
9.	MES -432053 Shri Bankey Lal	-do-	GE (AF) Bamrauli	

Attested
True copy
PCJ 7/2/86

63.	-451030 Sikri	-do- G.S (AP) Ambala.
64.	-431015 Sikri	-do- -do-
65.	-431903 Sikri	-do- -do-
66.	-431914 Sikri	-do- -do-
67.	-431575 Sikri	-do- G.S (P) Ambala.
68.	G.S - 431575 Sikri	-do- -do-
69.	-431546 Sikri	-do- G.S (AP) Jarauli
70.	-431728 Sikri	-do- G.S (P) Ambala.
71.	-432065 Sikri	-do- -do-
72.	-930557 Sikri	-do- G.S (AP) Jarauli
73.	-430566 Sikri	-do- G.S (AP) Jarauli
74.	G.S - 930510 Sikri	-do- G.S (P) Jarauli
75.	-432075 Sikri	-do- G.S (AP) Ambala
76.	G.S - 431265 Sikri	-do- G.S (AP) Jarauli
77.	-432150 Sikri	P/Officer G.S (AP) Ambala.
78.	-431075 Sikri	-do- G.S ( ) Ambala.
79.	-431021	-do- -do-
80.	-450909	-do- G.S (I) Jarauli
81.	-431151	-do- G.S (P) Ambala.
82.	-430950	-do- G.S (2) Ambala.

Attested True copy
Rej

INTHE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDL. BENCH

AT ALLAHABAD.

. . . .

Registration No. 389 of 1986

Between

R.L. Singh and others . . . . . Applicants.

versus

Union of India and others . . . . Respondents.

To

The Hon'ble Chairman and his other Companion Members of the Hon'ble Tribunal:

The humble petition of the Respondents nos. 6, 8 and 13 Most Respectfully Showeth as under:

PRELIMINARY OBJECTION

1. That in Column no.9 of the petition filed before this Hon'ble Tribunal the petitioners have not mentioned this fact-whether they have preferred any representation against the order of promotion of the answering respondents.

2. That it is also relevant to state here that the order of promotion was actually issued on 31.7.1986 but the representation of the Union was made prior to the issuance of the order. In

any case this representation of theUnion cannot be taken to be a representation. It is merely a notice for agitation.

3. That a bare perusal of the averments contained in column no. 9 of the petition willindicate that this petition is pre-mature and is also not maintainable in view of section 20 of the Central Administrative Tribunal Act, 1985.

4. That the petitioners have been advised not to reply in detail, as the petition itself is not maintainable and is liable to be dismissed.

5. That it is, therefore, necessary in the interest of justice, equity and expediency that the Hon'ble Tribunal maybe pleased to dismiss the present petition as not maintainable.

PRAYER

It is, therefore, Most Respectfully prayed that the Hon'bleCourt may be pleased to dismissed the present petition as not maintainable.

DATED:

(APPLICANT)

I, ~~Girja Dutt~~ NEELAMKUMAR son of Sri late B.N. Talwar aged about 38 Years, 11 Sardar Patel Marg, Lucknow, do hereby verify that the contents from para 1 to 5 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place:

Date:

(Signeture of the Applicant)

The Registrar,
Central Administrabunal,
Additional Bench,
Allahabad.

BEFORE THE CENTRAL TRIBUNAL, ADDL. BENCH AT ALLAHABAD.

REGISTRATION NO. 389 of 1986

BETWEEN

R.L.Singh & others . . . . . Applicants.

Vs.

Union of India and others . . . . . Respondents.

- -

Written Reply on behalf of Respondents nos. 6, 8 and 13:

. . . . ..

1. That the contents ofparagraphsnos. 1 and 2 of the petition arematters ~~xxx~~ of record and as such they needno reply.

2. That in reply to the contents of paragraph no.3 ofthe petition, it is submitted that allegations of the applicants nos. 1 to 11 that they were qualified and senior to respondents nos. 5 to 15 and were illegally and un-authorisedly deprived of their due promotion from ~~R~~efq.Mech. to H.S. Grade-II in the scale of Rs.330-480 with effect from 15.10.1984, for the following reasons:

(i) That there are in all eleven applicants who have filed the present case against the supersessi in the ~~xxxxxxxx~~ matter ofpromotion. But on the cor it was observed that applicants nos.2, 6 and 9,1.

three applicants, stand promoted alongwith respondents nos. 5 to 15 in the samepay scale witheffect from the same date, viz. 15.10.1984 and under the same promotion order.

(ii) That the seniority list referred to by the applicants in this sub-paragraph has since been superse-ded by a seniority list mentioned in para 2 of the CWE(P) Lucknow, Part I Order (Serial no.50) dated 17.7.1986(copy of which has already been annexed with the petition by the applicants as Enclosure no.4), as such, the question of promoting the remaining eight applicants out of eleven on the basis of redundant seniority list does not aris.

(iii) That in fact, a board of officerswas convened by the CWE(P) Lucknow vide Part I Order dated 17.7.86 to draw a select list of Refq. Mech. for promotion to H.S. Grade-II with effect from 15.10.1984. On the recommendations of theD.P.C., twenty three individuals including applicants nos. 2, 6 and 9 alongwith respon-dents nos. 5 to 15 were legitimately promoted from Refq. Mech. to H.S. Grade-II in the scale of Rs.330-480 with effect from 15.10.1984 by the order of the CWE(P) Lucknow vide his letterno.12025/430/E/C(2) dated 31.7.1986.

3. That in replyto the contents of paragraphs

nos. 4 and 5 of the petition it issubmitted that the petitioners have arbitrarily approached the Tribunal and as such the petition is pre-mature because the Tribunal hasno jurisdiction to entertain any petition without satisfying the conditions laid down in sections 20 and 21 of the Tribunal Act. It is further stated that the remedy is available under Part VII and Part VIII of the Civil Service Classificat-ion and Appeals Rules, 1965.

4. That in regard to the contents of paragraph no.6(1) of the petition it is submitted that the seniority list, in fact, which is the subject matter in dispute, in the present case, was signed by one Sri S.S.Mishra, a gazetted officer with effect from 27.7.1986 and is also Officiating Administrative Officer Grade-II. At the same time Sri Mishra is the General Secretary of U.P.M.E.S.Workers' Union. It is further made clear that in fact theletter has been sent by Sri Mishra to the General Secretary, meaning thereby that the letter has been despatched by Sri Mishra and has to be received by Sri Mishra. It is very peculiar circumstance that the same person is making complaint of the order who has issued it.

5. That in reply to the contents of paragraph 6(2) of the petition, it is submitted that the same need no reply.

Tadav

7. That the contents of paragraph no.6(3) of the petition are mattersof record and as such they needno reply.

8. That in regard to sub-paragraph (4) of para 6 of the petition it is submitted that in fact the appointment order is totally redundant as the petitioners in this claimpetition have come from another zone, whereas the respondents belong to the same area. The earlier seniority list was no seniority list for the purposes ofpromotion. But the position was clarified in the letter no. 79040/RPOS/ELC(1) dated 13.6.1986. In this letter the position has been clarified by the Engineer in-Chief. A true copy of the said letter is being enclosed herewith as enclosure no.1.

9. That the contents of sub-para (5) of paragraph no.6 of the petition are totally mis-conceived, hence, denied.

10. That in regard to the statement containedin sub-para (6) of paragrap h no.6 of the petition, it is stated that the letter, Annexure no.1 does not indicate that those who are highly qualified may be given promotion to the grade of Ch.Mechanic.

11. That in regard to sub paras (7) and (8) of paragraph no.6 of the petition it is submitted that the averments of the applicants are not admitted and denied. It is further stated that

that to ascertain the factual position, the reply submitted in reply to the contents of para 3 can be looked into.

It is further submitted that the seniority list referred to in para 2 of CWE(P) Lucknow letter dated 17.7.1986 (Enclosure no. 4 to the petition) was displayed on the notice-board for the information of all concerned. In case, the applicants were really ignorant about that seniority list or if there was any alteration in the seniority list, the same is appealable under the service rules meant for redressal of grie-vance. It is, therefore, not understood as to why that proper cause was not followed by the applicants and instead adopted the short cut to approach the Hon'ble Tribunal. The Hon'ble Tribunal is thus prayed that the applicants may kindly be suitably advised to prefer an appeal against the impugned order.

12. That the statement contained in sub para (9) of paragraph no.6 of the petitioner is again mis-conceived. It is further submitted that the promotion has been ordered by the competent authority in accordance with the instructions issued from time to time by the concerned authorities.

13. That the statement contained in sub-para (10) of paragraph no.6 of the petition is also mis-conceived. The representation can only be made after passing of the order and as such it is not a represent-

-ation inthe eyes of law. In any case, this cannot be said to be an apeal also.

14. That in replyto the contents of para 6 (11) of the petition, it is submitted that in fact it is a querry to be replied by CWE, Allahabad,who, unfortunately hasnotbeen made party inthe present petition. It is, therefore, requested that CWE, Allahabad may kindly be summonedas one of the res-pondents so as to ascertain the correctness of the statement and to lay hands to the actual facts.

It is furthe submitted that since the seniority list prepared by CWE, Allahabad,as referred to in this sub-paragraph, has not been annexed by the applicants deliberately, hence, no reply can be given at this stage.

It is further submitted that after going through the CWE Allahabad letter dated 22.5.86 (Enclosure no.6 tothe petition) it is observed that the applicants have twisted the facts to suite their own convenience because in the letter aforesaid it is no where mentioned that the indivi-dual has been promoted on the basis of their date of eppointment.

I, Neelam Kumar son of Sri late B.N.TALWAR _____aged about 38 Years, working as Refri-

-gerator Mechanic, AGE B/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow, dohereby verify that the contents from paras 1 to14 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place: Allahabad
Date: 27-10-86

Signature of the Respondent no.8

To

The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL:

ADDITIONAL BENCH AT ALLAHABAD.

ENCLOSURE NO. '1'

IN

WRITTEN REPLY ON BEHALF OF RESPONDENTS NOS.6, 8 and 13.

IN

REGISTRATION NO. 289 of 1986

BETWEEN

R.L.Singh and others . . . . . .Applicants.

Versus

The Union of India and

others. . . . . Respondents.

Copy of E in C's Branch AHQ Letter No.79040/ RPOS/E1C(I) dated 13.6.86

Sub:- TRANSFER ON COMPASSIONATE GROUNDS: INDUSTRIAL PERSONNEL.

Someinstances have come to our notice where the industrial personnel transferred from one Area/Zone/ Command to other Area/Zone/Command have been allowed to carry the original seniority in the grade on their reporting to thenew formation. This is not correct and is in violation of the revised principles of seniority as laid down in CPRO 73/73 and further clarified in CPRO 11/75. The provisions of CPRO/73/73 have been made applicable to the MES w.e.f. 01 JULY 1973. Since the seniority of Industrial personnel for the purpose of Promotion/confirmation is controlled at CWE Area, the individual seeking transfer on compassionate grounds from the CWE Area whether within the same Zone/Command or outside Zone/Command does not get the benefit of previous service for the purpose of promotion and confirmation. He willbe assisted the seniority in the grade from the date he actually reports for duty in the ne new formation. In order to avoid representations at at a later stage as undertaking to this effect may be obtained from the individual before he applied for the transfer on compassionate grounds.

2. Please ensure that the above instructions are correctly followed in the case of transfer of Industrial Personnel on Compassionate grounds.

3. For CESC only:- In view of the clarification given above, your HQ letter No.132502/2/E&B(S) dated 17 June, 1984 should be suitably amended and confirmation sent to this Hqrs by 15 JULY, 1986.

IN THE HON'BLE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH, ALLAHABAD

IN REFERENCE TO

CASE NO. 389 OF 1986

R.L. Singh and others. .... Applicants.

Versus

Union of India and others. ....Respondents

APPLICATION FOR DISMISSAL OF CASE NO.389 OF 1986 AS INFRUCTUOUS

The respondent No.15 respectfully submits as under:-

That in view of the facts and circumstances stated in the accompanying short counter, the above noted petition No.389 of 1986 filed on 11.8.86 has become infructuous and it is liable to be dismissed as such.

It is therefore respectfully prayed that the above noted petition may be dismissed as infructuous.

Dated: 30 Aug.,1986

(Rattan Lal)
Respondent No.15
C/o
AGE E/M
(Refrigeration Section)
11, Sardar Patel Marg,
Lucknow.

IN THE HON'BLE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH, ALLAHABAD.

IN REFERENCE TO
CASE NO.389 OF 1986

R.L. Singh and others .... Applicants

Versus

Union of India and others. .... Respondents

SHORT COUNTER FROM RESPONDENT NO.15
IN PETITION NO.389 OF 1986.

I, Rattan Lal (Respondent No.15) aged about 47 years son of Late Munna Lal, resident of Havelock Lines, Lucknow Cantt. state as under:-

1. That while the deponent reserves his right to file a detailed counter later on, if necessary, he is filing this short counter, specially to point out that the applicant has neither preferred any appeal under the relevant service rules for redressal of grievances nor has disclosed this fact to the Tribunal that supersession in the matter of promotion is appealable under the relevant service rules, nor has filed the present suit No.389 of 1986, after the expiry of 6 months time limit prescribed for the same purpose; and as such the above noted suit has become infructuous.

2. That while the deponent at this stage need not answer the contents of all the paras of the petitioner, the contents of paras Nos. ~~3,5,6,7 and 9~~ as stated

Rattan Lal

contd. on 2.

by the applicant in petition No.389 of 1986 are denied.

3. That the deponent further states that the Respondent No.15 is an Industrial Worker , employed as Refg. Mech, Highly skilled Gd. II, in AGE E/M Lucknow.

4. That as per the terms and conditions of service of Industrial Workers; the promotion of Respondent No.15 w.e.f. 15.10.84 as Highly skilled Gd.II in the higher pay scale of Rs.330-480 was accordingly ordered by the Competent Authority viz CWE (P) LKO vide his No.12025/430/EIC (2) dt. 31.7.86.

5. That in the aforesaid promotion order, the name of Respondent No.15 has appeared at serial No.20 of the promotion list, a copy of which has already been filed by the applicant as Enclosure No.1 in case No.389 of 1986.

6. That the aforesaid promotion order dated 31.7.86 of CWE (P) LKO is an order against which the applicant has filed the present suit on 11.8.86, as is evident from para 3 of Form I of the Application No.389 of 1986.

7. That in the said petition, the applicant has represented against his supersession in the matter of promotion without realising that while the promotion order has been passed only on 31.7.86 whereas the application No.389 of 1986 against the same very promotion order has been preferred on 11.8.86 i.e. hardly after 10 days. Not only that but also by suppressing the factual position from the Tribunal to the effect that efficacious remedies by way of appeal against supression in the matter of promotion is available under the relevant

Kailash Lal

contd. on 3

service rules to the ~~applicant~~ aggrieved person.

8. That according to Govt. of India, Min. of Def. OM No. PC 318 to MFO. 2051/OS/Art. 3/D (Appts.) Dt. 7.6.1967; supersession in the matter of promotion is appealable under the relevant service rules to the aggrieved person. The copy of the said Govt. letter dated 7.6.1967 is reproduced below:-

> Appeal Against Supersession in the matter of Promotion:
>
> " A doubt had arisen whether an appeal against supersession in the matter of promotion can be considered under the CCS (CC&A) Rules, 1965. The Min. of Home Affairs have clarified that an appeal against supersession in the matter of promotion will fall within the purview of Rule 23 (IV) of the CCS (CC&A) Rules 1965. The appellate authority will be that indicated in Rule 24 ibid. "

For the kind perusal of the Tribunal, ~~the~~ Rule 23 (IV) of the CCS (CC&A) Rules 1965 is also reproduced below:-

> Rule 23. Orders Against which appeal lies.
>
> (iv) an order which-
>
> (a) denies or varies to his dis-advantage his pay, allowances, pension or other conditions of service as regulated by rules ~~or~~ or by agreement;or
>
> (b) interprets interests to his dis-advantage the provisions of any such rule or agreement;

9. It may kindly be seen from the preceeding paragraphs that the applicant has rushed to the Tribunal in a hot haste against the promotion order which was

Lalmal

contd. on 4

hardly issued 10 days earlier without availing the efficacious remedies available to him under the relevant service rules for redressal of grievances. To put it more precisely that the time lag between the date of promotion order (31.7.86) and the date of filing the present suit (11.8.86) is hardly 10 days whereas under the law the applicant could do so only on expiry of six months time. Not only that but the applicant has also suppressed the fact from the Tribunal to the effect that efficacious remedies by way of appeal against suppersession in the matter of promotion is available under the relevant service rules for redressal of grievances to the applicant.

10. That the deponent further states that the claim of the applicant that he should be promoted as highly skilled Gd. II on the basis of mere seniority (in this case assumed seniority and not the real seniority) is also not tenable because not to treat the applicant as promoted to that post can not be deemed to be erroneous in law. In support of this contention, the decision of the Hon'ble High Court at Lucknow given on 2.12.80 in the Review Application No.30(V) of 1977 of Shri L.R. Massey Vrs. Union of India is reproduced below:-

> " The posts of Supervisor Grade II and Supervisi Grade III being selection posts, the decision of the authorities not to treat him as promoted to that post cannot be demand to be erroneous in law. Unless he is found suitable to the post, no benefit attached to that post could be available to him."

Kailash Lal

contd. on 5

It is contended ~~that~~ by the learned counsel for the petitioner that the post of Supervisor grade III was not a selection post. Learned counsel for the respondent has stated that though in the strict sense it was not a selection post, the selectionhad to be made in view of the fact that this post was to be filled up on the basis of seniority- Subject to suitability It also appears from the statement of the learned counsel for the respondent that there was some confidential entry against the petitioner, but because the petitioner had not made an option as required, he was passed over. Learned counsel for the petitioner has stated that even though he doee not concede that there was only necessity for him to give option the petitioner will give option for being considered for the post learned counsel for the respondent has stated that if the option is given his case will be considered in accordance with the rules existing in 1961 for the post of Supervisor Gd. III. in view of these statement the order given in the Judgment dated 0.3-3-1977 does not need to be modified except to the extent mentioned abovein order to avoid any difficulty we clarify that in case the petitioner gives his option within two months from today, the respondent will consider his case for promotio to the post of Supervisor Gd. III in accordance with the rules of 1961 on with reference to the date 6.4.1961.

Sd/- Hon'ble Hari Swarup JI

Sd/- Hon'ble S.C.Mathur J.

02.12.1980.

11. That the deponent states that in view of the averment made in the foregoing paragraphs of this short

contd. on 6.

counter, the application No.389 of 1986 has become infructuous and it is liable to be dismissed.

(Rattan Lal)
Deponent
C/o
AGE E/M
(Refrigeration Section)
11, Sardar Patel Marg,
Lucknow.

Lucknow
Dated: 30 Aug. 1986

I, Rattan Lal S/o Late Munnalal aged 47 years, working as Refg. Mech. H.S. Gd. II with AGE E/M LKO, resident of Havelock Lines LKO-Cantt. do hereby verify that the contents of paras 1 to 11 are true to my personal knowledge and belief and that the deponent has not suppressed any material facts.

(Rattan Lal)
~~Depoent~~ Deponent

Lucknow/
Dated: 30 Aug.1986

To

The Registrar,
Central Administrative Tribunal
(Addl. Bench)
23-A, Thornhill Road,
ALLAHABAD.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH,

ALL AHABAD.

COUNTER AFFIDAVIT

IN

Civil Misc. raising Preliminary Objection

IN

Registration No.389 of 1986

B E T W E E N

Sri R.L.Singh and
others.

..... APPLICANTS.

And

Union of India and
Others.

..... RESPONDENTS.

Affidavit of Sri R.L.Singh s/o
Sri Late Mathura Prasad a/a 43 years
r/o 501/46 Near 35 Ram Niwas
Keshripur Daliganj District
Lucknow.

(Deponent)

R.L.Singh

4. I, the deponent abovenamed do hereby solemnly affirm and state on oath as under :-

1. That the deponent is the petitioner no.1 and is pairokar of the petitioner no.2 to 11 who have given a instruction to the deponent to file the Counter the reply to the preliminary objection raised by the Respondent no.6,8 and 13. The deponent has gone through the averments contained in the preliminary objection and understood the contents thereof.

2. That the ~~paragraph~~ contents of paragraph no.1 and 2 of the preliminary objection is misconceived. In its reply it may be stated here that the petitioner's have challenged the impugned order of selection through promotion as provided in the three grade structure issued by the Department by means of the present petition before this Hon'ble Tribunal. Hence in the circumstances no departmental appeals are provided. The representation as such in this context is meaningless. Allegations made in paragraph no.1 of the preliminary objection is misconceived and is thus emphatically denied. However, it may be stated

here that the U.P.M.E.S. workers Union before passing of the impugned order made a Representation to the Higher Authorities pertaining to the seniorities of the employees and necesitated action in accordance with the aherence of seniority which was a must to be followed by the Authorities concerned. Whenever any promotional ventures arise for the purposes of selection and appointment in Higher grade.

3. That the contents of paragraph no.3 of the preliminary objection is highly misconceived and is therefore emphatically denied. In reply to the contents of paragraph no.3 of the application filed by the Respondent no.6,8 and 13 in the form of preliminary objection it may be stated here that no recruitment Rules or Regulations have been framed uptill now for the purposes of selection and promotion from the post of refrigerator Machanic to the post of Highly skilled Refreigerator Machanic grade II. In these circumstances the basic Rules of the Central Civil Services (classification, control and appeal) Rules, 1965 would be applicable pertaining to the services of all the employees of Central Government which includes the civilian staff of defence.

R P Singh

4. That the Rule 22 and 23 of the aforesaid Rules provides orders against which no appeal lies and orders against which appeal lies. The bare perusal of these Rules make the point clear that the impugned order as such is not appeallable and it acquires the shape of final order in the circumstances consequently no Departmental remedy is available to the person like petitioners in the instant case and the impugned order could be challenged ohly by means of the present petitioner before this Hon'ble Tribunal.

5. That actually the petitioners are challenging the selection and appointment of the Respondent no.5 to 15 who have been wrongly selected and appointed on the post which was to be filled by the petitioners. The preliminary objection raised as such is illegal, misconceived, malafide and unwarranted in the eyes of law.

6. That in reply to the contents of paragraph no.4 and 5 it may be stated here that on the basis of reasonning advanced in the preceeding paragraph of this affidavit, the contents of paragraph no.4 are misconceived.

7. That the petition is admitted and the time had already been granted to the Respondents to file their reply but no reply has been filed instead of an application of preliminary objection. As the preliminary objection raised are unwarrented it would be expedient in the interest of justice that this Hon'ble Tribunal may graciously be pleased to stay the operation of the impugned order otherwise an irreperable loss and injury would be caused to the applicants.

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

I, R.L.Singh son of Sri Late Mathura Prasad aged about 43 years resident of 501/46 Near 35 Ram Niwas Keshripur Daliganj, Lucknow do hereby verify that the contents ~~of~~ from paragraph no.1 to 7 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place :

Date :

R L Singh

Signature of the Apolicant.

The Registrat
Central Administrative Tribunal
Additional Bench, Allahabad.

R L Singh

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH, ALLAHABAD.

@£@£@%@

AMENDMENT APPLICATION

IN

CIVIL MISC. APPLICATION RAISING PRELIMINARY OBJECTION

IN

Registion No.389 of 1986

Between

Sri R.L.Singh and
others.

..... APPLICANTS.

And

The Union of Indiaand
others.

..... RESPONDENTS.

To

The Hon'ble member and his other companion member of the Hon'ble Tribunal.

The humble application of the aforesaid applicants Most Respectfully Showeth as under :-

1. That the petitioners have filed the aforesaid petition before this Hon'ble Tribunal which has been admitted by this Tribunal.

2. That the contents of paragraph no.9 of the petition due to mistake has been drafted in wrong apprach and it is ambiguous and in order to remove the ambiguiety it is in the interest of justice that this Hon'ble Tribunal may graciously be pleased to allow the petitioners to amend the contents of paragraph no.9 of the petition in the following terms.

(a) " That no departmental remedy has been provided in the Rules applicable to the petitioners in the facts and circumstances of the case.

(b) That as by means of the impugned ~~my~~ order the Respondent no.5 to 15 have been wrongly selected and promoted on the post whioh was to be filled by the petitioners in accordance with Rule 22 and 23 of the Central Civil Services (Classification control and appeal) Rules 1965 no appeal lies against the impugned order to any higher Departmental Authority.

(~~3~~) That even if in adverse it is taken that an appeal lies against the impugned order then in the absence of any Regulations framed pertaining to

the recruitment and selection of the highly skilled grade-II the name of the higher Authorities are not mentioned before whome the appeal lies.".

_P_R_A_Y_E_R_

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to allow the petitioners to instruct the averments of paragraph no.9 of the petition and to amend the same in themanner given in paragraph no.2 of this application.

.....
(Signature of Applicant)

_V_E_R_I_F_I_C_A_T_I_O_N_

I, R.L.Singh son of Late Sri Mathura Prasad a/a 43 years resident of 501/46 near 35 Ram Niwas Keshripur Daliganj, Lucknow do hereby verify that the contents from paragraph no.1 to 3 are true to my personal knowledge and belief and that I have not suppressed any material facts.

.....
(Signature of the Applicant)

Place :
Date :

The Registrar
Central Administrative Tribunal
Additional Bench, Allahabad.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL

BENCH ALLAHABAD.

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REJOINDER AFFIDAVIT

IN

REGISTRATION NO.389 OF 1986

(DISTRICT : LUCKNOW)

Ram Lakhan Singh and
others.

..... APPLICANTS

AND

The Union of India and
Others.

..... RESPONDENTS.

Affidavit of Ram Lakhan Singh
a/a 43 years son of Sri Mathura
Prasad Singh resident of 501/46
near 35 Ram Niwas Kesaripur
Dalliganj, District : Lucknow.

(Deponent)

MARRIAGE OFFICER
ALLAHABAD
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राम लखन सिंह

I, the deponent abovenamed do hereby solemnly affirm and state on oath as under :-

1. That the deponent is the petitioner no.1 and is pairokar of the petitioner no.2 to 11 who have given instructions to the deponent to file the rejoinder affidavit in Counter affidavit filed by Avdhesh Kumar Upper Division Clerk at C.W.E. (P) Luckknow. The deponent has gone through the averments contained in the counter affidavit and understood the contents thereof and is in a position to reply the same.

2. That the contents of paragraph no.1, 2 and 3 of the counter affidavit needs no reply.

3. That in reply to the contents of paragraph no.4 of the counter affidavit it may be stated here that it is true that x the applicants no.2, 6 and 9 were promoted by means of impugned order dated 31.7.1986 but correct procedure of promotion through seniority has not been followed. It is made clear that according to the various letters of Ministry of Defence the date of appointment and conformation becomes the basis of seniority but the applicants

MARRIAGE OFFICE Allowed 1341 ALLAHABAD

राम लखन सिंह

no.2, 6 and 9 and the respondents no.5 to 15 were promoted by means of the impugned order on the basis of their station seniority which means from the date they were appointed at particular station from the date of reporting at their duties which in itself a dangerous outlook even for the applicant no.2, 6 and 9 who could be removed from the promotional post if any body is challenging the impugned order as wrong basis has been adopted by the authorities in providing promotional ventures.

4. That it is also made clear that M.E.S. workers are centrally controlled employees of the defence in civilion category and in revised principles of seniority as laid down in civilion personnel routine orders (C.P.R.O) 73/73 vide dealing with terms and conditions of service relating to the Rules of seniority in (C.P.R.O./73/73- C.P.R.O. 11 at item no.4 it has been defined as follows :-

> "Seniority of the individuals centrally controlled on Corps/service/rouster- will not be disturbed under the revised seniority Rules if they are adjusted/ transferred

MARRIAGE OFFICER
Objections
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ALLAHABAD

राम सरन सिंह

within the Corps/ service"

The aforesaid expression on manufestly provides that the date of appointment and confirmation thereof becomes the basis of seniority for each and every individual whose services are centrally administered and controlled. Reference to C.P.R.O. 73/73contrary to this preposition is wrong hence denied. The applicant will produce the necessary extracts of C.P.R.O. 73/73 ~~contrary to this~~ at the time of hearing of this petition.

5. That the contents of paragraph no.5 of the counter affidavit needs no comments.

6. That the contents of paragraph no.6 of the counter affidavit is misconceived. Annexure no.CA-I deals with iter command posting and transfers of sub-ordinate which is in form of circular that promotion should not be given in the same area as they are liable for all India services liability even this circular is not mandatory. In any way this circular as such no where bars the interest of the petitioners but actually it speaks about that the impugned

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order becomes bad as the respondent no.5 to 15 have been promoted in the same area . The Annexure no.2 filed with the counter affidavit speak about determination of seniority of M.E.S. Industrial posted from one area to another area. This question has not been challenged by the petitioner by means of the present petition. In these circumstances even the application of Annexure no.2 in the facts and circumstances of the present case is meaningless.

7. That the contents of paragraph no.7 is denied. In its reply the contents of paragraph no.5 of the petition is reaffirmed.

8. That the contents of paragraph no.8 is misconceived and denied. In its reply the contents of paragraph no.6(6) of the petition are reaffirmed.

9. That the contents of paragraph no.9 of the counter affidavit are emphatically denied being wrong and misleading. In its reply it is stated that the petitioners have no knowledge about any seniority list published on 17.7.1986. Infact no seniority list have been published by the Department.

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Allahabad
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So the petitioners are not ignorant about the seniority list published on 17.7.1986. It is very strange fact that the Board was constituted on 17.7.86 for the purposes of promotion and the Departmental Promotion Commi$tee fitment of Industrial workers in pay scale recommended by Third Pay Commission and implimentation of three grade structure in M.E.S. highly skilled grade second w.e.f. 15.11.1984 in which it was mentioned that the seniority list of individuals and copy of Industrial stablishment for 1986-87 will be supplied but it is being said in the aforements eontained in paragraph no.9 of the counter affidavit that the seniority list has been published on the same date on 17.7.1986. It is very relevant to point out here that even if for the argument shake if the plea of the Department is taken to be correct and supposing it that it was paustured at the notice Board and it was known even to the petitioners then the C.C.S. Rules provides that within 15 days objections if any could be filed regarding the seniority list and if it had been done only after 15 days the list could become final and correct. For its submission and reliance by the D.P.C. which was constituted on 17.7.1986 but in the facts

MARRIAGE OFFICER ALLAHABAD 13/11

२मि लारवन रिते

and circumstances of the present case the impugned order was passed on 31.7.1986 having ~~xxx~~ the basis of alleged so called seniority list displayed by the Department on 17.7.1986 which means that 15 days time was never granted to the petitioners and no correction was made and within 13 days. The D.P.C. on the basis of the seniority list promoted the respondents no.5 to 15.

10. That actually the allegations made in paragraph no.9 of the counter affidavit is baseless imaginary and in reality arbitrarily the Respondent no.5 to 15 have been promoted without any rhym and reason killing the promotional venture of the petitioner. The advice given by the deponent in paragraph no.9 of the counter affidavit is baseless and even contrary to the C.C.S. Rules as seniority list was never published and all things have been done behind the back and for the first time the publication of seniority list on 17.7.1986 have come to the knowledge of the petitioners even the D.P.C. was never supplied any seniority list.

MARRIAGE OFFICER alwar 13/1 ALLAHABAD

11. That the contents of paragraph no.10 of the

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counter affidavit is misleading, wrong and denied. In its reply the contents of paragraph no.6(9) ~~is~~ of the petition is reaffirmed.

12. That the contents of paragraph no.11 of the Counter affidavit is misconceived. The Union's representation has not been correctly understood. The Union made representations that as D.P.C. was to meet then certain formalities was to be observed in pursuance of the Ministry of Defence circulars. The allegations levelled against the Union is highly malafide and bad in law.

13. That in reply to the contents of paragraph no.12 of the counter affidavit it is sufficient to mention here that the C.W.E. Allahabad has correctly followed the principles laid down for Defence Ministries proposal and seniority Rules. The petitioner has filed this Annexure as an example.

MARRIAGE OFFICER ALLAHABAD 1311

14. That the contents of paragraph no.13 and 14 of the counter affidavit are denied and in its reply the contents of paragraph no.7 ~~of this~~ and 8 of the petition are reaffirmed.

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15. That the contents of paragraph no.15, 16 and 17 of the counter affidavit is highly erroneous misleading and contrary to the true legal position In its reply the following facts are submitted.

" The petitioners have challenged the impugned order of selection through promotion as provided in the three grade structure issued by the Department by means of the present petition before this Hon'ble Tribunal. Hence in the circumstances no departmental appeals are provided. The representation as such in this context is meaningless. It may be stated here that no recruitment Rules or Regulations have been framed uptill now for the purposes of selection and promotion from the post of refrigerator Machanic to the post of Highly skilled Refrigerator Machanic grade II. In these circumstances the basis Rules of the Central Civil Services (classification, controll and appeal) Rules, 1965 would be applicable pertaining to the services of all the employees of Central Government which includes the civilian staff of defence. That the Rule 22 and 23 of the

ALLAHABAD

राम लखन सिंह

aforesaid Rules provides orders against which no appeal lies and orders against which appeal lies. The bare perusal of these Rules make the point clear that the impugned order as such is not appellable and it acquires the shape of final order in the circumstances consequently no Departmental remedy is available to the person like petitioners in the instant case and the impugned order couldbe challenged only by means of the present petitioner before this Hon'ble Tribunal. That actually the petitioners are challenging the selection and appointment of the Respondent no.5 to 15 who have been wrongly selected and appointed on the post which was to be filled by the petitioners. The preliminary objection raised as such is illegal, misconceived, malafide and unwarranted in the eyes of law."

16. That the contents of paragraph no.18 of the counter affidavit needs no comment.

राम सरन सिंह

I, the deponent abovenamed do hereby verify that

I, Ram Lakhan Singh son of Sri Mathura Prasad Singh resident of 501/46 Near 35 Ram Niwas Kesaripur Dalliganj, aged about 43 years District : Lucknow verify that the contents of paragraph no.1 to 12 are true to my personal knowledge and no such part of it is false and nothing material has been concealed.

राम लखन सिंह

Dt/-

(Signature of the Applicant)

राम लखन सिंह

ब अदालत श्रीमान In the Central Administrative Tribunal Alld महोदय

[वादी] अपीलान्ट

..... श्री ..... का **वकालतनामा** (B/U)

प्रतिवादी [रेस्पाडेन्ट]

	वादी (अपीलान्ट)

Registered Case No 389/86 of 1986 Dist-Lucknow.

R.L. Singh & ors बनाम Vs Union of India & ors प्रतिवादी (रेस्पाडेन्ट)

नं० मुमद्दमा सन् पेशीकी तारीख १९ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री सत्य प्रकाश सिंह एडवोकेट

Shri Satya Prakash Singh Advocate वकील महोदय एडवोकेट

High Court Alld, 45, Mamfordganj Allahabad

नाम अदालत ..... मुकद्दमा नं० ..... नाम फरीकैन ..... बनाम .....

की अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे (5) देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी (फरीकसानी) का (7) दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवें या पंच नियुक्त करें — वकील महोदय द्वारा की गयी वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो (10) जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया ताकि प्रमाण रहे और समय पर काम आवे।

(1) (R.L. Singh) (2) R.K. Maurya (3) M.S. Parihar (4) (Illegible)

हस्ताक्षर .....

साक्षी (गवाह) ..... साक्षी (गवाह) .....

दिनांक ..... महीना ..... सन १९ ई०

स्वीकृत Accepted

Court fee remitted vide Notification No.M-1015/I-602(1) Dated August 5, 1946 published in U.P./Gazette Dated August 10, 1946, Part I, page 277.

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH : ALLAHABAD.

APPLICATION No. 389 of 1986

DISTRICT Lucknow
BETWEEN

Shri R.L. Singh & Others ---------- APPLICANT

AND

Union Of India & Ors ---------- RESPONDENT

I, K.C. Sinha, Addl.Standing Counsel for the Government of India (except Income Tax and Railways) at the Central Administrative Tribunal, Additional Bench, Allahabad, appear on behalf of :

The Government of India/Union of India/Central Government (except Income Tax and Railways) and

Union Of India

who is/are the ~~Applicant~~ (s)/Respondent(s) No. ~~1 to 2~~ 1 to 4 only. in the aforesaid case.

DATED: 25-9-, 1986.

(K. C. SINHA)
ADDL. STANDING COUNSEL
GOVERNMENT OF INDIA
ALLAHABAD.

In the Central Administrative Tribunal Additional
Bench Allahabad.
Allahabad.

(46) (B2)

Adjournment application
in
Registration No 389 of 1986
F I = 10.3.87

Ram Lekhan Singh
and others ---- Applicant.

V/s

The Union of India and others ---- Respondents.

It is humbly submitted that above noted case was fixed for today i.e 10.3.87

That due to Serious and Seriousillness my presence at home is unavoidable. Hence for the above case I shall not be in a position to attend court.

Therefore it is respectfully in the interest of Justice to adjourn the case to some other date.

Yours faithfully

S Singh

10/3/87

(B3/1)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH,

23-A Thornhill Road, Allahabad-211001

(11)

No. CAT / ALLD/ 1/290 – 1/300 Dated: 18/8/90

In re

Registration No. 389 of 1986

R.L. Singh & others. APPLICANT

Versus

Union of India & others RESPONDENTS

To,

~~Respt no 6~~
Respt No 5 – Nanda Ballabh, AGE, E/M Refrigeration Section
Respt No 6. – Girja Dutt, 11 – Sardar Patel Marg. Lko
Respt No. 7. Hari Bachan Singh, AGE, E/M, Refrigeration Section, S.P. Marg
Respt 8. Neelam Kumar – – – –
Respt 9. Zahir Hussain –
Respt 10. R.C. Upadhyay
– 11 – R.C. Jain
– 12 Nanda Prasad
13 Tej Kumar Singh
14 M.L. Chawla
15 – Ratan Lal

Please take notice that the applicant abovenamed has presented an application, a copy whereof is enclosed herewith, which has been registered in this Tribunal, and the Tribunal has fixed 25th day of September 1990 for the hearing of the said application.

If no appearance is made on your behalf by yourself, your pleader or by someone duly authorised to act and plead on your behalf in the said application, it will be heard and decided in your absence.

Given under my hand and the seal of the Tribunal this 14th day of August 1990.

DEPUTY REGISTRAR

14/8

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL(ALLAHABAD BENCH) AT ALLAHABAD

Regn. No. 389 of 1986

R.L. Singh & Others . . . . . Applicants.

VS.

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

PRESENT

1. Hon'ble D.S.Misra, Member(A)

2. Hon'ble G.S.Sharma, Member(J)

ORDER

Sri P.C. Jhingam, appears for the applicant. Sri K.C.Sinha, learned Standing Counsel for Union of India is also present and a copy of the paper book has been delivered to him(on behalf of respondent Nos. 1, 2, 3 and 4).

2. After hearing the argument of the learned Counsel for the applicant and going through the contents of the petition, we admit the petition for hearing but regarding interim relief, we do not feel that the promotion of 11 persons should be stayed as the Departmental work will suffer. We are of the view that in case the petition succeeds, the petitioner will be entitled to his seniority, pay, allowances and other emoluments irrespective of the promotion of his juniors.

3. Issue notice to the other respondents to file their reply by 25.9.1986. The respondent nos. 1 to 4 may also file their reply by that date.

Dt.: 12.8.86

Sd./-
Member (A)

Sd./-
Member (J)

Attested True Copy

Chandra

(VINOD CHANDRA)
Section Officer
Central Administrative Tribunal
Additional Banch, Allahabad.

Registered A/D

The Registrar
Central Administrative Tribunal
23-A, Thorn - hill Road,
ALLAHABAD.

Sub: CASE NO. 389 OF 1986 : BETWEEN R.L. SINGH (APPLICANT) AND UNION OF INDIA (RESPONDENT)

Sir,

1 Kindly refer to your Notice No. CAT/ALLD/P-292 dated 19.08.1986 pertaining to case No. 389 of 1986, between R.L. Singh V/S Union of India, as fixed for 25 Sep 1986.

2 In this regard, I beg to submit that the copy of the aforesaid application privided to me is incomplete and as such the same is returned herewith. The details of some of the discrepancies observed by me are given below :-

(a) Page 13 Sub para 5 of Para 6 relating to Facts of the Case.
In this sub para, the applicant has mentioned about the Office Memorandum of Ministry of Defence No. 10(1)/75/4365/D(APPTS) dated 15th Sep 1977, but had failed to annex the copy of the same to the Application No. 389 of 1986.

(b) Page 13. Sub para 6 of Para 6 relating to Facts of the case.
In this sub para, the applicant has mentioned about E in C's Branch letter No PC. 73549/E1C(1) dated 23rd May 1978, but had failed to annex the copy of the same to the Application No. 389 of 1986.

(c) Page 15 Sub para 9 of Para 6 relating to Facts of the case.
In this sub para, the applicant has mentioned about the Min of Def Memo No. 28(6)/67/D(APPTS) dated June 29, 1973, but had failed to annex the copy of the same to the Application No. 389 of 1986.

3. It is quite pertinent to note that although the applicant has vehemently quoted various references of good number of Govt letters in support of his claim, but has failed

Contd on P/2...

to annex the copies of relevant letters without disclosing or assigning any reason whatsoever for not doing so. The respondent is thus not only put to dis-advantage but is also bound to smell a rat in this game. It is, therefore, prayed that copy of the Application No. 389 of 1986, complete in all respect may kindly be supplied to me so as to enable me to refute the allegations of the applicant.

Thanking you,

Yours faithfully,

Harbachan Singh

(HARBACHAN SINGH)

Respondent No. 7
C/O AGE E/M (Refrigeration Section)
11, Sardar Patel Marg,
LUCKNOW Cantt-226 002.

DATED : 29 AUG 1986.

In the Central Administrative Tribunal

Principal Bench, Nadhan ?.

Index

In

Application No. of 1986.

Between

Shri ...S.Nair & others .....Applicants.

versus

The Union of India & others .....Respondents.

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2.	Enclosure No.1: Resolution filed No.[illegible] dated letter No.12013/4/86/IR(C), dt. 2-6-86 July,86.	20-23
3.	Enclosure No.2: Seniority list No.12013/ dated 29 Nov.1985.	24-30
4.	Enclosure No.3: [illegible] letter no. 12037/policy/01/86-IR(C) dt. 2nd June.	31-43
5.	Enclosure No.4: [illegible] dated 17th July,86.	44-45
6.	Enclosure No.5: [illegible] Union letter No.[illegible] dt. 15.7.86.	46-49
7.	Enclosure No.6: [illegible] letter no. 12013/357/86-IR dt. 12th May,86.	50-55
8.	Vakalatnama	56-00

Dt. ,1986. Signature of the Applicant

Reg. No. 309 of 1986

Central Administrative Tribunal
Additional Bench
ALLAHABAD/PATNA/JABALPUR
Date of Filing ... 11.8.86 ... OR
Date of Receipt by Post

Chandra
For Deputy Registrar.

FORM I

Application under section 19 of the Administrative Tribunal Act, 1985

Dated of Filing :

or

Date of receipt :

By post :

Registration No. :

Signature

Registrar.

In the Central Administrative Tribunal
Additional Bench, Allahabad.

Between

1. Sri R.N.Singh son of late Mathura P.A. r/o 501/46,near 25, Ram Niwas, Keshripur Daliganj, Lucknow.
2. Sri Surendra Narain Singh son of late B.N.Singh resident of 65, Amar Niwas, Ram Barsha Lucknow.
3. Sri R.K.Pandey, son of Sri Atma Ram Pandey, resident of 294/P4 Khala Bazar, Lucknow-3
4. Sri Ram Gopal Misra son of Sri B.L.Misra, resident of 524/480-A Kailashpuri (N) Lucknow.
5. Sri K.K.Gupta son of Sri S.N.L.Gupta, resident of 47, Gain ganj, P.O. Aminabad Lucknow.
6. R.K.Maurya son of Sri Sita Ram Maurya, resident of 568/26, Kailashpuri Lucknow.
7. Sri Sanjeet Singh c/o M/S M/M, Refrigerator

Section, 11 [illegible] Petrol Corps, Lucknow.

6. [illegible] son of Late [illegible]
R/o 203/64 Krishna Nagar Colony,
Lucknow.

7. Sri Hem Kant Singh Parmar son of late Balwant Singh resident of 655-J Indira Nagar P.O. U.D.A.P.O. Alambagh, Lucknow.

10. Sri A.K.Gupta son of Sri Babulal Gupta, R/o 128/D, Sultana Mina, LDA Colony, Lucknow.

11. Sri Krishan Kumar son of Sirdhari Lal R/o [illegible] Kund Chak, Gonda.

.....Applicants.

And

1. The Union of India through the Secretary Ministry of Defence, Central Secretariate New Delhi.

2. The Engineer-in-Chief Army Head Quarters, Defence head Quarter, New Delhi.

3. The Commander Works Engineer (P), 929 Mahatma Gandhi Marg, Lucknow.

4. The Garrison Engineer I/C Military Engineering Services, Lucknow.

5. Sri Hemraj Dilbag, MCM I/C Refrigeration Mechanic Refrigeration section, 11 Corps Petrol Corps, Lucknow.

6. Sri Girja Dutt, Refrigerator mechanic, MCM/ I/C Refrigeration section, 11 Corps Petrol Corps, Lucknow.

೨೮ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು ರೂಪಾಯಿ
ಮೂರು ಆಣೆ ಆರು ಪಾಯಿ ಮಾತ್ರ ಆಗಿರುತ್ತದೆ.

೨೯ ಒಂದು ಲಕ್ಷದ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು
ರೂಪಾಯಿ ಮೂರು ಆಣೆ ಆರು ಪಾಯಿ ಮಾತ್ರ ಆಗಿರುತ್ತದೆ.

೩೦ ಆ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು
ರೂಪಾಯಿ ಮೂರು ಆಣೆ ಆರು ಪಾಯಿ ಮಾತ್ರ ಆಗಿರುತ್ತದೆ.

೩೧ ಆ ಒಂದು ಲಕ್ಷದ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು
ರೂಪಾಯಿ ಮೂರು ಆಣೆ ಆರು ಪಾಯಿ ಮಾತ್ರ ಆಗಿರುತ್ತದೆ.

೩೨ ಆ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು
ರೂಪಾಯಿ ಮೂರು ಆಣೆ ಆರು ಪಾಯಿ ಮಾತ್ರ ಆಗಿರುತ್ತದೆ.

೩೩ ಆ ಒಂದು ಲಕ್ಷದ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು
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೩೪ ಆ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು
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೩೫ ಆ ಒಂದು ಲಕ್ಷದ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು
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೩೬ ಆ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು
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೩೭ ಆ ಒಂದು ಲಕ್ಷದ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು
ರೂಪಾಯಿ ಮೂರು ಆಣೆ ಆರು ಪಾಯಿ ಮಾತ್ರ ಆಗಿರುತ್ತದೆ.

೩೮ ಆ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು
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೩೯ ಆ ಒಂದು ಲಕ್ಷದ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು
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೪೦ ಆ ಮೂರು ಸಾವಿರದ ಮೂರು ನೂರ ಇಪ್ಪತ್ತೆಂಟು
ರೂಪಾಯಿ ಮೂರು ಆಣೆ ಆರು ಪಾಯಿ ಮಾತ್ರ ಆಗಿರುತ್ತದೆ.

oooooooooo ಮುಂದುವರಿಯಲಿ.

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[illegible]	: [illegible]
[illegible]	: [illegible]
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[illegible]	: [illegible]
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[illegible]	: [illegible]
[illegible]	: [illegible]
[illegible]	: [illegible]
[illegible]	: [illegible]
[illegible]	: [illegible]

Applicant no.4 :-

Name of the applicant	- Sri [illegible] Kisra
Name of the father	- Sri B.L.Misra
Designation & office in which employed	- Refrigerator Mechanic [illegible] C/I Lucknow.
Office address	- Refrigeration section, 11 Sardar Patel Marg, Lucknow.
Address for service of all notices.	- 554/480-A, Vaileshpur, (N) Lucknow.

Applicant no.5:

Name of the applicant	- Sri A.K.Gupta.
Name of the father	- Sri B.B.L.Gupta.
Designation and office in which employed	- Refrigerator mechanic [illegible] C/I Lucknow.
Office address	- Refrigeration section 11, Sardar Patel Marg, Lucknow.
Address for service of all notices.	- 47, Goinganj, P.O. Aishbagh, Lucknow.

Applicant no.6:

Name of the applicant	- Sri R.K. Maurya
Name of the father	- Sri Ram [illegible] Maurya
Designation & and office in which employed	- Refrigerator mechanic [illegible] C/I Lucknow.
Office address	- Refrigeration section 11, Sardar Patel Marg, Lucknow.
Address for service of all notices	- 568/26, Vaileshpur, Lucknow.

Applicant no.7:

Name of the applicant	- Sri Sanjeet Singh
Name of the father	-

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible] :

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
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[illegible]	[illegible]
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[illegible]

[illegible] ٥٤

[illegible] ٥ [illegible]

[illegible] ٥ [illegible]

[illegible] ٥ ٥٢٥
[illegible]

Respondent no.4 :-

Name of the rpg designation of the respondent	- Garrison Engineer
Office address of the respondent	- C/O Military Engineering Services Lucknow.
Address for service of all notices.	- " " -do-

Respondent no.5:-

Name of the respondent	- Nanda Ballabh
Office address of the respondent	- AGE C/O Refrigeration section 11 Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.6:-

Name of the respondent	- Girja Dutt
Office address of the respondent	- AGE C/O Refrigeration Section, 11 Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.7 :-

Name of the respondent	- Har Bachan Singh
Office address of the respondent	- AGE C/O Refrigeration Section 11 Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.8:-

Name of the respondent	- Sri Nanak Kumar.
Office address of the respondent	- AGE C/O Refrigeration Section, 11 Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.9:-

Name of the xxx respondent	- Zahir Husain
Office address of the respondent	- AGM S/I Refrigeration section II Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.10:-

Name of the respondent	- P.C.Upadhyaya
Office address of the respondent	- AGM S/I xxxxxxxxxxx Refrigeration section, II Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.11:-

Name of the respondent	- R.C.Sirri
Office address of the respondent	- AGM S/I Refrigeration section II Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.12 :

Name of the respondent	- Bansale Prasad
Office address of the respodent	- A GM S/I Refrigeration section, II Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.13 :-

Name of the respondent	- Tej Kumar Singh
Office address of the respondent	- AGM S/I Refrigeration Section II Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.14 :-

Name of the respondent	- [illegible].Chauhan
Office address of the respondent	- [illegible] Refrigeration Section, 11 Sardar Vallabh Patel Marg, Lucknow
Address for service of all notices.	- -do-

Respondent no.15:-

Name of the respondent	: Ratten Lal
Office address for of the respondent	- [illegible] Refrigeration Section, 11 Sardar Patel Marg, Lucknow.
Address for Service of all notices.	- -do-

3. Particulars of the order against which application is made.

The application is against the following order :-

Order No.	- 12025/430/810(2)
Date	- 31st July, 1986
Passed by	- Head quarter Commander Works Engineer, 229 Mahatma Gandhi Marg, Lucknow to the extent the respondent no.6 to 15 are promoted from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II

Subject in brief :-

That the applicants were qualified and senior to the respondents nos. 5 to 15 and the Commander

Works Engineer in utter disregard to the seniority list No. 12520/242/A10(1) dated 29th November, 1985 issued by the Head Quarter Commander works Engineer (P), 229 Mahatma Gandhi Marg, Lucknow-2 and the applicants were illegally and unauthorisitly deprived of their due promotions in accordance with their seniority position and qualification in the aforesaid seniority list.

4. Jurisdiction of the Tribunal.

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

5. Limitation :-

The application further declares that the application is within the limitation ~~xxxxxxxx~~ prescribed in section 21 of the Administrative Tribunals Act, 1985.

6. Facts of the case :-

1. That the Commander works Engineer issue and circulated seniority list of Industrial personnal working in C.W.E. Area by its letter No.12030/242/A10(2), dated 29th November, 1985 and a copy of

the same was served on the Secretary, U.P. Mkd workers Union, 2/5 Mangal Pandey Road, Lucknow.

2- That in the aforesaid seniority list the applicant 1 to 11 were placed at seniority position 5, 6, 12, 13, 14, 15, 16, 17, 18, 21, 22 respectively.

3- That the qualification and experience in respect of the trade of Refrigerator mechanic are mentioned against each of the applicant in column 4 of the seniority list.

4- That the respondents nos. 5 to 15 were also placed at seniority position no. 27, 20, 29, 28, 32, 31, 33, 34, 35, 26 and 24 respectively thus it is apparent from the seniority list that the respondents nos. 5 to 15 were junior to the applicants in the category of refregrator mechanic and from the perusal of column no.4 of the seniority list, it can be very well verified that the qualification and experience of respondent no. 5 to 15 is also less than the qualification and experience of the applicants thus the respondents have committed a grave injustice with the applicants by not giving them promotion from refrigerator mechanic to refrigeration mechanic.

highly skilled grade II when the applicants were senior and more qualified in the trade.

6- That the respondents nos.1 to 4 have promoted the respondents nos. 6 to 15 in flagrant violation of Ministry of Defence office memorandum no. 10(1)/75/4265/D(Pers) dated 15th September, 1987.

7- That the respondent no.3 in utter violation of E-in-C's Branch letter No. PC 73549/AIC(1) dated 23rd May,1978 in which it was clearly provided that the individual qualified for promotion to the grade of charge mechanic would not be promoted in the C W E Area as they are liable for all India service liability so they should be promoted on the basis of their seniority determined from their date of appointments.

8- That the respondent nos. 5 to 15 could not have been promoted when the seniority list issued by C.E.E. (E) Lucknow was in existence and was operative and all promotions in filling the vacancies of Ref. Mechanic highly skilled grade II who have now been made seriously from the aforesaid seniority list. The applicants are challenging the validity and correctness of the seniority list alleged to have been prepared and

the [illegible] (P) Lucknow instruction to send the case to the departmental promotion committee but the applicants had no knowledge of any seniority list alleged to have been made for industrial establishment for the year 1986-87. The true copy of the Part-I order by D.P.O.(P) Lucknow Cantt. Serial no. 80 dated 17th July,1986 is being enclosed herewith and is marked as Enclosure-4.

That the seniority list referred to in para 8 of enclosure no.4 was non existent it was only to depict the claim of the applicants for promotion in accordance with their seniority. The respondent no.3 only referred the seniority list to satisfy the departmental promotion committee, if at all seniority list was prepared, it should have been circulated and individual should have been given opportunity to represent if their seniority was adversely affected and without circulating the seniority list among the individuals and without considering their representation, the seniority list could not have become a binding document and no promotion could have been made according to such a list, thus the respondent no.3 has committed grave in

justice to the applicants and favour to the respondent nos. 5 to 15 in manipouring their promotion list (enclosure no.1).

4- That the respondent no.3 has issued the impugned promotion list (enclosure-1) in utter disregard and in violation of Ministry of Defence Memo no. 28(6)/67/D(AFPTs) dated June 22, 1973.

10- That the M.E.S. works union by their letter no. UPEU/Engl/LKO/86, dated 25.7.86 made representation to the respondent no.3, against the promotion list (Enclosure-1) but no reply has been received so far.

11- That in U.P.E. Allahabad area all the promotions of Refrigerator mechanic to Refrigerator mechanic Highly skilled grade II are made on the basis of seniority list prepared in that behalf strictly in accordance with the date of appointment of the individual employees. A true copy of the letter No. 1353/367/A1B dated 2nd May, 1986 is being annexed herewith and is being marked as ~~Annexure~~ Enclosure-6-

7. Relief(s) sought :-

1. The Hon'ble Tribunal may be pleased to quash the promotion list no. 12025/430/E1C(2) dated

31st July, 1986, so far as it related to the promotion of respondents nos. 5 to 15 from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II with effect from 15.10.84.

8. That the respondents may be directed to give promotion of the applicants from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II in accordance with the seniority list (Enclosure-2) with effect from 15.10.84.

9. Interim order, if prayed for :-

(1) Pending final decision on the application the applicants seek issue of the following interim order :-

The Hon'ble Tribunal may be pleased to stay the operation of the promotion list (Enclosure-no.1) so far as it related to the promotion of Annx respondent nos. 5 to 15 be stayed during the pendency of the above mentioned application for the following reasons :-

1. Because the applicants shall suffer great loss of seniority in the next high grade.

2. Because the applicants shall not be benefited from the recommendation by 4th Pay Commission.

3. Because the inter se seniority of the

applicants shall be adversely affected if the operation of the impugned promotion list is not stayed forthwith.

4- Because the benefits arising out the highly pay shall not be available to the applicants.

5- Because if the operation of the impugned seniority list are not stayed it will be effect the promotions in other C.A.T. area all over India.

6. Alternatively the hon. Tribunal may be pleased to restrained the respondents nos.1 to 4 from paying the arrears of difference salary payable to the respondent nos. 5 to 18 by virtu of their promotio with effect from 15.10.84.

8.Details of the remedies exhausted :-

That the case of the applicants is such t they wait for 6 months of the representation, the applicants shall suffer the great and irreparable loss of their future career by way of their deprivation from their promotion to charge economic highly skilled grade II. However, the U.P. Jal Nigam workers union by their representation dated 25.7.86 (enclosure-no.5, in which they have raised the demand and in case their demands are not met with they could take the agitational action so its is expedient in

the interest of maintaining industrial piece and harmony, it is expedient to make the per of 6 months time after making the representation for filing the above-mentioned application.

10. Matter not pending with any other court etc. :

The applicant further declares that the matter regarding which this application has been made is not pending before any court of law or any other authority or any other Bench of the tribunal.

11. Particulars of postal order in respect of the application fee :-

1- Number of Indian postal order :

2- Name of the issuing post office:

3. Date of issue of postal order :

4. Post office at which payable.

12. Details of Index :-

1- Ministry of defence office memorandum No. 10(1)075/5365/D(CPT) dated 15th September, 1977.

2- CPMO, 11th February, 1975.

3- Admn-C's branch No.PC 73543/A-10(1) dated 23rd May, 1978 (enclosure-3)

4- Part-I Order No.(P) Lucknow Cantt.

5- S.L.No. 50 dated 17th July, 1977(enclosure-4)

6- Seniority list issued by C.O.(P) Lucknow No.12030/242/A-10(2) dated 29th November,85 (enclosure-2).

6- C.P. Allahabad No. 1352/357/a18 dated 22nd May, 1986 (Enclosure-6)

13- List of enclosures:-

1- Promotion list no.C&B (P)Lucknow letter no.12025/430/a18(1), dt. 31st July,86.

2- Seniority list no. 12030/242/a18(1) dt. 29th November, 1985.

3- C.P. letter no.12037/Policy 61/18(2) dt. 22nd June,1978.

4- C.P.C.(P)Lucknow serial no.30 dated 17th July,1986.

5- U.P. Mail Workers Union letter No.UP CU/ Adl/Lko/86, dated 25.7.86.

6- C.P.C. Allahabad letter no.1352/357/a18 dt. 22nd May,1986.

I, M.K.Pandey son of Sri [illegible] Pandey age 40 years working as Refrigerator Mechanic M/s Lucknow resident of 238/24 Kaila Bazar, Lucknow do hereby solemnly verified that the contents of para 1 to 12 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place :

Date :

Signature of the applicants.

Yes, advocate
8/8/86

To,

The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.

20

In the Central Administrative Tribunal
Additional Bench, Lucknow.

Enclosure No.1

In

Registration No. of 1986

between

R.L. Singh and others .....Applicants.

And

The Union of India and others

...Respondents.

(~~Instant copy~~ is enclosed below)

-2-

19. 43953 [illegible]	do	do	do	do
20. 443375 [illegible]	do	do	do	do
21. 359475 [illegible]	do	do	do	do
22. 159623 [illegible]	do	do	do	do
23. 431045 [illegible]	do	do	do	do

[illegible] tenty under only

[illegible] No. [illegible] dated [illegible]

Vol. III dt. 08 Apr 86.

[illegible] (Electronics Pd.)

[illegible]

Commander Works Engineer,

Copy to

1. CCC Lucknow.

2. FAO Lucknow.

3. File No. [illegible] (3)

(True copy)

Attested
8/8/86

24

In the Central Administrative Tribunal

Enclosure No.II

In

Registration No. of 1986

between

Sri R.L.Singh and others ....Petitioners/Applicants

And

The Union of India and others ..Respondents.

(Photostat copy are attached below)

25

Attested
8/8/86.

27

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible]

Sl	MES No and Name	Date of Birth	Qualification Educational/ Technical Apptt. TT Passed	Category & date of 1st continous apptt.& Date of seniority in subsequent post held	Q/Pt, Pt apptt. held with date in the grade	Date of seniority in the present grade	Whether SC/ST Ex-Service men	Formation where serving	REMARKS
1	2	3	4	5	6	7	8	9	10
1.	MES-216067 ~~Shri~~ VASU DEO	~~6.9.25~~	~~VI Class~~ TT Ch/Mech-63	IME-18.6.55 MT Dvr-14.4.61 Ch/Mech-9.3.64	~~MT Dvr Q/Pt 9.3.64~~ 1.7.60 Ch/Mech Pt 16.3.64 76		Neither	GE E/M Iko	Retired on 30.9.85
2.	MES-441933 Shri ~~A.P~~ SINGH	4.1.35	~~VTI~~ TT Ch/Mech-64	P/F -8.10.53 Ch/Mech-4.3.65	~~Ch/Mech Pt 4.3.65~~ 1.7.76	"	do-		Promoted and Posted to Thu
3.	MES-350166 Shri BD PANDEY	15.2.26	TT Ch/Mech 1974	Fitter-28.12.48 Ch/Mech-30.8.76	Fitter Pt 1.4.59	30.8.76	"	do-	
4.	MES-452434 Shri SUKH LAL Now Master Craftsman	1.6.42	ITI Fitter Course TT C/Mech 73	P/F -1.12.66 Fitter-[illegible] Ch/Mech-30.1.78 Master craftsman-30.8.85	P/Fitter Pt 1.12.69 Fitter Pt 1.2.72	30.1.78	"	AGE (RCP) (I) Memaura	
5.	MES-437026 Shri RAGHU RAJ SINGH	16.8.26	TT Ftr.65 JTOED-56 Ch/Mech	Maz-1.11.47 Mate-1.6.50 Ftr-19.3.58 Ch/Mech-4.3.78	Ftr Pt 1.4.64	4.3.78	"	GE (E) Iko	

4.2

Category : Ref/Mech.

(40)

1	2	3	4	5	6	7	8	9	10
1.	MES/441931 Shri BHAGWAN DASS	1.7.27	-	Mate-1.8.49 MPA -15.1.50 Ref Mech-2.3.61.	Ref Mech Pt. 1.4.65.	2.3.62	Neither	GE E/M Lko	
2.	MES-441950 Shri JOGINDER PAL SINGH (Ca.Mech)	14.11.41	Inter TT Ch/ Mech (Ref)-68 Ch/Mech 69	Ref Mech-17.7.64	Ref Mech Pt. 1.4.70	17.7.64	"	-do-	
3.	MES/441948 Shri SHOHRAT ALI KHAN (Carpenter)	30.12.41	HS ITI Ref Course TT Ch/Mech Refg	Ref Mech-25.7.64	Ref Mech Pt. 1.4.70	25.7.64	"	-do-	
4.	MES-441965 Shri CHARANJEET SINGH	6.4.45	HS Ref Course ITI TT Ch/Mech (Refg)	Ref Mech. 4.8.64	Ref Mech Pt. 1.4.70	4.8.64	"	-do-	
5.	MES-457063 Shri RL SINGH	3.8.43	Matric -Ref Mech TT Ch/ Mech Ref. Course CTTI	Ref Mech-7.10.65	Ref Mech Pt 1.4.69	7.10.65	"	-do-	
6.	MES-457061 Shri SURENDRA NARAIN SINGH	1.5.43	IX TT Ch/Mech (Refg)	Ref Mech-14.10.65	Ref Mech Pt. 1.4.70	14.10.65	"	-do-	
7.	MES-454238 Shri KS SINHA	8.7.40	HS Ref Course ITI Ch/ Mech(Ref)	Ref Mech-1.12.66	Ref Mech Pt.	1.12.66	"	AGE (REP)(I) Menaura	

TT = Trade test passed in each category

Category : Ref/Mech.

(41)

1	2	3	4	5	6	7	8	9	10
8. MES/454244 Shri OP PANDEY	41.43	HS ITI Ref Course Ch/Mech (Ref)-71	Ref Mech - 1.12.66	Ref Mech Pt 1.4.69	1.12.66	Neither	GE E/M Lko		
9. MES/457076 Shri RAJENDER SINGH	1.7.43	IX TT Ch/Mech (Ref)-73	Ref Mech - 28.7.67	Ref Mech Pt 1.4.71	28.7.67	"	do-		
10. MES/461510 Shri SK AHUJA	12.1.47	HS TT Ch/Mechr (Ref)	Ref Mech - 1.7.68	Ref Mech Pt 1.4.74	1.7.68	"	-do-		
11. MES/361441 Shri NASEER HUSSAIN	1.1.51	HS	Ref Mech - 28.11.69	Ref Mech Pt ~~28.11.72~~ 1.4.75	28.11.79	"	-do-		
12. MES/359663 (1) Shri RK PANDEY	14.5.46	BA TT Ch/Mech Ref	Ref Mech - 27.1.70	Ref Mech Pt ~~27.1.70~~ 1.4.75	27.1.70	"	-do-		
13. MES/359458 (9) Shri RAM GOPAL MISHRA	24.5.45	BA ITI Ref Mech course TT Ch/Mech(Ref)	Ref Mech - 2.4.70	Ref Mech Pt 1.4.71	2.4.70	"	-do-		
14. MES/361531 (4) Shri KK GUPTA	15.9.45	Inter TT Ch/Mech (Ref) 73	Ref Mech - 2.4.70	Ref Mech Pt. 1.4.71	2.4.70	"	-do-		

ok.

...11.

Category : Ref Mech.

1	2	3	4	5	6	7	8	9	10
15.	MES-359459 Shri RK MAURYA	20.1.46	HS ITI Ref Course	Ref Mech-2.4.70	Ref Mech Pt 1.4.71	2.4.70	Neither	GE E/M Lko	
16.	MES-361625 Shri MANJEET SINGH	1.12.46	HS TT Ch/Mech (Ref)	Ref Mech-17.6.70	Ref Mech Pt 1.4.71	17.6.70	"	-do-	
17.	MES-169619 Shri BABBA JANI	15.7.50	Matric	Ref Mech-5.12.70	Ref Mech Pt ~~5.12.75~~ 1.4.76	5.12.70	"	-do-	
18.	MES-169822 Shri MANJEET SINGH PAWA	7.7.51	Inter	Ref Mech-11.12.70	Ref Mech Pt ~~11.12.76~~ 1.4.77	11.12.70	"	-do-	
19.	MES-411040 Shri SATISH CHANDRA SHARMA	18.7.51	TT Ch/ Mech(Ref) HS	Ref Mech-23.4.71	Ref Mech Pt ~~23.4.74~~ 1.4.77	23.4.71	"	-do-	
20.	MES-411039 Shri MUMTAZ AGHA	2.8.51	HS	Ref Mech-23.4.71	Ref Mech Pt 23.4.74	23.4.71	"	-do-	
21.	MES-450954 Shri KK GUPTA	15.6.47	Inter	MPA -1.3.66 Ref Mech-23.11.71	MPA Pt-1.4.72 Ref Mech Pt ~~23.11.74~~ 1.4.77	21.10.71	"	-do-	
22.	MES-361124 Shri KRISHAN KUMAR	5.4.49	HS Ref. Course 171	Ref Mech-23.11.71	Ref Mech Pt ~~23.11.74~~ 1.4.78	23.11.71	"	-do-	

Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
23.	MES-419671 Shri HARISH CHANDRA LOHANI	2.8.51	SS	Appd -29.10.71 Ref Mech-2.2.72	Ref Mech Pt	2.2.72	Neither	GE E/M Lko	
24.	MES-443375 Shri RATTAN LAL	2.6.39	VIII	T/M -1.4.65 Ref Mech-14.4.72	T/Man Pt Ref Mech Pt	14.4.72	"	-do-	
25.	MES-467175 Shri PK PAUL	27.7.53	X IT Ch/Mech (Ref)-80	Ref Mech-1.6.72	Ref Mech Pt 1.4.79	1.6.72	"	GE(RCP) Nemaura	
26.	MES-437853 Shri MP CHAUHAN	7.4.50	FS Ref Mech Course XXI	Ref Mech-20.12.72	Ref Mech Pt	20.12.70	"	GE E/M Lko	
	MES-442825 Shri NANDA BALLABE	12.3.37	VI	Dax - 11.9.57 Mate -21.4.64 Ref Mech-12.2.73	Maz Pt 1.4.68	12.2.73	"	-do-	
28.	MES-455283 Shri NEELAM KUMAR	15.11.47	IX IT Ch/Mech (Ref)	MPA -14.9.66 Ref Mech-12.2.73	MPA Pt 1.4.70 Ref Mech Pt 1.4.79	12.2.73	"	-do-	
29.	MES/447040 Shri RARBACHAN	21.10.46	ES II Ch/Mech (Ref)	MPA-17.5.67 Ref Mech-12.2.73	MPA O/Pt 15.5.70 Ref Mech Pt	12.2.73	"	-do-	

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30.	MES-442878 Shri GIRJA DUTT	9.10.38	V	Chow -9.10.67 Maz- 11.4.69 MPA -22.1.69 Ref Mech -12.2.73	Maz Pt 1.4.68 Ref. Mech Pt 1.4.79	12.2.73	Neither GE E/M Lko		
31.	MES-454146 Shri PC UPADHYA	1.1.44	HS	MPA -4.6.68 Ref Mech-15.4.74	MPA Pt 1.4.72 Ref Mech Pt 1.4.79	15.4.74	"	-do-	
32.	MES-454197 Shri ZAHIR HUSAIN	10.7.42	IX	MPA -9.11.68 Ref Mech -15.4.74	MPA Q/Pt Ref Mech Pt 1.4.79	15.4.74	"	-do-	
33.	MES-454137 Shri RC SIKRI	26.1.46	HS ITI course of Refg.	MPA-3.8.68 Ref Mech-22.4.74	MPA Pt 1.4.73 Ref Mech Pt 1.4.79	22.4.74	"	-do-	
34.	MES-452352 Shri HAUSALA PRASAD	1.1.42	HS	Maz -1.2.66 MPA -3.1.69 Ref Mech-9.7.74	Maz Pt 21.11.72 Ref Mech Pt 1.4.79	9.7.74	"	-do-	
35.	MES-452570 Shri TEJ KUMAR SINGH	12.6.46	VIII Tech Mech Gr	MPA -17.10.70 Ref Mech-10.8.74	MPA Q/Pt 17.10.73 Ref Mech Pt 1.4.79	10.8.74	"	-do-	
36.	MES-135984 Shri INDERJIT SHARMA	11.8.51	HS Ref III Course	Ref Mech-28.10.74	Ref Mech Opt 28.10.77	28.10.74	"	-do-	

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1	2	3	4	5	6	7	8	9	10
37.	MES-460799 Shri GC SRIVASTAVA	31.1.47	HS	Peon-20.5.66 MPA-22.9.71 Ref Mech-11.1.75 TT Ch/Reader TT Ch Mech (Rf) 80	Peon Q/Pt 20.8.69 Ref Mech Pt 1.4.79	11.1.75	Neither	GE E/M Lko	
38.	MES-454261 Shri INDER BAHADUR	16.8.48	VIII	MPA-18.8.67 Ref Mech-11.1.75	MPA QPt 18.8.70 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
39.	MES-454138 Shri SATISH KUMAR	6.10.43	VI	MPA 4.6.68 Ref Mech-11.1.75	MPA Q/Pt 4.6.71 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
40.	MES 459581 ~~459584~~ Shri [illegible] JOSHI	30.11.45	Inter	MPA-28.10.70 Rel [illegible] Reverted MPA-9.10-73 Ref Mech -11.1.75	Ref Mech Pt 1.4.79	11.1.75	"	-do-	
41.	MES-452647 Shri MANOHAR LAL KOTANALA	28.6.45	IX	MPA-1.8.70 Ref Mech-11.1.75 TT Ch/Mech (Rf)	Pt 1.4.79	11.1.75	Ex-serviceman	-do-	
42.	MES-454154 Shri PN SINGH	15.7.42	HS	MPA-4.6.68 Ref Mech-11.1.75	MPA Q/Pt 4.6.71 Ref Mech Pt 1.4.75	11.1.75	(SC)	-do-	
43.	MES-454533 Shri DEVENDRAN SINGH RAWAT	15.9.48	Matric Ref Mech course CME Poona TT Ch/Mech Rf	MPA-3.10.67 Ref Mech-11.1.75	MPA Q/Pt 3.10.70 Ref Mech Pt 1.4.79	11.1.75	Neither	-do-	

Category : Ref Mech.

1	2	3	4	5	6	7	8	9	10
44.	MES-454258 Shri RN PANDEY	19.11.43	HS	MPA-13.10.67 Ref Mech-17.1.75	MPA Opt Ref. Mech Pt 1.4.79	17.1.75	Neither	GE E/M Lko	
	MES-443136 Shri KESHAV CHAND	11.7.44	VIII	Chow -30.7.63 Maz -10.11.64 Mate -5.1.69 Ref Mech-24.5.73 Reverted Mate-10.10.73 Ref Mech-1.5.75	Maz O/Pt 10.11.67 Ref. Mech Pt. 1.4.79	1.5.75	"	-do-	
	MES-437375 Shri NARAYAN DAS JATAV	4.10.47	HS	Ref Mech-1.5.75	Ref Mech Pt. Pr. 1.4.77	1.5.75	S/C	-do-	
	MES-437824 Shri [illegible] RIZVI	1.5.48	Inter ITI Ref course	Ref Mech-1.5.75	-do- 1.4.79	1.5.75	Neither	-do-	
	MES-437881 Shri DHIRAJ KUMAR	1.2.49	MA	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437877 Shri RAMJIVAN	10.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437885 Shri SYED SHAID HUSSAIN	1.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437886 Shri AIZAZ AHMED	19.10.50	HS	Ref Mech-1.5.75	-	1.5.75	"	-do-	
	MES-437873 Shri [illegible] KHAN	10.11.50	Inter	Ref Mech-1.5.75	-	1.5.75	"	-do-	

1	2	3	4	5	6	7	8	9	10
53.	MES-437880 Shri RKKOHLI	22.11.50	Inter ITI Course Ref	Ref Mech -1.5.75	Ref. Mech Pt 1.4.79	1.5.75	Neither	GE E/M Lko	
54.	MES-437997 ~~Shri MK GUPTA~~	~~4.11.51~~	~~Inter~~	Ref Mech-1.5.75	-	1.5.75	Neither	-do-	Bareilly E/M II and Pasrelur Kanpur
56.	MES-437874 Shri ABINASH CHANDRA KALIAH	6.11.52	HS	Ref Mech-1.5.75	Ref. Mech Pt 1.4.80	1.5.75	"	-do-	
57.	MES-437883 Shri M. SRIVASTAV	20.1.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
58.	MES-437882 Shri VIJAYA MOHAN	17.7.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
59.	MES-437879 Shri SK TIWARI	1.11.53	Inter	Ref Mech-1.5.75	Ref Mech Pt 1.4.80	1.5.75	"	-do- GE(W) BKT	
60.	MES-437992 Shri GIRISH CHAND	13.11.5[illegible]	HS	Ref Mech-1.8.75	-do-	1.8.75	"	-do- GE E/M	
61.	MES-437993 Shri ARUN KUMAR SRIVASTAVA	17.4.52	BA ITI	Ref Mech.1.8.75	-do-	1.8.75	"	-do-	

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[illegible] PATHAK 14.5.49 [illegible] Mech / MPA-21.9.70 BKT 11.3.70 -do- -do-

Category & Ref Mech

1	2	3	4	5	6	7	8
62.	MES-437994 Shri ASHWANI KUMAR VAID	28.5.52	DA	Ref Mech-1.8.75	Ref Mech QR 1.8.78	1.8.75	
63.	MES-NYA Shri PRITAM RAM SHUKLA	~~19.12.52~~	~~HS~~	Ref Mech-1.8.75	-	1.8.75	
64.	MES-437991 Shri NOORAL HASSAN	10.6.51	Inter	Ref Mech-26.9.75	Ref Mech Pt 1.4.80	26.9.75	
65.	MES-454770 Shri RAKESH PANDEY	1.6.53	HS ITI in Ref Trch Mech (Opr.) 78	Ref Mech-1.8.75	-	1.8.75	
66.	MES-437998 Shri BHARAT KISHOR SHRIVASTAVA	12.2.50	HS	Ref Mech-19.11.75	Ref Mech Pt 19.11.78	19.11.75	
67.	MES-450566 Shri JAWAHAR LAL VERMA	25.6.46	Inter	MPA-1.4.67 Ref Mech-6.12.75	MPA Pt 1.4.77	6.12.75	
68.	MES-455545 Shri ROOP CHAND	3.1.52		MPA-30.10.73 Ref Mech-20.9.77	MPA Pt 1.4.77	20.9.77	
69.	MES-435941 Shri RAJ KUMAR	2.2.42		MPA-22.12.61 Ref Mech-11.5.78	MPA-Pt 1.4.66	11.5.78	Neither -do- -do-
70.	MES-432301 Shri JP PATHAK	14.5.49	Inter Trade Mech	MPA-21.9.70	MPA-Pt 1.4.71	11.5.78	-do- -do-

1	2	3	4	5	6	7	8	9	10
71. ~~MES-453548~~ Shri BB MISHRA	13.10.48	9th TT Ref Mech 77	MPA-11.3.79 Ref Mech-13.5.78	MPA Pt 1.4.78	13.5.78	Neither	GE E/M Lko.		
72. MES-437999 Shri TIKA RAM	9.3.47	Inter TT Ref Mech 77	~~MPA-3.10.78~~ 17.9.74 Ref Mech-12.10.78 29.9.78	MPA Pt ~~1.4.77~~ 1.9.77	~~12.10.78~~ 29.9.78	"	-do-		
73. MES-454579 Shri BAL RAM SINGH	2.12.51	HS TT Ref Mech 77	MPA-25.1.74 Ref Mech-12.10.78	MPA O/Pt 25.1.77	12.10.78	"	-do-		
74. ~~A/49859~~ Shri PK ASTHANA	2.6.49	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA O/Pt 17.9.77	13.10.78	"	-do-		
75. MES-437906 Shri KL ARORA	8.7.43	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA O/Pt 17.9.77	13.10.78	"	-do-		
76. MES-454235 Shri SATYADEO SINGH	24.12.45	8th TT Mech-78 TT Ref Mech 77 TT Ref Mech 77	MAE -22.1.68 MPA-13.8.74 Ref Mech 13.10.78	Mez O/Pt 22.1.71	13.10.78	"	-do-		
77. MES-454750 Shri SZH RIZVI	30.6.48	BA TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-		
78. MES-437906 Shri SK MEHDI	13.7.48	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-		

Category : Ref Mech

1	2	3	4	5	6	7	8
79.	MES-225256 Shri TK BARUA	6.6.49	HS TT Ref Mech 77	MPA-1.8.74 Ref Mech-13.10.78	MPA Opt 1.6.77	13.10.78	Neither
80.	MES-437098 Shri RL CHOPRA	10.12.49	8H TT Ref Mech 77	MPA-6.9.77 Ref Mech-13.10.78	MPA Opt 6.9.79	13.10.78	"
81.	MES-425060 Shri SURESH CHAND	2.5.53	HS	MPA-30.10.72 Ref Mech-20.1.78	MPA Opt 3.10.75	20.1.78	Sic
82.	MES-~~459560~~ 452580 Shri S.NTOSH ~~DLLAS~~ BALIAS	8.2.51	Inter TT Ref Mech 79	MPA-19.10.70 Ref Mech-20.1.78	MPA Pt 1.4.77	20.1.78	Neither
83.	MES-455215 Shri RANVIR SINGH	20.9.43	HS TT SBA 75 TT Ref Mech 75	MPA-16.10.71 SBA-12.2.75 Ref Mech-16.2.78	MPA Pt 1.4.72	16.2.78	"
84.	MES-455537 Shri DHIYAN DIN	12.11.51	IX TT Ref Mech 75	MPA-19.8.72 Ref Mech-8.5.78	MPA Pt 1.4.73	8.5.78	
85.	MES-454259 Shri BASANT LAL	1.7.45	TT for Ref Mech 79	MPA-15.11.66 Ref Mech-26.6.82	MPA Pt 1.4.72	26.6.82	
85.	~~MES-475536~~ 445435 Shri JAGDISH LD	7.7.49	IX TT Ref Mech 79	MPA-23.4.71 Ref Mech-1.7.82	MPA Pt 11.4.72	1.7.82	Sic
86.	~~MES-452427~~ Shri BASU DEO SINGH	19.4.44	VIII TT MPA 74 TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	Neither

Ref C

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Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
88.	MES-452429 Shri AMRITMEER SINGH	3.11.44	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	28.3.83	Neither	GE E/M Lko	
89.	MES-452407 Shri VINOD KUMAR SINGH	28.12.48	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	28.3.83	"	-do-	
90.	MES-454257 Shri SADA SUKH	1.7.44	TT MPA 74	MPA-1.12.66 Ref Mech-4.4.83	MPA Pt 1.4.72	4.4.83	"	AGE (R&P) Men	
91.	MES-454136 Shri BABU LAL	16.10.34	VIII TT Ref Mech 79	MPA-3.0.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	GE E/M Lko	
92.	MES-454502 Shri SULTAN SINGH	2.7.45	VIII TT Ref Mech 79	MPA-3.0.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	-do-	
93.	MES-452641 Shri IDRI LAL	13.5.47	VIII TT MPA 74 TT Ref Mech 79	MPA-1.3.79 Ref Mech-17.1.84	MPA Pt 1.4.77	17.1.84	SC	-do-	
94.	MES-437981 Shri SHIV PRASAD	11.1.50		MPA-6.9.[illegible] Ref Mech-14.2.84	MPA D/Pt 6.9.74 MPA Pt 1.4.81	14.2.84	Neither	-do-	
95.	MES-454264 Shri VK SINGH	12.7.46	ES TT MPA 76 TT Ref Mech 79	MPA-1.12.66 Ref Mech-9.4.83	MPA Pt 9.4.83	9.4.83	"	AGE BKT GE (W) Lko	

In the Central Administrative Tribunal

Principal Bench, Allahabad.

Enclosure No.3

In

Registration No. of 198.

Shri ... Singh and others .....Petitioners/Applicants

And

Union of India and others .....Respondents.

(Please see copy in attached letter)

of Industrial Establishment for 1986-87 will be supplied by this office.

3. Work proceeding fully completed in all respect which may be submitted to this office by 31 Jul. 86.

Virendra Prasad
Dist. & S.J.

12066/4/86/L.W(3)

Distribution :-

1. Sri L.... Kumar,
2. Sri K.D.Tiwari
3. Sri U.S. Misra.
4. Sri [illegible] Mishra.
5. Sri [illegible] Advocate.
6. Sri [illegible] Petitioner.

(true copy)

Attested
pcj
8/8/86

46

In the Central Administrative Tribunal
Additional Bench Allahabad.

Enclosure No. 5

In

Registration No. of 1986.

Between

Sri B.N.Singh and others ....Applicants.

and

Union of India and others ....Opp. Respondents.

(photo stat copy are attached below)

R.K. Gaur

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Attested
Peg
8/8/86

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In the Central Administrative Tribunal

Principal Bench, Allahabad.

Enclosure No. 6

In

Registration No. of 1990.

Between

Ram Mehar Singh & others .....Applicants.

and

Union of India & others.

...Respondents.

(photostat copy of Khasra Entry)

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Attested
Adv
8/8/86.

IN THE HON'BLE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH, ALLAHABAD

IN REFERENCE TO

CASE NO. 389 OF 1986

R.L. Singh and others. .... Applicants.

Versus

Union of India and others. ....Respondents

APPLICATION FOR DISMISSAL OF CASE NO.389 OF 1986 AS INFRUCTUOUS

The respondent No.15 respectfully submits as under:-

That in view of the facts and circumstances stated in the accompanying short counter, the above noted petition No.389 of 1986 filed on 11.8.86 has become infructuous and it is liable to be dismissed as such.

It is therefore respectfully prayed that the above noted petition may be dismissed as infructuous.

Dated: 30 Aug.,1986

(Rattan Lal)
Respondent No.15
C/o
AGE E/M
(Refrigeration Section)
11, Sardar Patel Marg,
Lucknow.

IN THE HON'BLE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH, ALLAHABAD.

IN REFERENCE TO
CASE NO.389 OF 1986

R.L. Singh and others .... Applicants

Versus

Union of India and others. .... Respondents

SHORT COUNTER FROM RESPONDENT NO.15
IN PETITION NO.389 OF 1986.

I, Rattan Lal (Respondent No.15) aged about 47 years son of Late Munna Lal, resident of Havelock Limes, Lucknow Cantt. state as under:-

1. That while the deponent reserves his right to file a detailed counter later on, if necessary, he is filing this short counter, specially to point out that the applicant has neither preferred any appeal under the relevant service rules for redressal of grievances nor has disclosed this fact to the Tribunal that supersession in the matter of promotion is appealable under the relevant service rules, nor has filed the present suit No.389 of 1986, after the expiry of 6 months time limit prescribed for the same purpose; and as such the above noted suit has become infructuous.

2. That while the deponent at this stage need not answer the contents of all the paras of the petition, the contents of ~~paras Nos. 3,5,6,7 and 9~~ as stated

Ratan Lal

contd. on 2.

by the applicant in petition No.389 of 1986 are denied.

3. That the deponent further states that the Respondent No.15 is an Industrial Worker , employed as Refg. Mech, Highly skilled Gd. II, in AGE E/M Lucknow.

4. That as per the terms and conditions of service of Industrial Workers; the promotion of Respondent No.15 w.e.f. 15.10.84 as Highly skilled Gd.II in the higher pay scale of Rs.330-480 was accordingly ordered by the Competent Authority viz CWE (P) LKO vide his No.12025/430/EIC (2) dt. 31.7.86.

5. That in the aforesaid promotion order, the name of Respondent No.15 has appeared at serial No.20 of the promotion list, a copy of which has already been filed by the applicant as Enclosure No.1 in case No.389 of 1986.

6. That the aforesaid promotion order dated 31.7.86 of CWE (P) LKO is an order against which the applicant has filed the present suit on 11.8.86, as is evident from para 3 of Form I of the Application No.389 of 1986.

7. That in the said petition, the applicant has represented against his supersession in the matter of promotion without realising that while the promotion order has been passed only on 31.7.86 whereas the application No.389 of 1986 against the same very promotion order has been preferred on 11.8.86 i.e. hardly after 10 days. Not only that but also by suppressing the factual position from the Tribunal to the effect that efficacious remedies by way of appeal against supression in the matter of promotion is available under the relevant

Ramlal

contd. on 3

service rules to the ~~applicant.~~ aggrieved persons

8. That according to Govt. of India, Min. of Def. OM No. PC 318 to MFO. 2051/OS/Art. 3/D (Appts.) Dt. 7.6.1967; supersession in the matter of promotion is appealable under the relevant service rules to the aggrieved person. . The copy of the said Govt. letter dated 7.6.1967 is reproduced below:-

> Appeal Against Supersession in the matter of Promotion:
>
> " A doubt had arisen whether an appeal against supersession in the matter of promotion can be considered under the CCS (CC&A) Rules, 1965. The Min. of Home Affairs have clarified that an appeal against supersession in the matter of promotion will fall within the purview of Rule 23 (IV) of the CCS (CC&A) Rules 1965. The appellate authority will be that indicated in Rule 24 ibid. "

For the kind perusal of the Tribunal, ~~the~~ Rule 23 (IV) of the CCS (CC&A) Rules 1965 is also reproduced below:-

> Rule 23. Orders Against which appeal lies.
>
> (iv) an order which-
>
> (a) denies or varies to his dis-advantage his pay, allowances, pension or other conditions of service as regulated by rules ~~as~~ or by agreement;or
>
> (b) ~~interests~~ to his dis-advantage the provisions of any such rule or agreement;

9. It may kindly be seen from the preceeding paragraphs that the applicant has rushed to the Tribunal in a hot haste against the promotion order which was

Kalyanulal

contd. on 4

hardly issued 10 days earlier without availing the efficacious remedies available to him under the relevant service rules for redressal of grievances. To put it more precisely that the time lag between the date of promotion order (31.7.86) and the date of filing the present suit (11.8.86) is hardly 10 days whereas under the law the applicant could do so only on expiry of six months time. Not only that but the applicant has also suppressed the fact from the Tribunal to the effect that efficacious remedies by way of appeal against suppersession in the matter of promotion is available under the relevant service rules for redressal of grievances to the applicant.

10. That the deponent further states that the claim of the applicant that he should be promoted as highly skilled Gd. II on the basis of mere seniority (in this case assumed seniority and not the real seniority) is also not tenable because not to treat the applicant as promoted to that post can not be deemed to be erroneous in law. In support of this contention, the decision of the Hon'ble High Court at Lucknow given on 2.12.80 in the Review Application No.30(V) of 1977 of Shri L.R. Massey Vrs. Union of India is reproduced below:-

> " The posts of Supervisor Grade II and Supervision Grade III being selection posts, the decision of the authorities not to treat him as promoted to that post cannot be demand to be erroneous in law. Unless he is found suitable to the post, no benefit attached to that post could be available to him."

Kalawati

contd. on 5

It is contended ~~that~~ by the learned counsel for the petitioner that the post of Supervisor grade III was not a selection post. Learned counsel for the respondent has stated that though in the strict sense it was not a selection post, the selectionhad to be made in view of the fact that this post was to be filled up on the basis of seniority. Subject to suitability It also appears from the statement of the learned counsel for the respondent that there was some confidential entry against the petitioner, but because the petitioner had not made an option as required, he was passed over. Learned counsel for the petitioner has stated that even though he doee not concede that there was only necessity for him to give option the petitioner will give option for being considered for the post learned counsel for the respondent has stated that if the option is given his case will be considered in accordance with the rules existing in 1961 for the post of Supervisor Gd. III. in view of these statement the order given in the Judgment dated 0.3-3-1977 does not need to be modified except to the extent mentioned abovein order to avoid any difficulty we clarify that in case the petitioner gives his option within two months from today, the respondent will consider his case for promotion to the post of Supervisor Gd. III in accordance with the rules of 1961 on with reference to the date 6.4.1961.

Sd/- Hon'ble Hari Swarup II
Sd/- Hon'ble S.C.Mathur J.
02.12.1980.

11. That the deponent states that in view of the averments made in the foregoing paragraphs of this short

Kanhaiyalal

contd. on 6.

counter, the application No.389 of 1986 has become infructuous and it is liable to be dismissed.

Lucknow
Dated: 30 Aug. 1986

(Ratten Lal)
Deponent
C/o
AGE E/M
(Refrigeration Section)
11, Sardar Patel Marg,
Lucknow.

I, Ratten Lal S/o Late Munnalal aged 47 years, working as Refg. Mech. H.S. Gd. II with AGE E/M LKO, resident of Havelock Lines LKO-Cantt. do hereby verify that the contents of paras 1 to 11 are true to my personal knowledge and belief and that the deponent has not suppressed any material facts.

(Ratten Lal)
Deponent Deponent

Lucknow/
Dated: 30 Aug.1986

To

The Registrar,
Central Administrative Tribunal
(Addl. Bench)
23-A, Thornhill Road,
ALLAHABAD.

[illegible] TRIBUNAL

[illegible]

[illegible]

[illegible] No.

[illegible] No. 337 of 1946

... [illegible] ... Plaintiffs.

Versus

... [illegible] ... Defendants

[illegible] No.337 of 1946

[illegible]

... [illegible] ... dated 2.8.46 regarding and ... [illegible] ...

... [illegible] ... circumstances stated ... [illegible] ... stand ... [illegible] ... No.337 of 1946 [illegible] ... has become ... [illegible] ... for [illegible] ... as such.

... [illegible] ... successfully prayed that the above ... [illegible] ... in the [illegible] ... instructions.

... [illegible] ... Aug., 1946

[illegible]

[illegible]
Defendant No.15

[illegible]
(Defendants [illegible])
[illegible]
Tribunal.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] .... [illegible]

[illegible]

[illegible] .... [illegible]

[illegible]

[illegible]

[illegible]

[

by [illegible]

3. [illegible]

4. [illegible]

5. [illegible] List, [illegible]

6. [illegible]

7. [illegible]

service rules to the ~~applicant~~ aggrieved person.

8. That according to Govt. of India, Min. of Def. OM No. PC 318 to MPO. 2261/OS/Art. 3/D (Appts.) Dt. 7.6.1967; supersession in the matter of promotion is appealable under the relevant service rules to the aggrieved person. The copy of the said Govt. letter dated 7.6.1967 is reproduced below:-

> Appeal Against Supersession in the matter of Promotion:
>
> * A doubt had arisen whether an appeal against supersession in the matter of promotion can be considered under the CCS (CC&A) Rules, 1965. The Min. of Home Affairs have clarified that an appeal against supersession in the matter of promotion will fall within the purview of Rule 23 (IV) of the CCS (CC&A) Rules 1965. The appellate authority will be that indicated in Rule 24 ibid. *

For the kind perusal of the Tribunal, the Rule 23 (IV) of the CCS (CC&A) Rules 1965 is also reproduced below:-

> Rule 23. Orders Against which appeal lies.
>
> (iv) an order which-
>
> (a) denies or varies to his dis-advantage his pay, allowances, pension or other conditions of service as regulated by rules at or by agreement;or
>
> (b) ~~interests~~ interprets to his dis-advantage the provisions of any such rule or agreement;

9. It may kindly be seen from the preceeding paragraphs that the applicant has rushed to the Tribunal in a hot haste against the promotion order which was

contd. on 4

hardly issued 10 days earlier without availing the efficacious remedies available to him under the relevant service rules for redressal of grievances. To put it more precisely that the time lag between the date of promotion order (31.7.86) and the date of filing the present suit (11.8.86) is hardly 10 days whereas under the law the applicant could do so only on expiry of six months time. Not only that but the applicant has also suppressed the fact from the Tribunal to the effect that efficacious remedies by way of appeal against suppersession in the matter of promotion is available under the relevent service rules for redressal of grievances to the applicant.

10. That the depoent further states that the claim of the applicant that he should be promoted as highly skilled Gd. II on the basis of mere seniority (in this case assumed seniority and not the real seniority) is also not tenable because not to treat the applicant as promoted to that post can not be deemed to be erroneous in law. In support of this contention, the decision of the Hon'ble High Court at Lucknow given on 2.12.80 in the Review Application No.30(V) of 1977 of Shri L.R. Massey Vrs. Union of India is reproduced below:-

> " The posts of Supervisor Grade II and Supervision Grade III being selection posts, the decision of the authorities not to treat him as promoted to that post cannot be demend to be erroneous in law. Unless he is found suitable to the post, no benefit attached to that post could be available ~~x~~ to him."

Lalaulal

contd. on 5

counter, the application dt.30 of 1936 has become infructuous and is liable to be dismissed.

(Motilal)
Deponent
C/o
[illegible]
(Refrigeration Section)
44, Cantonment Road, Lucknow.

Lucknow
Dated: 30 Aug. 1936

I, Motilal s/o late Munnalal aged 42 years, working as Refg. Mech. M.E. Gr. II with [illegible] M/s Lucknow Electric Light & Power Co. Ltd. residents of Lucknow Lines Lko-Cantt. do hereby verify that the contents of paras 1 to 11 are true to my personal knowledge & belief and that the deponent has not suppressed any material facts.

(Motilal)
Deponent

Lucknow
Dated: 30 Aug. 1936

To

The Registrar,
General Administrative Tribunal
(Allt. Bench)
[illegible]
Allahabad.

[illegible]

agreement
provision which is the aggrieved person.

3. Upon completion of [illegible] of Radio, Inc. of Del. in the [illegible] Court of [illegible] County, [illegible] Inc. executed in the manner of execution by a public officer the attorney agreement which is the aggrieved person. A copy of the said Corp. Secure Card, Inc. is annexed hereto

Joint Agreement Appointment in the Matter of Corporation

It is hereby agreed and declared by and between the parties hereto that the said Corporation shall be considered under the [illegible] Radio, Inc. The [illegible] of the said Corporation shall be [illegible] and the [illegible] of the said Corporation in the manner of execution shall be [illegible] of the [illegible] Radio, Inc. The [illegible] shall be [illegible] of the [illegible] Radio, Inc. [illegible]

[illegible] of the [illegible] of the Radio, Inc. [illegible] of the [illegible] Radio, Inc. [illegible]

ARTICLE [illegible] of the Radio, Inc.

[illegible]

(a) [illegible] of notice to the [illegible] the [illegible] shall be [illegible] by notice or by [illegible]

(b) [illegible] to the [illegible] of any such rule or [illegible]

3. In any [illegible] of [illegible] the [illegible] shall be [illegible] to the [illegible] in the [illegible] against the [illegible] under which [illegible]

[illegible]

[illegible] on 4

[illegible] by the Local Council
[illegible] [illegible] of Superior
[illegible] [illegible]. Local
Council for the Department [illegible]
[illegible] 0 Collection
[illegible]. The Collection [illegible] [illegible]
[illegible] [illegible] [illegible]
on the basis of Collection. [illegible]
[illegible] [illegible] the Collection of the
Local Council for the Department that those
who have contributed only symbolic the
[illegible]. But because the [illegible]
not make an option as required, to the [illegible]
work. Local Council for the [illegible] has
stated that only a [illegible] to those who [illegible]
[illegible] only symbolic for [illegible] to give
option the [illegible] will give option for being
considered for the [illegible] Local Council for
the Department for which [illegible] of the option
to give [illegible] will be considered in accordance
with the rules existing in [illegible] for the post
of Superior Cl. III. In view of this decision
the order given in the Department Order [illegible]
[illegible] will have to be modified only to the
extent mentioned above to avoid any
difficulty to [illegible] [illegible] , [illegible]
given [illegible] option [illegible] [illegible].
The Department will [illegible] [illegible]
to the post of Superior Cl. III in accordance
with the basis of [illegible] to this Order [illegible].

Sd/- [illegible]
Sd/- [illegible]
[illegible].

11. [illegible] the Department Order [illegible] in view of the over-riding
[illegible] in the Department, [illegible] of this Order

[illegible]

[illegible] on C.

counter, the application No.389 of 1986 has become infructuous and it is liable to be dismissed.

(Ratten Lal)
Deponent
C/o
AGE E/M
(Refrigeration Section)
11, Sardar Patel Marg,
Lucknow.

Lucknow
Dated: 30 Aug. 1986

I, Ratten Lal S/o Late Nunnalal aged 47 years, working as Refg. Mech. H.S. Gd. II with AGE E/M LKO, resident of Havelock Lines LKO-Cantt. do hereby verify that the contents of paras 1 to 11 are true to my personal knowledge and belief and that the deponent has not suppressed any material facts.

(Ratten Lal)
Deponent Deponent

Lucknow/
Dated: 30 Aug.1986

To

The Registrar,
Central Administrative Tribunal
(Addl. Bench)
23-A, Thornhill Road,
ALLAHABAD.

IN THE [illegible] TRIBUNAL

[illegible]

[illegible]

Civil No. 311 of 1946

... Plaintiffs.

... Defendants.

Versus

... Plaintiffs

... Defendants

In the Native Court of [illegible] No. 311 of 1946

[illegible]

The judgment of the court was delivered by [illegible] as follows:-

This is a claim of a fruit farm [illegible] in the Kongwa District, the boundaries [illegible] No. 311 of 1946 filed in the Court. It appears [illegible] is the land in dispute.

At the hearing we carefully [illegible] and the evidence [illegible] interpretation [illegible] the claim of the defendants.

Dated: the Aug., 1946

[signature]

[illegible]
Provincial Commissioner
[illegible]
[illegible]
Eastern Province
[illegible]

by the applicant in petition No.309 of 1990 are denied.

3. That the deponent further states that the Respondent No.19 is an Industrial Worker , employed as Refg. Mech, Highly Skilled Gd. II, in ASE D/M Lucknow.

4. That as per the terms and conditions of service of Industrial Workers the promotion of Respondent No.19 w.e.f. 19.10.84 as Highly Skilled Gd.II in the higher pay scale of Rs.330-480 was accordingly ordered by the Competent Authority vide CME (P) LKO vide his No.12059/430/EIC (2) dt. 31.7.86.

5. That in the aforesaid promotion order, the name of Respondent No.19 has appeared at serial No.20 of the promotion list, a copy of which has already been filed by the applicant as Enclosure No.1 in case No.309 of 1990.

6. That the aforesaid promotion order dated 31.7.86 of CME (P) LKO is an order against which the applicant has filed the present suit on 11.8.86, as is evident from para 3 of Form I of the Application No.309 of 1990.

7. That in the said petition, the applicant has represented against his supersession in the matter of promotion without recalling that while the promotion order has been passed only on 31.7.86 whereas the application No.309 of 1990 against the same very promotion order has been preferred on 11.8.86 i.e. hardly after 10 days. Not only that but also by suppressing the factual position from the Tribunal to the effect that effectuous remedies by way of appeal against supersession in the matter of promotion is available under the relevant

Rebuttal

contd. on 3

service rules to the applicant aggrieved person

8. Rule according to Govt. of India, Min. of Def. Gn No. 13 (3) to M.O. S.R.O./Gaz. 3/5 (A.30.) Dt. 7.6.1957 supersession in the matter of promotion is applicable under the relevant service rules to the aggrieved person. The copy of the said Govt. letter dated 7.6.1957 is reproduced below:-

> Appeal against supersession in the matter of promotion
>
> A doubt had arisen whether an appeal against supersession in the matter of promotion can be considered under the C.C.S (CCA) Rules, 1965. The Min. of Home Affairs have clarified that an appeal against supersession in the matter of promotion will fall within the purview of Rule 20 (IV) of the CCS (CCA) Rules 1965. The appellate authority will be that indicated in Rule 16 ibid.

For the kind perusal of the Tribunal, the Rule 20 (IV) of the CCS (CCA) Rules 1965 is also reproduced below:-

> Rule 20. Orders against which appeal lies.
>
> (IV) an order which-
>
> (a) denies or varies to his disadvantage his pay, allowances, pension or other conditions of service as regulated by rules or by executive instructions
>
> (b) relates to his disadvantage the provisions of any such rule or executive instructions

9. It may kindly be seen from the preceding paragraphs that the applicant has moved to the Tribunal in a bona fide against the impugned order which was

contd. on 4

to be carried out by the Local Council in the assistance that the cost of [illegible] will not be [illegible]. Local Council for the Borough has stated that although no objection is made to the scheme as a whole, the cost estimated to be paid in view of the fact that this cost has to be borne by the Local Authority. Objection to this is also raised by the Council that these two same conditions only applied the assistance. But however the assistance has not made an object to be granted, to the present case. Local Council for the assistance has stated that even though no objection is made to the [illegible] only according to give objection this will also not being considered for the Local Council for the purpose of this scheme. But in view of the objection to given by the case will be considered in accordance with the rules existing in 1933 for the purpose of assistance C/A. 1933. In view of the objection the rules given in the Assistance Order No. [illegible] to be applied only to the extent to which [illegible] to avoid any difficulty to apply this in case the assistance given by objection within the [illegible] Act 1929. The Ministry will consider the case for assistance to the cost of assistance C/A. 1933 in accordance with the rules of 1933 as will referred to the Act [illegible].

[illegible]
[illegible]
[illegible].

11. That the Ministry notice this in view of the [illegible] made in the [illegible] purposes of this Act

Yours [illegible]

[illegible] G.

counter, the application is ill-founded and deserves to be dismissed in limine with costs.

Advocate

Dated: 30th Aug. 1990

Counsel for the Respondents

I, [illegible] aged about [illegible] years, working as [illegible] do hereby verify that the contents of paras 1 to 11 are true to my personal knowledge and belief and that the respondents have not suppressed any material facts.

Lucknow
Dated: 30th Aug. 1990

Deponent

To

The Registrar,
Central Administrative Tribunal
Circuit Bench,
Lucknow.

nos. 4 and 6 of the petition it issubmitted that the petitioners have arbitrarily approached the Tribunal and as such the petition is pre-mature because the Tribunal hasno jurisdiction to entertain any petition without satisfying the conditions laid down in sections 20 and 21 of the Tribunal Act. It is further stated that the remedy is available under Part VII and Part VIII of thecivil Service Classification and Appeals Rules, 1965.

4. That in regard to the contents of paragraph no.6(1) of the petition it is submitted that the seniority list, in fact, which is the subject matter in dispute, in the present case, was signed by one Sri B.P.Mishra, a gazetted officer with effect from 27.7.1988 and is also officiating Administrative Officer Grade-II. At the same time Sri Mishra is the General Secretary of U.P.N. Workers' Union. It is further made clear that in fact theletter has been sent by Sri Mishra to the General Secretary, meaning thereby that the letter has been despatched by Sri Mishra and has to be received by Sri Mishra. It is very peculiar circumstance that the same person is making complaint of the order who has issued it.

5. That in reply to the contents of paragraph 6(2) of the petition, it is submitted that the same need no reply.

that to ascertain the factual position, the reply submitted in reply to the contents of para 3 can be looked into.

It is further submitted that the seniority list referred to in para 2 of CWE(P) Lucknow letter dated 17.7.1986 (Enclosure no. 4 to the petition) was displayed on the notice-board for the information of all concerned. In case, the applicants were really ignorant about that seniority list or if there was any alteration in the seniority list, the same is appealable under the service rulesmeant for redressal of grie--vance. It is, therefore, notunderstood as to why that proper cause was not followed by the applicants andinstead adopted the short cut to approch the Hon'ble Tribunal. The Hon'bleTribunal is thus prayed that the applicantsmay kindly be suitably advised to prefer an appeal against the impugned order.

12. That the statement contained in sub para (9) of paragraph no.6 of the petitioner is again mis--conceived. It is further submitted that the promotion hasbeen ordered bythe competent authority in accordance with the instructionsissued from time to time by the concerned authorities.

13. That the statement contained in sub-para (10) of paragraph no.6 of the petition is also mis--conceived. The representation can only be made after passing of theorder and as such it is not a represent-

-gerator Mechanic, A&E H/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow, doheroby verify that the contents from paras 1 to14 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place: Allchabad
Date: 27-10-86

Signature of the Respondent no.8

To

The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL:

ADDITIONAL BENCH AT ALLAHABAD.

ANNEXURE NO. '1'

IN

WRITTEN REPLY on behalf of RESPONDENTS NOS.6, 8 and 13.

IN

REGISTRATION NO. 239 of 1986

BETWEEN

U.L.Singh and others . . . . . .Applicants.

Versus

The Union of India and

others. . . . . Respondents.

Copy of ... from Army HQ letter No.70340/
AG3/...1C(1) dated 28.6.73

Subject: Posting of Industrial Personnel

Attention is invited ...

Representations have come to our notice where the industrial personnel transferred from one Area/Zone/Command to other Area/Zone/Command have been allowed to carry the original seniority in the grade on their reporting to their formation. This is not correct and is in violation of the revised principles of seniority as laid down in AHQ 70/73 and further clarified in AHQ 11/74. The provisions of AHQ/70/73 have been in force applicable to the ... w.e.f. 01 July 1973. Since the seniority of industrial personnel for the purpose of promotion/confirmation is controlled at Command Area, the individual seeking transfer on compassionate grounds from the Command Area whether within the same Zone/Command or outside Zone/Command does not get the benefit of previous service for the purpose of promotion and confirmation. He will be allotted the seniority in the grade from the date he actually reports for duty in the new formation. In order to avoid representations at a later stage an undertaking to this effect may be obtained from the individual before he applied for the transfer on compassionate grounds.

2. Please ensure that the above instructions are correctly followed in the case of transfer Industrial Personnel ...

3. ... Army Act, ... In view of the clarification given above, your ... dated 17 ... is cancelled. It is ... and confirmation ... to this ... dated ... 1980.

Application No. 330 of 1985

Between

A.L.Singh & others . . . . . Applicants.

Vs.

Union of India and others . . . . . Respondents.

- -

Written Reply on behalf of Respondents nos. 2, 4 and 13.

. . . . .

1. That the contents ofpara phsnos. 1 and 2 of the petition arematters are of record and as such they needno reply.

2. That in reply to the contents of paragraph no.3 ofthe petitionit is submitted that allegations of the applicants nos. 1 to 11 that they were qualified and senior to respondents nos. 5 to 13 and were illegally and unauthorisedly deprived of their due promotion from Asstt.Tech. to T.S. Grade-II in the scale of Rs.330-480 with effect from 15.10.1984, for the following reasons:

(i) That there are in all eleven applicants who have filed the present case against the supersession in the matter ofpromotion. But on the contrary it was observed that applicants nos.2, 6 and 9, i.e.

three applicants, stand promoted alongwith respondents nos. 5 to 15 in the samepay scale witheffect from the same date, viz. 15.10.1984 and under the same promotion order.

(ii) That the seniority list referred to by the applicants in this sub-paragraph has since been superse-ded by a seniority list mentioned in para 2 of the CWE(P) Lucknow, Part I Order (Serial no.50) dated 17.7.1986(copy of which has already been annexed with the petition by the applicants as Enclosure no.4), as such, the question of promoting the remaining eight applicants out of eleven on the basis of redundant seniority list does not aris.

(iii) That in fact, a Board of officerswas convened by the CWE(P) Lucknow vide Part I Order dated 17.7.86 to draw a select list of Refq. Mech. for promotion to H.S. Grade-II with effect from 15.10.1984. On the recommendations of theD.P.C., twenty three individuals including applicants nos. 2, 6 and 9 alongwith respon-dents nos. 5 to 15 were legitimately promoted from Refq. Mech. to H.S. Grade-II in the scale of Rs.330-480 with effect from 15.10.1984 by the order of the CWE(P) Lucknow vide his letterno.12025/430/E/C(2) dated 31.7.1986.

3. That in replyto the contents of paragraphs

nos. 4 and 6 of the petition it issubmitted that the petitioners have arbitrarily approached the Tribunal and as such the petition is pre-mature because the Tribunal hasno jurisdiction to entertain any petition without satisfying the conditions laid down in sections 20 and 21 of the Tribunal Act. It is further stated that the remedy is available under Part VII and Part VIII of the Civil Service Classification and Appeals Rules, 1965.

4. That in regard to the contents of paragraph no.6(1) of the petition it is submitted that the seniority list, in fact, which is the subject matter in dispute, in the present case, was signed by one Sri S.P.Mishra, a gazetted officer with effect from 27.7.1986 and is also Officiating Administrative Officer Grade-II. At the same time Sri Mishra is the General Secretary of U.P.M.A.S.Workers' Union. It is further made clear that in fact theletter has been sent by Sri Mishra to the General Secretary, meaning thereby that the letter has been despatched by Sri Mishra and has to be received by Sri Mishra. It is very peculiar circumstance that the same person is making complaint of the order who has issued it.

5. That in reply to the contents of paragraph 6(2) of the petition, it is submitted that the same need no reply.

Order

Ex 7. That the contents of paragraph no.6(3) of the petition are mattersof record and as such they needno reply.

8. That in regard to sub-paragraph (4) of para 6 of the petition it is submitted that in fact the appointment order is totally redundant as the petitioners in this claimpetition have come from another zone, whereas the respondents belong to the same area. The earlier seniority list was no seniority list for the purposes ofpromotion. But the position was clarified in the letter no. 79040/RP03/ELC(1) dated 13.6.1986. In this letter the position has been clarified by the Engineer in-Chief. A true copy of the said letter is being enclosed herewith as enclosure no.1

9. That the contents of sub-para (5) of paragraph no.6 of the petition are totally mis--conceived, hence, denied.

10. That in regard to the statement containedin sub-para (6) of paragrap h no.6 of the petition, it is stated that the letter, Annexure no.1 does not indicate that those who are highly qualified may be given promotion to the grade of Ch.Mechanic.

11. That in regard to sub paras (7) and (8) of paragraph no.6 of the petition it is submitted that the averments of the applicants are not admitted and denied. It is further stated that

that to ascertain the factual position, the reply submitted in reply to the contents of para 3 can be looked into.

It is further submitted that the seniority list referred to in para 2 of CWE(P) Lucknow letter dated 17.7.1986 (Enclosure no. 4 to the petition) was displayed on the notice-board for the information of all concerned. In case, the applicants were really ignorant about that seniority list or if there was any alteration in the seniority list, the same is appealable under the service rules meant for redressal of grie--vance. It is, therefore, notunderstood as to why that proper cause was not followed by the applicants andinstead adopted the short cut to approach the Hon'ble Tribunal. The Hon'bleTribunal is thus prayed that the applicantsmay kindly be suitably advised to prefer an appeal against the impugned order.

12. That the statement contained in sub para (9) of paragraph no.6 of the petitioner is again mis--conceived. It is further submitted that the promotion hasbeen ordered bythe competent authority in ~~xxdxxx~~ accordance with the instructionsissued from time to time by the concerned authorities.

13. That the statement contained in sub-para (10) of paragraph no.6 of the petition is also mis-conceived. The representation can only be made after passing of theorder and as such it is not a represent-

-ation inthe eyes of law. In any case, this cannot be said to be an appeal also.

14. That in replyto the contents of para 6 (ll) of the petition, it is submitted that in fact it is a querry to be replied by CWA, Allahabad,who, unfortunately hasnotbeen made party inthe present petition. It is, therefore, requested that CWA, Allahabad may kindly be summonedas one of the res-pondents so as to ascertain the correctness of the statement and to lay hands to the actual facts.

It is furthe submitted that since the seniority list prepared by CWA, Allahabad,as referred to in this sub-paragraph, has not been annexed by the applicants deliberately, hence, no reply can be given at this stage.

It is further submitted that after going through the CWA Allahabad letter dated 22.5.96 (Enclosure no.6 tothe petition) it is observed that the applicants have twisted the facts to suits their own convenience because in the letter aforesaid it is no where mentioned that the indivi-dual has been promoted on the basis of their date of appointment.

I, Neelam Kumar son of Srilati B.N. Talwar aged about 38 Years, working as Mstr)

-gerator Mechanic, AAS H/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow, dohereby verify that the contents from paras 1 to14 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place: Allahabad
Date: 27-10-86

Signature of the Respondent no.8

To

The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL:

ADDITIONAL BENCH AT ALLAHABAD.

ENCLOSURE NO.'1'

IN

WRITTEN REPLY ON BEHALF OF RESPONDENTS
NOS.6, 3 and 13.

IN

REGISTRATION NO. 239 of 1986

BETWEEN

R.L.Singh and others . . . . . .Applicants.

Versus

The Union of India and

others. . . . . Respondents.

Copy of A in C's Branch AHQ Letter No.79040/
RPOS/AIC(I) dated 13.6.86

Subi- Transfer on Compassionate Grounds:
Industrial personnel.

Someinstances have come to our notice where the industrial personnel transferred from one Area/Zone/ Command to other Area/Zone/Command have been allowed to carry the original seniority in the grade on their reporting to thenew formation. This is not correct and is in violation of the revised principles of seniority as laid down in CPRO 73/73 and further clarified in CPRO 11/75. The provisions of CPRO/73/73 have been made applicable to the AGS w.e.f. 01 JULY 1973. Since the seniority of Industrial personnel for the purpose of Promotion/confirmation is controlled at CWE Area, the individuel seeking transfer on compassionate grounds from the CWE Area whether within the same Zone/Command or outside Zone/Command does not get the benefit of previous service for the purpose of promotion and confirmation. He willbe assisted the seniority in the grade from the date he actually reports for duty in the new formation. In order to avoid representations at a later stage as undertaking to this effect may be obtained from the individual before he applied for the transfer on compassionate grounds.

2. Please ensure that the above instructions are correctly followed in the case of transfer of Industrial Personnel on Compassionate grounds.

3. For CASC only:- In view of the clarification given above, your HQ letter No.132502/2/AGB(B) dated 17 June, 1984 should be suitably amended and confirmation sent to this Hqrs by 15 JULY, 1986.

REGISTERED ACK DUE

To

The Registrar
Central Administrative Tribunal (Additional Bench)
23-A, Thorn hill Road,
ALLAHABAD-211 001

389/86

Respondent No 5

Sub:- CASE NO 389 OF 1986 : BETWEEN R.L. SINGH AND OTHERS (APPLICANT) AND UNION OF INDIA AND OTHERS (RESPONDENT)

Sir,

1 Kindly refer to your Notice No CAT/ALLD/P-290 dated 19 Aug 1986 relating to case No. 389 of 1986, between R.L. Singh & others and Union of India & others, as fixed for 25 Sep 1986.

2 In this regard, I beg to submit that the copy of the aforesaid application provided to me is not readable and as such the same is returned herewith. The details of the illegible pages are given below:-

a) Page No. 21, 22 & 23 of Enclosure No. 1
b) Page No 25,26 & 27 of Enclosure No 2.
c) Page No. 42 and 43 of Enclosure No. 3
d) Page No. 47,48 and 49 of Enclosure No. 5.

3 To enable me to defend the case, it is prayed that legible copy of the application No. 389 of 1986 may kindly be supplied to me at the earliest.

Thanking you,

Yours faithfully,

(NANDA BALLABH)
Respondent No. 5
C/O AGE Ref Sec.
11-SARDAR PATEL MARG,
LUCKNOW Cantt-226 002.

Encl: As above.

DATED : 26/8 1986.

[illegible]

[illegible]

[illegible]

In

[illegible] No.309 of [illegible]

Between

[illegible] ..... [illegible]

and [illegible] ..... [illegible]

Sl.No.	Description of Papers	Page Nos.
1.	[illegible]	3 to 20
2a	[illegible]	20 — 22
2b	[illegible]	23 — 40
3	[illegible]	41 — 43
4a	[illegible]	44 — 45
4b	[illegible]	46 — 49
5a	[illegible]	50 — 55
5b	[illegible]	56 — 00

[illegible] [illegible] [illegible]

[illegible] No. 507
Central Administrative [illegible]
[illegible]
ALLAHABAD BENCH, ALLAHABAD
Date of Filing 11.6.91
Date of Receipt by Post
For Deputy Registrar.

[illegible]

Section, 11 Sardar Patel Marg, Lucknow.

8- Babba Jani son of Iqbal Husain
resident of 393/64 Mehkma Reshmri Mohalla,
Lucknow.

9- Sri Manjeet Singh Pawa, son of late Dalesp
Singh, resident of 555-J Mehanwi Khera, P.O.
R.D.S.O. Alambagh, Lucknow.

10- Sri K.K.Gupta, son of Sri Babu Lal Gupta,
resident of 125/2, Outram Line, MES Colony
Lucknow.

11- Sri Krishen Kumar son of Girdharilal,
resident of Qegar Para Lakri Mohal, Cantt.
Lucknow.

.....Applicants.

And

1- The Union of India through the Secretary
Ministry of Defence, Central Secretariate
New Delhi.

2- The Engineer-in-Chief Army Head Quarter,
Defence Head Quarter, New Delhi.

3- The Commander Works Engineer (A),
229, Mahatma Gandhi Marg, Lucknow-2

4- The Garrison Engineer E/M, Military
Engineering Services, Lucknow.

5- Sri Nandan Singh Ballabh, AGS E/M, Office
Mechanic Refrigeration Section, 11 Sardar
Marg, Lucknow.

6- Sri Girja Dutt, Refrigerator Mechanic
AGE/E/M Refrigeration Section
Marg, Lucknow.

2- [illegible] Engineer [illegible], Refrigerator Mechanic, [illegible] R/S, Refrigeration Section, 11 [illegible] Petrol Area, Mombasa.

3- [illegible] Mechanic Grade II, Refrigerator Mechanic, [illegible] R/S, Refrigeration Section, 11 [illegible] Petrol Area, Mombasa.

4- [illegible] Boiler Mechanic, Refrigerator Mechanic, [illegible] R/S, Refrigeration Section, 11, [illegible] Petrol Area, Mombasa.

5- [illegible] P.W.D. Employee, Refrigerator Mechanic [illegible] R/S, Refrigeration Section, 11 [illegible] Petrol Area, Mombasa.

6- [illegible] M.V. Fund, Refrigerator Mechanic [illegible] R/S, Refrigeration Section, 11, [illegible] Petrol Area, Mombasa.

7- [illegible] Mechanic Grade II, Refrigerator Mechanic [illegible] R/S, Refrigeration Section, 11, [illegible] Petrol Area, Mombasa.

8- [illegible] Boy Mechanic Grade II, Refrigerator Mechanic [illegible] R/S, Refrigeration Section, 11, [illegible] Petrol Area, Mombasa.

9- [illegible] Mechanic, Refrigerator Mechanic [illegible] R/S, Refrigeration Section, 11, [illegible] Petrol Area, Mombasa.

10- [illegible] Motor Mech, Refrigerator Mechanic, [illegible] R/S, Refrigeration Section, 11 [illegible] Petrol Area, Mombasa.

.....Engineer

[signature]

iii/ Designation and office in which employed - [illegible] Lucknow.

iv/ Office address - Refrigeration section 11 Prayag Hotel [illegible], Lucknow.

v/ Address for service of all notices - Refrigerator section 11 Prayag Hotel, Lucknow.

Applicant No.8 :

i/ Name of the applicant - Sri Debo [illegible]

ii/ Name of the father - Sri Iqbal Hussain

iii/ Designation & office in which employed - Refrigerator mechanic [illegible] / Lucknow.

iv/ Office address - Refrigeration section 11 Prayag Hotel [illegible], Lucknow.

v/ Address for service of all notices - 293/64 Mohalla [illegible] Lucknow.

Applicant No.9:

i/ Name of the applicant - Sri [illegible]

ii/ Name of the father - Sri [illegible]

iii/ Designation & office in which employed - Refrigerator mechanic [illegible] Lucknow.

iv/ Office address - Refrigeration section 11 Prayag Hotel [illegible], Lucknow.

v/ Address for service of all notices. - 555-A Mohalla [illegible], P.O. [illegible] Lucknow.

Applicant No.10:

i/ Name of the applicant - [illegible]

ii/ Name of the father - Sri [illegible]

iii/ Designation & office in which employed - Refrigerator mechanic [illegible] Lucknow.

iv/ Office address - Refrigeration section 11, Prayag Hotel, Lucknow.

५) [illegible]	० [illegible]

[illegible]

[illegible]	० [illegible]
[illegible]	० [illegible]
[illegible]	० [illegible]
[illegible]	० [illegible]
[illegible]	० [illegible]

[illegible]

[illegible]	० [illegible]
[illegible]	० [illegible]
[illegible]	० [illegible]

[illegible]

[illegible]	० [illegible]
[illegible]	० [illegible]
[illegible]	० [illegible]

[illegible]

[illegible]	० [illegible]
[illegible]	० [illegible]
[illegible]	० [illegible]

[illegible]

[illegible]

[illegible]

Respondent no.9 :-

1) Name of the respondent	- Kabir Hussain
11) office address of the respondent	- AGE B/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.
111) Address for service of all notices	- AGE B/M Refrigeration Section 11 Sardar Patel Marg, Lucknow.

Respondent no.10 :-

1) name of the respondent	- P.C.Upadhyaya
11) office address of the respondent	- AGE B/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.
111) Address for service of all notices.	- AGE B/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

Respondent no.11 :-

1) name of the respondent	- R.C.Vikri
11) office address of the respondent	- AGE B/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.
111) Address for service of all notices.	- AGE B/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

Respondent no.12 :

1) name of the respondent	- Hawala Prasad
11) office address of the respondent	- AGE B/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.
111) Address for service of all notices.	- AGE B/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

Respondent no.13 :-

1) Name of the respondent	- Raj Kumar Singh

ii) office address of the respondent - AGE M/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE M/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

Respondent no.14 :

i) Name of the xpxix Respondent- M.P.Chauhan

ii) Office address of the respondent - AGE M/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE M/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

Respondent no.15 :

i) Name of the respondent - Hatten Lal

ii) office address of the respondent - AGE M/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

iii) Address for service of all notices. - AGE M/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.

3. Particulars of the order against which application is made.

The application is against the following order:-

i) Order No. 12025/430/E10 (2)

ii) Date 31st July, 1986

iii) Passed by Head Quarter Commander Works engineer, 229 Mahatma Gandhi Marg, Lucknow to the extent the respondent no.5 to 15 are promoted from Refrigerator mechanic to Refrigerator mechanic Highly Skilled Grade II.

iv) Subject in brief :-

That the applicants were qualified and senior to the respondents nos. 5 to 15 and the Commander Works Engineer in utter disregard to the seniority list No. 12030/242/E1C(1) dated 29th November,85 issue by the Head Quarter Commander Works Engineer (P), 223 Shahtaj Gandhi Marg, Lucknow-2 and the applicants were illegally and unauthorisitly deprived of their duty due promotions in accordance with their seniority position and qualification in the aforesaid seniority list.

4. Jurisdiction of the Tribunal :-

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

5. Limitation :-

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

6. Facts of the Case :-

1. That the Commander Works Engineer issue and circulated seniority list of Industrial Personnel working in C.W.E. Area by its letter No. 12030/242/E1C(2), dated 29th November,1985 and a copy of

the same was served on the Secretary, U.P. Lab.-e. Workers Union, S/3 Rang i Pratap Bhawan

6- From the aforesaid seniority list the applicant i to 11 were placed at seniority position 8, 9, 12, 13, 14, 15, 16, 17, 18, 21, 22 respectively.

8- That the qualifications and experience in respect of the trade and of Refrigerator Mechanic are mentioned against each of the applicant in column 4 of the seniority list.

9- That the respondents nos. 5 to 16 were also placed at the seniority position no.27, 28, 29, 30, 31, 33, 34, 35, 39 and 26 respectively thus it is apparent from the seniority list that the respondents nos.5 to 16 were junior to the applicants applicants in the category of Refrigerator Mechanic and from the perusal of colum no.4 of the seniority list, it can be very well verified that the qualification and experience of respondent nos. 5 to 16 is also less than the essential qualification and experience of the the applicants thus the respondents have committed a error in fixing the applicants by not giving them promotion from Refrigerator Mechanic to Refrigerator Mechanic

aic Highly Skilled grade II when the applicants were senior and more qualified in the trade.

6- That the respondents nos. 1 to 4 promoted the respondents nos. 5 to 15 in flagrant violation of Ministry of Defence office Memorandum No. 10(1)/75/4265/D(CPs) dated 15th September, 1977.

6- That the respondent no.3 in utter violation of C-in-C's Branch letter No.PC 72549/S.10(1) dated February, 1978 in which it was clearly provided that the individuals qualified for promotion to the grade of Charge Mechanic must not be promoted in the Units as they are liable for all India service liability so that may be promoted on the basis of their Seniority determined from their date of appointment.

7- That the respondent nos. 5 to 15 could not have been promoted when the seniority list as used by C.W.E.(A) Lucknow was in existence and was operative and all promotions in filling the vacancies of Ref. Mechanic Highly Skilled grade II who have been made strictly from the aforesaid seniority list. The applicants are challenging the validity and correctness of the seniority list alleged to have been prepared and

justice to the applicants and favour to the respondent nos. 5 to 15 in announcing their promotion list (Enclosure- no.1).

9- That the respondent no.3 has issued the impugned promotion list (Enclosure-1) in utter disregard and in violation of Ministry of Defence memo no.28(6)/67/D(CPPs) dated June 29, 1972.

10- That the A.I.D.E. Workers Union by their letter letter no. AIDE/SMI/LKO/86, dated 25.7.86 made representation to the respondent no.3, against the promotion list (enclosure-1) but no reply has been received so far.

11- That one in which aforesaid three all the promotions of refrigerator mechanic to refrigerator mechanic highly skilled grade II are made on the basis of seniority list prepared in that behalf strictly in accordance with the date of appointment of the individual employees. A true copy of the letter No.1353/357/A-18 dated 2nd May,1986 is being annexed herewith and is being marked as Enclosure-6.

7. Relief(s) sought :-

1. The Hon'ble Tribunal may be pleased to quash the promotion list No.12015/430/313(2) dated

[illegible] for so far as relates to the provision of requirements nos. 5 to 16 for [illegible] for refrigerator cum cycle bicycle Godrej private II with effect from 30.10.84.

3. It is requested by the Director to give precedence of two applications for [illegible] for refrigerator cum cycle bicycle Godrej private II in accordance with the seniority list (enclosure-2) with effect from 30.10.84.

4. In the order, it prayed for :-

(i) Pending final decision on the application the applicants seek issue of the following interim order :-

The respondents may be pleased to stay the operation of the provision list (enclosure no.1) so far as it relates to the promotion of requirement nos. 5 to 16 and direct the seniority of the private instance application as the following reasons :-

1. Because the applicants shall suffer great loss of seniority in the next higher cadre

2. Because the applicants will not be benefitted from the reservation by this by validation.

3. Because the final decision of the

applicants shall be adversely effected if the operation of the impugned promotion list is not stayed forthwith.

4- Because the benefits accruing out of the highly pay shall not be available to the applicants.

5- Because if the operation of the impugned seniority list are not stayed it will be effect the promotions in other C.S.D. areas All Over India.

2. Alternatively the Hon. Tribunal may be pleased to restrained the respondents nos. 1 to 4 from paying the arrears of difference salary payable to the respondent nos. 5 to 15 by virtue of their promotion with effect from 15.10.1984.

9. Details of the remedies exhausted :-

That the case of the applicants is such if they wait for 6 months of the representation, the applicants shall suffer the great and irreparable loss of their future career by way of their deprivation from their promotion to charge Mechanic highly skilled grade II. However, the U.P. HCL workers Union by their representation dated 25.7.86 (Enclosure- 5) in which they have raised the demand and in case their demands are not met with they would take the agitational course so it is expedient in

6- C.W.E. Allahabad No.1353/357/E1E dated 22nd May,1986 (Enclosure-6)

13- List of enclosures:-

1. Promotion list No. C E(P) Lucknow letter No. 12026/430/E1C(2), dated 31st July,86.
2. Seniority list No.12030/942/E1C(P) dated 29th November,1985.
3. C.W.E. letter No.12027/Policy/61/E1C(2) dated 22nd June,1978.
4. C.W.E.(P) Lucknow serial no.60 dated 17th July,1986.
5. U.P. M&S Workers Union letter no.UP MU/ GEN/LKO/86, dated 25.7.86.
6. CWE Allahabad letter no.1353/357/E1E dated 22nd May,1986.

I, R.K.Pandey son of Sri Late S.N.Pandey age 40 years working as Refrigerator Mechanic in E/M Lucknow resident of 294/24 Kamla Nagar, Lucknow do hereby verify that the contents from 1 to 12 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place :

Date :

Signature of the Applicant.

To,

The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.

Pey. Adv.
9/8/86.

In the Central Administrative Tribunal,

Ahmedabad, Allahabad.

Enclosure No.1

In

Registration No. of 1986

Between

Shri M.D.Singh and others .....Applicant.

Versus

The Union of India and others

.....Respondents.

(Photostate copy is attached/with this) below

Rec'd.

18. 43453	[illegible]	do	do	do	
19. 44317	do	do	do	do	
21. 359475	do	do	do	do	
2 . 169622	do	do	do	do	
23. 41105	do	do	do	do	

[illegible]

[illegible] of [illegible] dt. [illegible]

Vol. [illegible] Dt. [illegible] 86.

[illegible]

[illegible]

Copy to

[illegible]

[illegible]

File [illegible] 21035 /P 7.(3)

(true copy)

Attested
Adv
8/8/86.

2 4

(True ~~Copy~~ copy as submitted below)

Attested
Pejsinga
8/8/86

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

Sl	MES No and Name	Date of Birth	Qualification Vocational/ Technical Apptt. TT Passed	Category & date of 1st continous apptt.& Date of seniority in subsequent post held	Q/Pt, Pt apptt. held with date in the grade	Date of seniority in the present grade	Whether SC/ST Ex-Service men	Formation where serving	REMARKS
1	2	3	4	5	6	7	8	9	10
1.	MES-216067 ~~Shri VASU DEO~~	~~6.9.25~~	~~VI Class~~ TT Ch/Mech-63	~~IME-18.6.55~~ MT Dvr-14.4.61 Ch/Mech-9.3.64	~~MT Dvr Q/Pt~~ 1.7.60 Ch/Mech Pt 16.3.64 76	~~9.3.64~~	Neither	GE E/M Lko	Retired on 30.9.85
2.	MES-441933 Shri ~~A.M~~ SINGH	4.1.35	~~VII~~ TT Ch/Mech	~~P/F-8.10.53~~ Ch/Mech-1.7.76	~~Ch/Mech Pt~~	~~4.3.65~~	"	do-	Promoted and Posted x Thu
3.	MES-350166 Shri BB PANDEY	15.2.28	TT Ch/Mech 1974	Fitter-28.12.48 Ch/Mech-30.8.76	Fitter Pt 1.4.59	30.8.76	"	do-	
4.	MES-452434 Shri SUKH LAL Now Master Craftsman	1.6.42	HS ITI Fitter Course TT C/Mech 73	P/F-1.12.66 Fitter-30.6.69 Ch/Mech-30.1.78 Master Craftsman-30.8.85	P/Fitter Pt 1.12.69 Fitter Pt 1.2.72	30.1.78	"	AGE (RCP) (I) Memaura	
5.	MES-437026 Shri RAGHU RAJ SINGH	16.8.28	TT Ftr-65 JTOED-56 TT Ch/Mech	Maz-1.11.47 Mate-1.6.59 Ftr-19.3.58 Ch/Mech-4.3.78	Ftr Pt 1.4.64	4.3.78	"	GE (E) Lko	

82

Contd..2

Category : Ref/Mech.

(40)

1	2	3	4	5	6	7	8	9	10
1.	MES/441931 Shri DHAGWAN DASS	1.7.27	-	Mate-1.8.49 MPA -15.1.50 Ref Mech-2.3.61	Ref Mech Pt. 1.4.65.	2.3.62	Neither	GE E/M Lko	
2.	MES-441950 Shri JOGINDER PAL SINGH Ch.mech	14.11.41	Inter TTCCh/ Mech (Ref)-68 Ch/Mech 69	Ref Mech- 17.7.64	Ref Mech Pt. 1.4.70	17.7.64	"	-do-	
3.	MES/441948 Shri SHOHRAT ALI KHAN Ch.mech	30.12.41	HS ITI Ref Course TT Ch/Mech Refg	Ref Mech- 25.7.64	Ref Mech Pt. 1.4.70	25.7.64	"	-do-	
4.	MES-441965 Shri CHARANJEET SINGH	6.[illegible].45	HC Ref Course ITI TTCh/Mech(Ref) 84	Ref Mech. 4.8.64	Ref Mech Pt. 1.4.70	4.8.64	"	-do-	
5. (2)	MES-457063 Shri RL SINGH	3.8.43	Matric Ref Mech TI Ch/ Mech Ref. Course CITI	Ref Mech- 7.10.65	Ref Mech Pt. 1.4.69	7.10.65	"	-do-	
6. (1)	MES-457061 Shri SURENDRA NARAIN SINGH	1.5.43	IX TI Ch/Mech (Refg)	Ref Mech- 14.10.65	Ref Mech Pt. 1.4.70	14.10.65	"	-do-	
7.	MES-454238 Shri KS SINHA	8.7.40	HS Ref Course ITI Ch/ Mech(Ref)	Ref Mech- 1.12.66	Ref Mech Pt.	1.12.66	"	AGE (Rep) (I) Memaura	

T.T = Trade test passed in each category

1	2	3	4	5	6	7	8	9	10
8. MES/454244 Shri OP PANDEY	41.43	HS ITI Ref Course Ch/Mech (Ref)-71	Ref Mech - 1.12.66	Ref Mech Pt 1.4.69	1.12.66	Neither	GE E/M Lko		
9. MES-477076 Shri RAJENDRA SINGH	1.7.43	IX TT Ch/Mech (Ref)-73	Ref Mech - 28.7.67	Ref Mech Pt 1.4.71	28.7.67	"	-do-		
10. MES/461510 Shri SK AHUJA	12.1.47	HS TT Ch/Mechr (Ref)	Ref Mech - 1.7.68	Ref Mech Pt 1.4.74	1.7.68	"	-do-		
11. MES/361441 Shri NASEER HUSSAIN	1.1.51	HS	Ref Mech - 28.11.69	Ref Mech Pt ~~28.11.74~~ 1.4.75	28.11.79	"	-do-		
12. MES/359663 (1) Shri RK PANDEY	14.5.46	DA TT Ch/Mech Ref	Ref Mech - 27.1.70	Ref Mech Pt ~~27.1.75~~ 1.4.75	27.1.70	"	-do-		
13. MES/359458 (5) Shri RAM GOPAL MISHRA	24.5.45	BA ITI Ref Mech course TT Ch/Mech(Ref)	Ref Mech - 2.4.70	Ref Mech Pt 1.4.71	2.4.70	"	-do-		
14. MES/361531 (4) Shri KK GUPTA	15.9.45	Inter TT Ch/Mech (Ref) 73	Ref Mech - 2.4.70	Ref Mech Pt. 1.4.71	2.4.70	"	-do-		

gk.

...11.

1	2	3	4	5	6	7	8	9	10
15.	MES-359459 Shri RK MAURYA	20.1.46	HS ITI Ref Course	Ref Mech-2.4.70	Ref Mech Pt 1.4.71	2.4.70	Neither	GE E/M Lko	
16.	MES-361625 Shri MANJEET SINGH	1.12.46	HS TT Ch/Mech (Ref)	Ref Mech-17.6.70	Ref Mech Pt 1.4.71	17.6.70	"	-do-	
17.	MES-169619 Shri BABBA JANI	15.7.50	Matric	Ref Mech-5.12.70	Ref Mech Pt ~~5.12.71~~ 1.4.76	5.12.70	"	-do-	
18.	MES-169822 Shri MANJEET SINGH PAWA	7.7.51	Inter	Ref Mech-11.12.70	Ref Mech Pt ~~11.12.71~~ 1.4.77	11.12.70	"	-do-	
19.	MES-411040 Shri SATISH CHANDRA SHARMA	18.7.51	TT Ch/ Mech(Ref) HS	Ref Mech-23.4.71	Ref Mech Pt ~~23.4.71~~ 1.4.77	23.4.71	"	-do-	
20.	MES-411039 Shri MUMTAZ AGHA	2.8.51	HS	Ref Mech-23.4.71	Ref Mech Pt 23.4.71	23.4.71	"	-do-	
21.	MES-450954 Shri KK GUPTA	15.6.47	Inter	MPA -1.3.69 Ref Mech-23.11.71	MPA Pt-1.4.72 Ref Mech Pt ~~23.11.74~~ 1.4.77	21.10.71	"	-do-	
22.	MES-361124 Shri KRISHAN KUMAR	5.4.49	HS Ref Course 171	Ref Mech-23.11.71	Ref Mech Pt ~~23.11.74~~ 1.4.78	23.11.71	"	-do-	

1	2	3	4	5	6	7	8	9	10
23.	MES-419671 Shri HARISH CHANDRA LOHANI	2.8.51	HS	Pcon -29.10.71 Ref Mech-2.2.72	Ref Mech Pt	2.2.72	Neither	GE E/M Lko	
24.	MES-443375 Shri RATTAN LAL	2.6.39	VIII	V/Man- 1.1.65 Ref Mech-14.4.72	V/Man Pt Ref Mech Pt	14.4.72	"	-do-	
25.	MES-467175 Shri SK PAUL	27.7.53	X TT Ch/Mech (Ref)-So	Ref Mech-1.6.72	Ref MechPt 1.4.79	1.6.72	"	GE(RCP) Memaura	
26.	MES-437855 Shri MP CHAUHAN	7.4.50	Ref Mech Course XXI	Ref Mech-20.12.72	Ref Mech Pt	20.12.70	"	GE E/M Lko	
27.	MES-442825 Shri NEELA BALLABE	12.3.37	VI	Maz - 11.9.57 Mate -21.4.64 Ref Mech-12.2.73	Mate Pt 1.4.68	12.2.73	"	-do-	
28.	MES-454283 Shri NEELAM KUMAR	15.11.47	IX TT Ch/Mech (Ref)	MPA -14.9.66 Ref Mech-12.2.73	MPA Pt 1.4.70 Ref Mech Pt 1.4.79	12.2.73	"	-do-	
29.	MES/447040 Shri HARBACHAN	21.10.46	ES TT Ch/Mech (Ref)	MPA-17.5.67 Ref Mech-12.2.73	MPA O/Pt 15.5.70 Ref Mech Pt	12.2.73	"	-do-	

...13.

1	2	3	4	5	6	7	8	9	10
30.	MES-442878 Shri GIRJA DUTT	9.10.36	W	Chow -9.10.67 Maz- 11.4.69 MPA -22.1.69 Ref Mech -12.2.73	Maz Pt 1.4.68 Ref. Mech. Pt 1.4.79	12.2.73	Neither GE E/M Lko		
31.	MES-454146 Shri PC UPADHYA	1.1.44	HS	MPA -4.6.68 Ref Mech-15.4.74	MPA Pt 1.4.72 Ref Mech Pt 1.4.79	15.4.74	"	-do-	
32.	MES-454197 Shri ZAHIR HUSAIN	10.7.42	IX	MPA -9.11.68 Ref Mech -15.4.74	MPA Q/Pt Ref Mech Pt 1.4.79	15.4.74	"	-do-	
33.	MES-[illegible] Shri RC SHUKLA	26.1.46	HS ITI course of Refg.	MPA-3.6.68 Ref Mech-22.4.74	MPA Pt 1.4.73 Ref Mech Pt 1.4.79	22.4.74	"	-do-	
34.	MES-452352 Shri HAUSALA PRASAD	1.1.42	HS	Maz -1.2.66 MPA -3.1.69 Ref Mech-9.7.74	Maz Pt 21.11.72 Ref Mech Pt 1.4.79	9.7.74	"	-do-	
35.	MES-452570 Shri TEJ KUMAR SINGH	12.6.46	VIII Tech Mech Ref &	MPA -17.10.70 Ref Mech-10.8.74	MPA Q/Pt 17.10.73 Ref Mech Pt 1.4.79	10.8.74	"	-do-	
36.	MES-135984 Shri INDERJIT SHARMA	11.8.51	HS Ref ITI Course	Ref Mech-28.10.74	Ref Mech Cpt 28.10.77	28.10.74	"	-do-	

(44)

1	2	3	4	5	6	7	8	9	10
37.	MES-460799 Shri GC SRIVASTAVA	31.1.47	HS Trm/Reader Trm Mech (Rf) SD	Peon-20.5.66 MPA-22.9.71 Ref Mech-11.1.75	Peon Q/Pt 20.8.69 Ref Mech Pt 1.4.79	11.1.75	Neither	GE E/M Lko	
38.	MES-454261 Shri INDER BAHADUR	16.8.48	VIII	MPA-18.8.67 Ref Mech-11.1.75	MPA QPt 18.8.70 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
39.	MES-454138 Shri SATISH KUMAR	6.10.43	VI	MPA-4.6.68 Ref Mech-11.1.75	MPA Q/Pt 4.6.71 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
40.	MES-454581 Shri [illegible] JOSEPH	30.11.45	Inter	MPA-30.10.70 Rel Mech-29.5.73 Reverted MPA-9.10-73 Ref Mech -11.1.75	Ref Mech Pt 1.4.79	11.1.75	"	-do-	
41.	MES-452647 Shri MANOHAR LAL KOTANALA	28.6.45	IX Trm Mech	MPA-1.8.70 Ref Mech-11.1.75	Pt 1.4.79	11.1.75	Ex-serviceman	-do-	
42.	MES-454154 Shri PN SINGH	15.7.42		MPA-4.6.68 Ref Mech-11.1.75	MPA Q/Pt 4.6.71 Ref Mech Pt 1.4.75	11.1.75	(SC)	-do-	
43.	MES-454533 Shri DEVENDRAN SINGH RAWAT	15.9.48	Basic Ref Mech course CME Pocna Trm Mech Rd Rn	MPA-3.10.67 Ref Mech-11.1.75	MPA Q/Pt 3.10.70 Ref Mech Pt 1.4.79	11.1.75	Neither	-do-	

...15.

(46)

Category : Ref Mech.

1	2	3	4	5	6	7	8	9	10
44.	MES-454258 Shri RN PANDEY	19.11.43	HS	MPA-13.10.67 Ref Mech-17.1.75	MPA Opt Ref. Mech Pt 1.4.79	17.1.75	Neither	GE N/M Lko	
	MES-443136 Shri KESHAV CHAND	11.7.44	VIII	Chow -30.7.63 Maz -10.11.64 Mate -5.1.69 Ref Mech-24.5.73 Reverted Mate-10.10.73 Ref Mech-1.5.75	Maz O/Pt 10.11.67 Ref Mech Pt. 1.4.79	1.5.75	"	-do-	
	MES-437375 Shri NARAYAN DAS JATAV	4.10.47	HS	Ref Mech-1.5.75	Ref Mech O/Pt Pr. 1.4.77	1.5.75	"	-do-	
	MES-437884 Shri [illegible] RIZVI	1.5.48	Inter ITI R_ course	Ref Mech-1.5.75	-do- 1-4-79	1.5.75	"	-do-	
	MES-437881 Shri DHIRAJ KUMAR	1.2.49	MA	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437877 Shri RAMJIVAN	10.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437885 Shri SYED SHAID HUSSAIN	1.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437886 Shri AIZAZ AHMED	19.10.50	HS	Ref Mech-1.5.75	-	1.5.75	"	-do-	
	MES-437878 Shri MC YADAV	10.11.50	Inter	Ref Mech-1.5.75	-	1.5.75	"	-do-	

Tr Cancelled.

Category : Ref Mech

1	2	3	4	5	6	7	8	9
53.	MES-437880 Shri RK KOHLI	22.11.50	Inter ITI Course Ref	Ref Mech -1.5.75	Ref. Mech Pt 1.4.79	1.5.75	Neither	GE E/M Jr.
54.	MES-437997 ~~Shri MK GUPTA~~	~~4.11.51~~	~~Inter~~	Ref Mech-1.5.75	-	1.5.75	Neither	-do- Promoted to C/M II and Posted to Kanpur
56.	MES-437874 Shri ABINASH CHANDRA KALIAH	6.11.52	HS	Ref Mech-1.5.75	Ref Mech Pt 1.4.80	1.5.75	"	-do-
57.	MES-437883 Shri M. SRIVASTAV	20.1.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-
58.	MES-437882 Shri VIJAYA MOHAN	17.7.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-
59.	MES-437879 Shri SK TIWARI	1.11.53	Inter	Ref Mech-1.5.75	Ref Mech Pt 1.4.80	1.5.75	"	-do- (HQ (W) BK)
60.	MES-437992 Shri GIRISH CHAND	13.11.52	HS	Ref Mech-1.8.75	-do-	1.8.75	"	-do- (AG's Br)
61.	MES-437993 Shri ARUN KUMAR SRIVASTAVA	17.4.52	DA ITI Tr Ch/Mech (Rg) 80	Ref Mech.1.8.75	-do-	1.8.75	"	-do-

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....17.

~~Sk.~~ JP PATHAK 14.5.49 Trad Mech / MPA-21.9.70 ~~Mech~~ 1.8.75 11.9.70 -do- -do-

Category : Ref Mech

(48)

1	2	3	4	5	6	7	8	9	1
62.	MES-437994 Shri ASHWANI KUMAR VAID	28.5.52	EA	Ref Mech-1.8.75	Ref Mech Pt 1.8.78	1.8.75	Neither	GE E/M Ikko	
63.	MES-NYA Shri PRITAM RAM SHUJA	~~19.12.52~~	~~HS~~	~~Ref Mech-1.8.75~~	-	~~1.8.75~~	~~do~~	~~do~~ Excised	
64.	MES-437991 Shri NOORAL HASSAN	10.6.51	Inter	Ref Mech-26.9.75	Ref Mech Pt 1.4.83	26.9.75	-do-	-do-	
65.	MES-454770 Shri RAKESH PANDEY	1.6.53	HS ITI Ref Mech-1.8.75 An Ref		-	1.8.75	-do-		
66.	MES-437998 Shri LALLU KISHOR SHIVASTAVA	12.2.50	HS	Ref Mech-19.11.75	Ref Mech Pt 19.11.78	19.11.75	-do-		
67.	MES-450556 Shri JAWAHAR LAL VERMA	25.6.46	Inter	MPA-1.4.67 Ref Mech-6.12.75	MPA Pt 1.4.71	6.12.75	-do-	-do-	
68.	MES-455545 Shri ROOP CHAND	3.1.52		MPA-30.10.73 Ref Mech-20.9.77	MPA Pt 1.4.77	20.9.77	-do-	-do-	
69.	MES-435941 Shri RAJ KUMAR	2.2.42		MPA-22.12.61 Ref Mech-11.5.78	MPA-Pt 1.4.66	11.5.78	-do-	-do-	
70.	MES-432301 Shri JP PATHAK	14.5.49	Inter	MPA-21.9.70	MPA-Pt 1.4.71	11.5.78	-do-	-do-	

4	5	6	7	8	9	10
13.10.48 9th TT Ref Mech 77	MPA-11.3.70 Ref Mech-13.5.78	MPA Pt 1.4.78	13.5.78	Neither	GE E/M Lko.	
9.3.47 later TT Ref Mech 77	MPA-~~3.10.73~~ 17.9.74 Ref Mech-12.10.78 29.9.78	MPA Pt ~~1.4.77~~ 1.9.77	~~12.10.78~~ 29.9.78	"	-do-	
NGH 2.12.51 HS TT Ref Mech 77	MPA-25.1.74 Ref Mech-12.10.78	MPA O/Pt 25.1.77	12.10.78	"	-do-	
2.6.49 HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA O/Pt 17.9.77	13.10.78	"	-do-	
8.7.43 HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA O/Pt 17.9.77	13.10.78	"	-do-	
SINGH 24.12.45 8th TT Mar 70 TT Ref 73 TT Ref Mech 77	MAS -22.1.68 MPA-13.8.74 Ref Mech 13.10.78	MPA O/Pt 22.1.71	13.10.78	"	-do-	
ZVI 30.6.48 RA TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	
DI 13.7.48 HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	

1	2	3	4	5	6	7	8	9	10
71.	MES-454548 Shri RB MISHRA	13.10.48	9th TT Ref Mech 77	MPA-11.3.70 Ref Mech-13.5.78	MPA Pt 1.4.78	13.5.78	Neither	GE E/M Lko.	
72.	MES-437999 Shri TIKA RAM	9.3.47	later TT Ref Mech 77	MPA-~~3.10.78~~ 17.9.74 Ref Mech-12.10.78 29.9.78	MPA Pt ~~1.4.77~~ 1.9.77	~~12.10.78~~ 29.9.78	"	-do-	
73.	MES-454579 Shri BAL RAM SINGH	2.12.51	HS TT Ref. Mech 77	MPA-25.1.74 Ref Mech-12.10.78	MPA O/Pt 25.1.77	12.10.78	"	-do-	
74.	A/49859 Shri DK ASTHANA	2.6.49	HS TT Ref Mech 77	MPA 17.9.74 Ref Mech-13.10.78	MPA O/Pt 17.9.77	13.10.78	"	-do-	
75.	MES-437908 Shri KL ARORA	8.7.43	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA O/Pt 17.9.77	13.10.78	"	-do-	
76.	MES-454235 Shri SATYADEO SINGH	24.12.45	8th TT Exam-70 TT Ref 73 TT Ref. Mech 77	MAS -22.1.68 MPA-13.8.74 Ref Mech 13.10.78	Mas O/Pt 22.1.71	13.10.78	"	-do-	
77.	MES-454750 Shri SZI RIZVI	30.6.48	BA TT Ref. Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	
78.	MES-437906 Shri SK MEHDI	13.7.48	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	

Category : Mel Mech

1	2	3	4	5	6	7	8	9
79. MF-225256 Shri TK BARUA	6.6.49	HS TT Ref Mech 77	MPA-1.5.74 Ref Mech-13.10.78	MPA Opt 1.6.77	13.10.78	Neither		
80. MES-437098 Shri RL CHOPRA	10.12.49	SH TT Ref Mech 77	MPA-6.9.77 Ref Mech-13.10.78	MPA Opt 6.9.79	13.10.78	"	-do-	
81. MES-425060 Shri SURESH CHAND	2.5.53	HS	MPA-30.10.72 Ref Mech-20.1.78	MPA Opt 3.10.75	20.1.78	Sic		
82. ~~MES-459560~~ MS2580 Shri SANTOSH ~~KUMAR~~ BALIAS	8.2.51	Inter TT Ref Mech 75	MPA-19.10.70 Ref Mech-20.1.78	MPA Pt 1.4.77	20.1.78			
83. MES-455215 Shri KUNVER SINGH	20.5.43	HS TT SBA 75 TT Ref Mech 75	MPA-16.10.71 SBA-12.2.75 Ref Mech-16.2.78	MPA Pt 1.4.72	16.2.78	"		
84. MES-455537 Shri BHUIYAN DIN	12.11.51	IX TT Ref Mech 75	MPA-19.8.72 Ref Mech-8.5.78	MPA Pt 1.4.73	8.5.78	Sic		
85. MES-454259 Shri BASANT LAL	1.7.43	TT for Ref Mech 79	MPA-15.11.66 Ref Mech-26.6.82	MPA Pt 1.4.72	26.6.82			
~~MES-459536~~ MS4535 Shri JAGDISH PD	7.7.49	IX TT Ref Mech 79	MPA-23.4.71 Ref Mech-1.7.82	MPA Pt 11.4.72	1.7.82	Sic		
86. MES-452427 Shri BASU DEO SINGH	19.4.44	VIII TT MPA 74 TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83			
87.								

Category I Mtl Mech

1	2	3	4	5	6	7	8	9	10
88.	MES-452429 Shri AMRINDER SINGH	3.11.44	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	28.3.83	Neither	GE E/M Lko	
89	MES-452407 Shri VINOD KUMAR SINGH	23.12.48	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	28.3.83	"	-do-	
90.	MES-454257 Shri SADA SUKH	1.7.44	TT MPA 74	MPA-1.12.66 Ref Mech-4.4.83	MPA Pt 1.4.72	4.4.83	"	AGE (RGP) Hen	
91.	MES-454136 Shri BABU LAL	16.10.34	VIII TT Ref Mech 79	MPA-3.8.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	GE E/M Lko	
92.	MES-452502 Shri SULTAN SINGH	2.7.45	VIII TT Ref Mech 79	MPA-3.8.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	-do-	
93.	MES-452641 Shri IDRI LAL	13.5.47	VIII TT MPA 74 TT Ref Mech 79	MPA-1.8.79 Ref Mech-17.1.84	MPA Pt 1.4.77	17.1.84	SIC	-do-	
94.	MES-437981 Shri SHIV PRASAD	11.1.50		MPA-6.9.[illegible] Ref Mech-14.2.84	MPA O/Pt 6.9.74 MPA Pt 1.4.81	14.2.84	Neither	-do-	
95.	MES-454264 Shri VK SINGH	12.7.46	HS TT MPA 74 TT Ref Mech 79	MPA-1.12.66 Ref Mech-9.4.83	MPA Pt 9.4.83	9.4.83	"	AGE BKT GE (W) Lko	

(51)

Modified
Ref
28/8/84

In the Central Administrative Tribunal
Addl. Bench, Allahabad.

Enclosure No.3

In

Registration No. of 1987.

Jai Kishan and others ....Petitioners/Applicants

And

Union of India and others ....Respondents.

(photo stat copy is attached below)

Attested
PEJ
8/8/88

In the Central Administrative Tribunal
Additional Bench, Allahabad.

Enclosure-No.4

In

Registration No. of 1986

between

R.K. Singh and others .....Applicants.

and

Union of India and others .....Respondents.

FINAL ORDER
by
Hon'ble (J) Lucknow Bench.

Writ: O.A.(T) dt.do.80

at Lucknow. Dt. 17 Jul,86.

The dispute of Ind. work in pay scales recommended by III pay commission. Implementation of three grade structure in Min of Def. with 15th Oct.84.

1. A Board of officers comprised as under will assemble at time and place to be fixed by Presiding officer to draw a select list of Asstt. Supdt for promotion to Supdt. gr. II in terms of Govt. of India Ministry of Def. Instt. No.1(1)/80/Estt/IC vol.III of 20/70/83/AG/PS-3(III) dt. 14 April,86.

Presiding officer - Shri A.K. Chaturvedi, Dy/C.O.(T) Lucknow

Members :- 1- Shri R.K.Tiwari, Dy/C.O.(T) Lko.

2- Shri A.K.Misra, Dy/C Def.

3- S/Shri Lko.

2. Seniority list of individuals and copy

of [illegible] establishment for 1986-87 will be supplied by this office.

3. [illegible] proceedings duly completed in all respect [illegible] be submitted to this office by 31 Jul. 86.

Virendra Prasad
Col. [illegible]

12068/A/86/A.G.(3)

Distribution :-

1. Shri [illegible] Thur,
2. Shri A.K.Misari
3. Brig M.K. Jain.
4. Shri [illegible] Lucknow.
5. [illegible]
6. [illegible](1) Kanpur.

(true copy)

Attested
PCJ
8/8/86.

46

In the Central Administrative Tribunal

Principal Bench Allahabad.

Enclosure No. 5

In

Registration No. of 1986.

between

Sri A.K.Singh and others ----Applicants.

and

Union of India and others .....Appl. Respondents.

(photo/True test copy are attached below)

[illegible] No.1 No.1

[illegible] Regimental No.716

[illegible] Ambulance Unit (Full

[illegible] Union Act VII of 1926

[illegible] Ambulance Service Worker's Union

(Affiliated with the All India Defence Employees'

Federation Union)

Head Office

[illegible], Cuttack, Orissa State.

Application for the grant of Provident Fund Advance Contribution

Applicant General Secretary

Address Same

Regd. No. of U/C.Ml/AU/26 Dt. 12.7.1946

To,

The Commander Corps Engineers (I),

HQ, Eastern Command Road

Kolkata-21

Reference Union of Industrial Workers in pay

scale recommended by III Pay Commission

implement of Corps Grade Workers in A. C.

Highly Skilled Grade II with effect from 18 Oct.

94.

Dear Sir,

Reference your verbal order A.C.C. Dt. 17 Jul.96

It is submitted that on going through the above

Attested
per
8/8/86

50

In the Central Administrative Tribunal

Principal Bench, Chandigarh.

Schedule No. 6

In

Petition No. [illegible] of 1986.

Between

[illegible] & others .....Applicants.

and

The Union of India & others.

.....Respondents.

True copy.
(Petitioner's copy in this case)

51

52

51.	[illegible]	[illegible]
52.	[illegible]	[illegible]
53.	[illegible]	[illegible]
54.	[illegible]	[illegible]
55.	[illegible]	[illegible]
56.	[illegible]	[illegible]
57.	[illegible]	[illegible]
58.	[illegible]	[illegible]
59.	[illegible]	[illegible]
60.	[illegible]	[illegible]
61.	[illegible]	[illegible]
62.	[illegible]	[illegible]
63.	[illegible]	[illegible]
64.	[illegible]	[illegible]
65.	[illegible]	[illegible]
66.	[illegible]	[illegible]
67.	[illegible]	[illegible]
68.	[illegible]	[illegible]
69.	[illegible]	[illegible]

Attested
pej
8/18/86

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Registration No.38) of 1935

[redacted]

[redacted]
others.

..... [redacted]

And

[redacted]
others.

..... [redacted]

To

The Hon'ble member and his other companion member of the Hon'ble Tribunal.

The humble application of the aforesaid applicants most respectfully showeth as under :-

1. That the petitioners have filed the aforesaid petition before this Hon'ble Tribunal which has been admitted by this Tribunal.

RRS/283

the recruitment and selection of the Highly skilled [illegible] the rule of the higher authorities are not considered before grant of the appeal also.

[illegible]

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to allow the petitioners to instruct the counsels of paragraph no.8 of the petition and to amend the same in accordance given in paragraph no.8 of this application.

R N Singh

.....
(Signature of Applicant)

[illegible]

I, [illegible] son of late Sri [illegible] aged 43 years resident of 501/45 near 37 [illegible] Kanpur Nagar, do hereby verify that the contents from paragraph no.1 to 7 are true to my personal knowledge and belief and that I have not suppressed any material facts.

R N Singh

Date :
Place :

.....
(Signature of the Applicant)

The Registrar
Central Administrative Tribunal
Additional Bench, Allahabad.

R N Singh

[redacted]

Petition No.389 of 1986

between

Shri R.K.Singh and
others.

..... APPLICANTS.

And

The Union of India and
others.

..... RESPONDENTS.

To

The Hon'ble member and his other companion member of the Hon'ble Tribunal.

The humble application of the aforesaid applicants most respectfully showeth as under :-

1. That the petitioners have filed the aforesaid petition before this Hon'ble Tribunal which has been admitted by this Tribunal.

R.K.Singh

the recruitment and selection of the highly skilled personnel the name of the higher authorities are not mentioned before whom the appeal lies.".

_____

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to allow the petitioners to instruct the averments of paragraph no.3 of the petition and to send the cause in instances given in paragraph no.8 of the application.

.....
(Signature of Applicant)

_____

I, [illegible] son of late Sri [illegible] aged 43 years resident of 501/56 near 37 Technical Complex Hilgul, Lucknow do hereby verify that the contents from paragraph no.1 to 3 are true to my personal knowledge and belief and that I have not suppressed any material facts.

.....
(Signature of the Applicant)

Lucknow:
Date :

The Registrar
Central Administrative Tribunal
Additional Bench, Allahabad.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL

BENCH ALLAHABAD.

C.A.T.C.C.No.

REJOINDER AFFIDAVIT

IN

REGISTRATION NO.389 OF 1986

(DISTRICT : LUCKNOW)

Ram Lakhan Singh and
others.

..... APPLICANTS

VS

The Union of India and
Others.

..... RESPONDENTS.

Affidavit of Ram Lakhan Singh
a/a 43 years son of Sri Mathura
Prasad Singh resident of 501/46
near 35 Ram Niwas Kesaripur
Kalliganj, District : Lucknow.

(Deponent)

राम लखन सिंह

no.2, 6 and 9 and the respondents no.5 to 15 were promoted by means of the impugned order on the basis of their station seniority which means from the date they were appointed at particular station from the date of reporting at their duties which in itself a dangerous outlook even for the applicant no.2, 6 and 9 who could be removed from the promotional post if any body is challenging the impugned order as wrong basis has been adopted by the authorities in providing promotional ventures.

4. That it is also made clear that M.E.S. workers are centrally controlled employees of the defence in civilian category and in revised principles of seniority as laid down in civilian personnel routine orders (C.P.R.O) 73/73 vide dealing with terms and conditions of service relating to the Rules of seniority in (C.P.R.O./73/73- C.P.R.O. 11 at item no.4 it has been defined as follows :-

"Seniority of the individuals centrally controlled on Corps/service/rooster- will not be disturbed under the revised seniority rules if they are adjusted/ transferred

MARRIAGE OFFICER ALLAHABAD

order becomes bad as the respondent no.5 to 15 have been promoted in the same area . The Annexure no.2 filed with the counter affidavit speak about determination of seniority of M.T.S. (Industrial posted from one area to another area. This question has not been challenged by the petitioner by means of the present petition. In these circumstances even the application of Annexure no.2 in the facts and circumstances of the present case is meaningless.

7. That the contents of paragraph no.7 is denied. In its reply the contents of paragraph no.7 of the petition is reaffirmed.

8. That the contents of paragraph no.8 is misconceived and denied. In its reply the contents of paragraph no.6(6) of the petition are reaffirmed.

9. That the contents of paragraph no.9 of the counter affidavit are emphatically denied being wrong and misleading. In its reply it is stated that the petitioners have no knowledge about any seniority list published on 17.7.1986. Infact no seniority list have been published by the Department.

MARRIAGE OFFICER ALLAHABAD

and circumstances of the present case the impugned order was passed on 31.7.1986 having was the basis of alleged so called seniority list displayed by the Department on 17.7.1986 which means that 15 days time was never granted to the petitioners and no correction was made and within 13 days. The D.P.C. on the basis of the seniority list promoted the respondents no.5 to 15.

10. That actually the allegations made in paragraph no.9 of the counter affidavit is baseless imaginary and in reality arbitrarily the Respondent no.5 to 15 have been promoted without any rhyme and reason killing the promotional venture of the petitioner. The advice given by the deponent in paragraph no.9 of the counter affidavit is baseless and even contrary to the C.S. . Rules as seniority list was never published and all things have been done behind the back and for the first time the publication of seniority list on 17.7.1986 have come to the knowledge of the petitioners even the D.P.C. was never supplied any seniority list.

11. That the contents of paragraph no.10 of the

MARRIAGE OFFICE ALLAHABAD 1391

15. That the contents of paragraph no.15, 16 and 17 of the counter affidavit is highly erroneous misleading and contrary to the true legal position In its reply the following facts are submitted.

" The petitioners have challenged the impugned order of selection through promotion as provided in the three grade structure issued by the Department by means of the present petition before this Hon'ble Tribunal. Hence in the circumstances no departmental appeals are provided. The representation as such in this context is meaningless. It may be stated here that no recruitment Rules or Regulations have been framed uptill now for the purposes of selection and promotion from the post of refrigerator Machanic to the post of Highly skilled Refrigerator Machanic grade II. In these circumstances the basis Rules of the Central Civil Services (classification, controll and appeal) Rules, 1965 would be applicable pertaining to the services of all the employees of Central Government which includes the civilian staff of defence. That the Rule 22 and 23 of the

ALLAHABAD 1391

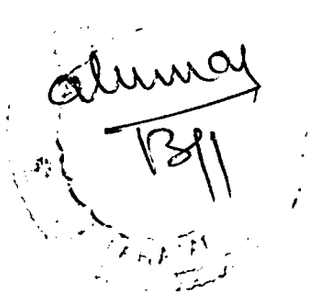
2121 मार्च दिनांक

[illegible] Constitution:

[illegible] verify that the contents of paras no.1 to 12 are true to my personal knowledge and no such part of it is false and nothing material has been concealed.

राम सरवन सिंह

Dt/- (Signature of the applicant)



राम सरवन सिंह

In the Central Administrative Tribunal

Additional Bench, Allahabad.

I N D E X

In

Registration No. of 1986

Between

Sri M.L. Singh and others . . . . . Applicants.

And

The Union of India and others ....Respondents.

Sl.No.	particular of papers.	Page Nos.
1.	Application	1 - 19
2.	Enclosure no.1: Promotion list no.C&S(P)Lko letter no.12015/430/A 1C(2) dt. 31st July,1986.	20 - 22
3.	Enclosure-No.2- Seniority list no. 030/243/A1C(2) dt. 7th Nov. 1985.	23 - 38
4.	Enclosure no.3 :- C&S letter No. 12037/Policy/81/A 2(2) dated 2nd June, 1978.	39 - 40
5.	Enclosure No.4 :- C.&S.(P)Lucknow Sl.No.50 dt. 17th July,1986	41 - 42
6.	Enclosure no.5:- U.P. MMS workers Union letter No.UPMU/MNI/Lko/86 dated 26.7.1986.	43 - 44
7.	Enclosure-No.6 : C&S/Letter No.1383/357/A 1B dt. 29nd May,1986. /11d.	45 - 49
8.	Vakalatnama	50 - 50

Dt. Aug,1986.

Signature of the Applicants

Reg. No. 389 of 1986

Central Administrative Tribunal
Additional Bench
ALLAHABAD PATNA/LUCKNOW
Date of Filing 11.8.86
Date of Receipt by Post

For Deputy Registrar

2- Mr [illegible], Refrigerator Mechanic, [illegible] Refrigeration Section, II [illegible] Central Ice, Mukkom.

3- Mr [illegible], Refrigerator Mechanic, [illegible] Refrigeration Section, II [illegible] Central Ice, Mukkom.

4- Mr [illegible], Refrigerator Mechanic, [illegible] Refrigeration Section, II, [illegible] Mukkom.

5- Mr [illegible], Refrigerator Mechanic [illegible] Refrigeration Section, II [illegible] Central Ice, Mukkom.

6- Mr [illegible], Refrigerator Mechanic [illegible] Refrigeration Section, II, [illegible] Mukkom.

7- Mr [illegible], Refrigerator Mechanic [illegible] Refrigeration Section, II, [illegible] Mukkom.

8- Mr [illegible], Refrigerator Mechanic [illegible] Refrigeration Section, II [illegible] Central Ice, Mukkom.

9- Mr [illegible], Refrigerator Mechanic [illegible] Refrigeration Section, II, [illegible] Mukkom.

10- Mr [illegible], Refrigerator Mechanic [illegible] Refrigeration Section, II [illegible] Central Ice, Mukkom.

11- Mr [illegible], Refrigerator Mechanic, [illegible] Refrigeration Section, II [illegible] Central Ice, Mukkom.

.....Applicants.

Recommended

Peg

[illegible]

[illegible]

[illegible]

೬) ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ

೫೫ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ ೧೨೫.೦೦ ೦ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ

೫೬ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ ೦ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ

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೫೯ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ ೨೫ ೦೦ ೦ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ(೧)
ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ ೦೦

೬) ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ

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೬) ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ :

೬೫ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ ೨೫೦ ೦೦ ೦ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ

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೬೯ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ ೦ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ
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೭೦ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ :

೭೧ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ ೨೫೦ ೦೦ ೦ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ

೭೨ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ ಅಭಿಷೇಕ ಮತ್ತು ಪೂಜೆ

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[illegible] :-

1. [illegible] - [illegible]

11. [illegible] - [illegible] section, [illegible]

111. [illegible] - [illegible] section [illegible]

[illegible] :-

1. [illegible] - [illegible]

11. [illegible] - [illegible] section, [illegible]

111. [illegible] - [illegible] section, [illegible]

[illegible] :-

1. [illegible] - [illegible]

11. [illegible] - [illegible] section, [illegible]

111. [illegible] - [illegible] section, [illegible]

[illegible] :-

1. [illegible] - [illegible]

11. [illegible] - [illegible] section, [illegible]

111. [illegible] - [illegible] section, [illegible]

[illegible] :-

1. [illegible] - [illegible]

Yours faithfully,

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nic Highly skilled grade II when the applicants were senior and more qualified in the trade.

6. That the respondents nos. 1 to 4 have promoted the respondents nos. 5 to 15 in flagrant violation of Ministry of Defence office Memorandum No. 10(1)/75/4265/D(CPPs) dated 15th September, 1977.

6. That the respondent no.1 in utter violation of A-in-C's Branch letter No.B/ 72549/AIC(1) dated 23rd May,1978 in which it was clearly provided that the individuals qualified for promotion to the grade of chrome mechanic must not be promoted in the air crafts they are liable for all India service liability so they must be promoted on the basis of their seniority determined from their date of appointment.

7. That the respondents nos. 5 to 15 could not have been promoted when the seniority list is used by A.F.H.Q.) Lucknow as in existence and was operative and all promotions in filling the vacancies of Sel. nic Highly skilled grade II and have been made strictly from the aforesaid seniority list. The applicants are challenging the validity and correctness of the seniority list alleged to have been prepared and

31st July, 1986, so far as it relates to the promotion of respondents nos. 5 to 16 from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II with effect from 15.10.84.

2- That the respondents may be directed to give promotions of the applicants from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II in accordance with the seniority list (enclosure-2) with effect from 15.10.84.

8.Interim order, if prayed for :-

(i) Pending final decision on the application the applicants seek issue of the following interim order :-

The Hon'ble Tribunal may be pleased to stay the operation of the promotion list (enclosure no.1) so far as it related to the promotion of respondent nos. 5 to 16 be stayed during the pendency of the above mentioned application for the following reason :-

1- Because the applicants shall suffer great loss of seniority in the next highly grade

2- Because the applicants shall not be benefited from the recommendation by 4th Pay Commission.

3- Because the inter se seniority of the

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6- [illegible] Lucknow No.1353/357/[illegible]18 dated [illegible]2nd May,1986 (Annexure-6)

13- List of enclosures:-

1. Promotion list No. C [illegible](P) Lucknow letter No. 13025/420/[illegible]5(C), dated 31st July,86.
2. Seniority list No.13020/[illegible]42/[illegible]5(C) dated 19th November,1985.
3. C.A.G. letter No.11037/Policy/61/[illegible]5(C)(2) dated 22nd June,1978.
4. C.A.G.(T) Lucknow Local no.60 dated 17th July,1986.
5. U.P. [illegible] Workers Union letter no.UP WU/[illegible]I/[illegible]0/86, dated 28.7.86.
6. [illegible] Allahabad letter no.1353/357/[illegible]18 dated [illegible]2nd May,1986.

I, R.K.Pandey son of Sri [illegible] Pandey aged 40 years working as Helper/Motor Mechanic with C/A Lucknow resident of 294/24 Khale Bazar, Lucknow do hereby verify that the contents from 1 to 13 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place :

Date :

Signature of the Applicant. 7/8/86

To,

The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.

In the Central Administrative Tribunal,

Allahabad Bench, Allahabad.

Enclosure No.1

In

Registration No. of 1986

Between

Sri R.B. Singh and others .....Applicant.

Versus

The Union of India and others

.....Respondents.

(Photostat copy is attached/with this) below

Rejd

Tele No. 669

Headquarters
Commander Works Engineer(P)
229 M G Road
Lucknow

12025/ 4/86 /AIC(2) 7 Jul 86

GE E/M LUCKNOW
AGE(I)MEERAUTA
GE(M)LUCKNOW

FITMENT OF INDUSTRIAL WORKERS OF M/S IN THE PAY SCALES RECOMMENDED BY THE THIRD PAY COMMISSION:RECOMMENDATION OF THE ANOMALIES COMMITTEE

1 Reference CWEC Lucknow letter No.901402/1/43/AIC(2) dated 30.4.86 circulated under CWE No.121228/3/Fitment/SAT/AIC(2) dated 03 May 86 and this office Nos 12025/386/AIC(2) dated 7 Jun 86 and 12025/420/AIC(2) dated 15 Jul 86.

2 The following promotions in respect of the Tradesmen belonging to Skilled grades are hereby ordered :-

Srl No.	MES No. & Name	Promoted From	Promoted To	Unit	Remarks
1	441950 Shri JP Singh *(Promoted to HS I wef.5.7.85)	Ref/Mech	Ref/Mech HS II *	GE E/M Lko	Promoted from Skilled to HS II wef.15.10.84 in the pay scale of 330-8-370-10-400-EB-10-480.
2	441948 Shri Shahrat Ali Khan * Promoted to HS I wef.7.3.86	Ref/Mech	Ref/Mech HS II *	GE E/M Lko	-do-
3	441931 Shri Bhagwan Dass	Ref/Mech	Ref/Mech HS II	GE E/M Lko	-do-
4	441965 Shri Charanjeet Singh	Ref/Mech	-do-	-do-	-do-
5	454238 Shri K S Sinha	Ref/Mech	-do-	AGE(I) Mem	-do-
6	454244 Shri OP Pandey	Ref/Mech	-do-	GE E/M Lko	-do-
7	461516 Shri SK Ahuja	Ref/Mech	-do-	-do-	-do-
8	442825 Shri Nanda Ballabh	Ref/Mech	-do-	-do-	-do-
9	442878 Shri Girja Dutt	Ref/Mech	-do-	-do-	-do- contd.2
10	447046 Shri Harbachan Singh	Ref/Mech	-do-	-do-	-do

Attested
True copy
pcj
7/8/86

1	2	3	4	5	6
(11)	454283 Shri Neelam Kumar	Ref/Mech	Ref/Mech HS II	CE E/M Lko	Promoted from skilled to HS II wef.15.10.84 in the pay scale of ₹330-8-370-10-400-EB-10-480
(12)	454197 Shri Zahir Hussain	Ref/Mech	-do-	-do-	
(13)	454146 Shri PC Upadhya	Ref/Mech	-do-	-do-	-do-
(14)	454137 Shri EC Sikri	Ref/Mech	-do-	-do-	-do-
15	404578 Shri Rajender Singh	Ref/Mech	-do-	-do-	-do-
(16)	452352 Shri Hausela Prasad	Ref/Mech	-do-	-do-	-do-
(17)	452570 Shri Tej Kumar Singh	Ref/Mech	-do-	-do-	-do-
18	454170 Shri Surendra Narain Singh	Ref/Mech	-do-	-do-	-do-
(19)	437853 Shri M P Chauhan	Ref/Mech	-do-	-do-	-do-
(20)	443375 Shri Rattan Lal	Ref/Mech	-do-	-do-	-do-
21	359459 Shri HK Maurya	Ref/Mech	-do-	-do-	-do-
22	169622 Shri Manjeet Singh	Ref/Mech	-do-	-do-	-do-
23	411040 Satish Chandra Sharka	Ref/Mech	-do-	-do-	-do-

Item Twenty three only)

Authy:- Govt.of India Min of Def letter No.1(1)80/D/ECC/IC/ Vol-III dated 08 Apr 86.

(Virendra Prasad)
Col
Commander Works Engineer

Copy to :-

CECC Lucknow
CELZ Lucknow
~~EE-GE E/M-Lko~~

file 1(1)2065-A/67(13)

Attested
True copy
pcj
7/8/86.

In the Central Administrative Tribunal

Enclosure No.2

In

Registration No. of 1986

between

Sri R.L.Singh and others ....Petitioners/Applicants

And

The Union of India and others ...espondents.

(Photostat copy are attached below)

TELE MILY 669

Headquarters
Commander Works Engineer (P)
229, MG Road
Lucknow - 2

12030/ 2 4 2 /E1C(2)

1 Nov 85

The Secretary
UP MES WORKERS UNION
2/5 Mangal Pandey Road
Lucknow

SENIORITY LIST OF INDUSTRIAL PERSONNEL : CWE LUCKNOW AREA

1. A copy of Seniority List Industrial personnel of CWE (P) Lucknow Area is forwarded herewith for your record please.

Yours faithfully

(SS Misra)
Offg Adm Officer
for Commander Works Engineer

Encl : One Seniority List.

Attested
True copy
7/8/86

		Page No
1.	Ch/Mech	1 to 4
2.	Ch/Elect.	5 to 9
3.	Ch/Mech(Ref)	10 to 15
4.	Elect	16 to 19
5.	SBA	20 to 24
6.	Wireman	25 to 31
7.	Lineman	32 to 36
8.	Fitter	37 to 39
9.	Ref Mech	40 to 53
10.	DME	54 to 54
11.	Painter	55 to 58
12.	P/Fitter	59 to 63
13.	Carpenter	64 to 69
14.	E/Fitter	70 to 70
15.	A/Winder	71
16.	Moulder	72
17.	Blacksmith	73 to 75
18.	Upholster	76 to 77
19.	C/Maker	80 to 81
20.	Plumber	75 to 79
21.	Welder	82
22.	I/Repairer	83
23.	C/Jointer	84
24.	Mason	85 to 90
25.	OED	91 to 108
26.	MPA	109 to 126
27.	Hammerman	127 to 129
28.	C/Weaver	130 to
29.	C/Stringer	131
30.	Mate	132 to 155
31.	RR Driver	156
32.	Swayer	157
33.	V/man	158 to 161
34.	Mazdoor	162 to 219

* * * * * * * *

Sl	MES No and Name	Date of Birth	Qualification Educational/ Technical Apptt. TT Passed	Category & date of 1st continous apptt. & Date of seniority in subsequent post held	Q/Pt, Pt apptt. held with date in the grade	Date of seniority in the present grade	Whether SC/ST Ex-Service men	Formation where serving	REMARKS
1	2	3	4	5	6	7	8	9	10
1.	MES-216067 ~~Shri~~ VASU DEO	~~6.9.25~~	~~VI Class~~ TT Ch/Mech-63	IME-18.6.55 MT Dvr-4.4.61 Ch/Mech-9.3.64	~~MT Dvr Q/Pt~~ ~~9.3.64~~ 1.7.60 Ch/Mech Pt 16.3.64		Neither	GE E/M Lko	Retired on 30.9.85
2.	MES-441933 Shri ~~A~~ SINGH	4.1.35	VII TT Ch/Mech-64	P/F-8.10.53 Ch/Mech-4.3.65	Ch/Mech Pt 1.7.76	1.3.65	"	-do-	Promoted and Posted to Tkm
3.	MES-350166 Shri BB PANDEY	15.2.28	TT Ch/Mech 1974	Fitter-28.12.48 Ch/Mech-30.8.76	Fitter Pt 1.4.59	30.8.76	"	-do-	
4.	MES-452434 Shri SUKH LAL Now Master Craftsman	1.6.42	H3 ITI Fitter Course TT C/Mech 73	P/F-1.12.66 Fitter-10.6.66 Ch/Mech-30.1.78 Master Craftsman-30.8.85	~~P/Fitter Q/Pt~~ 1.12.69 Fitter Pt 1.2.72	30.1.78	"	AGE ~~(RCP)~~ (I) Memaura	
5.	MES-437026 Shri RAGHU RAJ SINGH	16.8.28	TT Ftr-65 TTCED-56 TT Ch/Mech	Maz-1.11.47 Mate-1.6.50 Ftr-19.3.55 Ch/Mech-4.3.78	Ftr Pt 1.4.68	4.3.78	"	GE (E) Lko	

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Category : Ref/Mech.

1	2	3	4	5	6	7	8	9	10
1.	MES/441931 Shri DHAGWAN DASS	1.7.27	-	Mate-1.8.49 MPA -15.1.50 Ref Mech-2.3.61	Ref Mech Pt. 1.4.65.	2.3.62	Neither	GE E/M Lko	
2.	MES-441950 Shri JOGINDER PAL SINGH Ch.Mech	14.11.41	Inter TTCCh/ Mech (Ref)-68 Ch/Mech 69	Ref Mech- 17.7.64	Ref Mech Pt. 1.4.70	17.7.64	"	-do-	
3.	MES/441948 Shri SHOHRAT ALI KHAN Ch.Mech	30.12.41	HS ITI Ref Course TT Ch/Mech Refg	Ref Mech- 25.7.64	Ref Mech Pt. 1.[illegible]	25.7.64	"	-do-	
4.	MES-441965 Shri CHARANJEET SINGH	6.[illegible].45	HS Ref Course ITI TTCh/Mech (24) 84	Ref Mech- 4.8.64	Ref Mech Pt. 1.4.70	4.8.64	"	-do-	
5.	MES-457063 Shri RL SINGH	3.8.43	Matric Ref Mech TT Ch/ Mech Ref. Course CTTI	Ref Mech- 7.10.65	Ref Mech Pt. 1.4.69	7.10.65	"	-do-	
6.	MES-457061 Shri SURENDRA NARAIN SINGH	1.5.43	IX TT Ch/Mech (Refg)	Ref Mech- 14.10.65	Ref Mech Pt. 1.4.70	14.10.65	"	-do-	
7.	MES-454238 Shri KS SINHA	8.7.40	HS Ref Course ITI Ch/ Mech(Ref)	Ref Mech- 1.12.66	Ref Mech Pt.	1.12.66	"	AGE (Rep) (I) Memaura	

Category : Ref/Mech.

1	2	3	4	5	6	7	8	9	10
8.	MES/454244 Shri OP PANDEY	41.43	HS ITI Ref Course Ch/Mech (Ref)-71	Ref Mech - 1.12.66	Ref Mech Pt 1.4.69	1.12.66	Neither	GE E/M Lko	
9.	MES-457076 Shri RAJENDRA SINGH	1.7.43	IX TT Ch/Mech (Ref)-73	Ref Mech - 28.7.67	Ref Mech Pt 1.4.71	28.7.67	"	-do-	
10.	MES/461510 Shri SK AHUJA	12.1.47	HS TT Ch/Mech (Ref)	Ref Mech - 1.7.68	Ref Mech Pt 1.4.74	1.7.68	"	-do-	
11.	MES/361441 Shri NASEER HUSSAIN	1.1.51	HS	Ref Mech - 28.11.69	Ref Mech Pt ~~28.11.72~~ 1.4.75	28.11.79	"	-do-	
12. (1)	MES/359663 Shri RK PANDEY	14.5.46	BA TT Ch/Mech Ref	Ref Mech - 27.1.70	Ref Mech Pt ~~27.1.70~~ 1.4.75	27.1.70	"	-do-	
13. (3)	MES/359458 Shri RAM GOPAL MISHRA	24.5.45	BA ITI Ref Mech course TT Ch/Mech(Ref)	Ref Mech - 2.4.70	Ref Mech Pt 1.4.71	2.4.70	"	-do-	
14. (2)	MES/361531 Shri KK GUPTA	15.9.45	Inter TT Ch/Mech(Ref) 73	Ref Mech - 2.4.70	Ref Mech Pt. 1.4.71	2.4.70	"	-do-	

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Category : Ref Mech.

1	2	3	4	5	6	7	8	9	10
15.	MES-359459 Shri RK MAURYA	20.1.46	HS ITI Ref Course	Ref Mech-2.4.70	Ref Mech Pt 1.4.71	2.4.70	Neither	GE E/M Lko	
16.	MES-361625 Shri MANJEET SINGH	1.12.46	HS TT Ch/Mech (Ref)	Ref Mech-17.6.70	Ref Mech Pt 1.4.71	17.6.70	"	-do-	
17.	MES-169619 Shri BABBA JANI	15.7.50	Matric	Ref Mech-5.12.70	Ref Mech Pt ~~5.12.73~~ 1.4.76	5.12.70	"	-do-	
18.	MES-169022 Shri MANJEET SINGH PAWA	7.7.51	Inter	Ref Mech-11.12.70	Ref Mech Pt ~~11.12.74~~ 1.4.77	11.12.70	"	-do-	
19.	MES-411040 Shri SATISH CHANDRA SHARMA	18.7.51	TT Ch/ Mech(Ref) HS	Ref Mech-23.4.71	Ref Mech Pt ~~23.4.74~~ 1.4.77	23.4.71	"	-do-	
20.	MES-411039 Shri MUMTAZ AGHA	2.8.51	HS	Ref Mech-23.4.71	Ref Mech Pt 23.4.74	23.4.71	"	-do-	
21.	MES-450954 Shri KK GUPTA	15.6.47	Inter	MPA -1.3.66 Ref Mech-23.11.71	MPA Pt-1.4.72 Ref Mech Pt ~~23.11.74~~ 1.4.77	21.10.71	"	-do-	
22.	MES-361124 Shri KRISHAN KUMAR	5.4.49	HS Ref. Course 171	Ref Mech-23.11.71	Ref Mech Pt ~~23.11.74~~ 1.4.78	23.11.71	"	-do-	

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Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
23.	MES-419671 Shri HARISH CHANDRA LOHANI	2.8.51	HS	Peon -29.10.71 Ref Mech-2.2.72	Ref Mech Pt	2.2.72	Neither	GE E/M Lko	
24.	MES-443375 Shri RATTAN LAL	2.6.39	VIII	V/Man- 1.1.65 Ref Mech-14.4.72	V/Man Pt Ref Mech Pt	14.4.72	"	-do-	
25.	MES-467175 Shri SK PAUL	27.7.53	X TT Ch/Mech (Ref)-80	Ref Mech-1.6.72	Ref Mech Pt 1.4.79	1.6.72	"	GE(RCP) Memaura	
26.	MES-437853 Shri MP CHAUHAN	7.4.50	HS Ref Mech Course ITI	Ref Mech-20.12.72	Ref Mech Pt	20.12.70	"	GE E/M Lko	
27.	MES-442825 Shri NANDA BALLABH	12.3.37	VI	Maz - 11.9.57 Mate -21.4.64 Ref Mech-12.2.73	Maz Pt 1.4.68	12.2.73	"	-do-	
28.	MES-454283 Shri NEELAM KUMAR	14.11.47	IX TT Ch/Mech (Ref)	MPA -14.9.66 Ref Mech-12.2.73	MPA Pt 1.4.70 Ref Mech Pt 1.4.79	12.2.73	"	-do-	
29.	MES/447040 Shri HARBACHAN	21.10.46	HS TT Ch/Mech (Ref)	MPA-17.5.67 Ref Mech-12.2.73	MPA O/Pt 15.5.70 Ref Mech Pt	12.2.73	"	-do-	

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Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
30.	MES-442878 Shri GIRJA DUTT	9.10.38	V	Chow -9.10.67 Maz- 11.4.69 MPA -22.1.69 Ref Mech -12.2.73	Maz Pt 1.4.68 Ref. Mech Pt 1.4.79	12.2.73	Neither GE E/M Lko		
31.	MES-454146 Shri PC UPADHYA	1.1.44	HS	MPA -4.6.68 Ref Mech-15.4.74	MPA Pt 1.4.72 Ref Mech Pt 1.4.79	15.4.74	"	-do-	
32.	MES-454197 Shri ZAHIR HUSAIN	10.7.42	IX	MPA -9.11.68 Ref Mech -15.4.74	MPA Q/Pt Ref Mech Pt 1.4.79	15.4.74	"	-do-	
33.	MES-452137 Shri RA SHRI	26.1.46	HS ITI course of Refg.	MPA-3.8.68 Ref Mech-22.4.74	MPA Pt 1.4.73 Ref Mech Pt 1.4.79	22.4.74	"	-do-	
34.	MES-452352 Shri KAUSALA PRASAD	1.4.42	HS	Maz -1.2.66 MPA -3.1.69 Ref Mech-9.7.74	Maz Pt 21.11.72 Ref Mech Pt 1.4.79	9.7.74	"	-do-	
35.	MES-452570 Shri TEJ KUMAR SINGH	12.6.46	VIII	MPA -17.10.70 Ref Mech-10.8.74	MPA Q/Pt 17.10.73 Ref Mech Pt 1.4.79	10.8.74	"	-do-	
36.	MES-135984 Shri INDERJIT SHARMA	11.8.51	HS Ref ITI Course	Ref Mech-28.10.74	Ref Mech Qpt 28.10.77	28.10.74	"	-do-	

Tech Mech Rf

Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
37.	MES-460799 Shri GC SRIVASTAVA	31.1.47	HS Trn/Reader Tech Mech (Ref) SD	Peon-20.5.66 MPA-22.9.71 Ref Mech-11.1.75	Peon Q/Pt 20.8.69 Ref Mech Pt 1.4.79	11.1.75	Neither	GE E/M Lko	
38.	MES-454261 Shri INDER BAHADUR	16.8.48	VIII	MPA-18.8.67 Ref Mech-11.1.75	MPA QPt 18.8.70 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
39.	MES-454138 Shri SATISH KUMAR	6.10.43	VI	MPA-4.6.68 Ref Mech-11.1.75	MPA Q/Pt 4.6.71 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
40.	~~MES-454504~~ 454581 Shri [illegible]	30.11.45	Inter	MPA-20.10.70 Ref Mech 20.2.73 Reverted MPA-9.10-73 Ref Mech -11.1.75	Ref Mech Pt 1.4.79	11.1.75	"	-do-	
41.	MES-452647 Shri MANOHAR LAL KOTANALA	28.6.45	IX Tech Mech (Ref)	MPA-1.8.70 Ref Mech-11.1.75	Pt 1.4.79	11.1.75	Ex-serviceman	-do-	
42.	MES-454154 Shri PN SINGH	15.7.42	HS	MPA-4.6.68 Ref Mech-11.1.75	MPA Q/Pt 4.6.71 Ref Mech Pt 1.4.75	11.1.75	(SC)	-do-	
43.	MES-454533 Shri DEVENDRA SINGH RAWAT	15.9.48	Matric Ref Mech course CME Pocna	MPA-3.10.67 Ref Mech-11.1.75	MPA Q/Pt 3.10.70 Ref Mech Pt	11.1.75	Neither	-do-	

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1	2	3	4	5	6	7	8	9	10
44.	MES-454258 Shri RN PANDEY	19.11.43	HS	MPA-13.10.67 Ref Mech-17.1.75	MPA Opt Ref. Mech Pr 1.4.79	17.1.75	Neither	GE E/M Lko	
	MES-443136 Shri KESHAV CHAND	11.7.44	VIII	Chow -30.7.63 Maz -10.11.64 Mate -5.1.69 Ref Mech-24.5.73 Reverted Mate-10.10.73 Ref Mech-1.5.75	Maz O/Pt 10.11.67 Ref Mech Pr. 1.4.79	1.5.75	"	-do-	
	MES-437375 Shri NARAYAN DAS JATAV	4.10.47	HS	Ref Mech-1.5.75	Ref Mech O/pt Pr. 1.4.77	1.5.75	S/C	-do-	
	MES-437854 Shri SHAH HAIDAR ABBAS RIZVI	1.5.48	Inter Ist Yr course	Ref Mech-1.5.75	-do- 1.4.79	1.5.75	Neither	-do-	
	MES-437881 Shri DHIRAJ KUMAR	1.2.49	MA	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437877 Shri RAMJIVAN	10.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437885 Shri SYED SHAID HUSSAIN	1.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437886 Shri AIZAZ AHMED	19.10.50	HS	Ref Mech-1.5.75	-	1.5.75	"	-do-	
	MES-437878 Shri MC YADAV	10.11.50	Inter TY Ch/Mech Rg. 80	Ref Mech-1.5.75	-	1.5.75	"	-do-	

Category : Ref Mech

(47)

1	2	3	4	5	6	7	8	9	10
53.	MES-437880 Shri RK KOHLI	22.11.50	Inter ITI Course Ref	Ref Mech -1.5.75	Ref Mech Pt 1.4.79	1.5.75	Neither	GE E/M Lko	
54.	MES-437997 Shri MK GUPTA	4.11.51	Inter	Ref Mech-1.5.75	-	1.5.75	Neither	-do-	Bareilly E/M II and Roorkee Kanpur
56.	MES-437874 Shri ABINASH CHANDRA KALIAH	6.11.52	HS	Ref Mech-1.5.75	Ref Mech Pt 1.4.80	1.5.75	"	-do-	
57.	MES-437883 Shri NL SRIVASTAV	20.1.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
58.	MES-437882 Shri VIJAYA MOHAN	17.7.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
59.	MES-437879 Shri SK TIWARI	1.11.53	Inter	Ref Mech-1.5.75	Ref Mech Pt 1.4.80	1.5.75	"	-do- GE(W) BKT	
60.	MES-437992 Shri GIRISH CHAND	13.11.51	HS	Ref Mech-1.8.75	-do-	1.8.75	"	-do- GE E/M I	
61.	MES-437993 Shri ARUN KUMAR SRIVASTAVA	17.4.52	BA TT Gd/Mech(Rly) 80	Ref Mech.1.8.75	-do-	1.8.75	"	-do-	

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Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
62.	MES-437994 Shri ASHWANI KUMAR VAID	28.5.52	BA	Ref Mech-1.8.75	Ref Mech Pt 1.8.78	1.8.75	Neither	GE E/M Lko	
63.	MES-NYA Shri ~~PRITAM RAM~~ SHUA	~~19.12.52~~	~~HS~~	Ref Mech-1.8.75	-	1.8.75	-do-	-do- Expired on 23.9.83	
64.	MES-437991 Shri NOORAL HASSAN	10.8.51		Inter Ref Mech-26.9.75	Ref Mech Pt 1-4-80	26.9.75	-do-	-do-	
65.	MES-454770 Shri RAKESH PANDEY	1.6.53		HS ITI Ref Mech-1.8.75 In Ref Tech/Mech 78 (Rly)	-	1.8.75	-do-	AGE (~~I~~ CI) Mena a	
66.	MES-437998 Shri BHARAT BHUSHAN SRIVASTAVA	12.2.50		IE Ref Mech-19.11.75	Ref Mech Pt 19.11.78	19.11.75	-do-	GE E/M Lko	
67.	MES-450566 Shri JAWAHAR LAL VERMA	25.6.46		Inter MPA-1.4.67 Ref Mech-6.12.75	MPA Pt 1.4.77	6.12.75	-do-	-do-	
68.	MES-455545 Shri ROOP CHAND	3.1.52		MPA-30.10.73 Ref Mech-20.9.77	MPA Pt 1.4.77	20.9.77	~~-do-~~ SC	-do-	
69.	MES-435941 Shri RAJ KUMAR	2.2.42		MPA-22.12.61 Ref Mech-11.5.78	MPA-Pt 1.4.66	11.5.78	Neither -do-	-do-	
70.	MES-432391			Inter	MPA-Pt	11.5.78	-do-	-do-	

1	2	3	4	5	6	7	8	9	10
71.	MES-453548 Shri RB MISHRA	13.10.48	9th TT Ref Mech 77	MPA-11.3.77 Ref Mech-13.5.78	MPA Pt 1.4.78	13.5.78	Neither	GE E/M Lko	
72.	MES-437999 Shri TIKA RAM	9.3.47	Inter TT Ref Mech 77	MPA-~~3.10.78~~ 17.9.74 Ref Mech-12.10.78 29.9.78	MPA Pt ~~1.4.77~~ 1.9.77	~~12.10.78~~ 29.9.78	"	-do-	
73.	MES-454579 Shri BAL RAM SINGH	2.12.51	HS TT Ref Mech 77	MPA-25.1.74 Ref Mech-12.10.78	MPA Q/Pt 25.1.77	12.10.78	"	-do-	
74.	A/49859 Shri DK ASTHANA	2.6.42	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA Q/Pt 17.9.77	13.10.78	"	-do-	
75.	MES-437908 Shri KL ARORA	8.7.43	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA Q/Pt 17.9.77	13.10.78	"	-do-	
76.	MES-454235 Shri SATYADEO SINGH	24.12.45	8th TT Clare-70 TT MPA 73 TT Ref Mech 77	MAZ -22.1.68 MPA-13.8.74 Ref Mech 13.10.78	Maz Q/Pt 22.1.71	13.10.78	"	-do-	
77.	MES-454750 Shri SZI RIZVI	30.6.48	BA TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	
78.	MES-437906 Shri SK MEHDI	13.7.48	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	

gk.

Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
79.	MF-225256 Shri TK BARUA	6.6.49	HS TT Ref Mech 77	MPA-1.8.74 Ref Mech-13.10.78	MPA Qpt 1.6.77	13.10.78	Neither	GE E/M Lko	
80.	MES-437098 Shri RL CHOPRA	10.12.49	SH TT Ref Mech 77	MPA-6.9.77 Ref Mech-13.10.78	MPA QPt 6.9.79	13.10.78	"	-do-	
81.	MES-425060 Shri SURESH CHAND	2.5.53	HS	MPA-30.10.72 Ref Mech-20.1.78	MPA QPt 3.10.75	20.1.78	SC	-do-	
82.	MES-~~459569~~ 459580 Shri SANTOSH ~~BLIAS~~ BALIAS	8.2.51	Inter TT Ref Mech 75	MPA-19.10.70 Ref Mech-20.1.78	MPA Pt 1.4.77	20.1.78	Neither	-do-	
83.	MES-455215 Shri BACHCHU SINGH	20.9.43	HS TT SBA 75 TT Ref Mech 75	MPA-16.10.71 SBA-12.2.75 Ref Mech-18.2.78	MPA Pt 1.4.77	18.2.78	"	-do-	
84.	MES-455537 Shri BHUIYAN DIN	12.11.51	IX TT Ref Mech 75	MPA-19.8.72 Ref Mech-8.5.78	MPA Pt 1.4.73	8.5.78	SC	-do-	
85.	MES-~~454259~~ 454535 Shri BASANT LAL	1.7.43	TT for Ref Mech 79	MPA-15.11.66 Ref Mech-26.6.82	MPA PA 1.4.72	26.6.82	Neither	GE (RCP) Mehaura	
85.	MES-~~459536~~ Shri JAGDISH ID	7.7.49	IX TT Ref Mech 79	MPA-23.4.71 Ref Mech-1.7.82	MPA Pt 11.4.72	1.7.82	SC	~~GE~~ E/M Lko	
86.	MES-452427 Shri BASU DEO SINGH	19.4.44	VIII TT MPA 74 TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	Neither	-do-	

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gk.

Category : Tech Mech

1	2	3	4	5	6	7	8	9	10
88.	MES-452429 Shri AMRINDER SINGH	3.11.44	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	Neither	GE E/M Lko	
89	MES-452407 Shri VINOD KUMAR SINGH	25.12.48	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	"	-do-	
90.	MES-454257 Shri SADA SUKH	1.7.44	TT MPA 74	MPA-1.12.66 Ref Mech-4.4.83	MPA Pt 1.4.72	4.4.83	"	AGE (RCP) Mem	
91.	MES-454136 Shri BABU LAL	16.10.34	VIII TT Ref Mech 79	MPA-3.8.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	GE E/M Lko	
92.	MES-454502 Shri SULTAN SINGH	2.7.45	VIII TT Ref Mech 79	MPA-3.8.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	-do-	
93.	MES-452641 Shri HARI LAL	13.5.47	VIII TT MPA 74 TT Ref Mech 79	MPA-1.8.79 Ref Mech-17.1.84	MPA Pt 1.4.77	17.1.84	SC	-do-	
94.	MES-437981 Shri SHIV PRASAD	11.1.59		MPA-6.9.[illegible] Ref Mech-14.2.84	MPA C/Ex 6.9.[illegible] MPA Pt 1.4.81	14.2.84	Neither	-do-	
95.	MES-454264 Shri VK SINGH	12.7.46	IE TT MPA 76 TT Ref Mech 79	MPA-1.12.66 Ref Mech-9.4.83	MPA Pt 9.4.83	9.4.83	"	AGE BKT GE (W) Lko	

In the Central Administrative Tribunal

Addl. Bench, Allahabad.

Enclosure No.5

In

Registration No. of 1988.

Sri R.A.Singh and others ....Petitioners/Applicants

And

The Union of India andothers ....Respondents.

(photo stat copy is attached below)

FILE NIL : 681

Headquarters
Commander Works Engineers (P)
229 MG Road
LUCKNOW -2

No.12037/Policy/ | \ /E1C(2) JUN '78

To

GE (East) Lucknow
GE (West) Lucknow
GE E/M (P) Lucknow

LETTER COMMAND POSTING AND TRANSFERS : SUBORDINATES

A copy of E-in-C's Br letter No.PC73549/E1C(1) dt 23 May'78, received under CENZ letter No.120854/POL/137/E1C(2) dated 13.6.78 is forwarded herewith for your information.

(GOVIND LAL)
BSO
for Commander Works Engineers (P)

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copy of CENZ letter No. 120854/POL/137/E1C(2) dated 13 Jun'78.

Subject:- As Above.

1 E-in-c's Br vide their No. PC73549/E1C(1) dt 23 May'78 received under CECC Lucknow No.915100/Policy/50/76/E1C(2) of 31 May'78 has clarified as under with reference to posting out of the CWE Area in respect of Industrial Personnel who are qualified for higher grade if no vacancy exists in a particular area:-

"The individuals qualified for promotion to the grade of Ch Mech (Refg) need not be promoted in the same area as they are liable for all India service liability. Please ascertain the vacancies in your Command and consider their transfer on promotion in case no qualified individuals exist in the area".

Sd/ x x x x
(Roshan lal)
AO I
For Chief Engineer

Attested
True copy
Adv
7/5/86

In the Central Administrative Tribunal
Additional Bench, Allahabad.

Enclosure-No.4

In

Registration No. of 1986

Between

R.B. Singh and others .....Applicants.

and

Union of India and others .....Respondents.

FACT SHEET
by
Cmm. (P) Lucknow Contt.-2

Unit: C.E.(P) Sl.No.50

Dt. Lucknow. Dt. 17 Jul,86.

Fitment of Ind. work in pay scales recommended by III pay commission. Implementation of three grade structure in M.S Rs.64.11 wief. 15th Oct.86.

1. Boards of Office compared as under will assemble at time and place to be fixed by Presiding officer to draw a select list of Sec. Gde for promotion to Rs 64. II in terms of govt. of India Ministry of Def. Instt. No.1(1)/80/D(C)/10 vol.III of 90870/89/AG/A,C(III) dt. 14 April,86.

Presiding officer - Shri [illegible] Thurst CE(P) Lucknow

Members :- 1- Shri A.K.Tiwari, SE/S CE(P) Lko.

2- Shri [illegible] S/A Def.

3- S/A Lko.

3. Seniority list of individuals and a copy

Attested
True copy
pcj 7/8/86

42

-2-

of [illegible] establishment for 1986-87 will be supplied by this office.

3. Court proceedings duly completed in all respect may be submitted to this office by 31 Jul. 86.

Virendra Singh
Sol. C.S.

12005/1/760/A.G(I)

Distribution :-

1. Sri L.[illegible]. Arthur,
2. Sri B.[illegible]. Siwori
3. Sri S.E. Horo.
4. [illegible] C/o Lucknow.
5. Gu( ) Lucknow
6. [illegible](1) Manipur.

(true copy) Attested
pcj
7/8/86

In the Central Administrative Tribunal

Principal Bench Allahabad.

Contempt No. 5

In

Registration No. of 1986.

Between

Sri B.B. Singh and others ....Applicants.

and

Union of India and others ....Respondents.

(Show cause copy are attached below)

Recognised by Govt. of India
(Ministry of Defence)

Registration No. 710
Registered under Trade Union Act XVI of 1926

44

U.P. Military Engineering Services Worker's Union

(Affiliated with the All India defence Employees Federation, Pune)

HEAD OFFICE :

83-B, SULTANPURA, AGRA CANTT.

Liaison Office : 2 5, Mangal Pandey Road, Lucknow Cantt.

President :
K. N. SINGH

General Secretary :
S. S. MISRA

Ref. No. UPWU/.SEN.I/LKO/.86

Dated.....25.-.7.....1986.

To

THE COMMANDER WORKS ENGINEER (P)
229, MAHATMA GANDHI ROAD
LUCKNOW -2.

D.P.C. FITMENT OF INDUSTRIAL WORKER IN PAY SCALE RECOMONDED BY IIIRD PAY COMMISSION: IMPLEMENTATION OF THREE GRADE STRUCTURE IN M.E.S. HIGHLY SKILLED GRADE II WITH EFFECT FROM 15.OCT. 84

OFFICE OF THE DIVISION-II

Dear Sir,

Reference your part-I order S.N. 50 Dt. 17th JULY 86

It is submitted that on going through the above referred Part-I order it is established beyond reasonable doubt that the board of officer order vide part-I order No.50 dt. 17th July 1986 is violative of order of ministry of Defence regarding promotion and application of III grad structure the few of the many objection are as under:-

1. Why the list has under gone great deal of changes since it was last placed befor the D.P.C. where as based on this seniority list some promotions were effected.

2. The authorities faild to circulate to all concerned the seniority list placed before D.P.C.

3. The authorities failed to provide reasonable apperunity to the individuals whose seniority has not been finalli-sed.

In conclusion you are in the light of orders of Minitry of defence bound to satisfy the above mentioned requirement failing which U.P. M.E.S. WORKERS UNION will be compelled to take agitarial course to satisfy its workers.

Copy to:- 1. E-in-C.
2. C.E.(E) Lko.
3. C.E.C.C.Lko.
4. A.G.E.(I) Lko.
5. C.E.L.Z. Lko.
6. C.E. E/M.Lko.
7. C.E.(W) Lko.

Presiding officer L.P.C. Board Offi. vide part-I order No.50 dt. 17.7.86.

Yours faithfully

V.K. BAJPAI
VICE PRESIDENT

Attested
True copy

45

In the Central Administrative Tribunal

Additional Bench, Allahabad.

Enclosure No. 6

In

Registration No. of 1986.

Between

Gul Mohd.Singh & others .....Applicants.

and

The Union of India & others.

...Respondents.

(photostat copy of attached below)

Rec'd

Tele Mily- 249

Head quarter
Commander Works Engineers
A llahabad

1353/ 351 / EIB

22 May 86

GE (West) Allahabad
GE (East) Allahabad
GE (AF) Bamrauli
GE (AF) Gorakhpur
GE E/P Allahabad
AGE (I) Faizabad.

FITMENT OF INDUSTRIAL WORKERS OF MES IN THE PAY SCALES RECOMMENDED BY THE THIRD PAY COMMISSION.

The following promotions are hereby ordered in terms of Govt of India, Min of Def No. 3810/DS (C&M)/CIV-1/84 dated 15 Oct. 84 and E-in-C's Branch, Army HQ New Delhi letter No. 90270/89/ EIC Dt. 04 July 85 to the highly skilled grade II in the Scale of Rs.330-8-370-10-400-EB-10-480. The promotion will be effective wef. 150 ct. 84 and their pay is to be fixed in terms of the Ministry of Defence Memo No.2 (32)/62/5518/D(Civ-1) dated 22.6.82

Sl. No.	MES No. and Name	Designation	Formation	Remarks
1	2	3	4	5
1.	MES -430258 Shri Ambika Prasad	Blacks-mith	GE (E) Allahabad	
2.	MES- 482180 Shri Jawahar Lal	-do-	GE (W) Allahabad.	
3.	MES- 357250 Shri Gulab	-do-	GE E/P Allahabad.	
4.	MES-431400 Shri Gangam Lal	L/Man	GE (W) Allahabad.	
5.	MES-432074 Shri Jai Pal	-do-	GE(E) Allahabad.	
6.	MES -454225 Shri Man Mohan	-do-	AGE(I) Faizabad.	
7.	MES-292865 Shri K.Singh	-do-	GE (AF) Bamrauli	
8.	MES- 432096 Shri Ayodhya Prasad	-do-	GE (W) Allahabad.	
9.	MES -432053 Shri Bankey Lal	-do-	GE (AF) Bamrauli	

Attested
True copy
Pej
7/8/86

63. M.S -451068 Shri GD Srivastava	-do-	GE (AF) Gorakhpur.
64. M.S - 431815 Shri K.P. Singh	-do-	-do-
65. M.S-431983 Shri M. Gupta	-do-	-do-
66. M -431974 Shri SK Srivastava	-do-	-do-
67. M.S -431576 Shri Roshan Lal	-do-	GE (I) Allahabad'
68. M.S - 431575 Shri Ashok Kumar	-do-	-do-
69. M.S-431546 Shri Shiv Ram Singh	-do-	GE (AF) Bamrauli
70. M.S-431728 Shri Mohd. Ismoul Haq	-do-	GE (I) Allahabad.
71. M.S 43206 Shri Dhanni Lal Yadav	-do-	-do-
72. M.S -530857 Shri Bashir Ahmad	-do-	GE (AF) Bamrauli
73. M.S- 430566 Shri H Bahola	-do-	GE (AF) Gorakhpur
74. M.S - 930510 Shri Abbd Ram Jha	-do-	GE(AF) Bamrauli
75. M.S-432078 Shri Shyam Lal	-do-	(GE (I) Allahabad
76. M.S - 461265 Shri Jamshidhan Prasad	-do-	GE (AF) Bamrauli
77. M.S-4433190 Shri SD Joshi	I/fitter	GE Allahabad.
78. M.S-431020 Shri Ram Sharey	-do-	GE (I) Allahabad.
79. M.S-441921 Sh Atma Ram Singh	-do-	-do-
80. M.S-450909 SH-AS- Mohd.	-do-	AE(I) Faizabad
81. M.S 431169 Sh. Sukh Ram	-do-	GE (I) Allahabad.
82. M.S 443008 Shri Ramji	-do-	AGE (I) Faizabad.

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23-40

41—43

44-45

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50-55

56—60

Reg. No. 309 of 1986
Central Administrative Tribunal
Additional Bench
ALLAHABAD PATNA JABALPUR
Date of Filing : 11.8.86 OR
Date of receipt by Post
For Deputy Registrar.

7- [illegible] refrigerator mechanic, [illegible] refrigeration section, [illegible] Abbeville, [illegible].

8- [illegible], refrigerator mechanic, [illegible] refrigeration section, [illegible] Abbeville, [illegible].

9- [illegible], refrigerator mechanic, [illegible] refrigeration section, [illegible] Abbeville, [illegible].

10- [illegible], refrigerator mechanic, [illegible] refrigeration section, [illegible] Abbeville, [illegible].

11- [illegible], refrigerator mechanic, [illegible] refrigeration section, [illegible] Abbeville, [illegible].

12- [illegible], refrigerator mechanic, [illegible] refrigeration section, [illegible] Abbeville, [illegible].

13- [illegible], refrigerator mechanic, [illegible] refrigeration section, [illegible] Abbeville, [illegible].

14- [illegible], refrigerator mechanic, [illegible] refrigeration section, [illegible] Abbeville, [illegible].

15- [illegible], refrigerator mechanic, [illegible] refrigeration section, [illegible] Abbeville, [illegible]

.....Report Ends.

Details of the application :-

1. Particulars of the applicants :-

Applicant No.1:

Name of the applicant	: K.[illegible]-ingh
Name of the father	: Late [illegible] Singh.
Designation and office in which employed	: Refrigerator mechanic [illegible] w/ Lucknow.
Office Address	: Refrigeration section 11 [illegible] Lucknow
Address for service of all notices.	: 501/46, [illegible] Ali Ganj, Lucknow.

Applicant No.2 :-

Name of the applicant	: [illegible] Singh
Name of the father	: Late [illegible] Singh
Designation and office in which employed.	: Refrigerator mechanic [illegible] w/ Lucknow.
Office Address	: Refrigeration section, 11 [illegible] Lucknow.
Address for service of all notices.	: [illegible], [illegible] Lucknow.

Applicant No.3 :-

Name of the applicant	: [illegible]
Name of the father	: [illegible]
Designation and office in which employed.	: Refrigerator mechanic [illegible] w/ Lucknow.
Office Address	: Refrigeration section, 11 [illegible], Lucknow.
Address for service of all notices.	: [illegible], [illegible], Lucknow.

Applicant no.4 :-

Name of the applicant	- Sri Ram Royal Misra
Name of the father	- Sri B.L.Misra
Designation & office in which employed	- Refrigerator mechanic AGE E/M Lucknow.
Office address	- Refrigeration section, 11 Sardar Patel Marg, Lucknow.
Address for service of all notices.	- 504/480-A, Kailashpur, (N) Lucknow.

Applicant no.5:

Name of the applicant	- Sri A.K.Gupta.
Name of the father	- Sri B.S.L.Gupta.
Designation and office in which employed	- Refrigerator mechanic AGE E/M Lucknow.
Office address	- Refrigeration section 11, Sardar Patel Marg, Lucknow.
Address for service of all notices.	- 47, Goinganj, P.O. Aminabad, Lucknow.

Applicant No.6:

Name of the applicant	- Sri R.K.Maurya
Name of the father	- Sri Ram Lakhan Maurya
Designation of and office in which employed	- Refrigerator mechanic AGE E/M Lucknow.
Office address	- Refrigeration section 11, Sardar Patel marg, Lucknow.
Address for service of all notices	- 568/26, Kailashpur, Lucknow.

Applicant No.7:

Name of the applicant	- Sri Manjeet Singh
Name of the father	-

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible]:

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible]:

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible]:

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

Address for service of all notices - 1/6/1 Nai Basti Aliganj, Lucknow Colony Lucknow.

Applicant no.II :-

Name of the applicant - Shivlalman Kumar

Name of the father - Sirkhi Lal

Designation and address in which employed - Office Superintendent Grade I/ Lucknow.

Office address - Senior Divisional Section II Carriage and Wagon Office, Lucknow.

Address for service of all notices. - Same as above Advocate. Lucknow.

Particulars of the respondents. :-

Respondent no.1 :-

Name or designation of the respondent - Union of India through Secretary.

Office address of the respondents. - Ministry of Defence, Central Secretariat New Delhi.

Address for service of all notices. - -do-

Respondent no.2 :-

Name or designation of the respondent - The Engineer-in-Chief

Office address of the respondent - Army Head Quarter, Kashmir House New Delhi

Address for service of all notices. - -do-

Respondent no.3:-

Name or designation of the respondent - Commander Works Engineer

Office address of the respondent - 509 Army Post Office, Lucknow.

Address for service of all notices. - -do-

Respondent no.4 :-

Name of the designation of the respondent - Garrison Engineer

Office address of the respondent - A/M Military Engineering Services Lucknow.

Address for service of all notices. - " -do-

Respondent no.5:-

Name of the respondent - Nanda Lal Babb

Office address of the respondent - MES A/F Refrigeration section II Sardar Patel Marg, Lucknow.

Address for service of all notices. - -do-

Respondent no.6:-

Name of the respondent - Mir,s Butt

Office address of the respondent - MES A/F Refrigeration Section, II Sardar Patel Marg, Lucknow.

Address for service of all notices - -do-

Respondent no.7 :-

Name of the respondent - Mr. Bachan Singh

Office address of the respondent - MES A/F Refrigeration Section II Sardar Patel Marg, Lucknow.

Address for service of all notices. - -do-

Respondent no.8:-

Name of the respondent - Sri Jeelam Kumar.

Office address of the respondent - MES A/F Refrigeration Section, II Sardar Patel Marg, Lucknow.

Address for service of all notices. - " -do-

Respondent No.9:-

Name of the said respondent : Ramesh Kumar

Official address of the respondent : Asstt. C/I Central Excise Section II Central Excise Bldg. Ambala.

Address for service of all notices. : As above.

Respondent No.10:-

Name of the respondent : P.D.Chaturvedi

Official address of the respondent : Supdt. C/I Central Excise Section II Central Excise Bldg. Ambala.

Address for service of all notices. : As above.

Respondent No.11:-

Name of the said respondent : M.C.Bhatt

Official address of the respondent : Supdt. C/I Central Excise Section II Central Excise Bldg. Ambala.

Address for service of all notices. : As above.

Respondent No.12 :

Name of the respondent : Ramesh Chander

Official address of the respondent : Asstt. C/I Central Excise Section II Central Excise Bldg. Ambala.

Address for service of all notices. : As above.

Respondent No.13 :-

Name of the respondent : Raj Kumar Singh

Official Addr. of the respondent : Asstt. C/I Central Excise Section II Central Excise Bldg. Ambala.

Address for service of all notices. : As above.

Respondent no.10 :-

Name of the respondent	: [illegible]
Office address of the respondent	: [illegible] Postal Services Directorate, 18 [illegible] Road, [illegible]
Address for service of all notices.	: As above.

Respondent no.10:-

Name of the respondent	: [illegible]
Office address for service of the respondent	: C/O [illegible] Section, 11 [illegible] Road, [illegible].
Address for service of all notices.	: As above.

To: The Registrar of the Court in which the application is pending.

The applicants in the above case state as follows :-

Order No. : 10023/650/310(5)

Date : 31st July, 1990

Passed by : Joint Secretary to the Government of India, Ministry of Defence, New Delhi.

Subject in brief : Petition under Section 19 of the Administrative Tribunals Act, 1985 for quashing the impugned order dated 31st July, 1990 passed by the Joint Secretary to the Government of India, Ministry of Defence, New Delhi.

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

The applicants further declare that the application is within the limitation prescribed in Section 21 of the Administrative Tribunals Act, 1985.

The facts of the case are given below :-

Works Engineer in utter disregard to the Seniority list No. 12830/94/A10(1) dated 28th November, 1985 issued by the Head Quarter Commander Works Engineer (P), 122 Khatma Wandi Marg, Mumbai-20 and the applicants were illegally and unauthorizedly deprived of their due promotions in accordance with their seniority position and qualification in the aforesaid seniority list.

4. Jurisdiction of the Tribunal.

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

5. Limitation :-

The application further declares that the application is within the limitation ~~xxxxxxx~~ prescribed in section 21 of the Administrative Tribunals Act, 1985.

6. Facts of the case :-

1. That the Commander Works Engineer issue ~~and~~ circulated seniority list of Industrial personnel working in C.W.E. Pune by its letter No.12830/94/A10(2), dated 28th November, 1985 and a copy of

highly skilled grade II when the applicants were senior and more qualified in the trade.

5. That the respondents nos.1 to 4 have promoted the respondents nos. 5 to 15 in flagrant violation of Ministry of Defence office memorandum no. 10(1)/75/4365/D(Appts) dated 15th September, 1987.

6. That the respondent no.2 in utter violation of Admn.C's Branch letter no. PC 73549/S10(1) dated 23rd May,1978 in which it was clearly provided that the individual qualified for promotion to the grade of charge mechanic need not be promoted in the C W E Pool as they are liable for all India service liability so they should be promoted on the basis of their seniority determined from their date of appointments.

7. That the respondent nos. 5 to 15 could not have been promoted when the seniority list issued by C.W.E. (I) Jammu was in existence and was operative and all promotions in filling the vacancies of Def. Mechanic highly skilled grade II who have been made strictly from the aforesaid seniority list. The applicants are challenging the validity and correctness of the seniority list alleged to have been prepared and

[illegible] ... [illegible] ... [illegible]
[illegible] ... [illegible] ... [illegible]
[illegible] ... [illegible] ... [illegible]

justice to the applicants and favour to the respondent nos. 5 to 18 in manoeuvering their promotion list (enclosure no.1).

9- That the respondent no.3 has issued the impugned promotion list (enclosure-1) in utter disregard and in violation of Ministry of Defence memo no. 28(6)/67/D(AFHQs) dated June 29, 1973.

10- That the M.E.S. Works Union by their letter no. UPWU/MES1/LKO/86, dated 25.7.86 made representation to the respondent no.3, against the promotion list (Enclosure-1) but no reply has been received so far.

11- That in U.P.C.L. Allahabad area all the promotions of Refrigerator mechanic to Refrigerator mechanic Highly skilled grade II are made on the basis of seniority list prepared in that behalf strictly in accordance with the date of appointment of the individual employees. A true copy of the letter No. 1353/307/A-IB dated 2nd May, 1986 is being annexed herewith and is being marked as ~~xxxxxxx~~ Enclosure-6.

7. Relief(s) sought :-

1. The hon'ble Tribunal may be pleased to quash the promotion list no. 18025/430/EIC(2) dated

31st July, 1986, so far as it relates to the promotion of respondents nos. 5 to 15 from Refrigerator mechanic to Refrigerator mechanic highly skilled Grade II with effect from 15.10.84.

b. In the respondents may be directed to give promotion of the applicants from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II in accordance with the seniority list (Enclosure-2) with effect from 15.10.84.

5. Interim order, it prayed for :-

(1) Pending final decision on the application the applicants seek issue of the following interim order :-

The Hon'ble Tribunal may be pleased to stay the operation of the promotion list (Enclosure-no.1) so far as it related to the promotion of Grade respondent nos. 5 to 15 be stayed during the pendency of the above mentioned application for the following reasons :-

1. Because the applicants shall suffer great loss of seniority in the next high grade.

2. Because the applicants shall not be benefited from the recommendation by 4th Pay Commission.

3. Because the inter se seniority of the

[illegible]

[illegible]

[illegible]

the interest of maintaining industrial piece and harmony, it is expedient to make the per of 6 months time after making the representation for filing the above-mentioned application.

10. Matter not pending with any other court etc. :

The applicant further declares that the matter regarding which this application has been made is not pending before any court of law or any other authority or any other Bench of the tribunal.

11. Particulars of postal order in respect of the application fee :-

1. Number of Indian postal order :
2. Name of the issuing post office:
3. Date of issue of postal order :
4. Post office at which payable.

12. Details of Index :-

1. Ministry of Defence office memorandum No. 10(1)/75/8365/D(AP&T) dated 15th September, 1977.
2. Ibid, 11th February, 1975.
3. A.H.Q's branch No.PC 73549/A 1C(1) dated 23rd May, 1978 (Enclosure-3)
4. Part-I Order (A) (P) Lucknow Cantt. No.L.No. 50 dated 17th July, 1977 (Enclosure-4)
5. Seniority list issued by C.A. (P) Lucknow No.18020/242/A 1C(2) dated 29th November, 85 (Enclosure-5).

6. [illegible] No. 1353/257/81 dated [illegible] May, 1986 (enclosure-6)

List of enclosures:

1. Execution list no.3[illegible] (Execution letter No.1[illegible]/420/1[illegible], dt. 21st January,86.

2. Authority list no. 1[illegible]/4[illegible]/1[illegible] dt. 12th November, 1985.

3. [illegible] letter no.130[illegible]/Milky/81/1[illegible] dt. 22nd June,1976.

4. [illegible] Execution petition No.40 dt. 17th May,1986.

5. [illegible] Foreign Union letter No.U[illegible]/Mal/MAO/86, dated 5.7.86.

6. [illegible] Mail dated letter no.1353/257/81 dt. 2nd May,1986.

I, [illegible] May son of [illegible] Kenney age 40 years working as Asstt. Director Economic &S/I Lucknow residing at 198/14 Ashok Nagar, Lucknow do hereby declare verified that the contents of para 1 to 13 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place :

Date :

Signature of the applicants.

To,

The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.

Pgs Adv.
8/8/86

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In the Central Administrative Tribunal

Additional Bench, Lucknow.

Enclosure No.1

In

Registration No. of 1986

between

R.L. Singh and others .....Applicants.

and

The Union of India and others

...Respondents.

(~~A better copy~~ is enclosed below)

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Attested
Pey
8/8/86

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In the Central Administrative Tribunal

Enclosure No.2

In

Registration No. of 1986

between

Sri A.L.Singh and others ....Petitioners/Applicants

And

The Union of India and others ...Respondents.

(Photostat copy are attached below)

True copy
Attested
Adv.
8/8/22.

[illegible]	100
[illegible]	384
[illegible]	101 to 103
[illegible]	104 to 110

[illegible]

Sl	MES No and Name	Date of Birth	Qualification Vocational/ Technical Apptt. TT Passed	Category & date of 1st continous apptt. & Date of seniority in subsequent post held	Q/Pt, Pt I apptt. held with date in the grade	Date of seniority in the present grade	Whether SC/ST Ex-Service men	Formation where serving	REMARKS
1	2	3	4	5	6	7	8	9	10
1.	MES-216067 ~~Shri VASU DEO~~	~~6.9.25~~	~~VI Class~~ TT Ch/Mech-63	IME-18.6.55 MT Dvr-14.4.61 Ch/Mech-9.3.64	~~MT Dvr O/Pt~~ 1.7.60 Ch/Mech Pt 16.3.64	~~9.3.64~~	Neither	GE E/M Lko	Retired on 30.9.85
2.	MES-441933 ~~Shri A.P. SINGH~~	4.1.35	~~VII~~ TT Ch/Mech-64	~~P/F-8.10.53~~ Ch/Mech-3.3.65	~~Ch/Mech Pt~~ 1.7.76	~~3.3.65~~	"	Promoted and Posted to Tkm	
3.	MES-350166 Shri BB PANDEY	15.2.28	TT Ch/Mech 197+	Fitter-28.12.48 Ch/Mech-30.8.76	Fitter Pt 1.4.59	30.8.76	"	-do-	
4.	MES-452434 Shri SUKH LAL (Now Master Craftsman)	1.6.42	ITI Fitter Course TT C/Mech 73	P/F-1.12.66 Fitter-[illegible] Ch/Mech-30.1.78 Master craftsman-30.8.85	Fitter O/Pt 1.12.69 Fitter Pt 1.2.72	30.1.78	"	AGE (~~RCP~~) (I) Memaura	
5.	MES-437026 Shri RAGHU RAJ SINGH	16.8.28	TT Ftr-65 JTOED-56 TT Ch/Mech.	Maz-1.11.47 Mate-1.6.59 Ftr-19.3.58 Ch/Mech-4.3.78	Ftr Pt 1.4.64	4.3.78	"	GE (E) Lko	

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Category : Ref/Mech:

(40)

1	2	3	4	5	6	7	8	9	10
1.	MES/441931 Shri DHAGWAN DASS	1.7.27	-	Mate-1.8.49 MPA -15.1.50 Ref Mech-2.3.61.	Ref Mech Pt. 1.4.65.	2.3.62	Neither	GE E/M Lko	
2.	MES-441950 Shri JOGINDER PAL SINGH (A-mech)	4.11.41	Inter TTC Ch/ Mech (Ref)-68 Ch/Mech 69	Ref Mech-17.7.64	Ref Mech Pt. 1.4.70	17.7.64	"	-do-	
3.	MES/441948 Shri SHOHRAT ALI KHAN (A-mech)	30.12.41	HS ITI Ref Course TT Ch/Mech Refg	Ref Mech-25.7.64	Ref Mech Pt. 1.[illegible]	25.7.64	"	-do-	
4.	MES.441965 Shri CHARANJEET SINGH	6.[illegible].45	HS Ref Course ITI TTCh/Mech (Ref) 84	Ref Mech. 4.8.64	Ref Mech Pt. 1.4.70	4.8.64	"	-do-	
5.	MES-457063 Shri RL SINGH	3.8.43	Matric Ref Mech TT Ch/ Mech Ref. Course (TII	Ref Mech-7.10.65	Ref Mech Pt 1.4.69	7.10.65	"	-do-	
6.	MES-457061 Shri SURENDRA NARAIN SINGH	1.5.43	IX TT Ch, Mech (Refg)	Ref Mech-14.10.65	Ref Mech Pt. 1.4.70	14.10.65	"	-do-	
7.	MES-454238 Shri KS SINHA	8.7.40	HS Ref Course ITI Ch/ Mech(Ref)	Ref Mech-1.12.66	Ref Mech Pt.	1.12.66	"	AGE (Rep) (I) Memaura	

29

TT = Trade test passed in lean category

Category : Ref/Mech.

1	2	3	4	5	6	7	8	9	10
8. MES/459244 Shri OP PANDEY	41.43	ES ITI Ref Course Ch/Mech (Ref)-71	Ref Mech - 1.12.66	Ref Mech Pt 1.4.69	1.12.66	Neither	GE E/M Lko		
9. MES-457076 Shri RAJENDRA SINGH	1.7.43	IX IT Ch/Mech (Ref)-73	Ref Mech - 28.7.67	Ref Mech Pt 1.4.71	28.7.67	"	-do-		
10. MES/461510 Shri SK AHUJA	12.1.47	ES IT Ch/Mechr (Ref)	Ref Mech - 1.7.68	Ref Mech Pt 1.4.74	1.7.68	"	-do-		
11. MES/361441 Shri NASEER HUSSAIN	1.1.51	ES	Ref Mech - 28.11.69	Ref Mech Pt ~~28.11.72~~ 1.4.75	28.11.79	"	-do-		
12. MES/359663 Shri KK PANDEY	14.5.46	BA IT Ch/Mech Ref	Ref Mech - 27.1.70	Ref Mech Pt ~~27.1.76~~ 1.4.75	27.1.70	"	-do-		
13. MES/359458 Shri RAM GOPAL MISHRA	24.5.45	BA ITI Ref Mech course IT Ch/Mech(Ref)	Ref Mech - 2. 4.70	Ref Mech Pt 1.4.71	2.4.70	"	-do-		
14. MES/361531 Shri KK GUPTA	15.9.45	Inter TT ch/Mech(Ref) 73	Ref Mech - 2.4.70	Ref Mech Pt. 1.4.71	2.4.70	"	-do-		

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Category : Ref Mech.

1	2	3	4	5	6	7	8	9	10
15.	MES-359459 Shri RK MAURYA	20.1.46	HS ITI Ref Course	Ref Mech-2.4.70	Ref Mech Pt 1.4.71	2.4.70	Neither	GE E/M Lko	
16.	MES-361625 Shri MANJEET SINGH	1.12.46	HS TT Ch/Mech (Ref)	Ref Mech-17.6.70	Ref Mech Pt 1.4.71	17.6.70	"	-do-	
17.	MES-169619 Shri BABBA JAN	15.7.50	Matric	Ref Mech-5.12.70	Ref Mech Pt ~~5.12.73~~ 1.4.76	5.12.70	"	-do-	
18.	MES-169622 Shri MANJEET SINGH PAWA	7.7.51	Inter	Ref Mech-11.12.70	Ref Mech Pt ~~11.12.74~~ 1.4.77	11.12.70	"	-do-	
19.	MES-411040 Shri SATISH CHANDRA SHARMA	18.7.51	TT Ch/ Mech(Ref) HS	Ref Mech-23.4.71	Ref Mech Pt ~~23.4.74~~ 1.4.77	23.4.71	"	-do-	
20.	MES-411039 Shri MUMTAZ AGHA	2.8.51	HS	Ref Mech-23.4.71	Ref Mech Pt 23.4.74	23.4.71	"	-do-	
21.	MES-450954 Shri KK GUPTA	15.6.47	Inter	MPA -1.3.66 Ref Mech-23.11.71	MPA Pt-1.4.72 Ref Mech Pt ~~23.11.74~~ 1.4.77	21.10.71	"	-do-	
22.	MES-361124 Shri KRISHAN KUMAR	5.4.49	HS Ref Course 171	Ref Mech-23.11.71	Ref Mech Pt ~~23.11.74~~ 1.4.78	23.11.71	"	-do-	

Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
23.	MES-419671 Shri HARISH CHANDRA LOHANI	2.8.51	HS	Peon -29.10.71 Ref Mech-2.2.72	Ref Mech Pt	2.2.72	Neither	GE E/M Lko	
24.	MES-443375 Shri RATTAN LAL	2.6.39	VIII	V/Man- 1.1.55 Ref Mech-14.4.72	V/Man Pt Ref Mech Pt	14.4.72	"	-do-	
25.	MES-467175 Shri SK PAUL	27.7.53	X IT Ch/Mech (Ref)-80	Ref Mech-1.6.72	Ref Mech Pt 1.4.79	1.6.72	"	GE(RCP) Memaura	
26.	MES-437053 Shri NP CHAUHAN	7.4.50	HS Ref Mech Course ITI	Ref Mech-20.12.72	Ref Mech Pt	20.12.70	"	GE E/M Lko	
27.	MES-442825 Shri NANDA BALLABE	12.3.37	VI	Mas - 1.9.57 Mate -21.4.64 Ref Mech-12.2.73	Mas Pt 1.4.68	12.2.73	"	-do-	
28.	MES-454283 Shri NEELAN KUMAR	14.11.47	IX IT Ch/Mech (Ref)	MPA -14.9.66 Ref Mech-12.2.73	MPA Pt 1.4.70 Ref Mech Pt 1.4.79	12.2.73	"	-do-	
29.	MES/447040 Shri HARDAYAL	21.10.46	HS IT Ch/Mech (Ref)	MPA-17.5.67 Ref Mech-12.2.73	MPA O/Pt 15.5.70 Ref Mech Pt	12.2.73	"	-do-	

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1	2	3	4	5	6	7	8	9	10

30. MES-454373
Shri GURMAIL DASS — 2.10.36 — 7 — Clerk 2.10.67 — 12.2.73 — Retd.after GS E/M Lko

31. MES-454476
Shri KG [illegible] — 1.1.44 — [illegible] — UDC 15.4.74 — -do-

32. MES-454197
Shri ZAHID HUSAIN — 10.7.42 — [illegible] — LDC 9.11.68 — 15.4.74 — -do-

33. MES-454237
Shri RC SHUKLA — 26.1.46 — SD III — LDC 8.6.68 — 22.4.74 — -do-

34. MES-452352
Shri HANSALA PRASAD — 1.12.42 — LD — Nil — 9.7.74 — -do-

35. MES-452570
Shri TU KUMAR SINGH — 12.6.43 — VEH — LDC 17.10.70 — 30.8.74 — -do-

36. MES-135984
Shri MUKUT SHARMA — 7.8.51 — MD Pol — Ref Noch-30.10.74 — 30.10.74 — -do-

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Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
37.	MES-460799 Shri GC SRIVASTAVA	31.1.47	IB TTCh/Reader TT Ch Mech (Rd) 80	Poon-20.5.66 MPA-22.9.71 Ref Mech-11.1.75	Poon O/Pt 20.8.69 Ref Mech Pt 1.4.79	11.1.75	Neither	GE E/M Lko	
38.	MES-454261 Shri INDER BAHADUR	16.8.48	VIII	MPA-18.3.67 Ref Mech-11.1.75	MPA OPt 18.8.70 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
39.	MES-454138 Shri SATISH KUMAR	6.10.43	VI	MPA 4.6.68 Ref Mech-11.1.75	MPA O/Pt 4.6.71 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
	459581								
40.	MES-452581 Shri [illegible] JOSEPH	30.11.45	Inter	MPA-[illegible].10.70 Rel [illegible]-[illegible].5.73 Reverted MPA-9.10-73 Ref Mech -11.1.75	Ref Mech Pt 1.4.79	11.1.75	"	-do-	
41.	MES-452647 Shri MANOHAR LAL KOTNALA	28.6.45	IE TTCh Mech (Rd)	MPA-1.8.70 Ref Mech-11.1.75	Pt 1.4.79	11.1.75	Ex-servicemen	-do-	
42.	MES-454194 Shri PN SINGH	15.7.42	IB	MPA-4.6.68 Ref Mech-11.1.75	MPA O/Pt 4.6.71 Ref Mech Pt 1.4.75	11.1.75	(SC)	-do-	
43.	MES-454533 Shri DEVENDRAN SINGH RAWAT	15.9.48	Matric Ref Mech course CTS Poona TT Ch Mech (Rd)	MPA-3.10.67 Ref Mech-11.1.75	MPA O/Pt 3.10.70 Ref Mech Pt 1.4.79	11.1.75	Neither	-do-	

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Category 1 Ref Mech.

1	2	3	4	5	6	7	8	9	10
44.	MES-454258 Shri RN PANDEY	19.11.43	HS	MPA-13.10.67 Ref Mech-17.1.75	MPA Opt Ref. Mech Pr 1.4.79	17.1.75	Neither	GE E/M Lko	
	MES-443136 Shri KESHAV CHAND	11.7.44	VIII	Chow -30.7.63 Maz -10.11.64 Mate -5.1.69 Ref Mech-24.5.73 Reverted Mate-10.10.73 Ref Mech-1.5.75	Maz O/Pt 10.11.67 Ref. Mech Pr. 1.4.79	1.5.75	"	-do- "	
	MES-437375 Shri NARAYAN DAS JATAV	4.10.47	HS	Ref Mech-1.5.75	Ref Mech ~~O/Pt~~ Pr. 1.4.77	1.5.75	S/C	-do-	
	MES-437384 Shri ~~SHAHDAR~~ ABBAS RIZVI	1.5.48	Inter ITI Ref course	Ref Mech-1.5.75	-do- 1.4.79	1.5.75	Neither	-do-	
	MES-437881 Shri DHIRAJ KUMAR	1.2.49	MA	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437877 Shri RAMJIVAN	10.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437885 Shri SYED SHAID HUSSAIN	1.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437886 Shri AIZAZ AHMED	19.10.50	HS	Ref Mech-1.5.75	-	1.5.75	"	-do-	
	MES-437870 Shri MC YADAV	10.11.50	Inter	Ref Mech-1.5.75	-	1.5.75	"	-do-	

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Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
53.	MES-437880 Shri RKEDHLI	22.11.50	Inter ITI Course Ref	Ref Mech-1.5.75	Ref Mech Pt 1-4-79	1.5.75	Neither	GE E/M Lko	
54.	MES-437997 Shri MK GUPTA	4.11.51	Inter	Ref Mech-1.5.75	-	1.5.75	Neither	-do-	
56.	MES-437874 Shri ABINASH CHANDRA KALIAH	6.11.52	HS	Ref Mech-1.5.75	Ref Mech Pt 1-4-80	1.5.75	"	-do-	
57.	MES-437883 Shri M. SRIVASTAV	20.1.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
58.	MES-437882 Shri VIJAYA MOHAN	17.7.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
59.	MES-437879 Shri SK TIWARI	1.11.53	Inter	Ref Mech-1.5.75	Ref Mech Pt 1.4.80	1.5.75	"	-do- GE(AF) Lko	
60.	MES-437992 Shri GIRISH CHAND	13.11.54	HS	Ref Mech-1.8.75	-do-	1.8.75	"	-do- GE E/M	
61.	MES-437993 Shri ARUN KUMAR SRIVASTAVA	17.4.52	BA	Ref Mech-1.8.75	-do-	1.8.75	"	-do-	

ITI Course
T-Tech(Af)
80

1	2	3	4	5	6	7	8	9
62. MES-437994 Shri ASHWANI KUMAR VAID	28.5.52	EA	Ref Mech-1.8.75	Ref Mech R/M 1.8.78	1.8.75	Neither	GE E/M Lko	
63. MES-NYA Shri PRITAM RAM SHUA	19.12.52	HS	Ref Mech-1.8.75	-	1.8.75	-do-	-do- Expired on 27.9.83	
64. MES-437991 Shri NOORAL HASSAN	10.8.51	Inter	Ref Mech-26.9.75	Ref Mech R/M 1.4.80	26.9.75	-do-	-do-	
65. MES-454770 Shri RAKESH PANDEY	1.6.53	HS ITI In Ref Tr Mech (Opt.)	Ref Mech-1.8.75	-	1.8.75	-do-	-do-	
66. MES-437998 Shri DILEEP KESHOR SHIVASTAVA	12.2.50	HS	Ref Mech-19.11.75	Ref Mech R/M 19.11.78	19.11.75	-do-	GE E/M Lko	
67. MES-450356 Shri JAWAHAR LAL VERMA	25.6.46	Inter	MPA-1.4.67 Ref Mech-6.12.75	Ref Mech R/M 1.4.77	6.12.75	-do-	-do-	
68. MES-455545 Shri ROOP CHAND	3.1.52		MPA-30.10.73 Ref Mech-20.9.77	Ref Mech R/M 1.4.77	20.9.77	-do-	-do-	
69. MES-435941 Shri RAJ KUMAR	2.2.42		MPA-22.12.61 Ref Mech-11.5.78	Ref Mech R/M 1.4.81	11.5.78	Neither	-do-	
70. MES-432301 Shri JD PATHAK	14.5.49	Inter	MPA-21.9.70	Ref Mech R/M 1.4.81	21.9.70	-do-	-do-	

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1	2	3	4	5	6	7	8	9	10

Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
79.	MES-225256 Shri TK BARUA	6.6.49	HS TT Ref Mech 77	MPA-1.8.74 Ref Mech-13.10.78	MPA Qpt 1.6.77	13.10.78	Neither	GR B/M Lko	
80.	MES-437898 Shri RL CHOPRA	10.12.49	HS TT Ref Mech 77	MPA-6.9.77 Ref Mech-13.10.78	MPA Qpt 6.9.79	13.10.78	"	-do-	
81.	MES-425060 Shri SURESH CHAND	2.5.53	HS	MPA-30.10.72 Ref Mech-20.1.78	MPA Qpt 3.10.75	20.1.78	Stc	-do-	
82.	~~MES-459560~~ MES 452580 Shri SANTOSH ~~ELIAS~~ BALIAS	8.2.51	Inter TT Ref Mech 75	MPA-19.10.70 Ref Mech-20.1.78	MPA Pt 1.4.72	20.1.78	Neither	-do-	
83.	MES-455215 Shri KATVIR SINGH	20.9.43	HS TT SB 1.75 TT Ref Mech 75	MPA-16.10.71 SDA-12.2.75 Ref Mech-16.2.78	MPA Pt 1.4.72	16.2.78	"	-do-	
84.	MES-455537 Shri BHULYAN DIN	12.11.51	LX TT Ref Mech 75	MPA-19.8.72 Ref Mech-8.5.78	MPA Pt 1.4.73	8.5.78	Stc	-do-	
85.	MES-454259 Shri BASANT LAL	1.7.43	TT for Ref Mech 79	MPA-15.11.66 Ref Mech-26.6.82	MPA Pt 1.4.72	26.6.82	Neither	IS (HQ) Mathura	
86.	~~MES-459536~~ 455435 Shri JAGDISH LAL	7.7.49	LX TT Ref Mech 79	MPA-23.4.71 Ref Mech-1.7.82	MPA Pt 11.4.72	1.7.82	Stc	Bareilly Dist	
87.	MES-452427 Shri BASU DEO SINGH	19.4.44	VIII TT MPB 74 TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	Neither	-do-	

1	2	3	4	5	6	7	8	9	10
88.	MES-452429 Shri AMRINDER SINGH	3.11.84	VIII TTR/Mech/91	IPA-1.12.88 Ret Mech-30.3.03	IPA L2 1.4.72	23.3.83	Retired	GE E/M Lko	
89.	MES-452497 Shri VINOD KUMAR SINGH	20.12.48	VII TTR/Mech/77	IPA-1.12.88 Ret Mech-30.3.03	IPA L2 1.4.72	23.3.83	"	-do-	
90.	MES-454257 Shri BADRI SUKH	1.7.44	XII OPA Sr	IPA-1.12.88 Ret Mech-4.1.83	IPA L2 1.1.72	4.1.83	"	GE (EME) Nem	
91.	MES-454105 Shri MOOL CHD	16.10.34	VIII TTR/Mech/77	IPA-3.8.88 Ret Mech-17.1.84	IPA L2 1.3.72	17.1.84	"	GE E/M Lko	
92.	MES-454502 Shri SHRAM SINGH	2.7.44	VIII TTR/Mech/Ret Mech-17.1.84	IPA-3.1.88	IPA L2 1.4.77	17.1.84	"	-do-	
93.	MES-452641 Shri JOGI LAL	13.5.47	VII TT A/D/Mech TTR/Mech/77	IPA-1.8.88 Ret Mech-17.1.84	IPA L2 1.4.77	17.1.84	SC	-do-	
94.	MES-437001 Shri SHIV PRASAD	11.1.50		IPA-5.2.88 Ret Mech-14.2.84	IPA L2 5.9.74 IPA P3 1.5.81	14.2.84	Artisan	-do-	
95.	MES-452284 Shri LK SINGH	12.7.46	IX TT A/D/Mech TTR/Mech/77	IPA-1.12.88 Ret Mech-9.4.83	IPA P2 9.4.83	9.4.83	"	AGE AKR GE (W) Lko	

(51)

Attested
8/8/84

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In the Central Administrative Tribunal

Addl. Bench, Allahabad.

Enclosure No.2

In

Registration No. of 198 .

Writ Petition/Suit/Appeal No. of 198 .

Petitioners/Applicants

Versus

Union of India and others ....Respondents.

(Please sent copy to Advocate below)

pej

of industrial establishment for 1986-87 will be supplied by this office.

3. Board proceedings duly completed in all respect also may be submitted to this office by 31 Jul. 86.

Virendra Prasad
Asstt. Director

27066/5/86/A.C(2)

Distribution :-

1. Shri K.K.Chhar,
2. Shri K.A.Nizami
3. Shri S.S. Misra.
4. Shri [illegible] Lucknow.
5. Shri [illegible] Lucknow
6. Shri [illegible] Amausi.

(true copy)

Attested
Pej
8/8/86.

Attested.
True copy Pet 8/8/52

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In the Central Administrative Tribunal

Principal Bench, Allahabad.

Enclosure No.5

In

Registration No. of 1986.

Between

All India and others ....Applicants.

and

Union of India and others ....Appl. respondents.

(Show cause copy are attached below)

Attested
pg
6/8/86.

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Attested
per
8/8/86.

In the Central Administrative Tribunal

Principal Bench, New Delhi.

Index

In

[illegible] No. [illegible] of 1986.

Between

[illegible] ..... Applicants.

Versus

Union of India and others ..... Respondents.

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3.	Annexure A-2: Circular No.I-17030/4/86-Estt.(D) dt. 24 Nov.1986.	24 - 38
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Dated. Signature of the Applicant

Reg. No. 309 of 1986

Central Administrative Tribunal
Additional Bench
ALLAHABAD PATNA JABALPUR
Date of Filing ... 10-8-86 ... OR
Date of Receipt by Post

For Deputy Registrar.

Particulars of the application :-

1. Particulars of the applicants :-

Applicant No.1:

Name of the applicant	: K.B.Singh
Name of the father	: Late Sri Sukhram P.
Designation and office in which employed	: Refrigerator mechanic [illegible] Lucknow.
Office address	: Refrigeration Section 11 Carter Patol Kar[illegible]
Address for service of all notices.	: 301/46,near 25 Lan[illegible] [illegible] Lucknow.

Applicant No.2 :-

Name of the applicant	: Surendra Narain Singh
Name of the father	: Late K.B.Singh
Designation and office in which employed.	: [illegible] Refrigerator mechanic Mechanic.
Its office address	: Refrigerator Section 11, Carter patol Kar Lucknow.
Address for service of all notices.	: 45, [illegible] Nivas Lan[illegible] Lucknow.

Applicant No.3 :-

Name of the applicant	: A.K.Pandey
Name of the Father	: Sri [illegible] Pandey
Designation and office in which employed.	: Refrigerator mechanic [illegible] Lucknow.
Office address	: Refrigeration Section, 11 Carter patol Kar[illegible] Lucknow.
Address for service of all notices.	: 134/4, Kutia Nagar, Lucknow.

Applicant No.4 :-

Name of the applicant	- Sri [illegible] Misra
Name of the father	- Sri B...Misra
Designation & office in which employed	- Refrigerator mechanic GE, E/M Lucknow.
Office address	- Refrigeration section, 11 Garrison Hotel Engg.Lucknow.
Address for service of all notices.	- 504/480-, Kailashpur,(?) Lucknow.

Applicant No.5:

Name of the applicant	- Sri A.L.Gupta.
Name of the father	- Sri B.L.Gupta.
Designation and office in which employed	- Refrigerator mechanic GE, E/M Lucknow.
Office address	- Refrigeration section 11, Garrison Hotel Engg. Lucknow.
Address for service of all notices.	- 47, Golaganj, [illegible], Lucknow.

Applicant No.6:

Name of the applicant	- Sri [illegible] Surya
Name of the father	- Sri [illegible] Surya
Designation of and office in which employed	- Refrigerator mechanic GE, E/M Lucknow.
Office address	- Refrigeration section 11, Garrison Hotel Engg. Lucknow.
Address for service of all notices	- 268/96, Kailashpur, Lucknow.

Applicant No.7:

Name of the applicant	- Sri Brijeet Singh
Name of the father	-

Designation and office in which employed	- Refrigerator mechanic [illegible] Lucknow.
Office address	- Refrigeration [illegible] section 11 Sardar Patel marg, Lucknow.
Address for service of all notices	- Refrigeration section 11 Sardar Patel Marg, Lucknow.

Applicant No.8 :

Name of the applicant	- Sri Babbu Rani
Name of the father	- Sri Iqbal Hussain
Designation and office address in which employed	- Refrigerator mechanic [illegible] Lucknow.
Office Adress	- Refrigeration section 11 Sardar patel marg, Lucknow.
Address for service of all notices	- 393/64 Kashmiri Mohalla Lucknow.

Applicant No.9 :

Name of the applicant	- Sri Manjeet Singh Pawa
Name of the father	- Late Sri Baleshwar Singh
Designation and office in which employed.	- Refrigerator mechanic [illegible] Lucknow.
Office address	- Refrigeration section 11 Sardar patel marg Lucknow.
Address for service of all Notices.	- [illegible]

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...frigerator manual
...OS A/A Lucknow.

- Refrigeration section
  11 after penal serv.
  Lucknow.

[redacted] of the
hospitals. • Ministry of Defence, Central Secretariat New Delhi.

Address for service of all notices. • -do-

Respondent no.2 :-

[redacted] • The Engineer-in-chief the Respondent

Official address of the Respondent • Army Head Quarter, Kashmir House, New Delhi

Address for service of all notices. • -do-

Respondent no.3:-

[redacted] • Commander Works Engineer Respondent

Official address of the Respondent • [redacted] Head Quarter, Chandimandir.

Address for service of all notices. • -do-

Respondent no.4 :-

Name of the designation of the respondent	- Garrison Engineer
Office address of the respondent	- C/M Military Engineering Services Lucknow.
Address for service of all notices.	- -do-

Respondent no.5:-

Name of the respondent	- [illegible]
Office address of the respondent	- [illegible] C/M Refrigeration Section 11 Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.6:-

Name of the respondent	- Shri Dutt
Office address of the respondent	- [illegible] C/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.7 :-

Name of the respondent	- Mr. Bhanu Singh
Office address of the respondent	- [illegible] C/M Refrigeration Section 11 Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.8:-

Name of the respondent	- Shri Jagdish Kumar.
Office address of the respondent	- [illegible] C/M Refrigeration Section, 11 Sardar Patel Marg, Lucknow.
Address for service of all notices.	- -do-

Respondent no.9:-

Name of the opp respondent - Amir Husain

Office address of the respondent - Asstt A/C Refrigeration section II Charbagh Loco Workshop, Lucknow.

Address for service of all notices. - -do-

Respondent no.10:-

Name of the respondent - P.C.Upadhyaya

Office address of the respondent - Asstt A/C Foreman Refrigeration section, II Charbagh Loco Workshop, Lucknow.

Address for service of all notices. - -do-

Respondent no.11:-

Name of the respondent - A.K.Saini

Office address of the respondent - Asstt A/C Refrigeration section II Charbagh Loco Workshop, Lucknow.

Address for service of all notices. - -do-

Respondent no.12 :

Name of the respondent - Kaushala Prasad

Office address of the respondent - Asstt A/C Refrigeration section, II Charbagh Loco Workshop, Lucknow.

Address for service of all notices. - -do-

Respondent no.13 :-

Name of the respondent - Raj Kumar Singh

Office address of the respondent - Asstt A/C Refrigeration section II Charbagh Loco Workshop, Lucknow.

Address for service of all notices. - -do-

Respondent no.14 :-

Name of the respondent	-	[illegible]
Office address of the respondent	-	[illegible] Refrigeration section, 11 Corps Amunition Field Workshop, Lucknow
Address for service of all notices.	-	-do-

Respondent no.15:-

Name of the respondent	:	Sattan Lal
Office address for of the respondent	-	CEME C/O Refrigeration section, 11 Corps Field Workshop, Lucknow.
Address for service of all notices.	-	-do-

3. Particulars of the order against which application is made.

The application is against the following order :-

Order No.	-	12025/430/AIC(2)
Date	-	31st July, 1986
Passed by	-	Head quarter Quarter Master Works Engineer, 929 Mahatma Gandhi Marg, Lucknow to the extent the respondent no.5 to 15 are promoted from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II

Subject in brief :-

That the applicants were qualified and senior to the respondents nos. 5 to 15 and the Commander

[illegible] Engineer in order [illegible] to the Assembly [illegible]. [illegible] /10(2) dated 6th November, 1958 issued by the Chief [illegible] Corps Engineer [illegible]. The [illegible] and [illegible] were [illegible] the application [illegible] supply [illegible] and [illegible] equivalent of their age [illegible] in accordance with the [illegible] seniority position [illegible] difficulties [illegible] in the [illegible] Assembly [illegible].

6. Jurisdiction of the Tribunal.

The [illegible] that the subject matter of the [illegible] application [illegible] within the jurisdiction of the Tribunal.

7. Limitation :-

The [illegible] the [illegible] that the application [illegible] within the limitation [illegible] prescribed in section 21 of the [illegible] Administrative Tribunals Act, 1985.

8. Facts of the case :-

1. That the Petitioner [illegible] Engineer [illegible] and [illegible] seniority list of [illegible] personnel working in C.W.E. [illegible] by the Annexure No.[illegible]/26/[illegible]/10(C). [illegible] November, 1958 [illegible] a copy of

highly skilled grade II when the applicants were senior and more qualified in the trade.

8. that the respondents no.1 to 4 have promoted the respondents nos. 5 to 15 in flagrant violation of Ministry of Defence office memorandum no. 10(3)/75/4205/D(Pers) dated 15th September, 1987.

9. that the respondent no.3 in utter violation of Admn.'s Branch letter No. PC 72549/A10(1) dated 23rd May,1975 in which it was clearly provided that the individual qualified for promotion to the grade of Charge mechanic would not be promoted in the C & R area as they are liable for all India service liability so they should be promoted on the basis of their seniority determined from their date of appointment.

10. that the respondent nos. 5 to 15 could not have been promoted when the seniority list issued by D.G.O.P. (P) Meerut was in existence and was operative and all promotions in filling the vacancies of Ref. mechanic highly skilled grade II who have been made strictly from the aforesaid seniority list. The applicants are challenging the validity and correctness of the seniority list alleged to have been prepared and

[illegible] ( ) [illegible] of the Regional Joint Director concerned but the applicants had no knowledge of any seniority list which they could have seen for ascertaining correctness of the position. The true copy of the letter dated 17th July,1962 is being enclosed as Annexure-4.

[illegible] the seniority list referred to in para 10 of the counter No.4 was only to show the relative position of the applicants in accordance with their seniority. The Department was only required the seniority list to verify the regular date promotion. If at all seniority list was prepared, it should have been circulated to all concerned who had every opportunity to represent if their seniority was improperly fixed and without circulating the seniority list among the individuals and giving them opportunity to represent, the seniority list could not have been finalised and no promotion could have been made according to such a list. Even the respondents No.3 has admitted in para 10 of

[illegible] to the applicant was 8 years to the [illegible] and 0 to 10 in the [illegible] [illegible] (emphasis supplied).

6. This was corrected vide O.M. dated [illegible] 1, [illegible] 1979 (Annexure-8) to read as [illegible] of Service vide No. [illegible] dated [illegible] 1979.

7. [illegible] O.M. dated [illegible] No. [illegible] O.M.S. [illegible] same was [illegible] (Annexure-1) but no reply [illegible] has received so far.

8. [illegible] O.M. [illegible] procedure of [illegible] to [illegible] [illegible] [illegible]

[illegible] July, 19[illegible] to [illegible] to it relating to the promotion of [illegible] No. 5 to 10 from [illegible] to Regimental Number [illegible] by Military Order No. II dated [illegible] from 15.10.06.

In [illegible] the Respondents may be directed to give promotion of the [illegible] from Regimental Number [illegible] to Regimental Number [illegible] by Military Order No. II in accordance with the Seniority List (Annexure) with effect from 15.10.06.

The Learned Counsel for the Applicant prayed for :-

(1) Issuing final notice on the Application the Applicants most first of the following Interim Order :-

"The Applicants shall be placed to carry the operation of the promotion list (Annexure No.A) so far it relates to the promotion of Serial Regimental No. 5 to 10 by virtue thereof, the Seniority of the above mentioned Application for the following reasons :-

1. Because the Applicants shall suffer great loss of Seniority in the next High Grade.

2. Because the Applicants shall not be benefited from the recommendation by the Duty Committee.

3. Because the later on Seniority of the

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a. ... of ... :
b. ... of the ... :
c. ... of ... :
d. ... to ... payable.

12. ... of ... :-

a. ... ry of ... dated 18th September,
1977.
b. ..., 11th January, 1978.
c. ...'s ... dated 78849/A1%(3) ... (Annexure-3)
d. ... (...) ...
e. ... dated 17th July, 1977 (Annexure-4
f. ... by ... (...) ...
... dated ... (Annexure-5).

6- [illegible] No. 1351/357/215 dated

[illegible] May, 1986 (enclosure-6)

1&- List of enclosures:-

1- Resolution [illegible] (P) Memorandum letter No.[illegible] dt. 31st July,86.

2- [illegible] dated no. [illegible] dt. 29th November, 1983.

3- [illegible] letter no.12017 Policy 61/[illegible] dt. [illegible] June,1970.

4- [illegible] dated no.[illegible] dated 17th July,1986.

5- U.P. [illegible] Workers Union letter No.UP 40/[illegible], dt. 5.7.86.

6- [illegible] dated letter no.1351/357/215 dt. [illegible] May,1986.

I, [illegible] son of [illegible] Factory [illegible] 40 years service, do affirm and declare that [illegible] Memorandum Resolution of 1986 [illegible] dt. 29 November, 1983 [illegible] to my factual knowledge and belief and [illegible] have not suppressed any material facts.

Place :

Date : [illegible] of the applicants.

To,

The Registrar,
Central Administrative Tribunal,
Allahabad Bench, Allahabad.

Pej
8/8/86

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In the Central Administrative Tribunal,

Addl. Bench, Allahabad.

Enclosure- No.1

In

Registration No. of 1986

Between

Sri R.L.Singh and others .....Applicant.

versus

The Union of India and others

.....Respondents.

(Photostat copy is attached/with this) below

21

Encl.No.1

Tele Mily 669

Head quarters
commander works Engi.(P)
229 M G Road
Lucknow.

12025/430/E1C(2) 31 Jul,86

G.E. E/M Lucknow.
AGE (I) Memaura
GE(W) Lucknow.

Fitment of Industrial workers of MES in the pay scales recommended by the third pay commission; recommendation of the Anomalies committee.

1. Reference CECC Lucknow letter No.901402/1/43/E1C(2) dated 30.4.86 circulated under CELZ No.121228/3/Fitment/SAT/E1C(2) dated 03 May 86 and this office Nos. 12025/386/E1C(2) dated 7 Jun 86 and 12025/420/E1C(2) dated 15 Jul 86.

2. The following promotions in respect of the trademen belonging to skilled grades are hereby ordered:-

Sl. No.	Mes no.& name	Promoted from	to	Unit	Remarks
1.	441950 Shri JPSingh (promoted to HS I wef 5.7.85)	Ref/mec.	Ref/mec	GE E/M LKo	promoted from skilled to HSII wef.15.10.84 in the pay scale of 330-8-370-10-400-EB-10-480

2. 441948 Sri Shobrat Ali Khan promoted to HSI wef 7.3.86	Ref./mec	Ref/mec HS II	GE E/M Lko	do
3. 441931 Sri Bhagwandas	Ref/mech	Ref/mec HS II	GE E/M Lko.	do
4. 441965 Sri Charanjit Singh	Ref/mec	do	do	do
5. 454238 Sri KS Sinha	Ref/mech	do	(AGE(I) Mem	do
6. 454244 Sri OP Pandey	Ref/Mech	do	GE E/M Lko	do
7. 461516 Sri SK Ahuja	Ref/mech	do	do	do
8. 442825 Sri Nanda Ballabh	Ref/mech	do	do	do
9. 442878 Sri Girja Dutt	Ref/mech	do	do	do
10. 447046 Sri Harvachan Singh	Ref/mech	do	do	do
11. 454283 Sri Neelam Kumar	Ref/mech	Ref/mech HS II	GE E/M Lko	do
12. 454197 Sri Zahir Husain	Ref/mech	do	do	do
13. 454146 Sri PC Upadhya	Ref/mech	do	do	do
14. 454137 Sri HC Sikri	Ref/mech	do	do	do
15. 404578 Sri Rajender Singh	do	do	do	do
16. 452352 Sri Hausala Pd.	do	do	do	do
17. 452570 Sri Tej Kumar Singh	do	do	do	do
18. 454170 Surendra Narain Singh	do	do	do	do

[illegible]

10. [illegible]

11. [illegible]

12. [illegible]

2. [illegible]

[illegible]

[illegible]

[

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

Additional Bench, Allahabad.

Enclosure (2)

In

Registration No. of 1986.

between

Sri R.L.Singh & others .....Applicants.

and

Union of India and others .....Respondents.

(~~photo stat~~ copy is enclosed below)

25

Enclosure-no.2

Tele Mily 669

Head quarter

Commander works Engineer (P)

229, MG Road,

Lucknow,2

12030/242/E1C(2)

29 Nov.1985

Secretary,
U.P. MES workers Union
Mangal pandey Road,
Lucknow.

Senoority list of industrial personnel:CWE Lucknow Area.

1. A copy of senoority list Industrial personnel of CWE (P) Lucknow area is forwarded herewith for your record please.

Yours faithfully

Sd. (S.S.Misra.)

Offg. adm. officer

for commander works Engineer.

Encl : One senority list.

True copy
Attested
pcy
8/8/86

1. Ch/Mech	1 to 4
2. Ch./elec.	5 to 9
3 Ch./,ech(ref.)	10-15
4. Elect	16to 19
5. BA	20 to 24
6. mrk wireman	25 to 31
7.Line man	31 to 36
8. Fitter	37 to 39
9. Ref. mech	40 to 53
10. DME	54 to 54
11. painter	55 to 58
12. P/fitter	59 to 63
13. Carpenter	64 to 69
14. F/fitter	70 to 70
15. A/winder	71
16. Moulder	72
17. Blacksmith	73 to 85
18. Upholster	76 to 2# 77
19. C /maker	80 to 81
20. Plumber	78 to 79
21. Welder	82
22. I/Repairer	83
23. C/jointer	84
24. Mason	85 to 90
25. OLD	91 to 108
26. MPA	109 to 126
27. Hammerman	127 to129
28. C/weaver	130
29. C/Stringer	137
30. Mate	152 to 155

27

31, RR Driver	156
32. Sweeper	157
33. W/Man	158 to 161
34. Mazdoor	162 to 219

Contd.....

Sl	MES No and Name	Date of Birth	Qualification Vocational/ Technical Apptt. TT Passed	Category & date of 1st continous apptt. & Date of seniority in subsequent post held	Q/Pt, Pt I apptt. held with date in the grade	Seniority in the present grade	Whether SC/ST Ex-Service men	Formation where serving	REMARKS
1	2	3	4	5	6	7	8	9	10
1.	MES-216067 Shri VASU DEO	~~6.9.25~~	~~VI Class~~ TT Ch/Mech-63	IME-18.6.55 MT Dvr-14.4.64 Ch/Mech-9.3.64	~~MT Dvr Q/Pt~~ 1.7.60 Ch/Mech (Pt) 16.3.64 76	~~9.3.64~~	Neither	GE E/M Lko	Retired on 30.9.85
2.	MES-441933 Shri ~~A.P.~~ SINGH	4.1.35	VII TT Ch/Mech-61	P/F -8.10.53 Ch/Mech-3.3.65	~~Ch/Mech Pt~~ 1.7.76	~~1.3.65~~	"	do-	Promoted and Posted x Thn
3.	MES-350166 Shri BD PANDEY	15.2.28	TT Ch/Mech 1974	Fitter-28.12.48 Ch/Mech-30.8.76	Fitter Pt 1.4.59	30.8.76.	"	-do-	
4.	MES-452434 Shri SUKH LAL (Now Master Craftsman)	1.6.42	HS ITI Fitter Course TT C/Mech 73	P/F -1.12.66 Fitter-[illegible].6.66 Ch/Mech-30.1.78 Master Craftsman-30.8.85	P/Fitter/Pt 1.12.69 Fitter Pt 1.2.72	30.1.78	"	AGE (~~RCF~~) (I) Memaura	
5.	MES-437026 Shri RAGHU RAJ SINGH	16.8.28	TT Ftr-65 JTOED-56 TT Ch/Mech.	Maz-1.11.47 Mate-1.6.59 Ftr-19.3.58 Ch/Mech-4.3.78	Ftr Pt 1.4.64	4.3.78	"	GE (E) Lko	

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4.2

Category : Ref/Mech.

(40)

1	2	3	4	5	6	7	8	9	10
1.	MES/441931 Shri BHAGWAN DASS	1.7.27	-	Mate-1.8.49 MPA -15.1.50 Ref Mech-2.3.61.	Ref Mech Pt. 1.4.65.	2.3.62	Neither	GE E/M Lko	
2.	MES-441950 Shri JOGINDER PAL SINGH (Ca.Mech)	14.11.41	Inter TT Ch/ Mech (Ref)-68 Ch/Mech 69	Ref Mech-17.7.64	Ref Mech Pt. 1.4.70	17.7.64	"	-do-	
3.	MES/441948 Shri SHOHRAT ALI KHAN (Ca.Mech)	30.12.41	HS ITI Ref Course TT Ch/Mech Refg	Ref Mech-25.7.64	Ref Mech Pt. 1.4.70	25.7.64	"	-do-	
4.	MES-441955 Shri CHARANJEET SINGH	6.4.45	HS Ref Course III TTCh/Mech (Ref)	Ref Mech-4.8.64	Ref Mech Pt. 1.4.70	4.8.64	"	-do-	
5.	MES-457063 Shri RL SINGH	3.8.43	Matric Ref Mech TT Ch/ Mech Ref. Course (TII	Ref Mech-7.10.65	Ref Mech Pt 1.4.69	7.10.65	"	-do-	
6.	MES-457061 Shri SURENDRA NARAIN SINGH	1.5.43	IX TT Ch/Mech (Refg)	Ref Mech-14.10.65	Ref Mech Pt. 1.4.70	14.10.65	"	-do-	
7.	MES-454238 Shri KS SINHA	8.7.40	HS Ref Course ITI Ch/ Mech(Ref)	Ref Mech-1.12.66	Ref Mech Pt.	1.12.66	"	AGE (Rep)(I) Memaura	

TT = Trade test passed in open category

1	2	3	4	5	6	7	8	9	10
8. MES/454244 Shri OP PANDEY	41.43	HS ITI Ref Course Ch/Mech (Ref)-71	Ref Mech - 1.12.66	Ref Mech Pt 1.4.69	1.12.66	Neither	GE	E/M	Lko
9. MES-457076 Shri RAJENDER SINGH	1.7.43	IX TT Ch/Mech (Ref)-73	Ref Mech - 28.7.67	Ref Mech Pt 1.4.71	28.7.67	"		-do-	
10. MES/461510 Shri SK AHUJA	12.1.47	HS TT Ch/Mech (Ref)	Ref Mech - 1.7.68	Ref Mech Pt 1.4.74	1.7.68	"		-do-	
11. MES/361441 Shri NASEER HUSSAIN	1.1.51	HS	Ref Mech - 28.11.69	Ref Mech Pt ~~28.11.72~~ 1.4.75	28.11.79	"		-do-	
12. MES/359663 (1) Shri RK PANDEY	14.5.46	BA TT Ch/Mech Ref	Ref Mech - 27.1.70	Ref Mech Pt ~~27.1.70~~ 1.4.75	27.1.70	"		-do-	
13. MES/359458 (5) Shri RAM GOPAL MISHRA	24.5.45	BA ITI Ref Mech course TT Ch/Mech(Ref)	Ref Mech - 2.4.70	Ref Mech Pt 1.4.71	2.4.70	"		-do-	
14. MES/361531 (6) Shri KK GUPTA	15.9.45	Inter TT Ch/Mech (Ref) 73	Ref Mech - 2.4.70	Ref Mech Pt. 1.4.71	2.4.70	"		-do-	

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1	4	5	6	7	8	9	10
	.46	HS ITI Ref Course TTCh/Mech(Ref)81	Ref Mech-2.4.70	Ref Mech Pt 1.4.71	2.4.70	Neither	GE E/M Lko
	1.12.46	HS TT Ch/Mech (Ref)	Ref Mech-17.6.70	Ref Mech Pt 1.4.71	17.6.70	"	-do-
17. MES-169619 Shri BABBA JANI 169622	15.7.50	Matric	Ref Mech-5.12.70	Ref Mech Pt ~~5.12.75~~ 1.4.76	5.12.70	"	-do-
18. MES-169822 Shri MANJEET SINGH PAWA	7.7.51	Inter	Ref Mech-11.12.70	Ref Mech Pt ~~11.12.76~~ 1.4.77	11.12.70	"	-do-
MES-411040 Shri SETISH CHANDRA SHARMA	18.7.51	TT Ch/ Mech(Ref) HS	Ref Mech-23.4.71	Ref Mech Pt ~~23.4.74~~ 1.4.77	23.4.71	"	-do-
20. MES-411039 Shri MUMTAZ AGHA	2.8.51	HS	Ref Mech-23.4.71	Ref Mech Pt 23.4.74	23.4.71	"	-do-
21. MES-450954 Shri KK GUPTA	15.6.47	Inter	MPA -1.3.66 Ref Mech-23.11.71	MPA Pt-1.4.72 Ref Mech Pt ~~23.11.74~~ 1.4.77	21.10.71	"	-do-
22. MES-361124 Shri KRISHAN KUMAR	5.4.49	HS Ref. Course 171	Ref Mech-23.11.71	Ref Mech Pt ~~23.11.74~~ 1-4-78	23.11.71	"	-do-

MES-361625 Shri MANJEET SINGH

(42)

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1	2	3	4	5	6	7	8	9	10
(6) 15.	MES-359459 Shri RK MAURYA	20.1.46	HS ITI Ref Course	Ref Mech-2.4.70	Ref Mech Pt 1.4.71	2.4.70	Neither	GE E/M Lko	
(7) 16.	MES-361625 Shri MANJEET SINGH	1.12.46	HS TT Ch/Mech (Ref)	Ref Mech-17.6.70	Ref Mech Pt 1.4.71	17.6.70	"	-do-	
(8) 17.	MES-169619 Shri BABBA JANI	15.7.50	Matric	Ref Mech-5.12.70	Ref Mech Pt ~~5.12.75~~ 1.4.76	5.12.70	"	-do-	
(9) 18.	MES-169822 Shri MANJEET SINGH PAWA	7.7.51	Inter	Ref Mech-11.12.70	Ref Mech Pt ~~11.12.74~~ 1.4.77	11.12.70	"	-do-	
19.	MES-411040 Shri SATISH CHANDRA SHARMA	18.7.51	TI Ch/ Mech(Ref) HS	Ref Mech-23.4.71	Ref Mech Pt ~~23.4.74~~ 1.4.77	23.4.71	"	-do-	
20.	MES-411039 Shri MUMTAZ AGHA	2.8.51	HS	Ref Mech-23.4.71	Ref Mech Pt 23.4.74	23.4.71	"	-do-	
(10) 21.	MES-450954 Shri KK GUPTA	15.6.47	Inter	MPA -1.3.66 Ref Mech-23.11.71	MPA Pt-1.4.72 Ref Mech Pt ~~23.11.74~~ 1.4.77	21.10.71	"	-do-	
(11) 22.	MES-361124 Shri KRISHAN KUMAR	5.4.49	HS Ref. Course 171	Ref Mech-23.11.71	Ref Mech Pt ~~23.11.74~~ 1-4-78	23.11.71	"	-do-	

1	2	3	4	5	6	7	8	9	10
23.	MES-419671 Shri HARISH CHANDRA LOHANI	2.8.51	EE	From -29.10.71 Ref Mech-2.2.72	Ref Mech Pt	2.2.72	Neither	GE E/M Lko	
24.	MES-443375 Shri RATTAN LAL	2.6.39	VIII	V/Man- 1.1.65 Ref Mech-14.4.72	V/Man Pt Ref Mech Pt	14.4.72	"	-do-	
25.	MES-467175 Shri SK PAUL	27.7.53	X TT Ch/Mech (Ref)-80	Ref Mech-1.6.72	Ref MechPt 1.4.79	1.6.72	"	GE(RCP) Memaura	
26.	MES-437853 Shri RP CHAUHAN	7.4.50	EE Ref Mech Course LII	Ref Mech-20.12.72	Ref Mech Pt	20.12.70	"	GE E/M Lko	
27.	MES-442825 Shri NANNA BALLABE	12.3.37	VI	Maz - 1.9.67 Mate -21.4.64 Ref Mech-12.2.73	Maz Pt 1.4.68	12.2.73	"	-do-	
28.	MES-429283 Shri NEELAM KUMAR	14.11.47	IX TT Ch/Mech. (Ref)	MPA -14.9.66 Ref Mech-12.2.73	MPA Pt 1.4.70 Ref Mech Pt 1.4.79	12.2.73	"	-do-	
29.	MES/447040 Shri HARBACHAN	21.10.46	EE TT Ch/Mech (Ref)	MPA-17.5.67 Ref Mech-12.2.73	MPA O/Pt 15.5.70 Ref Mech Pt	12.2.73	"	-do-	

...13.

1	2	3	4	5	6	7	8	9	10
30.	MES-442878 Shri GIRJA DUTT	9.10.30	V	Chow -9.10.67 Maz- 11.4.69 MPA -22.1.69 Ref Mech -12.2.73	Maz Pt 1.4.68 Ref. Mech Pt 1.4.79	12.2.73	Neither GE E/M Lko		
31.	MES-454146 Shri PC UPADHYA	1.1.44	HS	MPA -4.6.68 Ref Mech-15.4.74	MPA Pt 1.4.72 Ref Mech Pt 1.4.79	15.4.74	"	-do-	
32.	MES-454197 Shri ZAHIR HUSAIN	10.7.42	IX	MPA -9.11.68 Ref Mech -15.4.74	MPA Q/Pt Ref Mech Pt 1.4.79	15.4.74	"	-do-	
33.	MES-454137 Shri RC SHUKLA	26.1.46	HS ITI course of Refg.	MPA-3.8.68 Ref Mech-22.4.74	MPA Pt 1.4.73 Ref Mech Pt 1.4.79	22.4.74	"	-do-	
34.	MES-452352 Shri HAUSALA PRASAD	1.4.42	HS	Maz -1.2.66 MPA -3.1.69 Ref Mech-9.7.74	Maz Pt 21.11.72 Ref Mech Pt 1.4.79	9.7.74	"	-do-	
35.	MES-452570 Shri TEJ KUMAR SINGH	12.6.46	VIII Tech Mech Gr II	MPA -17.10.70 Ref Mech-10.8.74	MPA Q/Pt 17.10.73 Ref Mech Pt 1.4.79	10.8.74	"	-do-	
36.	MES-135984 Shri INDERJIT SHARMA	11.8.51	HS Ref ITI Course	Ref Mech-28.10.74	Ref Mech Qpt 28.10.74	28.10.74	"	-do-	

1	2	3	4	5	6	7	8	9	10
37. MES-460799 Shri GC SRIVASTAVA	31.1.47	HS	TTM/Reader TT Mech (Ref) SO	Peon-20.5.66 MPA-22.9.71 Ref Mech-11.1.75	Peon Q/Pt 20.8.69 Ref Mech Pt 1.4.79	11.1.75	Neither	GE E/M Lko	
38. MES-454261 Shri INDER BAHADUR	16.8.48	VIII		MPA-18.8.67 Ref Mech-11.1.75	MPA QPt 18.8.70 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
39. MES-454138 Shri SATISH KUMAR	6.10.43	VI		MPA 4.6.68 Ref Mech-11.1.75	MPA Q/Pt 4.6.71 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
40. MES 454581 ~~MES 452504~~ Shri [illegible] JOSEPH	30.11.45	Inter		MPA-20.10.70 Ref Mech-20.5.73 Reverted MPA-9.10-73 Ref Mech -11.1.75	Ref Mech Pt 1.4.79	11.1.75	"	-do-	
41. MES-452647 Shri MANOHAR LAL KOTANALA	28.6.45	IX	TTC/Mech (Ref)	MPA-1.8.70 Ref Mech-11.1.75	Pt 1.4.79	11.1.75	Ex-serviceman	-do-	
42. MES-454154 Shri PN SINGH	15.7.42	HS		MPA-4.6.68 Ref Mech-11.1.75	MPA Q/Pt 4.6.71 Ref Mech Pt 1.4.75	11.1.75	SC	-do-	
43. MES-454533 Shri DEVENDRAN SINGH RAWAT	15.9.48	Matric Ref Mech course CME Pocna TT Mech Old Pn		MPA-3.10.67 Ref Mech-11.1.75	MPA Q/Pt 3.10.70 Ref Mech Pt 1.4.79	11.1.75	Neither	-do-	

(46)

Category : Ref Mech.

1	2	3	4	5	6	7	8	9	10
44.	MES-454250 Shri RN PANDEY	19.11.43	HS	MPA-13.10.67 Ref Mech-17.1.75	MPA Opt Ref. Mech Pt 1.4.79	17.1.75	Neither	GE E/M Lko	
	MES-~~22~~443136 Shri KESHAV CHAND	11.7.44	VIII	Chow -30.7.63 Maz -10.11.64 Mate -5.1.69 Ref Mech-24.5.73 Reverted Mate-10.10.73 Ref Mech-1.5.75	Maz O/Pt 10.11.67 Ref. Mech Pt 1.4.79	1.5.75	"	-do-	
	MES-437375 Shri NARAYAN DAS JATAV	4.10.47	HS	Ref Mech-1.5.75	Ref Mech ~~O/Pt~~ Pr. 1.4.77	1.5.75	S/C	-do-	
	MES-437884 Shri ~~SYED~~ ZIAR ABBAS RIZVI	1.5.48	Inter In Ref course	Ref Mech-1.5.75	-do- 1.4.79	1.5.75	Neither	-do-	
	MES-437681 Shri DHIRAJ KUMAR	1.2.49	MA	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437877 Shri RAMJIVAN	10.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437885 Shri SYED SHAID HUSSAIN	1.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437886 Shri AZAZ AHMED	19.10.50	HS	Ref Mech-1.5.75	-	1.5.75	"	-do-	
	MES-437873 Shri MC LADAV	10.11.50	Inter	Ref Mech-1.5.75	-	1.5.75	"	-do-	

Category : Ref Mech

1	2	3	4	5	6	7	8	9
53.	MES-437880 Shri RKKOHLI	22.11.50	Inter ITI Course Ref	Ref Mech -1.5.75	Ref Mech Pt 1.4.79	1.5.75	Neither	GE E/M Lk
54.	~~MES-437997 Shri MK GUPTA 4.11.51~~		~~Inter~~	~~Ref Mech-1.5.75~~	-	1.5.75	Neither	-do-
56.	MES-437874 Shri ABINASH CHANDRA KALIAH	6.11.52	HS	Ref Mech-1.5.75	Ref Mech Pt 1.4.80	1.5.75	"	-do-
57.	MES-437883 Shri M. SRIVASTAV	20.1.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-
58.	MES-437882 Shri VIJAYA MOHAN	17.7.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-
59.	MES-437879 Shri SK TIWARI	1.11.53	Inter	Ref Mech-1.5.75	Ref Mech Pt 1.4.80	1.5.75	"	-do-
60.	MES-437992 Shri GIRISH CHAND	13.11.52	HS	Ref Mech-1.8.75	-do-	1.8.75	"	-do-
61.	MES-437993 Shri ARUN KUMAR SRIVASTAVA	17.4.52	DA	Ref Mech.1.8.75	-do-	1.8.75	"	-do-

....17.

ek.

Shri JP PATHAK 14.5.49 Trd Mech / MEA 1.9.70 11.2.70 -do-

1	2	3	4	5	6	7	8	9	10
62.	MES-437994 Shri ASHWANI KUMAR VAID	28.5.52	BA	Ref Mech-1.8.75	Ref Mech Pt 1.8.78	1.8.75	Neither GE E/M Lko		
63.	MES-NYA Shri PRITAM RAM BHUJA	~~19.12.52~~	~~HS~~	Ref Mech-1.8.75	-	1.8.75	~~do~~	Expired on 23.7.83	
64.	MES-437991 Shri NOORAL HASSAN	10.6.51		Inter Ref Mech-26.9.75	Ref Mech Pt 1.4.80	26.9.75	-do-	-do-	
65.	MES-454770 Shri RAKESH PANDEY	1.6.53		HS ITI Ref Mech-1.8.75	-	1.8.75	-do-	AGE (E) Meerut	
66.	MES-437998 Shri BHARAT BHUSHAN SHRIVASTAVA	12.2.50		HS Ref Mech-19.11.75	Ref Mech Pt 19.11.78	19.11.75	-do-	GE E/M Lko	
67.	MES-450566 Shri JAWAHAR LAL VERMA	25.6.46	Inter	MPA-1.4.67 Ref Mech-6.12.75	MPA Pt 1.4.77	6.12.75	-do-	-do-	
68.	MES-455545 Shri ROOP CHAND	3.1.52		MPA-30.10.73 Ref Mech-20.9.77	MPA Pt 1.4.77	20.9.77	SC		
69.	MES-435941 Shri RAJ KUMAR	2.2.42		MPA-22.12.61 Ref Mech-11.5.78	MPA-Pt 1.4.66	11.5.78	Neither -do-	-do-	
70.	MES-432301 Shri JP PATHAK	14.5.49	Inter	MPA-21.9.70	MPA-Pt	11.5.78	-do-	-do-	

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1	2	3	4	5	6	7	8	9	10
71.	MES-454548 Shri RB MISHRA	13.10.48	9th TT Ref Mech 77	MPA-11.3.72 Ref Mech-13.5.78	MPA Pt 1.4.78	13.5.78	Neither	GE E/M Lko.	
72.	MES-437999 Shri TIKA RAM	9.3.47	Inter TT Ref Mech 77	MPA-~~3.10.73~~ 17.9.74 Ref Mech-12.10.78 29.9.78	MPA Pt ~~1.4.77~~ 1.9.77	~~12.10.78~~ 29.9.78	"	-do-	
73.	MES-454579 Shri BAL RAM SINGH	2.12.51	HS TT Ref. Mech 77	MPA-25.1.74 Ref Mech-12.10.78	MPA O/Pt 25.1.77	12.10.78	"	-do-	
74.	~~A/49859~~ Shri DK ASTHANA	2.6.49	HS TT Ref Mech 77	MPA 17.9.74 Ref Mech-13.[illegible]	MPA O/Pt 17.9.77	13.[illegible]	"	-do-	
75.	MES-437908 Shri KL ARORA	8.7.43	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA O/Pt 17.9.77	13.10.78	"	-do-	
76.	MES-454235 Shri SATYADEO SINGH	24.12.45	8th TT Chargeman TT MPA 73 TT Ref. Mech 77	MAZ-22.1.68 MPA-13.8.74 Ref Mech 13.10.78	Maz O/Pt 22.1.71	13.10.78	"	-do-	
77.	MES-454750 Shri SZI RIZVI	30.6.48	BA TT Ref. Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	
78.	MES-437906 Shri SK MEHDI	13.7.48	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	

Category : Ref Mech

1	2	3	4	5	6	7	8	9
79. MF-225296 Shri TK BARUI	6.6.49	HS TT Ref Mech 77	MPA-1.8.74 Ref Mech-13.10.78	MPA Opt 1.6.77	13.10.78			
80. MES-437098 Shri RL CHOPRA	10.12.49	8H TT Ref Mech 77	MPA-6.9.77 Ref Mech-13.10.78	MPA QR 6.9.77	13.10.78	"		
81. MES-425060 Shri SURESH CHAND	2.5.53	HS	MPA-30.10.72 Ref Mech-20.1.78	MPA Opt 3.10.75	20.1.78			
82. ~~MES-459569~~ MES 452580 Shri SANTOSH KUMAR ~~BALIAS~~	8.2.51	Inter TT Ref Mech 78	MPA-19.10.70 Ref Mech-20.1.78	MPA Pt 1.4.77	20.1.78			
83. MES-455215 Shri RANVIR SINGH	20.9.49	HS TTS&H 75 Tt Ref Mech 75	MPA-16.10.71 SDA-12.2.75 Ref Mech-16.2.78	MPA Pt 1.4.76	16.2.78			
84. MES-455537 Shri BHUIYAN DIN	12.11.51	LX TT Ref Mech 75	MPA-19.8.72 Ref Mech-8.5.78	MPA Pt 1.4.73	8.5.78			
85. MES-459239 Shri BASANT LAL	1.7.43	TT for Ref Mech 79	MPA-15.11.66 Ref Mech-26.6.82	MPA Pt 1.4.72	26.6.82			
~~MES-455536~~ MES 455537 85. Shri JAGDISH PD	7.7.49	LX TT Ref Mech 79	MPA-23.4.71 Ref Mech-1.7.82	MPA Pt 11.4.72	1.7.82			
86. MES-452427 Shri BASU DEO SINGH	19.4.44	VIII TT MPA 74 TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83			
87.								

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1	2	3	4	5	6	7	8	9	10
88.	MES-452429 Shri AMRINDER SINGH	3.11.44	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	Neither	GE E/M Lko	
89.	MES-452407 Shri VINOD KUMAR SINGH	25.12.48	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	"	-do-	
90.	MES-454257 Shri SADA SUKH	1.7.44	TT MPA 74	MPA-1.12.66 Ref Mech-4.4.83	MPA Pt 1.4.72	4.4.83	"	AGE (RCP) Men	
91.	MES-454136 Shri BABU LAL	16.10.34	VIII TT Ref Mech 79	MPA-3.8.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	GE E/M Lko	
92.	MES-454524 Shri SULTAN SINGH	2.7.45	VIII TT Ref Mech 79	MPA-3.8.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	-do-	
93.	MES-452641 Shri IDRI LAL	13.5.47	VIII TT MPA 74 TT Ref Mech 79	MPA-1.8.79 Ref Mech-17.1.84	MPA Pt 1.4.77	17.1.84	SC	-do-	
94.	MES-437981 Shri SHIV PRASAD	11.1.50		MPA-6.9.77 Ref Mech-14.2.84	MPA O/Pt 6.9.77 MPA Pt 1.4.81	14.2.84	Neither	-do-	
95.	MES-454264 Shri VK SINGH	12.7.46	ES TT MPA 76 TT Ref Mech 79	MPA-1.12.66 Ref Mech-9.4.83	MPA Pt 9.4.83	9.4.83	"	AGE BKT GE (W) Lko	

49

In the Central Administrative Tribunal.

Additional Bench, Allahabad.

~~Annexure~~

Enclosure No.3

In

Registration No. of 1986

between

Sri R.L. Singh and others ...Applicants.

and

The Union of India and others ..Respondents.

(~~Photo state~~ copy is enclosed below)

42

Enclosure - 3

Tele Mil :681

Head quarters
commander works Engineers (P)
229 MG Road,
Lucknow-2

No.12037/policy/61/E1C(2) 22nd June, 78

To,

CE (East) Lucknow

CE (west) Lucknow.

CE E/M (P) Lucknow

Inter Command posting and transfers:

Subordinates

A copy of the E-In-C's Br. letter No. PC 73549/ E1C(1) dt. 23 May, 78 received under CWE letter No. 120854/Pol/137/E1C(2) dt. 13.6.78 is forwarded herewith for your information.

Sd. Govind Lal
BSO commande works Engi.(P

- -

Copy of CWE letter No. 120854/POL/137/E1C(2) dated 13 Jun '78 .

Subject: As above.

1. E.in-c's Br vide their No. PC 73549/E1C(1) dt. 23 May '78 received under CWE Lucknow no. 915100/ policy/50/76/E1C(2) of 31 May '78 has clarified as under with reference to posting out of the CWE Area in respect of Industrial Personnel who are qualified for higher grade if no vacancy exists in a particular area :-

"The xxxx Individuals qualified for promotion to the grade of Ch. Mech. (refg) need not be promoted in the same area as they are liable for the all India service liability. Please ascertain the vacancies in your command and consider their trasfer on the promotion in case no qualified individuals exist in the area."

Sd/ x x x

(Roshan Lal)

AO I

for Chief Engineer.

True copy
Attested
pcj
8/8/86

44

In the Central Adminis trative Tribunal

Additional Bench, Allahabad.

Enclosure- No.4

In

Registration No. of 1986.

between

R.L. Singh and others .....Applicants

versus

The Union of India and others ...Respondents.

PART-I ORDER BY

C W E (P) Lucknow Cantt-2

Unit CWE (P) Sl.No.50

St. Lucknow Dt. 17 Jul. 1986.

D.P.C. Fitment of Industrial workers in pay scales recommended by IIIrd Pay commission Impelentation of three grade structure in M.E.S. H. S. Gd. II w.e.f. 15 Oct.,84.

1. A Board of office composed as under will assemble at time and place to be fixed by presiding officer to draw a select list of Ref. Mechanic for promotionto HS Gd. II in terms of govt. of India Memorandum no. Defence letter No. 1(1)/80/D/ECC/IC Vol III of 90270/89/TGS/E 10 (III) dt. April, 1986,

Presiding Officer :- Sri M.K.Mathur, EE GE (W) Lko.

45

Members :- 1. Sri K.K.Tiwari A.E.E./M
GE(E) Lko.

2. Sri S.K.Misra A.E. E/M Ref.
G.E. E/M Lko.

2. Seniority list of individuals and a copy of Industrial establishment for 1986-87 will be supplied by this office.

3- Board proceedin s duly completed in all respect should be submitted to this office by 31 Jul. 86.

12065/A/260/A 10(3)

Virendra Prasad
Dal. C.W.E.

Distribudion :-

1- Sri I.A.Arthur
2- Sri K.K.Tiwari,
3- Sri S.K. Misra
4- G.E. E/M Lucknow.
5- G.E. (W) Lko.
6- AGE (I)

(true copy)

Attested
PCJ
8/8/86

46

In the Central Administrative Tribunal

Additional Bench Allahabad.

Enclosure no.5

In

Registration No. of 1986

between

Sri R.L.Singh & others .....Applicants.

and

Union of India and others ....Respondents.

(~~photostate~~ copy is enclosed below)

Rtg Counsel

47

Encl. No.5

Recognised By Govt. of India
(Military of defence)

Registration no.710
Registered under trade
Union act XVI of 1926

U.P.Military Engineering Service Worker's Union
(Affiliated with the All India defence employeed
Federation Pune)

Head office
83-B, Sultanpura Agra Cantt.
Liaision office :25 Mangal pandey Road Lucknow Cantt.

President
K.N.Singh

General Secretary
S.S.Misra

Ref. No. U.P.MU/SENI/LKO/86 dt. 25.7.1986

To,

The Commander works Engineer (P)
229, Mahatma Gandhi Road
Lucknow -2

D.P.C. Fitmen of Industrial works in pay scale recommended by IIIrd Comm Pay Commission impliment of three grade structure in M.E.S. Highly skilled grade II with effect from 15 Oct. 84.

Dear Sir,

Reference your part-I order S.N.No. dt. 17 Jul.86

It is submitted that on going through the above

the above referred part-I order it is established beyond reasonable doubt that the board of officer order vide part-I order No.50 dt. 17th July,1986 is volitative of order of ministry of defence regard -ing promotion and application of III grade structure the fo.. of the many objection are as under:-

1- They the list has under gone great deal of changes since it was last placed before the D.P.C. where as based on this seniority list some promotions were effected.

2- The authorities failed to circulate to all concered the seniority list placed before D.P.C.

3- The authorities failed to provide reasonable opportunity to the individuals whose seniority has not been finalised.

In conclusion you are in the light of orders of Ministry of defence bound to satisfy the above mentioned requirement do it failing which U.P. MES Workers Union will be compelled to take agitarial course to satisfy its workers.

Yours faithfully,

Sd. V.K.Vajpai Vice Presi.

Copy to:-

1. [illegible]-in-C's
2. [illegible]. CC Lko
3. C...L.Z. Lko
4. G.M. [illegible]/M Lko
5. G.E. (W) Lko
6. C.E.(...) Lko.
7. A.G.L.(I) Lko.
8. Presiding officer P.C. Board offi.
   vide part order no.30 dt. 17.7.86.

(true copy

Attested
Pej
8/8/86

50

-- -- Central Administrative Tribunal

Additional Bench Allahabad.

Enclosure No.6

In

Registration No. of 1986

between

Sri R.L. Singh & others .....Applicants.

and

Union of India and others ....Respondents.

(~~Photostat~~ copy is enclosed below)

51

Encl No.6

File M.Ly 249

Head qu rter
Commander works Engineers
Allahab d.

1353/357/ E1B

22 May 86

GE (West) Allahabad.
GE (East) Allahabad
GE(AF) Bamrauli
GE (AF) Gorakhpur.
GE E/P Allahabad.
A GE (I) Faizabad.

Fitment of Industrial workers of M.E.S. in the pay scales recommended by the third pay commission.

The following promotions are hereby ordered in the t rms of Govt. of India Min. of Def No. 3810/DS (C&J)/Civ-1/84 dt. 15 Oct.84 and E-in-C's branch Army HQ ne New Delhi letter No.90270/89/E1C dt. 4 July 85 to the highly skilled grade II in the scale of Rs. 330-8-370-10-400-EB-10-480. The promotion will be effective w.e.f. 15 oct.84 and their pay is to be fixed in terms of Min. of def. Memo no. 2(32)/62/5518/D(Civ-1) dt. 22.6.62.

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Sl.No.	ESI No. & name	Designation	-ormation	Remarks
1	2	3	4	5
1.	ESI 430258 Sri Ambika Pd.	Black Smith	GE(E) Allahabad.	
2.	ESI 482180 Sri Jewaharlal	do	GE (W) Allahabad.	
3.	ESI 367250 Sri Gulab	do	GE(C/P) Allahabad.	
4.	ESI 431400 Sri Gangalal	L/Man	GE (W) Allahabad	
5.	ESI 432074 Sri Jai Pal	do	GE (-) Alld.	
6.	ESI 454225 Sri Man Mohan	do	GE (I) Faizabad.	
7.	ESI 292865 Sri A.Singh	do	GE (AF) Bamrauli	
8.	ESI 432096 Ayodhya Pd.	do	GE(-) Alld.	
9.	ESI 432053 Sri Bankey Lal	do	GE(AF) Bamrauli	

Rs:

Page No.4

44.	ESI 256974 Sri Ishwar Din	Mason	GE(E)Alld.	
45.	ESI 456973 Sri Ram Murarey	do	GE(-) Alld.	
46.	ESI 431044 Sri Hida Abbas	painter	do	
47.	ESI 430261 Sri M.D.Nath	Singwriter	GE C/P Alld.	
48.	ESI 430793 Sri Madhey Mohan Srivastava	painter	GE (AF)Bamrauli	
49.	ESI 431018 Sri Pannalal	do	do	
50.	ESI 431496 Sri	do	GE(W)Alld.	

B.K.Ghosh

51. MES 452073 Sri Ramnaresh Singh	painter	GE(I) Faizabad
52. MES 9985 Sri LA Siddiqui	do	GE(V) Alld.
53. MES 431043 Sri Nandlallal	do	GE(V)Alld.
54. MES 468025 Sri Jagdish Pd.Sharma	Molder	GE(AF) Bamrauli
55. MES 430582 Sri Ram Asrey	Ref/mech	GE(AF) Gorakhpur.
56. MES 431484 Sri DN Tripathi	do	do
57. MES 431177 Sri R.N. Pathak	do	do
58. MES 431218 Sri Rajendra Misra	do	GE (AF) Bamrauli
59. MES 431614 Sri SN Singh	do	GE(AF)Gorakhpur.
60. MES 431486 Sri Hariram Pd.	do	do
61. MES 431-48 5 Sri Om Prakash	Ref/mech	GE (AF)Gorakhpur
62. MES 457062 Sri Keshav Pd. Srivastava.	do	GE (AF)Bamrauli
63. MES 457068 Sri GD Srivastava	do	GE (AF) Gorakhpur
64. MES 831515 Sri MP Singh	do	do
65. MES 431983 Sri M Gupta.	do	do
66. MES 431984 Sri S.K. Srivastava	do	do
67. MES 431576 Sri Roshanlal	do	GE(V)Alld.
68. MES 431575 Sri Ashok Kumar	do	do
69. MES 431546 Sri Shivram Singh	do	GE (AF) Bamrauli

70- MES 431728 Sri Mohd. Isreoul Haq	do	GE(W) Alld.
71- MES 431066 Sri Chunnilal Yadav	do	do
72. MES 530857 Sri Bashir Ahmed	do	GE (AF)Bamrauli
73. MES 430560 Sri HP Badola	do	GE(AF) Gorakhpur
74. MES 930510 Sri Abhiram Jhan	do	GE (AF) Bamrauli
75. MES 438078 Sri Shyamlal	do	GE(E)Alld.
76. MES 461265 Sri Jagardan Pd.	do	(AF) Bamrauli
77. MES 4933190 Sri D.D.Joshi	P/Fitter	GE Alld.
78. MES 431020 Sri Ram Dularey	do	GE(-) Alld.
79. MES 441921 Sri Atma ram Singh	do	do
80. MES. 45090 Sh. Ash Mohd.	do	AGE(I) Faizabad
81- MES 431166 Sri Sukhram	do	GE(W)Alld.
82. MES 443008 Sh.Hanji	do	AGE(I)Faizabad.
83. MES 430985 Sh.Sitaram	fitter	GE(W)Alld.
84. MES 431132 Sh. Chhotak	p/fitter	GE(AF)Gorakhpur
85. MES 431384 Sh.Bankeylal	do	GE(-) Alld.
86. MES 432067 Sh.Harilal	do	GE(E)Alld.
87. MES 431212 Sh.ram Das	do	GE(AF) Gorakhpur
88. MES 432097 Sh.Ramdas	do	do

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-5-

89. MES 432026 HS Ramsloo	do	GE (AF)Bamrauli
90. MES 432441 Motilal Sharma	do	GE(W)Agra.
91. MES 461745 Sh Mohadeo	do	AGE(I) Delhaud.
92. MES 430596 Sh.Ram Das	do	GE(AF)Bamrauli

Sd. (Sudhdeo Singh)
Ltd. Col.
Commander Works Engineer.

(true copy)

Attested
pcf
8/8/86

[redacted]

[redacted]

[redacted]

In the Central Administrative Tribunal

Principal Bench : New Delhi.

Index

In

Original No. of 1986.

Between

Applicants.

And Union of India & Ors. Respondents.

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2.	[illegible] Petition Annexure No.A1 : Promotion list No.[illegible] letter No.[illegible] dated [illegible]	20 — 22
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4.	Annexure No.A3 : [illegible] letter No. 1.067/[illegible]/01/[illegible] dated [illegible].	41 — 43
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Dated , 1986.

Signature of the Applicant

Reg. No 509 of 1986

Central Administrative Tribunal

Additional Bench

ALLAHABAD / CIRCUIT BENCH, LUCKNOW

Date of Filing 11-8-86 OR

Date of Receipt by Post

For Deputy Registrar.

...ection, Il ...r ... tal ..., ...ukkur.

4. Babu Jami son of Iqbal Hussain
resident of 332/04 Kalkana Tasbari Mandir,
Sukkur.

5. Sri Jagjeet Singh ..., son of late Balop
Singh, resident of Hotel Jaimal Khera, ...
Railway Station, Sukkur.

6. Sri Devendra, son of Sri Bhola Nath,
resident of 150/1, Shikarpur Line, ... Colony,
Sukkur.

7. Sri Krishan Kumar son of Sri Amri Lal,
resident of ... ar Ram Bakri Mandi, Distt.
Sukkur.

.....Applicants.

and

1. The Union of India through the Secretary
Ministry of Railways, Central Secretariat
New Delhi.

2. The ... Inspector ... Military Land Workers,
Sukkur Land Workers, New Delhi.

3. The Commander Works Engineer (...),
...G, Sukkur Cantonment Area, Sukkur.

4. The Garrison Engineer /A, Military
Engineering Services, Sukkur.

5. Sri Ramesh Kumar Sahrish, Son of ..., Assistant Sub
Divisional Officer Construction Section, II Sukkur Rail
Area, Sukkur.

6. Sri Jagat Ram, Deputy Executive ...
Sub/ ...n Engineering Section, II Sukkur Rail
Area, Sukkur.

2. Mr Arbuckle Smith, refrigerator mechanic, No. R/4, refrigeration section, 11 Argyle Street, Auckland.

3. Mr Reuben Ross, refrigerator mechanic, No. R/5, refrigeration section, 11 Argyle Street, Auckland.

4. Mr Keith Hamlin, refrigerator mechanic, No. R/6, refrigeration section, 11, Argyle Street, Auckland.

5. Mr [illegible], refrigerator mechanic No. R/7, refrigeration section, 11 Argyle Street, Auckland.

6. Mr [illegible], refrigerator mechanic No. R/8, refrigeration section, 11, Argyle Street, Auckland.

7. Mr Kenneth Fraser, refrigerator mechanic No. R/9, refrigeration section, 11, Argyle Street, Auckland.

8. Mr [illegible] Cumberland, refrigerator mechanic No. R/10, refrigeration section, 11, Argyle Street, Auckland.

9. Mr [illegible], refrigerator mechanic No. R/11, refrigeration section, 11, Argyle Street, Auckland.

10. Mr [illegible], refrigerator mechanic No. R/12, refrigeration section, 11 Argyle Street, Auckland.

.....appointments.

-3-

Particulars of the application :-

1. Particulars of the applicants :-

1. Applicant No.1 :

i) Name of the applicant : S.B. Singh

ii) Name of the father : Late Sri Ram Prasad

iii) Qualification and office : Graduate, Lower Division
in which employed Clerk, E/E Business,

iv) Office address : Refrigeration Section
II Carriage Stores Depot,
Lucknow.

v) Address for service : 601/4, Near 85, Indira
of all notices Nagar II Extension
Lucknow-7

2. Applicant No.2-

i) Name of the applicant - Surendra Nath Singh

ii) Name of the father - Late S.N. Singh

iii) Qualification and office - B.Sc./Assistant
in which employed

iv) Office address - Refrigeration Section
II Carriage Depot,
Lucknow.

v) Address for service - C6, Rly. Officers Flat
of all notices Aishbagh Lucknow.

3. Applicant No.3

i) Name of the applicant - Lalta Prasad

ii) Name of the father - Late Ram Sanehi

iii) Qualification and office - Graduate/Assistant
in which employed Refrigeration Section

iv) Office address - Refrigeration Section
II Carriage Depot,
Lucknow.

v) Address for service of - 304/6, Nadan Mahal
all notices Lucknow.

4- Applicant No.4

i) Name of the applicant - Sri [illegible] Iqbal [illegible]

ii) Name of the father - Sri R[illegible]bihari,

iii) Designation & office in which employed - Refrigerator mechanic [illegible] / A/H Lucknow.

iv) Office address - Refrigeration section II, Northern Railway, Lucknow.

v) Address for service of all notices - 834/480-A, Krishnapuri,(N)Lucknow.

5- Applicant No.5

i) Name of the applicant - Sri A.K.Gupta,

ii) Name of the father - Sri [illegible].L.Gupta.

iii) Designation and office in which employed - Refrigerator mechanic [illegible] A/H Lucknow.

iv) Office address - Refrigeration section II, Northern Railway, Lucknow.

v) Address for service of all notices - 47, Gola Marg, [illegible] Bagh, Lucknow.

6- Applicant No.6 :

i) Name of the applicant - Sri [illegible].Maurya

ii) Name of the father - Sri [illegible] Maurya

iii) Designation and office in which employed - Refrigerator mechanic [illegible] A/H Lucknow.

iv) Office address - Refrigeration section II, Northern Railway, Lucknow.

v) Address for service of all notices - 268/26, Krishnapuri, Lucknow.

7- Applicant No.7 :

i) Name of the applicant - Sri [illegible]

ii) Name of father -

v/ Address for service of all notices - [illegible]

Appellant No.III

i/ Name of the appellant - [illegible]

ii/ Name of the father - [illegible]

iii/ Designation & office in which employed - [illegible]

iv/ Office address - [illegible]

v/ Address for service of all notices - [illegible]

[illegible] in the respondents.

Respondent No.I:

i/ Name or designation of the respondent - Union of India through Secretary.

ii/ Office address of the respondents - Ministry of Defence, Central Secretariat, New Delhi.

iii/ Address for service of all notices. - Ministry of Defence, Central Secretariat, New Delhi.

Respondent No.II:

i/ Name or designation of the respondent - [illegible]

ii/Office address of the respondent - Army Headquarter, Defence [illegible] New Delhi.

iii/ Address for service of all notices. - Army Headquarter, Defence [illegible] New Delhi.

Respondent No.III:

i/ Name or designation of the respondent - Commander [illegible]

ii/Office address of the respondent - [illegible]

iii/ Address for service of all notices - [illegible]

Respondent no.4 :

i/ Name or designation of the respondent - Garrison Engineer

ii/ Office address of the respondent - C/o Military Engineering Service, Lucknow.

iii/ Address for service of all notices - C/o Military Engineering Service, Lucknow.

Respondent no.5:-

i/ Name of the respondent - Union of India

ii/ Office address of the respondent - C/o Chief Administration Section, Headquarters Central Command, Lucknow.

iii/ Address for service of all notices - C/o Chief Administration Section Headquarters Central Command, Lucknow.

Respondent no.6 :-

i/ Name of the respondent - Air, Chief

ii/ Office address of the respondent - C/o Chief Administration Section, Headquarters Central Command, Lucknow.

iii/ Address for service of all notices. - C/o Chief Administration Section, Headquarters Central Command, Lucknow.

Respondent no.7 :-

i/ Name of the respondent - Union of India

ii/ Office address of the respondent - C/o Chief Administration Section, Headquarters Central Command, Lucknow.

iii/ Address for service of all notices - C/o Chief Administration Section, Headquarters Central Command, Lucknow.

Respondent no.8 :

i/ Name of the respondent - Chief Engineer

ii/ Office address of the respondent - C/o Chief Administration Section, Headquarters Central Command, Lucknow

iii/ Address for service of all notices. - C/o Chief Administration Section, Headquarters Central Command, Lucknow.

Respondent no.9 :-

ii/ Office address of the Respondent

- M/s Air/Aviation Section, 11 Floor Patel Marg, Lucknow.

iii/ Address for service of all notices.

- M/s Air/Aviation Section, 11 Floor Patel Marg, Lucknow.

Respondent no.14 :

i/ Name of the Respondent No.....dium

ii/Office address of the Respondent

- M/s Air/Aviation Section,11 Floor Patel Marg, Lucknow.

iii/ Address for service of all notices.

- M/s Air/Aviation Section,11 Floor Patel Marg,Lucknow.

Respondent no.15 :

i/ Name of the Respondent

- National

ii/ Office Address of the Respondent

- M/s Air/Aviation Section, 11 Floor Patel Marg, Lucknow

iii. Address for service of all notices.

- M/s Air/Aviation Section,11 Floor Patel Marg, Lucknow

೬. ಈ ಪ್ರಕರಣದಲ್ಲಿ ಅರ್ಜಿದಾರರು ಸಲ್ಲಿಸಿರುವ ಅರ್ಜಿಯಲ್ಲಿ ಕೋರಿರುವಂತೆ ಅರ್ಜಿದಾರರ ಪರವಾಗಿ ಆದೇಶ ಹೊರಡಿಸಲು ಸಾಧ್ಯವಿಲ್ಲವೆಂದು ಈ ನ್ಯಾಯಾಲಯವು ಅಭಿಪ್ರಾಯಪಡುತ್ತದೆ.

೭. ಅರ್ಜಿದಾರರು ಸಲ್ಲಿಸಿರುವ ಅರ್ಜಿಯಲ್ಲಿ ಕೋರಿರುವಂತೆ ಆದೇಶ ಹೊರಡಿಸಲು ಸಾಧ್ಯವಿಲ್ಲವೆಂದು ಈ ನ್ಯಾಯಾಲಯವು ಅಭಿಪ್ರಾಯಪಟ್ಟಿರುವುದರಿಂದ ಅರ್ಜಿಯನ್ನು ವಜಾ ಮಾಡಲಾಗಿದೆ.

೮. ಅರ್ಜಿಯನ್ನು ವಜಾ ಮಾಡಿರುವುದರಿಂದ ಅರ್ಜಿದಾರರು ಸಲ್ಲಿಸಿರುವ ಮಧ್ಯಂತರ ಅರ್ಜಿಯನ್ನು ಸಹ ವಜಾ ಮಾಡಲಾಗಿದೆ.

ಸಹಿ/-

ನ್ಯಾಯಾಧೀಶರು

31st July, 1986, so far as it relates to the promotion of respondents nos. 5 to 16 from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II with effect from 15.10.84.

2- That the respondents may be directed to give promotions of the applicants from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II in accordance with the seniority list (enclosure-2) with effect from 15.10.84.

8.Interim order, if prayed for :-

(1) Pending final decision on the application the applicants seek is ue of the following interim order :-

The hon'ble Tribunal may be pleased to stay the operation of the promotion list (enclosure no.1) so far as it related to the promotion of respondent nos. 5 to 16 be stayed during the pendency of the above mentioned application for the following reason :-

1- Because the applicants shall suffer great loss of seniority in the next highly grade

2- Because the applicants shall not be benefited from the recommendation by 4th Pay Commission.

3- Because the inter se seniority of the

applicants would be adversely affected if the operation of the impugned promotion list is not stayed forthwith.

6. Because the benefits arising out of the Highly pay Skill not be available to the applicants.

6. Because if the operation of the impugned seniority list are not stayed it will be affect the promotions in other J.E.(Civil) cases all over India.

8. Alternatively, the Hon. Tribunal may be pleased to restrained the respondents nos. 1 to 4 from paying the arrears of difference salary payable to the respondent nos. 5 to 15 by virtue of their promotion with effect from 15.10.1984.

8. Details of the remedies exhausted :-

That the case of the applicants is such if they wait for 6 months of the representation, the applicants shall suffer the great and irreparable loss of their future career by way of their deprivation from their promotion to charge Electronic Highly Skilled grade II. However, the J.E. Civil workers Union by their representation dated 25.7.86 (Annexure-8) in which they have raised the demand that in case their demands are not met with they would take the agitational course so it is expedient in

the interest of maintaining industrial piece and harmoney, it is expedient to wave the Bar of 6 months time after making the representation for filing the abovementioned Application.

10. Matter not pending with any other court etc:

The applicant further declares that the matter regarding which this application has been made is notpending before any court of law or any other authority or any other Bench of the Tribunal.

11. Particulars of Postal Order in respect of the Application fee :-

1. Number of Indian postal Order :
2. Name of the issuing post office:
3. Date of issue of postal order :
4. Post office at which payable.

12. Details of Index :-

1- Ministry of Defence Office Memorandum No. 10(1)/75/5365/D(AP&S) dated 15th September, 1977.
2. CPRO, 11th February,1975.
3- E-in-C's Branch no. PC 73549/E1C(1) dated 23rd May,1978 (Enclosure-3)
4- Part-I order CWE(P) Lucknow Cantt.2 Sl. No.50 dated 17th July,1986(Enclosure-4)
5- Seniority list issued by CWE(P) Lucknow No.12030/242/E1C(2) dated 29th November,85 (enclosure-2)

6. C.A.T. Allahabad No.1252/357/[illegible]13 dated [illegible] 9,1986 (Annexure-6)

12- List of enclosures:-

1. Impugned list No. C 2(P) Lucknow letter No. 1[illegible]5/420/[illegible]10(P), dated 31st July,86.
2. Seniority list No.[illegible]20/148/[illegible]1C(P) dated 19th November,1985.
3. C.W.M. letter No.1[illegible]027/Policy/61/[illegible]1C(P) dated 5th June,1976.
4. C.[illegible].(P) Lucknow serial no.60 dated 17th July,1986.
5. U.P. Mazdoor Union letter no.UP 98/[illegible]ml/[illegible]3/86, dated 25.7.86.
6. C.A.T. Allahabad letter no.1353/357/[illegible]13 dated [illegible] 9,1986.

I, [illegible] son of Sri [illegible] aged 40 years working as Refrigerator Mechanic C/M Lucknow resident of 324/24 Aliganj Sector, Lucknow do hereby verify that the contents from 1 to 12 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place :

Date :

Signature of the Applicant.

To,

The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.

P/S Adv.
8/8/86.

20

In the Central Administrative Tribunal

Additional Bench, Lucknow.

Enclosure No.1

In

Registration No. of 1986

Between

R.L. Singh and others .....Applicants.

And

The Union of India and others

...Respondents.

(~~photostat~~ copy is enclosed below)

22

23

-1-

19. 45953 [illegible] do do do
[illegible]

20. 44337 do do do do
[illegible] 1

21. 359475
[illegible] do do do do

2 . 169622
[illegible] do do do do

[illegible] 6110-0 do do do do

[illegible]

[illegible]

[illegible] Vol. [illegible] 56.

[illegible]

[illegible]

[illegible]

Copy to

[illegible]

[illegible]

[illegible] /1 7.(3)

(true copy)
Attested
Pej Adv
8/8/86.

24

In the Matter of Petition No.

of 1950.

Second Board, Lucknow.

Enclosure (2)

In

Registration No. of 1950.

between

Sri M.B. Singh & others .....Plaintiffs.

and

Union of India and others .....Opposite Parties.

(Please find copy in enclosure note)

28

Ture Copy
Allested
Pej. Adv
8/8/86.

1. [illegible]	1 to 4
5. [illegible]	8 to 9
[illegible]	10-13
[illegible]	16 to 19
[illegible]	20 to 24
[illegible]	[illegible] to 31
[illegible]	32 to 36
[illegible]	37 to 39
[illegible]	40 to 43
[illegible]	54 to 54
[illegible]	55 to 58
[illegible]	59 to 63
[illegible]	64 to 69
[illegible]	70 to 70
[illegible]	71
[illegible]	72
[illegible]	73 to 75
[illegible]	76 to 76 77
[illegible]	80 to 81
[illegible]	82 to 83
[illegible]	[illegible]
[illegible]	85
[illegible]	84
[illegible]	85 to 90
[illegible]	91 to 108
[illegible]	109 to 120
[illegible]	129 to129
[illegible]	130
[illegible]	127
[illegible]	132 to 135

Sl	MES No and Name	Date of Birth	Qualification Vocational/ Technical Apptt. TT Passed	Category & date of 1st continous apptt. & Date of seniority in subsequent post held	Q/Pt, Pt held with date in the grade	Date of seniority in the present grade	Whether SC/ST Ex-Service men	Formation where serving	REMARKS
1	2	3	4	5	6	7	8	9	10
1.	MES-216067 Shri VASU DEO	6.9.25	~~VI Class~~ TT Ch/Mech-63	~~IME-18.6.55~~ MT Drr 14.4.61 Ch/Mech-9.3.64	~~MT Drr Q/Pt 9.3.64~~ 1.7.60 Ch/Mech Pt 16.3.64		Neither	GE E/M Lko	Retired on 30.9.85
2.	MES-441933 Shri ~~A.P~~ SINGH	4.1.35	VII TT Ch/Mech-Ch	~~P/F-8.10.58~~ Ch/Mech-3.65	~~Ch/Mech Pt 3.65~~ 1.7.76		"	Promoted do- and Posted to Pune	
3.	MES-350166 Shri DD PANDEY	15.2.28	TT Ch/Mech 197-	Fitter-28.12.60 Ch/Mech-30.8.76	Fitter Pt 1.4.59	30.8.76	"	-do-	
4.	MES-452434 Shri SUKH LAL Now to Master Craftsman	1.6.42	HS ITI Fitter Course TT C/Mech 73	P/F-1.12.66 Fitter-10.1.68 Ch/Mech-30.1.78 Master Craftsman-30.8.85	P/Fitter Pt 1.12.69 Fitter Pt 1.2.72	30.1.78	"	AGE (RGP) (I) Memaura	
5.	MES-437026 Shri RAGHU RAJ SINGH	16.8.20	IT Ftr.65 ITOED-56 T Ch/Mech	Mez-1.11.47 Mate-1.6.50 Ftr-19.3.58 Ch/Mech-4.3.78	Ftr Pt 1.4.61	4.3.78	"	GE (E) Lko	

87

do.2

Category : Ref/Mech.

(40)

1	2	3	4	5	6	7	8	9	10
1.	MES/441931 Shri DHAGWAN DASS	1.7.27	-	Mate-1.8.49 MPA -15.1.50 Ref Mech-2.3.61.	Ref Mech Pt. 1.4.65.	2.3.62	Neither	GE E/M Lko	
2.	MES-441950 Shri JOGINDER PAL SINGH Ch.mech	14.11.41	Inter TTCCh/ Mech (Ref)-68 Ch/Mech 69	Ref Mech- 17.7.64	Ref Mech Pt. 1.4.70	17.7.64	"	-do-	
3.	MES/441948 Shri SHOHRAT ALI KHAN Ch.mech	30.12.41	HS ITI Ref Course TT Ch/Mech Refg	Ref Mech- 25.7.64	Ref Mech Pt. 1.4.70	25.7.64	"	-do-	
4.	MES.441965 Shri CHARANJEET SINGH	6.4.45	HS Ref Course ITI TTCh/Mech (Ref)	Ref Mech. 4.8.64	Ref Mech Pt. 1.4.70	4.8.64	"	-do-	
5.	MES-457063 Shri RL SINGH	3.8.43	Matric Ref Mech TT Ch/ Mech Ref. Course CTTI	Ref Mech- 7.10.65	Ref Mech Pt 1.4.69	7.10.65	"	-do-	
6.	MES-457061 Shri SURENDRA NARAIN SINGH	1.5.43	IX TI Ch/Mech (Refg)	Ref Mech- 14.10.65	Ref Mech Pt. 1.4.70	14.10.65	"	-do-	
7.	MES-454238 Shri KS SINHA	8.7.40	HS Ref Course ITI Ch/ Mech(Ref)	Ref Mech- 1.12.66	Ref Mech Pt.	1.12.66	"	AGE (REP)(I) Memaura	

TT = Trade test passed in Inter Category

Category : Ref/Mech.

1	2	3	4	5	6	7	8	9	10
1.	MES/441931 Shri DHAGWAN DASS	1.7.27	-	Mate-1.8.49 MPA -15.1.50 Ref Mech-2.3.61.	Ref Mech Pt. 1.4.65.	2.3.62	Neither	GE E/M Lko	
2.	MES-441950 Shri JOGINDER PAL SINGH Ch.Mech	4.11.41	Inter TTCCh/ Mech (Ref)-68 Ch/Mech 69	Ref Mech- 17.7.64	Ref Mech Pt. 1.4.70	17.7.64	"	-do-	
3.	MES/441948 Shri SHOHRAT ALI KHAN Chmech	30.12.41	HS ITI Ref Course TT Ch/Mech Refg	Ref Mech- 25.7.64	Ref Mech Pt. 1.4.70	25.7.64	"	-do-	
4.	MES-441265 Shri CHARANJEET SINGH	6.4.45	HS Ref Course ITI TTCh/Mech (Ref) 84	Ref Mech- 4.8.64	Ref Mech Pt. 1.4.70	4.8.64	"	-do-	
5.	MES-457063 Shri HL SINGH	3.8.43	Matric Ref Mech TT Ch/ Mech Ref. Course ITI	Ref Mech- 7.10.65	Ref Mech Pt 1.4.69	7.10.65	"	-do-	
6.	MES-457061 Shri SURENDRA NARAIN SINGH	1.5.43	IX TT Ch/Mech (Refg)	Ref Mech- 14.10.65	Ref Mech Pt. 1.4.70	14.10.65	"	-do-	
7.	MES-454230 Shri KS SINHA	8.7.40	HS Ref Course ITI Ch/ Mech(Ref)	Ref Mech- 1.12.66	Ref Mech Pt.	1.12.66	"	AGE (RCP) (I) Memaura	

TT = Trade test passed in Essential Category

1	2	3	4	5	6	7	8	9	10
8. MES/454244 Shri OP PANDEY	41.43	HS ITI Ref Course Ch/Mech (Ref)-71	Ref Mech - 1.12.66	Ref Mech Pt 1.4.69	1.12.66	Neither	GE F/M Lko		
9. MES-457076 Shri RAJENDER SINGH	1.7.43	IX TT Ch/Mech (Ref)-73	Ref Mech - 28.7.67	Ref Mech Pt 1.4.71	28.7.67	"	-do-		
10. MES/461510 Shri SK AHUJA	12.1.47	HS TT Ch/Mechr (Ref)	Ref Mech - 1.7.68	Ref Mech Pt 1.4.74	1.7.68	"	-do-		
11. MES/361441 Shri NASEER HUSSAIN	1.1.51	HS	Ref Mech - 28.11.69	Ref Mech Pt ~~28.11.72~~ 1.4.75	28.11.79	"	-do-		
12. MES/359663 (1) Shri RK PANDEY	14.5.46	BA TT Ch/Mech Ref	Ref Mech - 27.1.70	Ref Mech Pt ~~27.1.70~~ 1.4.75	27.1.70	"	-do-		
13. MES/359458 (5) Shri RAM GOPAL MISHRA	24.5.45	BA ITI Ref Mech course TT Ch/Mech(Ref)	Ref Mech - 2.4.70	Ref Mech Pt 1.4.71	2.4.70	"	-do-		
14. MES/361531 (2) Shri KK GUPTA	15.9.45	Inter TT Ch/Mech (Ref) 73	Ref Mech - 2.4.70	Ref Mech Pt. 1.4.71	2.4.70	"	-do-		

Gc. ...11.

Category : Ref Mech.

1	2	3	4	5	6	7	8	9	10
15.	MES-359459 Shri RK MAURYA	20.1.46	HS ITI Ref Course	Ref Mech-2.4.70	Ref Mech Pt 1.4.71	2.4.70	Neither	GE E/M Lko	
16.	MES-361625 Shri MANJEET SINGH	1.12.46	HS TT Ch/Mech (Ref)	Ref Mech-17.6.70	Ref Mech Pt 1.4.71	17.6.70	"	-do-	
17.	MES-169619 Shri BABBA JANI	15.7.50	Matric	Ref Mech-5.12.70	Ref Mech Pt ~~5.12.75~~ 1.4.76	5.12.70	"	-do-	
18.	MES-169222 Shri MANJEET SINGH PAWA	7.7.51	Inter	Ref Mech-11.12.70	Ref Mech Pt ~~11.12.75~~ 1.4.77	11.12.70	"	-do-	
19.	MES-411040 Shri SATISH CHANDRA SHARMA	18.7.51	TT Ch/ Mech(Ref) HS	Ref Mech-23.4.71	Ref Mech Pt ~~23.4.74~~ 1.4.77	23.4.71	"	-do-	
20.	MES-411039 Shri MUMTAZ AGHA	2.8.51	HS	Ref Mech-23.4.71	Ref Mech Pt 23.4.74	23.4.71	"	-do-	
21.	MES-450954 Shri KK GUPTA	15.6.47	Inter	MPA -1.3.66 Ref Mech-23.11.71	MPA Pt-1.4.72 Ref Mech Pt ~~23.11.74~~ 1.4.77	21.10.71	"	-do-	
22.	MES-361124 Shri KRISHAN KUMAR	5.4.49	HS Ref. Course 171	Ref Mech-23.11.71	Ref Mech Pt ~~23.11.74~~ 1-4-78	23.11.71	"	-do-	

1	2	3	4	5	6	7	8	9	10
23.	MES-419671 Shri HARISH CHANDRA LOHANI	2.8.51	BE	Room -29.10.71 Ref Mech-2.2.72	Ref Mech Pt	2.2.72	Neither	GE E/M Lko	
24.	MES-443375 Shri RATTAN LAL	2.6.39	VIII	V/Man- 1.1.65 Ref Mech-14.4.72	V/Man Pt Ref Mech Pt	14.4.72	"	-do-	
25.	MES-467175 Shri SK PAUL	27.7.53	X TT Ch/Mech (Ref)-80	Ref Mech-1.6.72	Ref MechPt 1.4.79	1.6.72	"	GE(RCP) Memaura	
26.	MES-437855 Shri MP CHAUHAN	7.4.50	ES Ref Mech Course ITI	Ref Mech-20.12.72	Ref Mech Pt	20.12.70	"	GE E/M Lko	
27.	MES-442025 Shri NANDA BALLABE	12.3.37	VI	Maz - 11.9.57 Mate -21.4.64 Ref Mech-12.2.73	Maz Pt 1.4.68	12.2.73	"	-do-	
28.	MES-454283 Shri NEELAM KUMAR	14.11.47	IX TT Ch/Mech (Ref)	MPA -14.9.66 Ref Mech-12.2.73	MPA Pt 1.4.70 Ref Mech Pt 1.4.79	12.2.73	"	-do-	
29.	MES/447040 Shri RARBACHAN	21.10.46	ES IT Ch/Mech (Ref)	MPA-17.5.67 Ref Mech-12.2.73	MPA O/Pt 15.5.70 Ref Mech Pt	12.2.73	"	-do-	

...13.

1	2	3	4	5	6	7	8	9	10
30. MES-442878 Shri GIRJA DUTT	9.10.30	V	Chow -9.10.67 Maz- 11.4.69 MPA -22.1.69 Ref Mech -12.2.73	Maz Pt 1.4.68 Ref. Mech Pt 1.4.79	12.2.73	Neither GE E/M Lko			
31. MES-454146 Shri PC UPADHYA	1.1.44	HS	MPA -4.6.68 Ref Mech-15.4.74	MPA Pt 1.4.72 Ref Mech Pt 1.4.79	15.4.74	"	-do-		
32. MES-454197 Shri ZAHIR HUSAIN	10.7.42	IX	MPA -9.11.68 Ref Mech -15.4.74	MPA Q/Pt Ref Mech Pt 1.4.79	15.4.74	"	-do-		
33. MES-452137 Shri [illegible]	26.1.46	HS ITI course of Refg.	MPA-3.6.68 Ref Mech-22.4.74	MPA Pt 1.4.73 Ref Mech Pt 1.4.79	22.4.74	"	-do-		
34. MES-452352 Shri HAUSALA PRASAD	1.4.42	HS	Maz -1.2.66 MPA -3.1.59 Ref Mech-9.7.74	Maz Pt 21.11.72 Ref Mech Pt 1.4.79	9.7.74	"	-do-		
35. MES-452570 Shri TEJ KUMAR SINGH	12.6.46	VIII Tech Mech Gr	MPA -17.10.70 Ref Mech-10.8.74	MPA Q/Pt 17.10.73 Ref Mech Pt 1.4.79	10.8.74	"	-do-		
36. MES-135984 Shri INDERJIT SHARMA	11.8.51	HS Ref ITI Course	Ref Mech-28.10.74	Ref Mech Qot 28.10.77	28.10.74	"	-do-		

Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
37.	MES-460799 Shri GC SRIVASTAVA	31.1.47	HS TTM/Reader Tr Cl Mech (Rd) 80	Peon-20.5.66 MPA-22.9.71 Ref Mech-11.1.75	Peon Q/Pt 20.8.69 Ref Mech Pt 1.4.79	11.1.75	Neither	GE E/M Lko	
38.	MES-454261 Shri INDER BAHADUR	16.8.48	VIII	MPA-18.8.67 Ref Mech-11.1.75	MPA QPt 18.8.70 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
39.	MES-454138 Shri SATISH KUMAR	6.10.43	VIII	MPA-4.6.68 Ref Mech-11.1.75	MPA Q/Pt 4.6.71 Ref Mech Pt 1.4.79	11.1.75	"	-do-	
40.	MES-454581 Shri [illegible]	30.11.45	Inter	MPA-[illegible].10.70 Ref Mech-[illegible].1.75 Reverted MPA-9.10-73 Ref Mech -11.1.75	Ref Mech Pt 1.4.79	11.1.75	"	-do-	
41.	MES-452647 Shri MANOHAR LAL KOTANALA	28.6.45	IX Tr Cl Mech (Rd)	MPA-1.8.70 Ref Mech-11.1.75	Pt 1.4.79	11.1.75	Ex-serviceman	-do-	
42.	MES-454154 Shri PN SINGH	15.7.42	HS	MPA-4.6.68 Ref Mech-11.1.75	MPA Q/Pt 4.6.71 Ref Mech Pt 1.4.75	11.1.75	SC	-do-	
43.	MES-454533 Shri DEVENDAAN SINGH RAWAT	15.9.48	Matric Ref Mech course CME Poona Tr Cl Mech Rd	MPA-3.10.67 Ref Mech-11.1.75	MPA Q/Pt 3.10.70 Ref Mech Pt 1.4.79	11.1.75	Neither	-do-	

(45)

(46)

(46)

Category : Ref Mech.

1	2	3	4	5	6	7	8	9	10
44.	MES-454250 Shri RN PANDEY	15.11.43	HS	MPA-13.10.67 Ref Mech-17.1.75	MPA Opt Ref Mech Pr 1.4.79	17.1.75	Neither	GE E/M Lko	
	MES-~~443~~443136 Shri KESHAV CHAND	11.7.44	VIII	Chow -30.7.63 Maz -10.11.64 Mate -5.1.69 Ref Mech-24.5.75 Reverted Mate-10.10.73 Ref Mech-1.5.75	Maz O/Pt 10.11.67 Ref Mech Pr 1.4.79	1.5.75	"	-do-	
	MES-437375 Shri NARAYAN DAS JATAV	4.10.47	HS	Ref Mech-1.5.75	Ref Mech Sft Pr 1.4.77	1.5.75	S/C	-do-	
	MES-437384 Shri [illegible] RIZVI	1.5.48	Inter TECHNICAL course	Ref Mech-1.5.75	-do- 1.4.79	1.5.75	Neither	-do-	
	MES-437881 Shri DHIRAJ KUMAR	1.2.49	MA	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437877 Shri RAMJIVAN	10.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437885 Shri SYED SHAID HUSSAIN	1.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437886 Shri AIZAZ AHMED	19.10.50	HS	Ref Mech-1.5.75	-	1.5.75	"	-do-	
	MES-437878 Shri MC YADAV	10.11.50	Inter TECHNICAL Course	Ref Mech-1.5.75	-	1.5.75	"	-do-	

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Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
53.	MES-437880 Shri RK KOHLI	22.11.50	Inter ITI Course Ref	Ref Mech -1.5.75	Ref. Mech Pt 1-4-79	1.5.75	Neither	GE E/M Lko	
54.	~~MES-437997 Shri MK GUPTA 4.11.51~~	~~Inter~~		Ref Mech-1.5.75	-	1.5.75	Neither	-do-	Bareilly E/M II and Roorkee Kanpur
56.	MES-437874 Shri ABINASH CHANDRA KALIAH	6.11.52	HS	Ref Mech-1.5.75	Ref. Mech Pt 1-4-80	1.5.75	"	-do-	
57.	MES-437883 Shri M. SRIVASTAV	20.1.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
58.	MES-437882 Shri VIJAMA MOHAN	17.7.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
59.	MES-437879 Shri SK TIWARI	1.11.53	Inter	Ref Mech-1.5.75	~~Ref Mech-Pt~~ 1.4.80	1.5.75	"	~~-do-~~ CE(W) BKT	
60.	MES-437992 Shri GIRISH CHAND	13.11.52	HS	Ref Mech-1.8.75	-do-	1.8.75	"	~~-do-~~ CE E/M I	
61.	MES-437993 Shri ARUN KUMAR SRIVASTAVA	17.4.52	BA	Ref Mech.1.8.75	-do-	1.8.75	"	-do-	

TT Cl Mech (Ag) 80

...17.

Shri JP PATHAK 14.5.49 Ref Mech / MPA 21.9.70 Mech I 11.3.70 -do- -do-

(36)

Category 3 Ref Mech

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1	2	3	4	5	6	7	8	9
62.	MES-437994 Shri ASHWANI KUMAR VAID	28.5.52	PA	Ref Mech-1.8.75	Ref Mech-R/P 1.8.75			
63.	MES-NYA Shri PRITAM RAI MEHTA	19.12.52	UD	Ref Mech-1.8.75	1.8.75			
64.	MES-437991 Shri NOORAL HASSAN	10.3.51	Inter	Ref Mech-23.10.75	1.4.50			
65.	MES-454770 Shri RAKESH PANDEY	1.6.53	LD ITI On Ref	Ref Mech-1.3.75				
66.	MES-437998 Shri HILARI ELSHOR SRIVASTAVA	12.2.50	UD	Ref Mech-19.11.75	19.11.75			
67.	MES-450566 Shri JAWAHAR LAL VERMA	25.6.46	Inter	RPA-1.4.67 Ref Mech-6.12.75				
68.	MES-455545 Shri POOP CHAND	3.1.52		RPA-30.10.73 Ref Mech-20.9.77				
69.	MES-437941 Shri RAJ KUMAR	2.2.52		RPA-22.12.81 Ref Mech-1.3.73				
70.	MES-432991 Shri SS PANDEY	6.3.50		RPA-21.2.72				

(12)

1	2	3	4	5	6	7	8	9	10
71.	MES-454548 Shri RB MISHRA	13.10.48	9th TT Ref Mech 77	MPA-11.3.77 Ref Mech-13.5.78	MPA Pt 1.4.78	13.5.78	Neither	GE E/M Lko.	
72.	MES-437999 Shri TIKA RAM	9.3.47	Inter TT Ref Mech 77	MPA-~~3.10.78~~ 17.9.74 Ref Mech-12.10.78 29.9.78	MPA Pt ~~1.1.77~~ 1.9.77	~~12.10.78~~ 29.9.78	"	-do-	
73.	MES-454579 Shri BAL RAM SINGH	2.12.51	HS TT Ref. Mech 77	MPA-25.1.74 Ref Mech-12.10.78	MPA O/Pt 25.1.77	12.10.78	"	-do-	
74.	A/49859 Shri [illegible] ASTHANA	2.6.49	HS TT Ref Mech 77	MPA-17.9.74 Ref [illegible]	[illegible]	13.[illegible]	"	-do-	
75.	MES-437908 Shri KL ARORA	8.7.48	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	MPA O/Pt 17.9.77	13.10.78	"	-do-	
76.	MES-454235 Shri SATYADEO SINGH	24.12.49	8th TT Mate 70 TT Mech 73 TT Ref. Mech 77	MPA-22.1.68 MPA-13.8.74 Ref Mech 13.10.78	MPA O/Pt 22.1.71	13.10.78	"	-do-	
77.	MES-454750 Shri SZI RIZVI	30.6.48	BA TT Ref. Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	
78.	MES-437906 Shri SK MEHDI	13.7.48	HS TT Ref Mech 77	MPA-17.9.74 Ref Mech-13.10.78	-	13.10.78	"	-do-	

Ref Mech

Contd.....19-

Category : Ref Mech

1	2	3	4	5	6	7	8
79.	MF-225256 Shri TK BARUA	6.6.49	HS TT Ref Mech 77	MPA-1.8.74 Ref Mech-13.10.78	MPA Opt 1.6.77	13.10.78	
80.	MES-437098 Shri RL CHOPRA	10.12.49	8th TT Ref Mech 77	MPA-6.9.77 Ref Mech-13.10.78	MPA Opt 6.9.79	13.10.78	"
81.	MES-425060 Shri SURESH CHAND	2.5.53	HS	MPA-30.10.72 Ref Mech-20.1.78	MPA Opt 3.10.75	20.1.78	
82.	MES-~~459560~~ 452580 Shri SANTOSH ~~ELIAS~~ BALIAS	8.2.51	Inter TT Ref Mech 79	MPA-19.10.70 Ref Mech-20.1.78	MPA Pt 1.4.77	20.1.78	
83.	MES-455215 Shri RANVIR SINGH	20.9.48	HS TT SBA 75 TT Ref Mech 75	MPA-16.10.71 SBA-12.2.72 Ref Mech-16.2.78	MPA Pt 1.4.72	16.2.78	
84.	MES-455537 Shri BHUIYAN DIN	12.11.51	IX TT Ref Mech 75	MPA-19.8.72 Ref Mech-8.5.78	MPA Pt 1.4.73	8.5.78	
85.	MES-452459 Shri BASANT LAL	1.7.43	TT for Ref Mech 79	MPA-15.11.66 Ref Mech-26.6.82	MPA Pt 1.4.72	26.6.82	
85.	MES-~~455536~~ 455535 Shri JAGDISH PD	7.7.49	IX TT Ref Mech 79	MPA-23.4.71 Ref Mech-1.7.82	MPA Pt 11.4.72	1.7.82	
86.	MES-452427 Shri BASU DEO SINGH	19.4.44	VIII TT MPA 74 TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	

Category : Mer Mech

1	2	3	4	5	6	7	8	9	10
88.	MES-452429 Shri AMRINDER SINGH	3.11.44	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	28.3.83	Neither	GE E/M Lko	
89	MES-452407 Shri VINOD KUMAR SINGH	23.12.48	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	28.3.83	"	-do-	
90.	MES-454257 Shri SADA SUKH	1.7.44	TT MPA 74	MPA-1.12.66 Ref Mech-4.4.83	MPA Pt 1.4.72	4.4.83	"	AGE (R&P) Mem	
91.	MES-454136 Shri BABU LAL	16.10.34	VIII TT Ref Mech 79	MPA-3.8.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	GE E/M Lko	
[illegible]	MES-454502 Shri SULTAN SINGH	2.7.45	VIII TT Ref Mech 79	MPA-3.8.68 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	-do-	
93.	MES-452641 Shri IDRI LAL	13.5.47	VIII TT MPA 74 TT Ref Mech 79	MPA-1.8.79 Ref Mech-17.1.84	MPA Pt 1.4.77	17.1.84	SC	-do-	
94.	MES-437981 Shri SHIV PRASAD	11.1.50		MPA-6.9.[illegible] Ref Mech-14.2.84	MPA U/Pt 6.9.74 MPA Pt 1.4.81	14.2.84	Neither	-do-	
95.	MES-454264 Shri VK SINGH	12.7.46	HS TT MPA 74 TT Ref Mech 79	MPA-1.12.66 Ref Mech-9.4.83	MPA Pt 9.4.83	9.4.83	"	AGE DKT GE (W) Lko	

Worked Advocate
Peh 8/8/86

In the Central Administrative Tribunal.

Additional Bench, Allahabad.

-o-o-

Enclosure No.3

In

Registration No. of 1986

between

M.L. Jain and others ...Applicants.

and

The Union of India and others ...Respondents.

(~~Photo state~~ copy is enclosed below)

Attested
Pet. Adv.
8/8/86.

In the Central Administrative Tribunal

Additional Bench, Allahabad.

Enclosure- No.4

In

Registration No. of 1986.

between

K.L. Singh and others .....Applicants

versus

The Union of India and others ...Respondents.

ANNEXURE BY

C & S (P) Lucknow Cantt-2

Unit Cell (P) 31.No.50

Dt. Lucknow Dt. 17 Jul. 1986.

D.P.C. Allotment of Industrial workers in pay scales recommended by IIIrd Pay commission Implementation of three grade structure in K.E.S. E. S. Gd. II w.e.f. 15 Oct.,84.

1. A board of officers composed as under will assemble at time and place to be fixed by presiding officer to draw a select list of Ref. Recommds for promotions Ex Gd. II in terms of Govt. of India memorandum no. Defence letter No. 1(1)/80/D/ACC/16 Vol III of 90270/83/16-A 16 (III) dt. April, 1986.

Presiding officer :- Shri [illegible], Dy.
GE (W) Lko.

-16-

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In the Central Administrative Tribunal
Additional Bench Allahabad.

Enclosure no.3

In

Registration No. of 1986

between

Anil Kumar Srivastava .....Applicant.

and

Union of India and others .....Respondents.

(~~Photostat~~ copy is enclosed below)

[illegible]

[illegible]

[illegible]

Attested
Pejhingaw
Adv.
8/8/86.

(50)

In the Central Administrative Tribunal
Additional Bench Allahabad.

Enclosure No.6

In

Application No. of 1986

between

Smt. ... Singh & others .....Applicants.

and

Union of India and others ....Respondents.

(Annexure copy is enclosed below)

True copy. Attested.
P.C. Dhingra
Adv.
8/8/86.

51.	[illegible]	[illegible]	[illegible]
52.	[illegible]	[illegible]	[illegible]
53.	[illegible]	[illegible]	[illegible]
54.	[illegible]	[illegible]	[illegible]
55.	[illegible]	[illegible]	[illegible]
56.	[illegible]	[illegible]	[illegible]
57.	[illegible]	[illegible]	[illegible]
58.	[illegible]	[illegible]	[illegible]
59.	[illegible]	[illegible]	[illegible]
60.	[illegible]	[illegible]	[illegible]
61.	[illegible]	[illegible]	[illegible]
62.	[illegible]	[illegible]	[illegible]
63.	[illegible]	[illegible]	[illegible]
64.	[illegible]	[illegible]	[illegible]
65.	[illegible]	[illegible]	[illegible]
66.	[illegible]	[illegible]	[illegible]
67.	[illegible]	[illegible]	[illegible]
68.	[illegible]	[illegible]	[illegible]
69.	[illegible]	[illegible]	[illegible]

Details of the application :-

1. Particulars of the applicants :-

Applicant No.1:

Name of the applicant	: B.B.Singh
Name of the father	: Late Sri Sitharu Ram.
Designation and office in which employed	: Refrigerator mechanic 406 L/R Lucknow.
Office address	: Refrigeration section 11 Carrier Base Depot Lucknow
Address for service of all notices.	: 501/46,near 25 Kan Diwan Khanqah Colony,Lucknow.

Applicant No.2 :-

Name of the applicant	: Surendra Narain Singh
Name of the father	: Late B.B.Singh
Designation and office in which employed.	: 406 L/R Refrigerator mechanic mechanic.
Its office address	: Refrigerator section 11, Carrier Base Depot Lucknow.
Address for service of all all notices.	: 65, Kaiser Bagh Extension Lucknow.

Applicant No.3 :-

Name of the applicant	: Ashok Pandey
Name of the Father	: Sri Shiv Nath Pandey
Designation and office in which employed.	: Refrigerator mechanic 406 L/R Lucknow.
Office address	: Refrigeration section, 11 Carrier Base Depot, Lucknow.
Address for service of all notices.	: 234/34, Aishbagh, Lucknow.

Applicant no.4 :-

Name of the applicant	- Sri [illegible] Misra
Name of the father	- [illegible]
Designation & office in which employed	- Refrigerator mechanic [illegible] /A Lucknow.
Office address	- Refrigeration section, 11 [illegible] Lucknow.
Address for service of all notices.	- 604/480-[illegible], Nilmanpur, (?) Lucknow.

Applicant no.5:

Name of the applicant	- Sri A.K.Gupta.
Name of the father	- Sri S.N.L.Gupta.
Designation and office in which employed	- Refrigerator mechanic [illegible] A/A Lucknow.
Office address	- Refrigeration section 11, Garden Postal Army, Lucknow.
Address for service of all notices.	- 47, Goilganj, [illegible] Diamond, Lucknow.

Applicant no.6:

Name of the applicant	- Sri [illegible] Surya
Name of the father	- Sri [illegible] Surya
Designation & office in which employed	- Refrigerator mechanic [illegible] A/ Lucknow.
Office address	- Refrigeration section 11, Garden Postal Army, Lucknow.
Address for service of all notices	- 106/26, Nilmanpur, Lucknow.

Applicant no.7:

Name of the applicant	- Sri [illegible] Singh
Name of the father	-

Designation and office in which employed	- Refrigerator mechanic
	- [illegible] Lucknow.
Office address	- Refrigeration section 11 border Patol Arm, Lucknow.
Address for service of all notices	- Refrigeration section 11 border Patol Arm, Lucknow.

Applicant No.8 :

Name of the applicant	- Sri Babbu Lal
Name of the father	- Sri Iqbal Hussain
Designation and office address in which employed	- Refrigerator mechanic [illegible] Lucknow.
Office address	- Refrigeration section 11 border patol Arm. Lucknow.
Address for service of all notices	- 393/64 Kasmiri Mohalla Lucknow.

Applicant No.9 :

Name of the applicant	- Sri Manjeet Singh Rana
Name of the father	- late Sri Telcop Singh
Designation and office in which employed.	- Refrigerator mechanic [illegible] Lucknow.
Office address	- Refrigeration section 11 border patelbarg [illegible]
Address for service of all notices.	- 555-J Kasmiri Nagar, P.O. [illegible] Lucknow, Lucknow.

Applicant No.10 :-

Name of the applicant	- [illegible]
Name of the father	- Sri [illegible]
Designation and office in which employed	- Refrigerator [illegible]
Office address	

Respondent no.4 :-

Name of the designation of the respondent	- Garrison Engineer
Office address of the respondent	- A/F Military Engineering Services Lucknow.
Address for service of all notices.	- do-

Respondent no.5:-

Name of the respondent	- Nanda Balmukh
Office address of the respondent	- AGE A/F Refrigeration Section II Sardar Patel Marg, Lucknow.
Address for service of all notices.	- do-

Respondent no.6:-

Name of the respondent	- Virpal Dutt
Office address of the respondent	- AGE A/F Refrigeration Section, II Sardar Patel Marg, Lucknow.
Address for service of all notices.	- do-

Respondent no.7 :-

Name of the respondent	- Har Bachan Singh
Office address of the respondent	- AGE A/F Refrigeration Section II Sardar Patel Marg, Lucknow.
Address for service of all notices.	- do-

Respondent no.8:-

Name of the respondent	- Sri Jeelan Kumar.
Office address of the respondent	- AGE A/F Refrigeration Section, II Sardar Patel Marg, Lucknow.
Address for service of all notices.	- do-

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

Respondent no.14 :-

Name of the respondent - ..Chauhan

Office address of the respondent - 12 A/C Refrigeration section, 11 Garter Sundar Patel Marg,Lucknow

Address for service of all notices. - -do-

Respondent no.15:-

Name of the respondent : Mathur Lal

Office address for of the respondent - 12 A/C Refrigeration section, 11 Garter Patel Marg, Lucknow.

Address for service of all notices. - -do-

3. Particulars of the order against which application is made.

The application is against the following order :-

Order No. - 12025/420/81C(2)

Date - 31st July, 1986

Passed by - Head Quarter Commander Works Engineer, 529 Shaheed Gunshi Marg, Lucknow to the extent the respondent no.5 to 15 are promoted from Refrigerator mechanic to Refrigerator mechanic highly skilled grade II

Subject in brief :-

That the applicants were qualified and senior to the respondents nos. 5 to 15 and the Commander

Junior Engineer in order pursuant to the seniority list No. 1E10/14/Jr.E(1) dated 6th November, 1985 issued by the Chief Engineer Construction Junior Engineer (...). The petitioners and the applicants were illegally and unconstitutionally deprived of their due promotions in accordance with their seniority position and qualification in the aforesaid seniority list.

4. Jurisdiction of the Tribunal.

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

5. Limitation :-

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

6. Facts of the case :-

1. That the Chief Engineer issued an order dated 6th November, 1985 issued by the Chief Engineer No.1E10/14/Jr.E(1), dated 6th November, 1985 and a copy of

the date and hour on the seniority, i.e. the working date, i/c angel ready [illegible] hour.

5. Whilst in the above-mentioned seniority list the applicants 1 to 18 were placed in seniority position 5, 6, 11, 12, 14, 15, 16, 17, 18, 19, in respective order.

6. As the qualification may change in respect of the type of information contained therein each of the applicant in column 4 of the seniority list.

4. While the respondents nos. 5 to 15 were placed in seniority position no. 17, 18, 19, 20, 21, 22, 24, 25, 26 in respectively thus 12 to 18 applicant from the seniority list and the respondents nos. 5 to 15 were junior to the applicants in the category of operator trainee (AT) from the perusal of column no.4 of the seniority list, it is very well evident that the qualification and experience of respondents no. 5 to 15 is less than the qualification and experience of the applicants and the respondents were considered & given in promotion with the applicants by our given was per rules from [illegible] operator trainee to [illegible]

highly skilled grade II when the applicants were senior and more qualified in the trade.

5. That the respondents nos.1 to 4 have promoted the respondents nos. 5 to 15 in flagrant violation of Ministry of Defence office memorandum no. 10(1)/75/4265/D(Pers) dated 15th September, 1977.

6. That the respondent no.3 in utter violation of E-in-C's Branch letter no. PC 75549/EIC(1) dated 23rd Aug.1976 in which it was clearly provided that the individual qualified for promotion to the grade of charge mechanic would not be promoted in unit W E P even as they are liable for all India service liability so they should be promoted on the basis of their seniority determined from their date of appointments.

7. That the respondent nos. 5 to 15 could not have been promoted when the seniority list issued by C.W.E. (P) Lucknow was in existence and was operative and all promotions in filling the vacancies of Ref. Mechanic highly skilled grade II who have been made seriously from the aforesaid seniority list. The applicants are challenging the validity and correctness of the seniority list alleged to have been prepared and

the U.D.C. (P) Bombay enclosing a copy of the Report and proceedings but the applicant was not made party of any seniority list although he was due for promotion for the year 1966-67. The true copy of the Post I order by U.D.C.(P) Bombay dated 17th July, 1968 is being annexed herewith and is marked annexure-4.

That the seniority list referred to in para 8 of annexure no.4 was not published it was only to depict the right of the applicants for promotion in accordance with their seniority. The respondent no.3 only referred the seniority list to enable the Departmental promotion committee, if all seniority list was prepared, it should have been circulated by individual so that they could have given opportunity to represent if their seniority was adversely affected but without circulating the seniority list among the individuals and after considering their representation, the seniority list could not have been finalised and no promotion could have been made according to such a list, as the respondent no.3 has considered above in

Rajendra

[illegible] to the applicants in R-Case to the
[illegible] 6 to 10 in accordance with
[illegible] (enclosure No.1).

9. [illegible] the [illegible]
[illegible] (enclosure-1) in
[illegible] of [illegible] No. [illegible] dated
[illegible], 1970.

10. [illegible] dated [illegible] by [illegible]
No. [illegible], [illegible] No.?.
[illegible] of the [illegible] No.?
[illegible] (enclosure-1)
[illegible] to file.

11. [illegible] [illegible] all the
[illegible] to
[illegible] by [illegible] [illegible]
[illegible] in accordance
with the [illegible] of the [illegible]
[illegible].

enclosure-6-

7. [illegible] as :-

1. [illegible] [illegible] by [illegible] to
[illegible] No. [illegible] (1) [illegible]

31st July, 1986, so far as it related to the promotion of respondents nos. 5 to 15 from refrigerator mechanic to refrigerator mechanic highly skilled grade II with effect from 15.10.84.

In all the respondents may be directed to give promotion of the applicants from refrigerator mechanic to refrigerator mechanic highly skilled grade II in accordance with the seniority list (enclosure-5) with effect from 15.10.84.

6. Interim order, if prayed for :-

(1) Pending final decision on the application the applicants seek issue of the following interim order :-

The Hon'ble Tribunal may be pleased to stay the operation of the promotion list (enclosure-no.1, so far as it related to the promotion of Imam respondent nos. 5 to 15 be stayed during the pendency of the above mentioned application for the following reasons :-

1. Because the applicants shall suffer great loss of seniority in the next high grade.

2. Because the applicants shall not be benefited from the recommendation by 4th Pay Commission.

3. Because the inter se seniority of the

applicant shall be adversely affected if the operation of the impugned promotion list is not stayed forthwith.

b- Because the benefits arising out the impugned pay shall not be available to the applicants.

c- Because if the operation of the impugned seniority list are not stayed it will be effect the promotions in other C.A.E. are all over India.

8. Alternatively the hon. Tribunal may be pleased to restrained the respondents nos.1 to 4 from payin the arrears of difference salary payable to the respondent nos. 5 to 15 by virtue of their promotio with effect from 15.10.84.

9. Details of the remedies exhausted :-

That the case of the applicants is such t they wait for 6 months of the representation, the applicants shall suffer the great and irreparable loss of their future career by way of their deprivation from their promotion to charge economic highly skilled grade II. However, the U.P. P.S workers union by their representation dated 25.7.86 (Enclosure-no.5, in which they have raised the demand and in case their demands are not met with they could take the agitational action so it is expedient in

the interest of maintaining industrial piece and harmony, it is expedient to make the ~ar of 6 months time after making the representation for filing the above-mentioned application.

10. Matter not pending with any other court etc. :

The applicant further declares that the matter regarding which this application has been made is not pending before any court of law or any other authority or any other Bench of the tribunal.

11. Particulars of postal order in respect of the application fee :-

1. Number of Indian postal order :
2. Name of the issuing post office:
3. Date of issue of postal order :
4. Post office at which payable.

12. Details of Index :-

1. Ministry of Defence office Memorandum No. 10(1)070/6365/D(AppT) dated 15th September, 1977.
2. Copy, 11th January, 1978,
3. Delhi's Branch Order
4. Court Fee, 1978
5. Postal Order

6- O.E. Allahabad No. 1253/257/a15 dated

[illegible] May, 1986 (Annexure-6)

List of enclosures:-

1- Promotion list no.[illegible](A)-Annexure letter No.11015/430/[illegible](E), dt. 21st July,86.

2- Seniority list no. 11030/[illegible]/[illegible](E) dt. 29th November, 1985.

3- [illegible] letter no.12017/[illegible]/81/[illegible](E) dt. [illegible], 1976.

4- [illegible] Annexure serial no.30 dated 17th [illegible], 1986.

5- O.A. [illegible] Union letter No.09 SU/[illegible]/86, dated 15.7.86.

6- [illegible] Allahabad letter no.1253/257/a15 dt. [illegible], 1986.

I, [illegible] son of [illegible] aged about 40 years working as Asstt. Station Master [illegible] do hereby declare that the contents of [illegible] are true to my personal knowledge and belief and [illegible] have not suppressed any material fact.

Place :

Date :

Signature of the applicants.

Pathingan
Adv.
8/8/86.

To,

The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.

In the Central Administrative Tribunal

Additional Bench, Lucknow.

Enclosure No.1

In

Registration No. of 1986

between

R.L. Singh and others .....Applicants.

And

The Union of India and others

...Respondents.

(~~photstat copy~~ is enclosed below)

19. 43953 M.P.Chauhan	Ref/Mech	do	do	do	
20. 443375 Ratnanb l	do	do	do	do	
21. 359475 Sri RK Maurya	do	do	do	do	
22. 169622 Sri Manjeet Sing	do	do	do	do	
23. 411040 Satish Chand Chadka	do	do	do	do	

Item twenty three only

Augy: Govt. of India Min of Def. letter No.1(1)80/D/LCC/IC Vol. III dt. 08 Apr 86.

Sd. (Virendra Pd.)
Col
Commander works Engineer.

Copy to

CECC Lucknow.

CELZ Lucknow.

File No. 12055 A/E 7C(3)

(true copy)

Attested
Pej, Adv
8/8/86

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

Allahabad Bench, Allahabad.

Enclosure (2)

In

Registration No. of 1986.

between

Shri M.L. Singh & others .....Applicants.

and

Union of India and others .....Respondents.

(~~Photo-stat~~ copy is enclosed below)

25

Enclosure-no.2

Telegraphic Address: Headquarter

Commander works-engineer (F)

[illegible],

Lucknow,

No.20/24/Estt.(2) 19 Nov.1955

Secretary,
U.P. CES Workers Union
Central Railway Yard,
Lucknow.

Seniority list of Industrial personnel Lucknow Area.

1. A copy of seniority list of Industrial personnel of this (F) Lucknow area is forwarded herewith for your record please.

Yours faithfully

[illegible]

Offg. Adm. officer

for Commander works Engineer.

Encl : One seniority list.

Attested
Pej. Adv
8/8/86

-D-

	3. वि/ [illegible]	1 to 4
	5. पी./टीएस.	5 to 9
8	पी./[illegible](एस.)	10-15
	1. [illegible]	10 to 19
	6. [illegible]	[illegible] to 26
	6. [illegible]	20 to 22
	7. [illegible]	23 to 30
	8. [illegible]	27 to 33
	9. [illegible]	44 to 55
	10. [illegible]	54 to 60
	22. [illegible]	60 to 63
	12. [illegible]	60 to 65
	25. [illegible]	64 to 69
	26. [illegible]	70 to 70
	25. [illegible]	71
	30. [illegible]	72
	17. [illegible]	73 to 75
	36. [illegible]	76 to 80 77
	32. [illegible]	80 to 81
	[illegible]	70 to 79
	33. [illegible]	82
	[illegible]	83
	[illegible]	84
	[illegible]	85 to 90
	[illegible]	91 to 105
	[illegible]	106 to 120
	[illegible]	117 to 129
	[illegible]	130
	[illegible]	129
	[illegible]	130 to 109

-6-

21. [illegible] Silver	156
22. [illegible]	207
23. [illegible]	100 to 101
24. [illegible]	167 to 170

Contd.....

In the Central Administrative Tribunal

Addl. Bench, Allahabad.

I N D E X

In

Registration No. of 1986

between

R.L.Singh & others .....Applicants.

Vs.

Union of India and others ...Respondents.

Sl.No.	Description of papers	
1-	Application	1 - 19
	Enclosure-1:	
2.	Promotion List no. CWE(P)Lko letter no. 12025/430/E1C(2) dt. 31st July,86.	20 — 23
3-	Enclosure-2: Seniority list no. 12030/242/E1C(2) dt. 29th Nov.85.	24 — 40
4-	Enclosure-3 : C.W.E. letter no.12037/Policy/61/ E1C(2), dt. 22nd June,78.	41 — 43
5-	Enclosure-4: CWE(P) Lko serial no.50 dt. 17th July,1986.	44 — 45
6-	Enclosure-5: U.P. MES workers Union letter no. UP WU/ENI/Lko/86 dt. 25.7.86.	46 — 49
7-	Enclosure-6 : CWE Allahabad letter no.1353/357/ E1B, dt. 22nd May,86,	52 — 55
8-	Vakalatnama	56 — 58

dt/- ,1986. Signature of the applicant

Reg.No. 389 of 1986

Central Administrative Tribunal
Additional Bench
ALLAHABAD/PATNA/JABALPUR
Date of Filing... 11.8.86 ... OR
Date of Receipt by Post

For Deputy Registrar.

Form I

Application under section 19 of the Administrative Tribunal Act, 1985

Dated of Filing :

or

Date of receipt :

By post :

Registration No. :

Signature

Registrar.

In the Central Administrative Tribunal
Additional Bench, Allahabad.

between

1. Sri R.N.Singh son of late Arthur P.O. r/o 501/46,near 25, Gas Siwas, Kushripur Daliganj, Lucknow.
2. Shri Surendra Narain Singh son of late S.N.Singh resident of 60, Aasr Niwas, Pan Daraeba Lucknow.
3. Shri R.K.Pandey, son of Shri Ram Ras Pandey, resident of 294/24 Khala Bazar, Lucknow-3
4. Shri Ram Gopal Misra son of Shri B...N Ram, resident of 584/480-A Kailashpuri (M) Lucknow.
5. Shri S.K.Gupta son of Shri S.N.L.Gupta, resident of 47, Gaim ganj, P.O. Aliganj Lucknow.
6. R.K.Maurya son of Shri Bite Lal Maurya, resident of 56a/26, Kailashpuri Lucknow.
7. Shri Ranjeet Singh c/o M/S Refrigerator

[illegible]

[illegible]

[illegible]

Sl	MES No and Name	Date of Birth	Qualification Educational/ Technical Apptt. TT Passed	Category & date of 1st continous apptt. & Date of seniority in subsequent post held	Q/Pt, Pt apptt. held with date in the grade	Date of seniority in the present grade	Whether SC/ST Ex-Service men	Formation where serving	REMARKS
1	2	3	4	5	6	7	8	9	10
1.	MES-216067 ~~Shri VASU DEO~~	~~6.9.25~~	~~VI Class~~ TT Ch/Mech-63	IME-18.6.55 MT Dvr-14.4.61 Ch/Mech-9.3.64	~~MT Dvr Q/Pt 9.3.64~~ 1.7.60 Ch/Mech Pt 16.3.64 76		Neither	GE E/M Lko	Retired on 30.9.85
2.	MES-~~444928~~ Shri ~~A.P.~~ SINGH	4.1.35	~~VTI~~ TT Ch/Mech-63	~~P/F-8.10.57~~ Ch/Mech-3.8.65	~~Ch/Mech Pt 3.8.65~~ 1.7.76		"	Promoted do- and Posted to JPur	
3.	MES-350166 Shri BD PANDEY	15.2.26	TT Ch/Mech 197-	Fitter-28.12.48 Ch/Mech-30.8.76	Fitter Pt 1.4.59	30.8.76	"	-do-	
4.	MES-452439 Shri SUKH LAL Now in Master Craftsman	1.6.42	ES ITI Fitter Course TT C/Mech 73	P/F -1.12.66 Fitter-16.6.68 Ch/Mech-30.1.78 Master Craftsman-30.8.85	~~Fitter Q/Pt~~ 1.12.69 Fitter Pt 1.2.72	30.1.78	"	~~AGE (RCP)~~ (I) Memaura	
5.	MES-437026 Shri RAGHU RAJ SINGH	16.8.26	TT Ftr-65 TTOED-56 TT Ch/Mech	Maz-1.11.47 Mate-1.6.55 Ftr-19.3.58 Ch/Mech-4.3.78	Ftr Pt 1.4.64	4.3.78	"	GE (E) Lko	

do.2

29

(10)

1.								
2.								
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10.								

Category : Ref/Mech.								
1	2	3	4	5	6	7	8	9
8. MES/454244 Shri OP PANDEY	4.1.43	HS ITI Ref Course Ch/Mech (Ref)-71	Ref Mech - 1.12.66	Ref Mech Pt 1.4.69	1.12.66	Neither GE E/M Lko		
9. MES/457076 Shri RAJENDER SINGH	1.7.43	IX TT Ch/Mech (Ref)-73	Ref Mech - 28.7.67	Ref Mech Pt 1.4.71	28.7.67	"	-do-	
10. MES/461510 Shri SK AHUJA	12.1.47	HS TT Ch/Mechr (Ref)	Ref Mech - 1.7.68	Ref Mech Pt 1.4.74	1.7.68	"	-do-	
11. MES/361441 Shri NASEER HUSSAIN	1.1.51	HS	Ref Mech - 28.11.69	Ref Mech Pt ~~28.11.72~~ 1.4.75	28.11.79	"	-do-	
12. (1) MES/359663 Shri RK PANDEY	14.5.46	DA TT Ch/Mech Ref	Ref Mech - 27.1.70	Ref Mech Pt ~~27.1.70~~ 1.4.75	27.1.70	"	-do-	
13. (5) MES/359458 Shri RAM GOPAL MISHRA	24.5.45	DA ITI Ref Mech course TT Ch/Mech(Ref)	Ref Mech - 2. 4.70	Ref Mech Pt 1.4.71	2.4.70	"	-do-	
14. (2) MES/361531 Shri KK GUPTA	15.9.45	Inter TT Ch/Mech (Ref) 73	Ref Mech - 2.4.70	Ref Mech Pt 1.4.71	2.4.70	"	-do-	

(41) 10

gk.

...11.

1	2	3	4	5	6	7	8	9	10
15. (6)	MES-359459 Shri RK MAURYA	20.1.46	HS ITI Ref Course	Ref Mech-2.4.70	Ref Mech Pt 1.4.71	2.4.70	Neither	GE E/M Lko	
16. (7)	MES-361625 Shri MANJEET SINGH	1.12.46	HS TT Ch/Mech (Ref)	Ref Mech-17.6.70	Ref Mech Pt 1.4.71	17.6.70	"	-do-	
17. (8)	MES-169619 Shri BABBA JANI	15.7.50	Matric	Ref Mech-5.12.70	Ref Mech Pt ~~5.12.75~~ 1.4.76	5.12.70	"	-do-	
18. (9)	MES-169822 Shri MANJEET SINGH PAWA	7.7.51	Inter	Ref Mech-11.12.70	Ref Mech Pt ~~11.12.75~~ 1.4.77	11.12.70	"	-do-	
19.	MES-411040 Shri SETISH CHANDRA SHARMA	18.7.51	TT Ch/ Mech(Ref) HS	Ref Mech-23.4.71	Ref Mech Pt ~~23.4.74~~ 1.4.77	23.4.71	"	-do-	
20.	MES-411039 Shri MUMTAZ AGHA	2.8.51	HS	Ref Mech-23.4.71	Ref Mech Pt 23.4.74	23.4.71	"	-do-	
21. (10)	MES-450954 Shri KK GUPTA	15.6.47	Inter	MPA -1.3.66 Ref Mech-23.11.71	MPA Pt-1.4.72 Ref Mech Pt ~~23.11.74~~ 1.4.77	21.10.71	"	-do-	
22. (11)	MES-361124 Shri KRISHAN KUMAR	5.4.49	HS Ref. course ITI	Ref Mech-23.11.71	Ref Mech Pt ~~23.11.74~~ 1.4.78	23.11.71	"	-do-	

..12.

Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
23.	MES-419671 Shri HARISH CHANDRA LOHANI	2.8.51	HS	Peon -29.10.71 Ref Mech-2.2.72	Ref Mech Pt	2.2.72	Neither	GE E/M Lko	
24.	MES-443375 Shri RATTAN LAL	2.6.39	VIII	V/Man- 1.1.65 Ref Mech-14.4.72	V/Man Pt Ref Mech Pt	14.4.72	"	-do-	
25.	MES-467175 Shri SK PAUL	27.7.53	X TT Ch/Mech (Ref)-80	Ref Mech-1.6.72	Ref Mech Pt 1.4.79	1.6.72	"	GE(RCP) Memaura	
26.	MES-437853 Shri MP CHAUHAN	7.4.50	HS Ref Mech Course ITI	Ref Mech-20.12.72	Ref Mech Pt	20.12.70	"	GE E/M Lko	
27.	MES-442825 Shri NANDA BALLABE	12.3.37	VI	Maz - 1.9.57 Mate -21.4.64 Ref Mech-12.2.73	Maz Pt 1.4.68	12.2.73	"	-do-	
28.	MES-454283 Shri NEELAM KUMAR	14.11.47	IX TT Ch/Mech. (Ref)	MPA -14.9.66 Ref Mech-12.2.73	MPA Pt 1.4.70 Ref Mech Pt 1.4.79	12.2.73	"	-do-	
29.	MES/447040 Shri HARBACHAN	21.10.46	HS TT Ch/Mech (Ref)	MPA-17.5.67 Ref Mech-12.2.73	MPA O/Pt 15.5.70 Ref Mech Pt	12.2.73	"	-do-	

...13.

dk.

1	2	3	4	5	6	7	8	9	10
30. [illegible] Shri GURPAL DEO	9.10.50			[illegible] 9.10.67 [illegible] 11.4.69 IPA 22.1.69 Def Mech 12.2.73	Hon Pt 1.4.68 Def. Mech Pt 1.4.79	12.2.73	Natthor GE E/H Lko		
31. [illegible] Shri [illegible]	1.1.44	[illegible]		[illegible] 6.63 Def Mech 15.4.74	IPA Pt 1.4.72 Def Mech Pt 1.4.79	15.4.74	-do-		
32. [illegible] Shri [illegible]	10.7.42	[illegible]		[illegible] 2.11.68 Def Mech 15.4.74	IPA E/Pt. Def Mech Pt 1.4.79	15.4.74	-do-		
33. [illegible] Shri [illegible]	25.1.46	IS IRI Course of Refg.		[illegible] 6.63 Def Mech 22.4.74	IPA Pt 1.4.75 Def Mech Pt 1.4.79	22.4.74	-do-		
34. [illegible] Shri HANSALA PRASAD	5.4.42	IB		[illegible] 1.2.65 IPA 3.1.69 Def Mech 9.7.74	Hon Pt 21.11.72 Def Mech Pt 1.4.79	9.7.74	-do-		
35. [illegible] Shri [illegible] KUMAR SINGH	12.5.45	[illegible]		IPA 17.10.70 Def Mech 10.8.74	IPA O/Pt 17.10.73 Def Mech Pt 1.4.79	10.8.74	-do-		
36. [illegible] Shri [illegible]	1.8.51	[illegible]		Def Mech 23.10.74	Def Mech Pt & 23.10.77	23.10.74	-do-		

Category : Ref Mech

(45)

1	2	3	4	5	6	7	8	9	10
37.	MES-460799 Shri GC SRIVASTAVA	31.1.47	HS TT Mech/Reader TT Cl Mech (Rd) SO	Peon-20.5.66 MPA-22.9.71 Ref Mech-11.1.75	Peon O/Pt 20.8.69 Ref Mech Pt 1.4.79	11.1.75	Neither	GE	R/M Iko
38.	MES-454261 Shri INDER BAHADUR	16.8.48	VIII	MPA-18.8.67 Ref Mech-11.1.75	MPA OPt 18.8.70 Ref Mech Pt 1.4.79	11.1.75	"	"	-do-
39.	MES-454138 Shri SATISH KUMAR	6.10.43	VI	MPA-4.6.68 Ref Mech-11.1.75	MPA O/Pt 4.6.71 Ref Mech Pt 1.4.79	11.1.75	"	"	-do-
40.	MES ~~454581~~ 459581 Shri [illegible] JOSEPH	30.11.45	Inter	MPA-25.10.70 Ref Mech-29.5.73 Reverted MPA-9.10-73 Ref Mech -11.1.75	Ref Mech Pt 1.4.79	11.1.75	"	"	-do-
41.	MES-452647 Shri MANOHAR LAL KOTNALA	28.6.45	IX TTCl Mech (Rd)	MPA-1.8.70 Ref Mech-11.1.75	Pt 1-4-79	11.1.75	Ex-serviceman		-do-
42.	MES-454154 Shri PN SINGH	15.7.42	HS	MPA-4.6.68 Ref Mech-11.1.75	MPA O/Pt 4.6.71 Ref Mech Pt 1.4.75	11.1.75	SC		-do-
43.	MES-454533 Shri DEVENDRAN SINGH RAWAT	15.9.48	Matric Ref Mech course CME Poona TT Cl Mech Rd Pt	MPA-3.10.67 Ref Mech-11.1.75	MPA O/Pt 3.10.70 Ref Mech Pt 1.4.79	11.1.75	Neither		-do-

...15.

(46)

Category : Ref Mech.

1	2	3	4	5	6	7	8	9	10
4.	MES-454258 Shri RN PANDEY	19.11.43	HS	MPA-13.10.67 Ref Mech-17.1.75	MPA Opt Ref. Mech Pt 1.4.79	17.1.75	Neither	GE E/M Lko	
	MES-~~22~~443136 Shri KESHAV CHAND	11.7.44	VIII	Chow -30.7.63 Maz -10.11.64 Mate -5.1.69 Ref Mech-24.5.73 Reverted Mate-10.10.73 Ref Mech-1.5.75	Maz O/Pt 10.11.67 Ref Mech Pt. 1.4.79	1.5.75	"	-do-	
	MES-437375 Shri NARAYAN DAS JATAV	4.10.47	HS	Ref Mech-1.5.75	Ref Mech O/S Pt 1.4.77	1.5.75	S/C	-do-	
	MES-437884 Shri [illegible] RIZVI	1.5.48	ITI course	Ref Mech-1.5.75	-do- 1.4.79	1.5.75	[illegible]	-do-	
	MES-437881 Shri DHIRAJ KUMAR	1.7.49	MA	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437877 Shri RAMJIVAN	10.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437885 Shri SYED SHAID HUSSAIN	1.7.50	HS	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
	MES-437886 Shri AIZAZ AHMED	19.10.50	HS	Ref Mech-1.5.75	-	1.5.75	"	-do-	
	MES-437876 Shri RC YADAV	10.11.50	Inter	To call Mech Pt. Ref Mech-1.5.75	-	1.5.75	"	-do-	

Category : Ref Mech

1	2	3	4	5	6	7	8	9	10
53.	MES-437880 Shri RK KOHLI	22.11.50	Inter ITI Course Ref	Ref Mech -1.5.75	Ref Mech Pt 1.4.79	1.5.75	Neither	GE E/M Lko	
54.	~~MES-437997 Shri MK GUPTA~~	~~4.11.51~~	~~Inter~~	~~Ref Mech-1.5.75~~	-	1.5.75	Neither	~~-do-~~	Promoted to E/M II and Posted to Kanpur
56.	MES-437874 Shri ABINASH CHANDRA KALIAH	6.11.52	HS	Ref Mech-1.5.75	Ref Mech Pt 1.4.80	1.5.75	"	-do-	
57.	MES-437883 Shri ML SRIVASTAV	20.1.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
58.	MES-437882 Shri VIJAYA MOHAN	17.7.53	Inter	Ref Mech-1.5.75	-do-	1.5.75	"	-do-	
59.	MES-437879 Shri SK TIWARI	1.11.53	Inter	Ref Mech-1.5.75	~~Ref Mech Pt~~ 1.4.80	1.5.75	"	~~-do-~~ GE(W) BKT	
60.	MES-437992 Shri GIRISH CHAND	13.11.52	HS	Ref Mech-1.8.75	-do-	1.8.75	"	~~-do-~~ GE E/M I	
61.	MES-437993 Shri ARUN KUMAR SRIVASTAVA	17.4.52	DA (K) SC	Ref Mech.1.8.75	-do-	1.8.75	"	-do-	

TT Cl Mech (Rf)

....17.

1	2	3	4	5	6	7	8	9
62. MES-437994 Shri ASHWANI KUMAR VAID	28.5.52	BA	Ref Mech-1.8.75	Ref Mech Pt 1.8.78	1.8.75	Neither	GE E/M Lko	
63. MES-NYA Shri PRITAM RAM SHUJA	19.12.52	HS	Ref Mech-1.8.75	-	1.8.75	-do-	-do- Expired on 23.9.83	
64. MES-437991 Shri NOORAL HASSAN	10.8.51	Inter	Ref Mech-26.9.75	Ref Mech Pt 1.4.88	26.9.75	-do-	-do-	
65. MES-454770 Shri RAKESH PANDEY	1.6.53	HS ITI	Ref Mech-1.8.75 In Ref Technician 78 (Apl.)	-	1.8.75	-do-	AGE (I) Mena a	
66. MES-437998 Shri LALLU KISHOR SHIVASTAVA	12.2.50	HS	Ref Mech-19.11.75	Ref Mech Pt 19.11.78	19.11.75	-do-	GE E/M Lko	
67. MES-450566 Shri JAVAHAR LAL VERMA	25.6.46	Inter	MPA-1.4.67 Ref Mech-6.12.75	MPA Pt 1.4.77	6.12.75	-do-	-do-	
68. MES-455545 Shri ROOP CHAND	3.1.52		MPA-30.10.73 Ref Mech-20.9.77	MPA Pt 1.4.77	20.9.77	-do- SC	-do-	
69. MES-435941 Shri RAJ KUMAR	2.2.42		MPA-22.12.61 Ref Mech-11.5.78	MPA-Pt 1.4.66	11.5.78	Neither -do-	-do-	
70. MES-432301 Shri JP PATHAK	14.5.49	Inter	MPA-21.9.70	MPA-Pt	11.5.78	-do-	-do-	

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1	2	3	4	5	6	7	8	9	10
71. MES-454548 Shri RB MISHRA	13.10.48	9th	MPA-11.3.72 TT Ref Mech 77 / Ref Mech-13.5.78	MPA Pt 1.4.78	13.5.78	Neither	GE E/M Lko.		
72. MES-437999 Shri TIKA RAM	9.3.47	Inter	MPA-3.10.73 17.9.74 TT Ref Mech 77 Ref Mech-12.10.78	MPA Pt 1.4.77	12.10.78 29.9.78	"	-do-		
73. MES-454579 Shri BAL RAM SINGH	2.12.51	HS	MPA-25.1.74 TT Ref Mech 77 Ref Mech-12.10.78	MPA O/Pt 25.1.77	12.10.78	"	-do-		
74. A/49859 Shri DC ASTEKAR	2.6.42	HS	MPA 17.9.74 TT Ref Mech 77 Ref Mech-13.10.78	MPA O/Pt 17.9.77	13.10.78	"	-do-		
75. MES-437906 Shri KL ARORA	8.7.43	HS	MPA-17.9.74 TT Ref Mech 77 Ref Mech-13.10.78	MPA O/Pt 17.9.77	13.10.78	"	-do-		
76. MES-454235 Shri SATYANAND SINGH	24.12.45	SA	MAS-22.1.68 TT Mech-70 MPA-13.8.74 TT Ref Mech 73 Ref Mech 13.10.78 TT Ref Mech 77	Mech O/Pt 22.1.71	13.10.78	"	-do-		
77. MES-454750 Shri SZI RIZVI	30.6.48	SA	MPA-17.9.74 TT Ref Mech 77 Ref Mech-13.10.78		13.10.78	"	-do-		
78. MES-437906 Shri SK MEHDI	13.7.48	HS	MPA-17.9.74 TT Ref Mech 77 Ref Mech-13.10.78		13.10.78				

Category : Ref Mech.

1	2	3	4	5	6	7	8
79.	MF-225235 Shri TK RAHILA	6.6	HS TT Rly Mech 77	MPA-1.5.74 Ref Mech-13.10.78	MPA Pt 1.5.77	13.10.78	Ret Store
80.	MES-437098 Shri HL CHOPRA	10.12.49	SK TT Rly Mech 77	MPA-6.9.77 Ref Mech-13.10.78	MPA Pt 6.9.77	13.10.78	
81.	MES-425060 Shri SURESH CHAND	2.5.53	HS	MPA-30.10.72 Ref Mech-20.1.78	MPA Pt 3.10.75	20.1.78	
82.	MES-459567 459560 Shri S.SANTOSH KUMAR Balmis	8.2.51	Helper TT Rly Mech 77	MPA-19.10.70 Ref Mech-20.1.78	MPA Pt 1.4.77	20.1.78	
83.	MES-455215 Shri KANVIR SINGH	20.9.48	HS TT Sig 75 TT Rly Mech 75	MPA-16.10.71 SDA-12.2.75 Ref Mech-16.2.78	MPA Pt 1.4.73	16.2.78	
84.	MES-455537 Shri BHULAN DEV	12.11.51	TT Rly Mech 75	MPA-19.8.72 Ref Mech-8.5.78	MPA Pt 1.4.73	8.5.78	
85.	MES-454259 Shri BASANT LAL	1.7.43	TT IOR Ref Mech 79	MPA-15.11.76 Ref Mech-26.6.82	MPA Pt 1.4.72	26.6.82	
85.	MES-479736 459535 Shri JAGDISH PD	7.7.49	TT Rly Mech 79	MPA-23.4.71 Ref Mech-1.7.82	MPA Pt 11.4.72	1.7.82	
86.	MES-452427 Shri BASU DEO SINGH	19.4.44	Khl TT MPS 74 TT Rly Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	30.3.83	
87.							

Category : Mot Mech

1	2	3	4	5	6	7	8	9
88.	MES-452429 Shri AMRINDER SINGH	3.11.44	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	28.3.83	Neither	GE E/M Lko
89	MES-452407 Shri VINOD KUMAR SINGH	28.12.48	VIII TT Ref Mech 79	MPA-1.12.66 Ref Mech-30.3.83	MPA Pt 1.4.72	28.3.83	"	-do-
90.	MES-454257 Shri SADA SUKH	1.7.44	TT MPA 74	MPA-1.12.66 Ref Mech-4.4.83	MPA Pt 1.4.72	4.4.83	"	AGE (~~RGP~~) Nem
91.	MES-454136 Shri BABU LAL	16.10.34	VIII TT Ref Mech 79	MPA-3.12.66 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	GE E/M Lko
92.	MES-452524 Shri SULTAN SINGH	2.7.45	VIII TT Ref Mech 79	MPA-3.12.66 Ref Mech-17.1.84	MPA Pt 1.4.72	17.1.84	"	-do-
93.	MES-452641 Shri IDRI LAL	13.5.47	VIII TT MPA 74 TT Ref Mech 79	MPA-1.8.79 Ref Mech-17.1.84	MPA Pt 1.4.77	17.1.84	SIC	-do-
94.	MES-437901 Shri SHIV PRASAD	11.1.50		MPA-6.9.[illegible] Ref Mech-14.2.84	MPA Pt 6.9.[illegible] MPA Pt 1.4.81	14.2.84	Neither	-do-
95.	MES-454264 Shri VK SINGH	12.7.46	DS TT MPA 76 TT Ref Mech 79	MPA-1.12.66 Ref Mech-9.4.83	MPA Pt 9.4.83	9.4.83	"	AGE DKT GE (W) Lko

(51)

40 25

98/84

Marked

Ref Cell

.21.

In the Central Administrative Tribunal.

Additional Bench, Allahabad.

Enclosure No.5

In

Registration No. of 1986

Between

Sri R.L. Singh and others ...Applicants.

and

The Union of India and others ..Respondents.

(~~Photo State~~ copy is enclosed below)

"The [illegible] qualified for promotion to the grade of Ch. Mech. (Rdg) need not be present in the same area as they are liable for the All India service liability. Please ascertain the vacancies in your command and consider their transfer on the promotion in case no qualified individuals exist in the area."

c/ x x x

(Sohoni)

AO I

for Chief Engineer.

Attested
pej, pdv
8/8/86.

47

In the Central Administrative Tribunal

Additional Bench, Allahabad.

Enclosure- No.4

In

Registration No. of 1986.

between

R.L. Singh and others .....Applicants

versus

The Union of India and others ...Respondents.

PART-I ORDER BY

C & S (P) Lucknow Cantt-2

Unit O/A (P) Sl.No.50

dt. Lucknow Dt. 17 Jul. 1986.

D.P.C. Allotment of Industrial workers in pay scales recommended by IIIrd Pay commission Impelentation of turve grade structure in M.E.S. H. S. Gd. II w.e.f. 15 Oct.,84.

1. A Board of officers composed as under will assemble at time and place to be fixed by presiding officer to draw a select list of Ref. Mechanic for promotionto HS Gd. II in terms of govt. of India memorandum no. Defence letter No. 1(1)/80/D/MC/IC Vol III of 90270/83/103/A 10 (III) dt. April, 1986.

Presiding Officer :- Sri I.K. Arthur, AA GE (W) Lko.

45

-2-

As above :- 1. Sri [illegible]
Sri [illegible] Advs.

2. Sri [illegible] for Respt. No.

[illegible] No.

3. Seniority list of individuals and copy of departmental enhancement for 1986-87 will be supplied by this office.

4. Court proceedings duly completed in all respect should be submitted to this office by 21 Jul. 86.

1.065/A/260/86-IV(3) Virendra Prasad
Col. C.[illegible]

Distribution :-
1. Sri [illegible] Advr
2. Sri [illegible],
3. [illegible]
4. [illegible] Advocate.
5. [illegible] (2) Nos.
6. [illegible] (1)

(true copy)

Attested
pej 8/8/86
Adv.

In the Central Administrative Tribunal
Additional Bench Allahabad.

Enclosure no.5

In

Registration No. of 1986

between

Sri R.L.Singh & others .....Applicants.

and

Union of India and others ....Respondents.

(~~photostat~~ copy is enclosed below)

the above referred period order it is established beyond reasonable doubt that the board of officer[illegible] period order No.50 dt. 17th July,1968 in total [illegible] of order of Ministry of Defence regard-ing [illegible] application of III grade [illegible] the [illegible] any objection are as under:-

1- May the list not after long great deal of changes since it was last placed before the T. [illegible] Bore as based on this seniority list some promotions were effected.

2- The committee failed to correct to to all [illegible] and the seniority list placed before D.Z...

3- The committee failed to provide reasonable opportunity to the individuals whose seniority has not been finalised.

In connection you are in the light of orders of Ministry of Defence counto satisfy the above mentioned requirement to it failing which U.P. [illegible] Bore will be [illegible] compelled course to take [illegible]/to modify its orders.

Yours faithfully,

[illegible] Vice Presi.

Attested
Pej
8/8/86.

4F 50

In the Central Administrative Tribunal

Allahabad Bench Allahabad.

Enclosure No.6

In

Registration No. of 1990

Between

Shri ... Singh & others .....Applicants.

and

Union of India and others ....Respondents.

(~~Photostat~~ copy is enclosed below)

R.K.G.

82. [illegible] 485:076 [illegible] ... 480

90. [illegible] 482441 [illegible] ... 480

91. [illegible] 481745 [illegible] ... 480

92. [illegible] 480496 [illegible] ... 480

[illegible] ... 480

[illegible]

(true copy)

Attested
pcj
8/8/86.